

# TRANSIT SAFETY OVERSIGHT

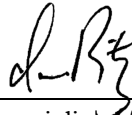
FOR RAIL FIXED GUIDEWAY TRANSPORTATION SYSTEMS

## PROGRAM STANDARD

Wisconsin Department of Transportation  
Bureau of Transit, Local Roads, Railroads & Harbors  
Public & Specialized Transit Section

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Wisconsin Department of Transportation – WisDOT



1/29/2025

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1/28/2025

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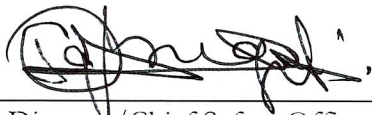
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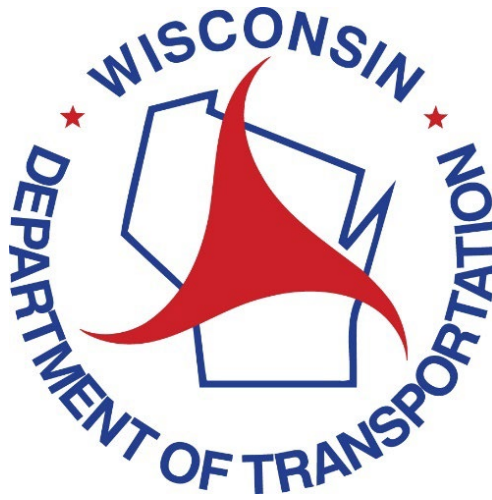
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# WisDOT Rail Transit Safety Oversight Program

## State Safety Oversight Program Standard

Revision 7.0

January 28, 2025

Wisconsin Department of Transportation  
Bureau of Transit, Local Roads, Railroads & Harbors  
Public & Specialized Transit Section

# Revision Information

<b>Revision No.</b>	<b>Sections/Pages Affected</b>	<b>Date</b>
Revision 7.0	<ul style="list-style-type: none"><li>• Risk-based inspection program elements added throughout, per FTA-approved development plan</li><li>• Updated sections based on 2022 FTA audit</li><li>• Reference Guide integration</li></ul>	January 28, 2025
Revision 6.0	<ul style="list-style-type: none"><li>• Updated sections based on 2022 FTA audit</li><li>• Removed non-operative references to 49 CFR Part 659 and related federal law</li></ul>	March 15, 2024
Revision 5.0	<ul style="list-style-type: none"><li>• Complete revision of document</li><li>• New format and content to comply with 49 CFR Part 674</li></ul>	April 10, 2018
Revision 4.0	<ul style="list-style-type: none"><li>• Section 6.3.1</li><li>• Removed mandatory adherence to APTA Standard for Rail Transit Accident/Incident Investigation</li><li>• Section 9</li><li>• Inserted new section to address reporting and records management</li><li>• Additional minor revisions throughout</li></ul>	January 15, 2013
Revision 3.0	<ul style="list-style-type: none"><li>• Formatting changes only</li></ul>	October 2011
Revision 2.0	<ul style="list-style-type: none"><li>• Formatting changes only</li></ul>	May 2010
Revision 1.0	<ul style="list-style-type: none"><li>• Formatting changes only</li></ul>	May 2009
Initial Issue	<ul style="list-style-type: none"><li>• Original document</li></ul>	June 29, 2006

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# Definitions

Unless otherwise noted, the WisDOT SSO program adopts the definitions provided in 49 CFR Part 674 – see Appendix A for the complete text. The following definitions may be used throughout this document:

**Rail fixed guideway public transportation system (RFGPTS)** means any fixed guideway system, whether in operation, engineering, or under construction, that:

1. Uses rail,
2. Is operated for public transportation,
3. Is within the jurisdiction of a State, and
4. Is not subject to the jurisdiction of the Federal Railroad Administration (FRA).

Includes, but is not limited to: rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway; used in 49 U.S.C. § 5329 and 49 CFR Part 674. Similar/related terms include:

- Rail fixed guideway system (RFGS) was used in 49 U.S.C. § 5330 and 49 CFR Part 659 (no longer active); RFGPTS and RFGS refer to the same systems
- Rail fixed guideway transportation system is used in Wis. Stats. s. 85.066(1); refers to the same systems as RFGPTS and RFGS

**Rail transit agency (RTA)** means any entity (public, private, or otherwise) that provides services on a rail fixed guideway transportation system (see RFGPTS, above, and *rail transit system*, below).

**Rail transit system** means the same thing as rail fixed guideway public transportation system (see RFGPTS, above) and refers to the sum of the primary physical components of a rail system, including: track, vehicles, facility, power systems, etc.. Importantly, a rail transit system is not an entity (see RTA, above). The term *rail transit system* is used in Wis. Admin. Code Trans 10 as a catch-all and is the preferred term of the WisDOT SSO program.

# Acronyms and Abbreviations

ALARP	-	"As low as reasonably practicable"
APTA	-	American Public Transportation Association
AREMA	-	American Railway Engineering and Maintenance of Way Association
BIL	-	Bipartisan Infrastructure Law (see IIJA)
CAP	-	Corrective action plan
CFR	-	Code of Federal Regulations
CMP	-	Configuration management plan
CSO	-	Chief safety officer
CWP	-	Certification work plan
FAST Act	-	Fixing America's Surface Transportation Act
FRA	-	Federal Railroad Administration
FTA	-	Federal Transit Administration
FTA-TSO	-	Office of Transit Safety and Oversight, FTA
FTE	-	Full time equivalent
IFR	-	Initial facts report
IIJA	-	Infrastructure Investment and Jobs Act (see BIL)
ITP	-	Individual training plan (see TTP)
MAP-21	-	Moving Ahead for Progress in the 21 <sup>st</sup> Century
NFPA	-	National Fire Protection Association
NPRM	-	Notice for proposed rulemaking
NTD	-	National Transit Database
NTSB	-	National Transportation Safety Board
OCS	-	Overhead catenary (or contact) system
WisDOT	-	Wisconsin Department of Transportation
OSHA	-	Occupational Safety and Health Administration
PII	-	Personally identifiable information
PTASP	-	Public transportation agency safety plan
RBI	-	Risk-based inspection
RFGPTS	-	Rail fixed guideway public transportation system
RTA	-	Rail transit agency
RWP	-	Roadway worker protection
SGR	-	State of good repair
SMS	-	Safety management system
SOP	-	Standard operating procedure
SSCP	-	Safety and security certification plan
SSEPP	-	System security and emergency preparedness plan
SSO	-	State safety oversight
SSP	-	System security plan (49 CFR Part 659, rescinded)
SSPP	-	System safety program plan (49 CFR Part 659, rescinded)
TAM	-	Transit asset management
TSA	-	Transportation Security Administration
TSOA	-	Transit Safety Oversight Association
TTP	-	Technical training plan (see ITP)
U.S.C.	-	United States Code

# INTRODUCTION

This document is the state safety oversight (SSO) program standard, which describes the rail transit safety oversight program of the Wisconsin Department of Transportation (WisDOT). The SSO program is required by federal law and concerns state oversight of safety compliance at rail fixed guideway public transportation systems (“rail transit systems”) under the state’s jurisdiction. The Federal Transit Administration (FTA) Office of Transit Safety and Oversight (FTA-TSO) oversees WisDOT’s compliance with its SSO program requirements.

The purpose of this document is to identify the processes and procedures that:

- 1) Govern the activities of SSO program personnel; and
- 2) Each rail transit agency (RTA) must have in place to comply with various safety program requirements.

WisDOT’s original rail transit program standard, dated June 29, 2006, served as the state’s initial safety oversight program submission to FTA, as required under 49 CFR Part 659 (now rescinded). Revision 5.0, issued April 10, 2018, served as the program standard for the State of Wisconsin’s application to FTA for certification under the 2016 federal regulation for SSO programs, 49 CFR Part 674, as required by federal law under 49 U.S.C. § 5329. **WisDOT’s SSO program was certified by FTA as compliant with Part 674 on July 25, 2018.**

**Revision 7.0** updates language and requirements based on FTA guidance since 2018, especially concerning compliance with 49 CFR Part 673, the Public Transportation Agency Safety Plan (PTASP) rule for RTAs, and FTA’s Special Directive 22-53, directing state development of a risk-based inspection (RBI) program within the existing SSO program. Full text of applicable federal and state statutes and rules can be found in Appendices A and B, respectively.

The WisDOT SSO program and minimum standards are consistent with the National Public Transportation Safety Plan, as established by 49 CFR Part 670.

## SSO Program Legislative Framework

### MAP-21 (2012) and FAST Act (2015) Safety Program Changes

In 2012, as part of Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), USDOT modified its safety oversight and safety performance expectations at every level, including with the FTA, states, and public transit agencies. Both 49 U.S.C. § 5329 and 49 CFR Part 674 (see Appendix A) presented a new framework of safety program expectations for SSO agencies and the systems they oversee. Updates in the 2015 Fixing America’s Surface Transportation Act (FAST Act) included technical corrections and clarifications to the original language of MAP-21 – the safety programs established

under these two acts require FTA to follow a transit-specific safety management system (SMS) meant to provide the basis of the changes to transit safety programs across the country.<sup>1</sup>

### *Infrastructure Investment and Jobs Act (2021) and Risk-Based Inspections*

In 2021, the Infrastructure Investment and Jobs Act (IIJA), aka the Bipartisan Infrastructure Law (BIL), included updates to FTA's Public Transportation Safety Program, including for SSO programs. The primary change is a requirement that SSO programs include a risk-based inspection program (RBI) for rail transit systems they oversee; other focus areas include safety training requirements and vehicle operator assaults.

## **Federal Rules and Guidance**

As of this document's publication date, FTA's safety programs include the following rules and guidance:

### Public Transportation Safety Certification Training Program

In July 2018, FTA published 49 CFR Part 672, which requires safety-related training for specific FTA, SSO agency, and RTA staff who are responsible for safety oversight.

### National Safety Plan

In January 2017, FTA first introduced its National Public Transportation Safety Plan (or National Safety Plan), a transit-specific, proactive SMS framework that includes: safety performance management; risk management; and safety performance assurance at public transit agencies (not just RTAs). This plan also introduced FTA's requirements for safety performance criteria, on which public transit agencies will be required to base their safety performance measures and targets, for improvements documented in their safety plans.

In April 2024, FTA published a new National Safety Plan, replacing the framework established in 2017. Among other changes, FTA added new safety performance measures and eliminated the "top-down" aspect of the SMS approach.

### Public Transportation Agency Safety Plan

In July 2018, FTA published 49 CFR Part 673, which requires RTAs to develop and adopt a transit-specific SMS framework through a Public Transportation Agency Safety Plan (PTASP). Since 2018, FTA has regularly (but unofficially) used the term Agency Safety Plan, or ASP, in guidance documents.

In April 2024, FTA published an update to the PTASP rule, adding BIL/IIJA-required elements. Among other changes, major updates concern transit worker safety and a

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<sup>1</sup> *Safety Management Systems: Getting Ready*, <https://www.transit.dot.gov/oversight-policy-areas/safety-management-systems-getting-ready>

requirement that safety committees be comprised of an equal number of frontline and management representatives at each transit agency with a PTASP.

### **Public Transportation Safety Program**

In August 2016, FTA published 49 CFR Part 670, which establishes the procedural rules for FTA's administration of its comprehensive safety program to improve and assure transit system safety across the country. Significantly, this program includes FTA's authority to take over audits and inspections for an SSO agency.

### **Transit Asset Management**

In July 2016, FTA published 49 CFR Part 625, which establishes federal Transit Asset Management (TAM) processes, including: state of good repair (SGR); and data collection, prioritization, and delivery to the National Transit Database (NTD). Changes made for TAM in the NTD requirements are published under 49 CFR Part 630.

### **State Safety Oversight**

In March 2016, FTA published 49 CFR Part 674, required under 49 U.S.C. § 5329 and replacing prior federal law at 49 U.S.C. § 5330. Part 674 became effective on April 15, 2016, and states were given three years to complete development of an updated SSO program and obtain certification from FTA. By operation of law, 49 U.S.C. § 5330 was repealed effective April 15, 2019 – FTA was also required to rescind Part 659 no later than that same date; however, Part 659 was officially rescinded on February 7, 2022 (FR Doc. 2022-02489).

On October 21, 2022, FTA issued special directives to every SSO agency, each with the requirement for the agency to develop and submit documentation for a risk-based inspection (RBI) program within their existing SSO program – WisDOT received Special Directive 22-53 (SD-22-53); see Certification of a Risk-Based Inspection Program (below) and Appendix A.

In October 2024, FTA published an update to the SSO rule, adding BIL/IIJA-required elements. Among other changes, major updates concern elimination of the accident-incident-occurrence thresholds and addition of risk-based inspection program requirements (also described in SD-22-53). The effective date for Part 674 is January 1, 2025.

## **SSO Program Certification**

### **Certification to 49 CFR Part 674**

In 2013, FTA developed a self-assessment for states required to have an SSO program, in preparation for a new SSO program rule to replace 49 CFR Part 659, the existing SSO program rule. FTA issued a Certification Work Plan (CWP) for each SSO agency.<sup>2</sup> WisDOT worked through its CWP from 2013 through mid-2016.

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<sup>2</sup> Two SSO agencies were considered pre-certified with their existing SSO programs: California and Massachusetts.

The FTA released its Certification Toolkit in July 2016, then issued a revision in February 2017. Although neither version of the Certification Toolkit officially replaced the CWP, all updates between states and the FTA centered around the toolkit, which broke down the FTA requirements for Part 674 certification into categories, each requiring programmatic evidence in order to be considered for certification. FTA did not resume updates, guidance, or follow-up on the CWP.

On April 13, 2018, WisDOT submitted its completed Certification Toolkit to FTA, providing programmatic evidence of compliance for all requirements of the new SSO program rule, 49 CFR Part 674. On July 25, 2018, FTA announced the certification of the State of Wisconsin's SSO program.

### **Certification of a Risk-Based Inspection Program**

Among several other new safety-related requirements, the BIL/IJJA (2021) required states to develop a risk-based inspection program (RBI) for their SSO program. The RBI program mandate was added to 49 U.S.C. § 5329(k), which further required FTA to address RBI program development and implementation by issuing a special directive to each SSO agency.

On October 21, 2022, FTA issued special directives to all SSO agencies – the State of Wisconsin received Special Directive 22-53 (SD 22-53). FTA also issued a non-binding toolkit to assist in RBI program development.

Though each special directive was addressed to an individual SSO agency, the substantive content was identical – the FTA directed SSO agencies to: 1) develop an RBI program and submit documentation by October 21, 2024; and 2) begin program implementation within six (6) months of FTA approval of a state's RBI program.<sup>3</sup>

On July 31, 2024, WisDOT submitted its RBI development plan for FTA review, providing programmatic evidence of compliance for all requirements included in SD 22-53. On December 6, 2024, FTA approved WisDOT's RBI development plan.

## **Program Standard Sections**

Select a heading to jump to the corresponding section:

[Section 1. Program Management](#)

[Section 2. Program Standard Development](#)

[Section 3. Program Policy and Objectives](#)

[Section 4. Public Transportation Agency Safety Plans and Internal Review](#)

[Section 5. Triennial Audits](#)

[Section 6. Accident Notification](#)

[Section 7. Accident Investigations](#)

[Section 8. Corrective Actions](#)

[Section 9. Annual Reporting to FTA](#)

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<sup>3</sup> Both 49 U.S.C. § 5329(k) and the special directives are silent as to the time between an SSO agency's RBI program submission, which has a statutory deadline of October 21, 2024 (two years after the special directives were issued), and FTA approval of that program.

# SECTION 1. PROGRAM MANAGEMENT

Federal requirements for this section are defined in 49 CFR 674.27(a)(1) and broken down into four general topics:

1. Authority to oversee the RTA safety program
2. Policies that govern safety oversight activities
3. Reporting and data collection requirements
4. Communication and coordination

## 1.1 SSO Program History

In 1991, Congress enacted the Intermodal Surface Transportation Efficiency Act (ISTEA, cited at 49 U.S.C. § 5330), which called for the FTA to establish a program requiring states to oversee the safety and security programs of rail transit systems in their jurisdiction not regulated by the Federal Railroad Administration (FRA). To fulfill the congressional mandate under ISTEA, FTA created the State Safety Oversight (SSO) program to improve rail transit safety and security. FTA next promulgated its first SSO regulation, 49 CFR Part 659, which went into effect on January 26, 1996. FTA then published a comprehensive revision that became effective in May 2005; states were required to comply with the revised requirements by May 1, 2006.

When Part 659 went into effect, Wisconsin did not have any rail transit systems in revenue service. In 2000 – after Part 659 but before its 2005 revisions – the City of Kenosha completed construction of its 2-mile streetcar circulator, which met the federal definition for inclusion in the SSO program. Accordingly, then-governor Tommy Thompson designated the Wisconsin Department of Transportation (WisDOT) as the state’s rail transit state oversight agency. From 2000 to 2015, successive designation letters from the governor maintained WisDOT’s role as Wisconsin’s SSO agency.

On July 12, 2015, Wisconsin’s Act 55 went into effect, including Wis. Stat. § 85.066, which established WisDOT as Wisconsin’s rail transit state safety oversight agency by statute. On June 1, 2018, the state legislature published Wisconsin Administrative Code Transportation 10 (Wis. Admin. Code Trans. 10, or Trans 10), which substantially conforms to the language of Part 674.

Appendix B contains copies of the state-level authorizations described above that establish WisDOT as the SSO agency for the State of Wisconsin.

## 1.2 SSO Agency Authority

Federal requirements for SSO program standards are defined through 49 CFR sections 674.11, 674.13, and 674.25. FTA’s interpretation of Part 674 indicates that the WisDOT SSO program must have the authority to implement this program standard (and other program elements), sufficient to:

- Promulgate and enforce state rules and regulation concerning rail transit safety, including establishing enforcement and investigative authorities

- Enforce federal rules and regulation concerning rail transit safety
- Establish and carry out legal and financial obligations independent of RTAs
- Hire and develop rail transit safety oversight staff and contract support
- Manage federal and state grant programs concerning rail transit safety
- Implement a robust and active rail transit safety oversight program sufficient to meet the safety oversight needs of the RTAs in the state

On July 25, 2018, FTA certified that the State of Wisconsin, through WisDOT, has the required authority to implement its SSO program. State authority to address these requirements exists through Wis. Stat. § 85.066 and Wis. Admin. Code Trans 10, included in Appendix B. This program standard, including its appendices and procedures, addresses the oversight policies and procedures authorized by both the state statute and the state rule, including all risk-based inspection program requirements.

### 1.2.1 Risk-Based Inspection (RBI) Program Authority

#### **Special Directive 22-53**

In October 2022, FTA issued special directives to each SSO agency. Though addressed to each agency individually, the otherwise identical special directives required each agency to develop a risk-based inspection (RBI) program commensurate with the size, number, and complexity of the rail transit systems it oversees. FTA also included a non-binding toolkit to assist SSO agencies in developing their RBI program. The State of Wisconsin received Special Directive 22-53 (SD 22-53), included in Appendix A.

#### **Legal Authority**

To satisfy the requirements of SD 22-53, WisDOT must demonstrate that it has authority to:

1. Enter the RTA facilities;
2. Inspect RTA activities; and
3. Conduct inspections with and without advance notice.

As indicated above (section 1.1), WisDOT is the designated SSO agency for the State of Wisconsin under Wis. Stat. § 85.066, which became law in 2015 (Appendix B). Section 85.066(2) reads as follows:

The department shall develop and administer a transit safety oversight program. Under the program, the department may oversee, enforce, investigate, and audit all safety aspects of rail fixed guideway transportation systems.

Wisconsin Administrative Code Transportation 10 (Wis. Admin. Code Trans. 10, or “Trans 10”) interprets and implements Wis. Stat. § 85.066 and establishes policies and procedures consistent with federal law (Appendix B). Wis. Admin. Code Trans. 10.03(3)(d) states, in part:



The department shall oversee, enforce, investigate, and audit all safety aspects of all rail fixed guideway transportation systems . . . by . . . [c]onducting, or causing to be conducted, inspections, audits, or investigations, of safety-related events . . . .

While Wis. Stat. § 85.066 grants WisDOT’s SSO program authority and Trans. 10 authorizes WisDOT to conduct inspections as part of its oversight and enforcement responsibilities, WisDOT further specifies the practice of conducting risk-based inspections in this program standard. Specifically, WisDOT is authorized to enter all RTA facilities and is able to conduct inspections with or without advanced notice to the RTA – see sections 1.6 and 1.7 for comprehensive RBI policies and procedures.

Finally, all RBI policies and procedures in this program standard were developed, as required, in consultation with each RTA. The final approved version of the program standard is signed by RTA representatives, as required by and described in this program standard. Accordingly, WisDOT has consent from the RTAs to enter their facilities to conduct inspections. Furthermore, each RTA has a PTASP, as required under 49 CFR Part 673, with language confirming WisDOT’s authority and capability to enter RTA facilities, inspect RTA activities, and conduct inspections with and without advance notice.

### **WisDOT Authority Summary**

State authority to address RBI program requirements exists through Wis. Stat. § 85.066 and Wis. Admin. Code Trans 10, included in Appendix B. This program standard, including its appendices and procedures, addresses the oversight policies and procedures authorized by both the state statute and the state rule, including all RBI program requirements.

### **WisDOT Access to RTA Assets**

WisDOT uses contractors to support its SSO program, which includes its RBI activities and ensures the program remains flexible and offers relevant expertise. All WisDOT-contracted inspectors are either certified under the PTSCPT (49 CFR Part 672) or enrolled in an Individual Training Plan (ITP) to complete the PTSCPT curriculum. WisDOT’s Technical Training Plan (TTP) identifies how its mix of staff cover the technical training elements of Part 672 and which are relevant to the various objects of inspection at both Wisconsin RTAs. WisDOT reviews and updates its TTP annually to ensure that both employee and contractor staff resources remain sufficient to address all SSO program objectives – throughout this document, the term “inspector” includes all WisDOT SSO staff and contract personnel with the appropriate training, as documented in the TTP.

WisDOT will also confirm, at least annually, that current SSO program inspectors have access to all RTA assets in any form. This includes facilities and properties both accessible and inaccessible to the general public and transit patrons. In the event any RTA staff attempts to prevent or delay WisDOT RBI activities from taking place, WisDOT SSO program inspectors will escalate this concern to the RTA’s CSO and/or Accountable Executive.

To facilitate inspector access to all RTA assets, the WisDOT SSO program manager will work with RTA staff to ensure that appropriate RTA key cards, keys, codes, and badges – as applicable for each RTA – are updated and available to all WisDOT SSO program inspectors prior to the start of

an inspection. The WisDOT SSO program manager will also ensure that all inspector training and certifications are up-to-date.

Both WisDOT SSO program personnel and staff from each RTA will also identify facilities and properties inaccessible to the general public and transit patrons that require additional safety precautions prior to physical, onsite inspection. Per their policies, each RTA may also choose to provide an escort into such areas. However, this does not mean that RTA staff must be present in order for a WisDOT inspector to commence an inspection.

Should WisDOT determine that an RTA employee is needed as an escort for an unannounced inspection, WisDOT inspectors will communicate with RTA staff once they have arrived on-site to request the escort. An RTA must provide an appropriate escort within one (1) hour of receiving a request from WisDOT inspectors. Unannounced inspections to restricted areas will take place following confirmation of the correct access credentials and compliance with relevant RTA safety procedures, protocols, and other requirements. Communication between WisDOT SSO inspectors and RTA staff concerning access may be face-to-face, through email, or a phone call prior to announced inspections, and is further discussed later in this program.

### **WisDOT RBI Processes**

In response to SD 22-53, and concerning the ability of SSO program personnel to conduct risk-based inspections at rail transit systems, WisDOT has authority to:

- Enter all RTA facilities
- Inspect RTA documentation, system elements, and activities, including: infrastructure; equipment; records; personnel; and data
- Conduct such inspections with and without advance notice to the RTA
  - Advance notice will be provided at least twenty-four (24) hours in advance and will include:
    - All RBI-related activities expected to be performed
    - All SSO personnel expected to participate
    - All RTA personnel invited to participate
      - Including the use of escorts, if needed and as required by RTA policy and procedure
    - Scope of inspection or reasonable description of items to be inspected
    - Time and date of inspection
  - In the event of a physical, onsite inspection, SSO personnel will:
    - Provide advance notice to the relevant RTA point-of-contact, which may consist of: a formal or informal letter (including email); text message; or phone conversation
      - Advance notice achieved by text or phone call will be followed-up, as soon as reasonably practicable, by a written memorandum conforming to the advance notice framework
    - Conduct the RBI-related activities according to the plan set forth in the advance notice (or follow-up memorandum)
  - In the event of a remote inspection, SSO personnel will:
    - Follow the same notice procedures as for an onsite inspection

- Invite relevant RTA personnel via a remote meeting link
- Conduct the RBI-related activities according to the plan set forth in the advance notice (or follow-up memorandum)
  - In the event of an unannounced remote inspection, SSO personnel will, upon starting the meeting, follow the same framework as an unannounced onsite inspection
- Unannounced inspections will be performed according to the following framework:
  - For physical, onsite inspection, SSO personnel will:
    - Identify themselves to RTA personnel upon arrival using valid identification for such purpose, such as:
      - Current ID card
      - Current RWP certification card/credentials for the system
      - Current inspection credentials for the individual
      - RTA-provided security badge (if applicable)
    - Deliver documentation to the relevant RTA personnel identifying the areas subject to the unannounced inspection
    - Request relevant RTA escorts, as required by RTA policy and procedure
    - WisDOT expects RTAs to provide immediate access to requested items and areas and to produce items responsive to inspection documentation immediately
      - Because these are unannounced inspections, if an RTA cannot provide immediate access because of reasonable approved reasons, WisDOT SSO inspectors will allow reasonable time not to exceed three (3) hours
        - Reasonable approved reasons are: RTA personnel necessary to gain access are not onsite at the time of WisDOT inspector arrival or are unavailable because of direct involvement with an ongoing safety event; the requested area is under full or partial control of another entity (*i.e.*, first responders, law enforcement, construction, or another agency having jurisdiction); the type or volume of requested documentation requires an unusually time-consuming process to retrieve
      - In the event an RTA cannot provide access within three (3) hours, the part of the inspection affected by the delay will be rescheduled as soon as practicable; for other parts of the inspection not affected by the delayed access, WisDOT inspectors will proceed with those parts of the inspection as planned
    - Follow-up any unannounced inspection with a written summary of the activities conducted onsite within ten (10) business days of conducting inspection activities

### 1.2.2 WisDOT SSO Authority over Rail Transit Systems

The WisDOT SSO program was developed and is administered commensurate with the size, number, and complexity of the rail transit systems it oversees. As of the publication date for this program standard, the WisDOT SSO program has two rail transit systems in operation under its jurisdiction: the Kenosha Area Transit (KAT) Electric Streetcar Circulator, which consists of refurbished vintage streetcars and less than two miles of track; and the Milwaukee Streetcar System (MSS), locally known as “The Hop”, which consists of modern streetcars and less than six miles of track.

RTAs under WisDOT’s SSO program jurisdiction must supply the WisDOT SSO program with up-to-date contact information for individual safety and security program points-of-contact. Current point-of-contact information for KAT and the City of Milwaukee is attached as Appendix K and Appendix M, respectively.<sup>4</sup>

Wisconsin RTAs subject to the oversight of WisDOT’s SSO program are included below in Table 1.

**Table 1. RTAs under WisDOT SSO jurisdiction**

Kenosha Area Transit – KAT	
Joseph McCarthy Transit Center 724 54 <sup>th</sup> Street Kenosha, WI 53140	KAT Offices and Bus Depot 4303 39 <sup>th</sup> Avenue Kenosha, WI 53144
Milwaukee Streetcar System – MSS	
Operations and Maintenance Facility 450 North 5 <sup>th</sup> Street Milwaukee, WI 53203	City of Milwaukee DPW, Room 501 Ziedler Municipal Building 841 North Broadway Street Milwaukee, WI 53202

### 1.2.3 General SSO Agency Authority

Explicit mandates in 49 U.S.C. §§ 5329(e)(3) and (e)(4) require states to obtain enforcement authority for their SSO agency. States are required to provide their SSO agencies with this authority as a condition of the receipt of federal grant funds apportioned under 49 U.S.C. Chapter 53. In addition, each state must identify the specific authorities and capabilities that it will use to enforce 49 U.S.C. § 5329(e) provisions and maintain eligibility for federal public transportation funding. As part of its mandate, FTA must evaluate each state’s approach and determine its sufficiency.

<sup>4</sup> Contact information updates within the WisDOT SSO program standard are not considered document revisions and are not subject to the program standard review and approval process.

During Part 674 certification, FTA determined that most states required additional enforcement authority to meet 49 U.S.C. § 5329(e) provisions. WisDOT worked to implement provisions of MAP-21 to strengthen its SSO program by ensuring the legal and financial independence, providing authority to enforce program requirements and compel action by the covered RTAs, and to conduct audits and independent investigations.

On July 25, 2018, FTA certified that the State of Wisconsin, through WisDOT, has the required authority to implement its SSO program. State authority to address these requirements exists through Wis. Stat. § 85.066 and Wis. Admin. Code Trans 10 (Appendix B) as explained in sections 1.2 and 1.2.1 of this program standard, above.

**This signed and executed program standard, including its appendices, procedures, and reference guide, comprises the SSO program policies and procedures for the State of Wisconsin, as authorized by both state statute and state rule, including all RBI program requirements.**

#### 1.2.4 Regulatory Responsibilities of Affected Agencies

Part 674 delineates the responsibilities of the state (Wisconsin), the SSO agency (WisDOT), the RTAs (KAT and MSS), and federal oversight (FTA) in implementing a complete program of rail transit safety oversight. The following is a brief overview of these responsibilities and roles:

**Wisconsin:** Designate its SSO agency

**WisDOT:** Develop and adopt a document of policies and procedures (an SSO program standard) that establishes the relationship between the SSO agency and the RTAs and specifies various requirements that each entity must follow, including:

- Requiring RTAs to develop a PTASP
- Requiring RTAs to notify the SSO agency of any internal reviews
- Conducting an on-site safety audit of each RTA every three years
- Requiring RTA reporting of various events and conditions (accidents, incidents, hazards)
- Requiring RTA preparation of corrective action plans (CAPs) to mitigate the effects or repeated occurrences of such events and conditions
- Reporting annually to FTA
- Developing and implementing a risk-based inspection program
  - This new requirement was published in the Federal Register on October 18, 2024 and became effective on January 1, 2025;

requirements for risk-based inspections are primarily located at 49 CFR § 674.27(a)(12).

**RTAs:** Develop and implement their PTASP

All rail transit systems meeting the relevant federal and state definitions, consistent with both federal and state law, and located within the jurisdiction of the State of Wisconsin, are subject to the WisDOT SSO program as described in this document. This includes systems currently operating, as well as systems in design, engineering, or construction phases.

An RTA subject to 49 CFR Part 674 must develop and implement safety (and other) plans that comply with WisDOT's SSO program standard. In addition, an RTA's responsibilities include:

- Notifying WisDOT of any safety and security review
- Annual reporting to WisDOT
- Managing hazards
- Reporting in accordance with procedures outlined in this program standard
- Conducting investigations on behalf of WisDOT
- Preparing and implementing CAPs to minimize, control, correct, or eliminate hazards
- Consulting with an SSO program in developing its RBI program policies and procedures
  - This new requirement was published in the Federal Register on October 18, 2024 and became effective on January 1, 2025; requirements for risk-based inspections are primarily located at 49 CFR § 674.27(a)(12).

**FTA:** Provide guidance, technical assistance, and an electronic system to report data

For SSO programs, the FTA assesses whether a state has complied with various federal rules or has made adequate efforts to comply with them. FTA also receives safety data and reporting from SSO agencies and can issue general or special directives based on that data.

**FRA (Federal Railroad Administration):** Provide technical assistance and assure compliance

The FRA is the regulatory agency for the United States general railroad system. As of this document's publication date, FRA does not have regulatory jurisdiction over any portion of an SSO-qualifying rail transit system in the State of Wisconsin – no part of any qualifying system is shared, crossed, or otherwise used by FRA-regulated railroad trains or infrastructure.

## 1.3 WisDOT SSO Program Staff and Responsibilities

WisDOT's SSO program staff includes: 1) a dedicated SSO program manager within WisDOT's Bureau of Transit, Local Roads, Railroads, and Harbors; and 2) dedicated SSO program contract consultants who are directed and supervised by the SSO program manager.

WisDOT's SSO program is designed with contractor staff serving as an extension of SSO program staff within WisDOT. For interactions with RTAs and the FTA, contractor staff report to the WisDOT SSO program manager for anything that requires program review or approval. Contractor staff are authorized to act on behalf of the WisDOT SSO program in accordance with express terms of the active, executed contract (including extensions) and most current authorized WisDOT SSO program standard, subject to federal and state law and regulation.

The use of contractor staff to supplement the WisDOT SSO program staff provides additional flexibility and on-demand access to necessary technical expertise, such as completing conducting or completing investigations, inspections, and/or audits at qualifying rail transit systems. Unless otherwise designated, the SSO program manager has primary responsibility for all SSO program activities in this document, including RBI program-related activities. All such work can be delegated to a contractor(s), subject to relevant training and competency requirements.

Responsibilities of the WisDOT SSO program include:

- Requiring each RTA to develop and maintain a PTASP that complies with WisDOT's SSO program standard and federal and state law and rules.
- Requiring each RTA to develop and follow minimum safety standards based on an all-hazards approach for operations, command and control, and maintenance of its rail transit system.
- Conducting on-site audits of each RTA's safety program at least once every three (3) years to assess the RTA's implementation of its safety programs based on its PTASP.
- Requiring each RTA to notify the WisDOT SSO program (and FTA, as required) within a specified timeframe of any reportable safety event or significant hazard, as defined in this document.
- Investigating, or causing to be investigated, at a minimum, reportable safety events or significant hazards as defined in this document.
- Requiring each RTA to develop a corrective action plan (CAP) based on an investigation in which identified causal factors and findings are determined by the RTA (or other entity, including WisDOT) as requiring a CAP; and for findings of noncompliance (and certain recommendations) from safety program audits performed by the RTA, WisDOT, the FTA, or other agency having jurisdiction.
- Monitoring safety risk at each rail transit system.
- Providing required and requested information, data, and reports to FTA.
- Participating in meetings related to rail transit capital projects, from at least the design phase through safety and security certification and successful transition from project to revenue operations and maintenance.
  - This specifically includes WisDOT SSO program participation in extension and new rail transit system capital projects, as well as major purchases or contracting for the

rail transit systems (such as purchasing new, or major refurbishment of, rail vehicles, or significant upgrades to rail stations).

- Conducting risk-based inspections according to the RBI procedures set forth in this program standard and as aligned with the PTASP of each RTA under SSO program jurisdiction

### 1.3.1 SSO Agency Point-of-Contact

The SSO program is administered by the Wisconsin Department of Transportation (WisDOT, “*Wiss-Dot*”), Division of Transportation Investment Management (DTIM, “*Dee-Tim*”), Bureau of Transit, Local Roads, Railroads & Harbors (BTLRRH, “*Butler*”), Public and Specialized Transit Section (Transit Section). WisDOT SSO program point-of-contact information is located in Appendix D, along with organization charts for WisDOT and each RTA.

The SSO program manager reports to the Transit Section chief, who reports to the BTLRRH director. The BTLRRH director reports SSO program information to the DTIM administrator, who in turn reports to the WisDOT secretary. If additional technical or staff support is required, the Transit Section chief is authorized to assign these resources to the program. The section chief also is authorized to arrange a meeting with the WisDOT secretary should agency-wide attention be focused on a specific RTA safety issue.

Unless otherwise specified in this document (for a designated task or activity), the WisDOT SSO program manager is responsible for the implementation and completion of all SSO program requirements, including RBI program requirements. Where contract support has been delegated a role, responsibility, or practical control over any aspect of the SSO program, whether by contract scope or otherwise, the SSO program manager retains authority to approve, deny, or modify such activity to meet the requirements detailed in this program standard. If it is unclear who is responsible for completing any task or activity included in this document, the WisDOT SSO program manager must be assumed to have responsibility.

WisDOT retains the authority to use contractors as required to support the performance of its SSO activities. Procurement activities for the contractor are managed by the Transit Section’s procurement manager and WisDOT’s purchasing office, in conjunction with the SSO program manager.

### 1.3.2 WisDOT Staffing, Qualifications, and Training

WisDOT will work with RTA staff, including those most directly involved with development and implementation of the RTA’s safety (and security) program and internal safety oversight, to ensure that WisDOT SSO program personnel are aware of and follow all appropriate RTA protocols whenever on-site. In all cases, WisDOT inspectors will abide by the RTA’s requirements for training and/or certification to access specific RTA facilities such as, but not limited to, the right-of-way, operations and maintenance facilities, and any facilities or areas involving power storage or transmission. WisDOT SSO program competencies and associated trainings (and equivalencies) are documented in the TTP, including RBI program requirements. WisDOT confirms all required trainings and certifications with each RTA on an as-needed basis and at least once per year. WisDOT reviews and updates its SSO program TTP annually, at minimum.



## 1.4 SSO Agency Policies

Federal law and regulation require WisDOT to specify the following policies:

- Policy and procedures for WisDOT's triennial audits – see Section 5
- Policy and procedures for investigations – see Section 7
- Inspections of rail transit systems and meetings with RTAs – see Section 1 (this section)
- Descriptive policies and procedures to conduct risk-based inspections – see sub-section 1.7.1

Two additional topics are addressed in this subsection regarding protection of information and conflicts of interest.

### 1.4.1 Protection of Investigation and Audit Reports and Information

Protection of investigation and audit reports and information is addressed in 49 CFR 674.23 and allows for the state to have protection for the investigation reports and related safety program information, as well as any protected security information from the RTA.

Through Wis. Stats. s. 85.066(2), WisDOT is permitted to develop the necessary policies and procedures required to administer its rail transit safety oversight program. Accordingly, Procedure SSO-006, in accordance with Part 674, was developed to govern the release of information contained in WisDOT SSO program investigative reports and audits. The objective of this procedure is to allow open discussions and analyses of the RTA's safety-related risk and performance. Information required by the FTA safety program will be provided by the WisDOT SSO program in a de-identified form, as further explained in Procedure SSO-006.

### 1.4.2 Conflict of Interest Management

Conflict of interest is addressed in 49 CFR § 674.41. WisDOT has developed several procedures associated with various SSO program activities and responsibilities, including conflict management – see Procedure SSO-002.

## 1.5 SSO Agency Reporting Requirements

This section provides a quick summary of the requirements for federal and state reporting:

1. **Annual Report to FTA** – these requirements are covered specifically in Section 9 and include all the data and information required to be delivered annually (by March 15<sup>th</sup> for the prior calendar year) by the WisDOT SSO program to FTA via their electronic data collection system.<sup>5</sup> Procedure SSO-006 also describes requirements for de-identification of RTA data and information provided to FTA.

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<sup>5</sup> The FTA currently requires use of a system called SSOR that is connected to TrAMS, FTA's grant-reporting platform.

2. **RTA Safety Status Report** – Part 674.13(a)(7)) requires the SSO agency to report on the status of the safety program of each RTA to the governor, the FTA, and the board of directors (or equivalent) of each RTA. Procedure SSO-005 covers the process.
3. **Various RTA reports (to WisDOT, FTA, and other agencies)** – these requirements are covered in Sections 6-9 and Procedure SSO-003 (notifications of reportable events), including communications and coordination of investigations, audits, and hazards data collection and reporting, and summarized in the next subsection.
4. **Access to RTA Information** – RTAs must provide WisDOT with all safety data they collect, including: hazard identification data; safety risk assessment and mitigation data; maintenance, vehicle, system, facility, and infrastructure data; and personnel data and records. Each RTA must acknowledge in its PTASP that all safety data (as described above) **must** be shared with WisDOT. These requirements are further addressed in the next subsection (below) and in a correlating appendix: Appendix K for KAT and Appendix M for MSS.

## 1.6 SSO Agency and RTA Communication and Coordination

The WisDOT SSO program expects and requires full access to each rail transit system and RTA. This means full access to rail transit system assets, including (but not limited to):

- Vehicles
- Trackway/right-of-way
- Overhead catenary/contact system
- Substations
- Signals and signal systems
- Maintenance facilities
- Command and control systems
- Any related data, information systems, SOPs, and standards/rules
- Video and photograph systems and output
- RTA personnel at all levels, including:
  - Appointed officials, executives, directors, managers, supervisors, full-and-part-time staff, and third-party contractors
  - Access to elected officials, if necessary, will be sought through existing processes

WisDOT SSO program staff are expected and required to follow all operations, maintenance, and safety requirements and procedures of each RTA when accessing their facilities and systems.

The WisDOT SSO program maintains and ensures ongoing communication with each RTA under its jurisdiction through various means, including meetings with RTA personnel, monitoring RTA

safety meetings (through attendance or review of meeting agendas, minutes, and handouts), and holding quarterly SSO meetings.

WisDOT conducts ongoing monitoring (*e.g.*, meetings, field visits, etc.) through random ride-alongs on the system and walk-throughs of operations and maintenance facilities, to observe and assess whether RTA personnel are performing their job functions safely to RTA standards; attendance at monthly RTA safety meetings, by hosting quarterly SSO meetings, which include riding and walking the system, including through operations and maintenance facilities; and through meetings scheduled to specifically cover certain topics: CAP progress/closure; RBI activities; investigation progress/adoption; and other meetings that may be called by either the WisDOT SSO program manager or RTA personnel – see Table 3, below.

WisDOT's risk monitoring or hazard management activities are shown in Table 3 and are designed to ensure active involvement of all parties in the WisDOT SSO program, and to ensure monitoring of all safety-related activities identified at an RTA. Each RTA's chief safety officer (CSO) is considered the primary contact for coordination and planning of safety program oversight with WisDOT, though contact and coordination with other key staff within an RTA is also expected.

**Table 3. Wisconsin RTA Communication and Coordination**

Risk Monitoring Activity	Output
Reportable accidents and hazardous conditions – notification and investigation	Notifications, notification tracker, initial facts reports, draft final reports, CAPs
CAP status reports and hazard tracking	CAP forms, CAP status reports, CAP tracker
Monthly RTA safety committee meetings	Safety committee meeting agendas, handouts, and minutes; use these meetings to conduct CAP process
Quarterly SSO meetings	Agendas, handouts, and minutes; use these meetings to conduct CAP process
Meetings and monitoring activities	Meetings and monitoring planned (during quarterly meeting visits and between quarterly meeting visits) to monitor risk and review CAP closure evidence; these meetings/visits are also be used to monitor safety and security certification activities
Risk-based inspections	Announced and unannounced inspections through risk-analysis; specifically for unidentified and unaddressed safety risk
Technical Training Plan (ITP) updates for WisDOT SSO program staff	Includes: various rail transit system and RTA awareness trainings for designated SSO program staff; on-site activities such as observation, riding the rail system, and participation in RTA safety monitoring activities
Annual RTA PTASP update, review and approval by WisDOT SSO program Discussed further in Section 4	RTA annual update/internal approval for PTASP including board of directors or equivalent; completed as part of the RTA annual report
WisDOT SSO program triennial audit of each RTA Discussed further in Sections 5 and 8	Checklists, draft audit report, final audit report, CAPs developed by RTAs and approved by WisDOT SSO program

### 1.6.1 Data Collection – Sharing and Storage

The WisDOT SSO program collects and analyzes RTA data from a variety of sources, which can broadly be categorized as safety program data, maintenance data, and inspection data. Collected data is used to track the status of all reportable safety event notifications and investigations, internal audits, triennial audits, and the status of each CAP from these sources through closure. Other data and information activities include tracking of hazards and daily logs, as well as access to an RTA's other associated database systems for operations, maintenance, and command and control/dispatch.

**Each RTA is *required* to share with WisDOT the safety data it collects.** All data received by WisDOT is used to support completion of all SSO program activities, but especially to develop analysis for RBI and risk monitoring or hazard management of the safety program at each rail transit system. This analysis activity is intended to support risk-based, data-driven decision-making for additional investigation, audit, or inspection of an RTA's safety program. The analysis activity includes periodic on-site visits by the WisDOT SSO program staff beyond quarterly meetings. WisDOT will work alongside RTAs to jointly assess safety data to identify emerging hazards. As a requirement of this SSO program standard, RTA staff must continuously collect and curate data from across their rail transit system and share that data with WisDOT.

**All RTAs *must* share data.** WisDOT's SSO program, including all RBI activities, requires the collection, analysis, and submission of RTA data for WisDOT evaluation to inform RBI activities. RTAs **must** share required data sets with WisDOT so that RTA data and data sources can be analyzed and used as part of WisDOT's SSO program.

RTA data will be added and stored on WisDOT and contractor servers immediately upon receipt. Data will be stored in folders (and with filenames) with relevant titles based on the categorization and dates of the data. WisDOT staff will review data management systems on an ongoing basis, as data is accessed – the ongoing review process will ensure the data is accurately stored. Any records that an RTA determines to be sensitive security information (SSI) will be transmitted by that RTA with a passcode and reviewed by WisDOT staff as needed. RTA records with SSI will be removed from WisDOT databases based on applicable RTA timelines. WisDOT SSO personnel may require and be granted read-only access to specific RTA files and folders upon request. RTA data from other cloud-based servers, if applicable, may require the RTA to report submissions directly to WisDOT. Any RTA data that is currently documented solely in paper form will either be submitted to WisDOT upon request (in the form of scanned copies) or reviewed on-site at the RTA.

Collected data is stored and maintained for no less than three (3) years, according to WisDOT record retention policies. Collected data is both protected and disposed of according to WisDOT data retention procedures.<sup>6</sup> WisDOT acknowledges that its employees use data management systems that have the capacity to store records. WisDOT acknowledges that its employees use data management systems that will accurately store records.

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<sup>6</sup> WisDOT PTSCTP training records, which are not collected RTA data used for RBI purposes, are stored and maintained for no less than five (5) years, in accordance with 49 CFR Part 672.

### 1.6.2 RTA Data Sources – Must be Provided to WisDOT

WisDOT uses RTA data sets to identify and assess hazards and analyze RTA safety risk. WisDOT shall request safety, operations, and maintenance data from each RTA, who in turn shall collect such data on an ongoing basis as it identifies hazards, assesses, and mitigates safety risk, and as part of the RTA's SMS and PTASP implementation activities, if such data does not already exist.

WisDOT shall have access to raw data (not just summary data) and flexibility to use either the RTA's analysis results or conduct its own analysis. Data analysis is an ongoing process, occurring daily, monthly, quarterly, and annually, depending on data categories and the submission frequency of relevant data collections, as explained in the following section. An RTA must request an extension for any data sets that cannot be transmitted to WisDOT within the stated time period.

WisDOT requires each RTA to submit already collected data needed to conduct quantitative and qualitative data analysis to detect changes in RTA safety performance, shifts in risk, and assure adherence to RTA operations, maintenance, and safety policies.

RTAs **must** submit data used for the identification and assessment of safety risk, which will involve submission of monthly safety data and quarterly maintenance and inspection data used for the identification and assessment of RTA safety risk, as described below.

At minimum, RTA data sets **must** contain data from the categories listed below – other data can be included by the RTA or required by WisDOT, as needed. Data that each RTA **must** provide includes, but is not limited to:

- **Initial Facts Reports (IFR):** IFRs are required for every accident and mark the beginning of an accident investigation – see Section 7. However, WisDOT may request an IFR for any safety event or hazard from the CSO or other designated RTA staff. Data included in an IFR may be reviewed and discussed during monthly RTA safety meetings and will be discussed during quarterly SSO meetings or whenever WisDOT deems appropriate. Upon request, each RTA will provide any data mining, historical records, or identified trends based on any category (further explained, below) or specifically requested by WisDOT. Required data includes, but is not limited to: events, accidents, incidents, occurrences, or near misses, for which the following descriptions are relevant to the event or the event's causal or contributing factors:
  - Biohazards
  - Alcohol or narcotics use (observed or reported)
  - Passenger: Assault, Weapon, Threats, Harassed, Aggressive Behavior
  - Operator: Assault, Weapon, Threats, Harassed, Aggressive Behavior
  - Non-collision-related damage to equipment, rolling stock, or infrastructure that does not disrupt the operations of a transit agency (broken glass, panels, seats, etc.)
  - Close calls/near misses (of which the RTA is made aware)
  - Streetcar emergency brake use:
    - Person/bicycle
    - Rail transit vehicle
  - Vandalism, graffiti, theft
  - Safety rule violations
  - Explosion, fire, smoke, or noxious fumes (observed or reported)

- Release of hazardous materials
  - Signal system issues
  - Red signal/stop violation
  - Picked switch
  - Incapacitation of rail transit vehicle operator in revenue service
  - Faulty door activation on a rail transit vehicle
  - Damage to catenary equipment that does not disrupt operations
  - Rail transit vehicle swap for mechanical/maintenance issue during revenue service
- **Accidents, Incidents, Events, Occurrences (including near misses):** These types of events (and related investigations) are reviewed during monthly RTA safety meetings, quarterly SSO meetings, and more frequently, as needed. Reporting, notification, procedures, and timelines are specified in Section 6. The RTA is responsible to enter all reportable items into NTD, which is then reviewed by WisDOT through FTA's SSOR system. Noted trends will be discussed on a monthly and quarterly basis.
- **Safety Program Data:** At least once monthly by the final regular business day of each month, each RTA must submit its hazard log to WisDOT for review and analysis either by email or through a shared drive (including Google Drive, SharePoint, or other system the RTA may use). Furthermore, safety risk mitigation records, including before-and-after risk ratings, and how the RTA monitors the implementation and effectiveness of safety risk mitigations, will be included in these submissions. Typically, safety program data submission will take place as part of an RTA's monthly safety committee meeting, either before, during, or after the meeting.
- **Maintenance Data:** At least once quarterly and by the final regular business day of the third month, each RTA must submit maintenance records to WisDOT, or make such records available for in-person review. Record submission can be either by email or through a shared drive (including Google Drive, SharePoint, or other system the RTA may use). Maintenance records include: report forms, records of failures and defects, records of revenue vehicles out of service, including causal information, major maintenance activity schedules and progress, and adherence to maintenance schedules, including reports and documentation of deferred maintenance. Submissions of work orders will be based on WisDOT data review needs and will be reviewed on an ad-hoc basis. All related work orders must be available to WisDOT upon request in either digital or paper form, as needed. Typically, maintenance data submission will take place as part of WisDOT's quarterly SSO meeting, either before, during, or after the meeting.
- **Inspection Data:** At least once quarterly and by the final regular business day of the third month, each RTA must submit inspection data to WisDOT, or make such records available for in-person review. Data submission can be either by email or through a shared drive (including Google Drive, SharePoint, or other system the RTA may use). Inspection records include: report forms, records of failures and defects, records of speed restrictions, event and safety risk mitigation verification, adherence to inspection schedules including reports and documentation of inspections not performed, and capital project schedules and progress. Typically, inspection data submission will take place as part of WisDOT's quarterly SSO meeting, either before, during, or after the meeting.

- **Employee Hazard Reporting:** WisDOT must be notified of RTA safety committee meetings in advance and may attend such meetings as needed. WisDOT must be provided with an agenda before each meeting and meeting minutes for prior meetings. WisDOT may facilitate discussion based on hazard reports from prior monthly RTA safety meetings or quarterly SSO meetings to determine any trends. At least once quarterly and by the final regular business day of the third month, each RTA must present an update on all employee hazard reporting for the preceding three (3) months to WisDOT, or make such records available for in-person review.
- **Internal Safety Audits:** WisDOT will review all internal audit reports and may facilitate discussion based on internal audit progress, observations, findings, or recommendations noted during prior monthly RTA safety meetings or quarterly SSO meetings.
- **WisDOT Audits of an RTA:** WisDOT inspectors will conduct audits of each RTA in compliance with Section 5 of WisDOT's program standard. The information from these audits will be reviewed and discussed during quarterly SSO meetings, as needed.
- **Other WisDOT Reviews:** Special studies, system expansion and modifications, Pre-Revenue Service Reviews (PRSR), and NTSB recommendations will be conducted and documented as may be described in the program standard. Information from such reviews will be discussed during monthly RTA safety meetings and quarterly SSO safety meetings, as needed.
- **RTA Safety Committee(s):** Each RTA must have a safety committee that meets at least monthly and is required to include WisDOT SSO program staff on invitations for such meetings. At minimum, RTA safety committee meetings must cover system safety information, changes, hazards, audits, and safety data so that SSO personnel can review system data and trends to analyze possible risk based on the information. Outcomes must be discussed and documented on the appropriate RTA's log(s) and shared with WisDOT. At a minimum, WisDOT SSO program staff must be included on invites for the following meetings:
  - Extension projects
  - Major capital projects
  - Any safety review committees:
    - SRC or SSRC (Safety [and Security] Review Committee)
    - The required joint labor-management safety committee
      - If different or separate from the SRC or SSRC or other safety committee
  - Meetings for special events involving the rail transit system
  - After-action meetings

### 1.6.3 Federal Information Requests to RTAs

The WisDOT SSO program requires that each RTA notifies and shares results of contact and correspondence from federal agencies such as FTA, the NTSB, FRA, or the Transportation Security Administration (TSA) relating to safety at a rail transit system. WisDOT will also provide support, input, or review of responses the RTAs may provide to federal agencies. WisDOT also intends to share with RTAs any SSO program-related contact received from the same federal agencies.

### 1.6.4 Data Analysis

WisDOT will prioritize inspection activity through ongoing analysis of regularly received (or otherwise collected) safety, maintenance, and inspection data for each rail transit system and used by each RTA to identify hazards and analyze, assess, and mitigate safety risk, as required in 49 U.S.C. § 5329(k)(2).

In general, RTAs **must** submit monthly safety data and quarterly maintenance and inspection data for WisDOT's data analysis and prioritization processes. The WisDOT SSO team will use qualitative and quantitative methods to identify and assess safety concerns and prioritize inspections so that the highest risk conditions are addressed first – see section 1.7 for more on risk monitoring, data sources, and RBI prioritization.

### Safety Data Metrics:

WisDOT may use the following safety data metrics to prepare data for analysis and inspection prioritization.

#### **Safety Events:**

- Number of reported safety events
- Safety event type (including near misses)
- Location (main line, yard, crossing, station, facility, *etc.*)
- Vehicle identification number and operator number
- Date and time (year, month, day, and time)
- Weather conditions (including seasonal variables)
- Causal and contributing factors
- Heat maps

#### **Hazard Records:**

- Number of identified hazards
- Hazard type (organizational, environmental, or technical)
- Location (if applicable)
- Date and time (year, month, day, and time)
- Weather conditions (including seasonal variables)
- Probability and severity assessments
- Causal and contributing factors
- Time to resolution/closure

#### **Corrective Action Plans (CAPs) and other mitigations:**

- Number of CAPs
- Number of implemented mitigations
- Source of CAPs or other mitigations (safety event, audit, inspection, investigation, *etc.*)



- Area requiring correction
- Causal and contributing factors
- Status (open or closed)
- Time to resolution/closure

### *Inspection and Maintenance Data Metrics:*

WisDOT may use the following inspection and maintenance metrics to prepare data for analysis and inspection prioritization:

#### *Adherence to Maintenance and Inspection Requirements:*

- Planned inspections vs. completed inspections by item (vehicle, system, facility, *etc.*)
  - Mileage, time-based, and condition-based
- Planned maintenance vs. completed maintenance (vehicle, system, facility, *etc.*)
  - Mileage, time-based, and condition-based

#### *Significant Defects and Failures Identified:*

- Number of identified significant defects and failures
- Defect and failure type
- Vehicle number or physical location
- Assessment data (probability and severity)
- Status (open or closed).
- Time to resolution/closure.

#### *Work Orders and Defect Repair:*

- Number of work orders and defect repairs
- Work order or defect type
- Repair type
- Vehicle number or defect location
- Probability and severity assessments
- Status (open and closed)
- Time to resolution/closure

#### *Vehicles Out of Service:*

- Number of vehicles out of service
- Frequency of vehicle(s) reported out of service
- Vehicle number
- Reason for out of service
- Time out of service (date removed; date returned)

#### *Speed Restrictions:*

- Number of speed restrictions
- Speed reduction required

- Location(s)
- Reason for speed restriction
- Time of restriction (date began; date ended)

#### WisDOT Identified Deficiencies:

- Number of deficiencies identified by WisDOT
- Source (review, inspection, audit, investigation, *etc.*)
- Deficiency type (organizational, environmental, or technical)
- Vehicle number or physical location
- Time to resolution/closure

The WisDOT SSO team review data and RTA safety performance on an ongoing basis and meet bi-weekly to discuss ongoing SSO activities, including RBI activities, and to review and assess data and RTA safety performance. Data analysis activities include:

- Reviewing RBI data (safety, inspection, maintenance, *etc.*)
- Assessing risk revealed through metrics and data analysis (metrics listed above)
- Prioritizing RBI activities – see sub-section 1.7.2, below

## **1.7 WisDOT SSO Program Risk Monitoring of RTAs**

The WisDOT SSO program has a philosophy of safety oversight achieved by spending time on-site at each rail transit system, attending RTA meetings, inspecting rail transit system facilities and infrastructure, and riding the various rail transit systems as often as resources allow.

*Potential hazards* are a larger category than realized/actual safety events, in that a safety event has already occurred, whereas a hazard also includes potential events or conditions that have not yet happened. In other words, a safety event is the culmination of potential hazards that have aligned to cause a safety event.

Because of the wide variety of potential (and actual) hazards and safety events, the WisDOT SSO program monitors RTA safety risk by observing and assessing the following:

- The effectiveness of risk controls in an agency's operations and safety programs
- Conformance to expectations and/or the objectives of an agency's safety program
- Root causes of non-conformances and potential new hazards or threats
- Improvements for an agency's operations and safety programs

These observations and assessments form the backbone of WisDOT's risk monitoring activities at each rail transit system and also feed into the RBI process. Risk monitoring data, information, and analyses are used to better understand the state of the risk environment and safety culture at an RTA. Procedure SSO-008 further describes ongoing risk monitoring activities at RTAs.

### Existing safety performance measures

The safety performance measures in Figures 1.1 and 1.2 are reported by transit agencies to the FTA's National Transit Database (NTD) and other federal and state agencies.

### Results from investigations

For a reportable safety event, an investigation should include a determination of causal and contributing factors, including organizational issues. An investigation should also identify, when applicable, system safety deficiencies (*e.g.*, poor system design, failed controls, failed preventive/corrective actions, and others).

### Audit results

An RTA is subject to external audits (WisDOT, FTA, other agencies having jurisdiction) and is required to conduct internal safety audits. The objective of an internal safety audit is for the RTA to find and correct safety-related programmatic or procedural non-conformance. The objectives of external audits may be safety-related (*e.g.*, WisDOT triennial audit), but may also be subject-specific (*e.g.*, procurement; financial review; drug and alcohol program, etc.).

### Risk monitoring information

The bulleted items in Figures 1.1 and 1.2 identify primary focus areas within an RTA's safety program where RTA data and information may be collected by WisDOT.

Figure 1.1 Data and Information from Risk Monitoring in the Transit Industry

<b>Existing safety performance measures (under NTD)</b> <ul style="list-style-type: none"><li>• <b>Casualties</b><ul style="list-style-type: none"><li>○ Fatalities (customers, employees, and the public)</li><li>○ Injuries (customers, employees, and the public)</li></ul></li><li>• <b>Property damage</b></li><li>• <b>Reportable events (Accidents)</b><ul style="list-style-type: none"><li>○ Train derailments (mainline, yard, side tracks)</li><li>○ Collisions (vehicle-to-vehicle, vehicle-to-person, vehicle-to-object)</li><li>○ Collisions at grade-crossings</li><li>○ Fires</li><li>○ Evacuations for life safety reasons</li></ul></li></ul>
<b>Results from reportable event (accident) investigations</b> <ul style="list-style-type: none"><li>• Probable cause</li><li>• Contributing factors</li><li>• Corrective actions</li></ul>
<b>Audit results</b> <ul style="list-style-type: none"><li>• Findings</li><li>• Corrective actions</li></ul>

Figure 1.2 Data and Information from Risk Monitoring in the Transit Industry, cont'd

**Risk monitoring information**

- Safety and security reporting from all levels of the organization
- Violations of operations and maintenance rules
- Job-based certification and awareness training
- All-hazards preparedness analyses
- Operations and maintenance performance
  - Includes state of good repair (SGR) and transit asset management (TAM)
- Monitoring of hazard logs
- Crime trends, such as trespassing, perimeter breaches, and fare evasion
- Fitness for duty, including drug/alcohol program results and hours of service
- Liability losses
- Customer complaint information
- Changes to management, operations, or maintenance
- Studies of hazardous materials, spills, and environmental concerns
- Ad hoc studies of hazards, threats, and vulnerabilities

**1.7.1 Risk-Based Inspection (RBI) Policies and Procedures**

Prior to an inspection, WisDOT inspectors will become familiar with the inspection subject/area to be conducted. Subject areas will include (but are not limited to) inspection of RTA equipment, infrastructure, and practices, and may include the severity of the subject, complaints, previous events, audits, or observations. Furthermore, this may include RTA personnel responsible for the area or location of the inspection.

The following policies and procedures govern RBI activities and have been developed in consultation with each RTA under WisDOT SSO program jurisdiction:

***Scheduling inspections***

Policies and procedures concerning notification and scheduling of RBI activities can be found in sub-section 1.2.1 of this program standard. Inspections are prioritized based on three primary factors: 1) identification of safety risk; 2) mitigation of safety risk; and 3) time between safety risk review activities. – see sub-section 1.7.2 for the RBI risk prioritization process. As hazard monitoring activities and data analysis reveal unidentified or unmitigated/unaddressed safety risks, prioritization scores will help determine when/whether WisDOT begins RBI activities. If the RBI process is not engaged, WisDOT may still issue the CSO a request for information (RFI) in order to better understand the safety risk in question.

For announced inspections and observations of restricted areas, WisDOT inspectors will coordinate and directly communicate with the CSO (or designated RTA personnel) by in-person discussion, email, or phone prior to arrival on-site. When conducting RBI activities in areas open to the public, WisDOT inspectors may coordinate with RTA personnel prior to conducting an inspection.

When WisDOT inspectors arrive at RTA property, they will present official credentials and/or identification and ask to meet with appropriate RTA staff. Prior to commencing the inspection, WisDOT inspectors will clearly explain the purpose and reason for the inspection and discuss, at a

minimum, the inspection objectives, safety protocols, and confirm personal protective equipment (PPE).

At the discretion of the WisDOT SSO program manager, a kick-off meeting (and exit briefing) with RTA personnel may be held prior to commencing onsite RBI activities. Should a kick-off meeting be scheduled, WisDOT inspectors will detail the purpose of the inspection and its intended scope of coverage; inspectors may consult with RTA employees concerning relevant matters, as needed.

After inspectors have announced their arrival and confirmed their credentials (or after the kick-off meeting, should the SSO program manager schedule one), WisDOT inspectors will conduct the inspection, the route and duration of which will be determined by the inspectors. While talking with employees, inspectors will prioritize minimizing work interruptions. Inspectors may: observe safety conditions and practices; consult with RTA employees privately; take photos, videos and/or instrument readings from a place of safety; and examine any records necessary and relevant to the inspection.

During the inspection (or at the closing conference, should the SSO program manager schedule one), WisDOT inspectors may notify RTA staff of any observations concerning working conditions. It is the responsibility of each RTA to document the observations, identify and assess any hazards or other non-conforming activity, and implement mitigations or CAPs, if needed. Any observation, even if the underlying issue is corrected immediately by the RTA, may result in a finding of noncompliance, CAP, or otherwise warrant further monitoring by WisDOT. If WisDOT inspectors identify an immediate safety concern (see *Immediate safety concerns*, below), WisDOT inspectors will prioritize removing themselves and others from the area to prevent physical harm.

At the conclusion of the inspection, and at the discretion of the WisDOT SSO program manager, an exit briefing with RTA personnel may be held. Should an exit briefing be scheduled, WisDOT inspectors will summarize the results of the inspection and provide the RTA with any observations made during the inspection. WisDOT inspectors may also suggest mitigations (*i.e.*, remedial training, policy updates, or ongoing monitoring, etc.) the RTA may implement to address the noted observations.

#### *Inspection reports*

Policies and procedures concerning RBI reports can be found in sub-section 1.7 (this sub-section) of the program standard.

WisDOT RBI reports will:

- Document any issues noted during an inspection
  - Have objective language
  - Reference objective data
    - (*e.g.*, measurements and photographs collected onsite or through RTA (or other) personnel
- Document whether/how SSO program personnel will follow-up with RTA, as necessary
  - (*i.e.*, to verify RTA compliance with any activities required to resolve issues outlined in the report, including observation of:
    - Operations of specific system elements (operations, maintenance, training)
    - RTA personnel performing their job functions

- Assess RTA's use of data, as necessary according to the subject of the report
  - (*i.e.*, document, as needed, whether RTA is leveraging data and information collected through investigation activity to determine probable cause and to support the identification of hazards)

Findings or observations from RBI activities will be discussed with the RTA at least quarterly as a standing agenda item for quarterly SSO program meetings. As needed, WisDOT will include discussion of findings or observations from RBI activities at scheduled RTA safety committee meetings. WisDOT inspectors may issue separate reports for each inspection or combine multiple inspections in a single report, as needed.

#### *Immediate safety concerns*

Policies and procedures concerning SSO program assessments of immediate safety concerns at a rail transit system can be found in sub-section 1.7 (this sub-section) of the program standard.

If RBI activity identifies an immediate safety concern (*i.e.*, something that could cause substantial risk of death or injury to riders, employees, or significant impacts to infrastructure), WisDOT will take immediate action: inspectors will first remove themselves and others from the area to prevent physical harm. WisDOT will only continue with an inspection once it is safe to do so. If an inspection cannot continue and has not been completed, it will be rescheduled. If an inspection is otherwise complete, it will be documented as complete, including notes about the safety concern. In either event, WisDOT inspectors will provide immediate notification via phone to RTA dispatch (or other designated RTA personnel, as applicable) and notify the RTA's CSO by phone/email. If needed, WisDOT inspectors will provide formal written notice to the RTA detailing the safety concern within forty-eight (48) hours.

Some examples of immediate safety concerns are listed below:

- Uncontrolled movement of a rail transit vehicle
- Visible smoke and/or fire on vehicle, in a facility, or on system right-of-way
- Any movement with doors open
- Major track defects (broken rail, missing equipment, etc.) or obstructions
- Major damage to RTA assets
- Red signal violation
- Use of mobile device by RTA operator while operating
- Inclement weather (or threat)
- Any other concern determined by inspectors determined to be an immediate safety concern

Depending on the nature of the safety concern, WisDOT will verify whether proper RTA processes have been engaged to address the concern. If SSO program personnel cannot confirm that appropriate RTA processes have been engaged, the WisDOT SSO program will submit a letter of immediate safety concern addressed to the Accountable Executive, CSO, and RTA board of directors (or equivalent) within no more than three (3) days of the initial observation. A letter of immediate safety concern will include a summary of the issue, that the SSO program was unable to confirm the RTA's steps to address the concern, and an immediate call to action, up to and including full termination of service (if necessary) until the immediate safety concern has been

properly addressed or, as applicable, mitigated to an acceptable level for the safe provision of service.

*Inspections of equipment, infrastructure, and practices specific to each rail transit system*

All rail transit system equipment, infrastructure, and practices are open to risk-based inspection – see Appendices K and M for individual system information. The scope of each such inspection is determined through WisDOT’s risk-assessment process and will be included in each individual inspection notice (or follow-up, for unannounced inspections), identifying the specific equipment, infrastructure elements, practices, or personnel for each inspection. See sub-section 1.2.1 of this program standard for the RBI notification process, including specification of items to be inspected.

*Event verification*

Policies and procedures concerning SSO program verification of safety events at a rail transit system can be found in sub-section 1.7 (this sub-section) of the program standard. Section 1.6 (and its sub-sections) provides comprehensive coverage of data (and sources) that each RTA must share with WisDOT. Section 7.2 of the program standard further discusses WisDOT processes involving investigations, data, processes, and outputs, which are applicable and relevant to completion of RBI activities.

Along with specific checklist items created during the risk assessment phase, all risk-based inspections conducted by WisDOT will include, at minimum, the following checklist items:

- Inspection of areas with similar characteristics to those where an event occurred
- Verification that RTA successfully repaired the event scene
- Including post-event repair inspections

WisDOT inspectors may select safety events reported to WisDOT (federal or state reportable) and follow up with an inspection to determine whether the RTA successfully repaired the event scene and mitigated the event’s causal and contributing factors. WisDOT inspectors may also review the RTA’s analysis of data and information collected through investigation activities the RTA uses to determine probable cause and to support the identification of hazards, to be included in an inspection report.

*Ongoing monitoring*

Policies and procedures concerning ongoing SSO program monitoring of rail transit systems can be found in sub-section 1.7 (this sub-section) of the program standard.

Ongoing monitoring activities conducted by SSO personnel are also addressed within an RBI report – see *Inspection reports* and *Event verification*, above.

WisDOT monitors both the physical aspects of RTA facilities and equipment and the conduct and performance of staff supporting the daily safety-critical functions of operating and maintaining a rail transit system, to assess whether the functions are performed safely, to established standards, and at the required frequency. As detailed above in section 1.6, WisDOT inspectors may:

- Attend RTA safety meetings (announced or unannounced)
- Conduct walk-through inspections of any RTA facility to observe RTA staff performing their job functions

- Conduct inspection activities with RTA personnel on a random basis
- Conduct unscheduled, unannounced inspections on any area available to patrons or the public

#### *Defects and corrective or remedial action*

Defects at a rail transit system will be included in an RBI report. Corrective action policies and procedures are located in section 8 of this program standard. Remedial actions are considered to be within the penumbra of corrective actions and are subject to the same policies and procedures.

#### *Corrective Action Plan (CAP) and safety risk mitigation verification*

WisDOT may require RTAs to develop a CAP in accordance with policies and procedures concerning found in section 8 of this program standard. Policies and procedures concerning SSO program verification of RTA safety risk mitigation efforts can be found in sub-sections 1.6 and 1.7 (this sub-section) of the program standard.

WisDOT RBI activities may prioritize mitigating the effects of identified rail transit system defects and associated corrective or remedial actions based on either severity of the consequences of the identified hazard, or the prevalence of the identified hazard throughout the rail transit system. RBI activity may also focus on the verification and progress of a previously approved CAP and determine whether the CAP effectively mitigated the safety risk. Any CAPs created through the RBI process will be added to WisDOT's SSO CAP tracker according to the process in Section 8 of the program standard.

### 1.7.2 RBI Risk Prioritization

Potential inspection topics are prioritized based on relevant data analysis. Inspections are analyzed for need and prioritization based on a value comprised of three primary considerations:

1. Safety risk awareness/identification
2. Whether the safety risk has been mitigated; and
3. Time elapsed since an identified safety risk was last under review

Risk awareness is determined using information known about the inspection topic. Designated WisDOT SSO staff will add scores according to the values listed below – a higher score signifies a higher priority to engage the RBI process:

#### **1. Safety Risk Identification:**

<b>Identification</b>	<b>Score</b>
Potential safety risk previously identified/known – information presented, action(s) implemented ( <i>i.e.</i> , CAP underway)	0
New potential safety risk identified – information being gathered/discussed ( <i>i.e.</i> , hazard analysis, draft CAP, study)	5
Potential safety risk previously identified/known – identified issue persists ( <i>i.e.</i> , CAP completed but issue remains)	10
New potential safety risk identified – little information known/presented	15



## 2. Safety Risk Mitigation:

Mitigation	Score
Yes – identified safety risk has been mitigated by RTA action ( <i>i.e.</i> , CAP or other mitigation(s) being implemented)	0
No – identified safety risk has not yet been mitigated by RTA action ( <i>i.e.</i> , no implemented plan to address safety risk)	10

## 3. Time Elapsed Since Last Review:

Time Elapsed	Score
More than 3 years	25
25-36 months	20
19-24 months	15
13-18 months	10
7-12 months	5
0-6 months	0

## WisDOT RBI Prioritization Table:

Total Score	RBI Action	RBI Timeline
25+	RBI Required	WisDOT must engage RBI process within 90 days
15-20	RBI Recommended	WisDOT may engage RBI process, prioritized by score
0-10	No Action Required	RBI process not required – other SSO activities may occur

WisDOT’s data analysis and prioritization process is ongoing and will be updated to reflect changing safety conditions. When system conditions change, WisDOT may analyze new data and develop new prioritization ratings, as these will inform potential revisions to inspection priorities. WisDOT staff will review the frequency of data analysis, safety concern prioritization, and inspection prioritization process annually, along with other aspects of the RBI program.

### 1.7.3 RBI Frequency

WisDOT SSO personnel will continue to conduct inspections of RTA operations rules compliance, RTA facility and system conditions, and RTA personnel on at least a quarterly basis – such inspections may be in conjunction with a planned SSO quarterly meeting or unannounced. Such inspections are part of the ongoing oversight activities of the WisDOT SSO Program and provide necessary data for the risk assessment and prioritization that will dictate RBI program engagement frequency – such inspection frequency is subject to change and may increase as additional safety risks are identified.

## 1.8 FTA Triennial Audit of WisDOT SSO Program

To assure compliance with 49 U.S.C. § 5329(e)(10)(B), FTA is required to complete an audit of each state’s SSO program compliance with Part 674 (and § 5329(e)), at least once every three years. During these triennial audits of WisDOT’s SSO program, the FTA-TSO program staff request a tremendous number of documents and amount of information ahead of the on-site activities, which typically occur on-site at a rail transit system under the SSO agency’s jurisdiction. WisDOT’s SSO program staff will work directly with the RTAs and the FTA-TSO program staff to schedule and

coordinate the on-site portion(s) of the FTA audit, and the interviews and inspections that might be completed with RTA staff and on RTA property. The WisDOT SSO program intends to negotiate on behalf of the state and the RTAs (with consultation) for all findings and recommendations documented in FTA's audit report, and work with the RTAs to develop and approve CAPs to be tracked to completion, as needed.

The most recent FTA audit of WisDOT's SSO program began in August 2022, with the final report issued in May 2023. This was the first audit conducted according to the requirements of Part 674.

# SECTION 2. PROGRAM STANDARD DEVELOPMENT

The WisDOT SSO Program Standard describes WisDOT's SSO program processes and procedures, interactions and requirements for Wisconsin RTAs, and the program's responsibilities to the FTA. This section provides a summary of the requirements that the program standard document places on Wisconsin RTAs, the revision and approval process, and its distribution and availability.

## 2.1 Program Standard Development

### 2.1.1 Development

It is the primary responsibility of the WisDOT SSO program to develop and administer a program standard that establishes processes and procedures governing the conduct of the oversight program at the state level. The program standard is meant to provide guidance to RTAs concerning the processes and procedures they must implement to assure compliance with WisDOT's SSO program. The program standard (and any referenced program procedures) is required to be reviewed at least annually, and any changes or revisions are required to be a part of the WisDOT SSO program's annual submission to FTA, as described in Section 9.

A program standard is also required to address minimum standards for safety at each RTA. These standards are intended to include rail safety-related practices and procedures (such as the RTA's PTASP), and other related RTA documents and procedures associated with its safety program. The minimum safety standards required by the WisDOT SSO program are derived from industry-based and RTA-developed safety standards.

### 2.1.2 Reviews, Approvals, Adoptions and Revisions

The WisDOT SSO program manager is responsible for managing changes to WisDOT's SSO program standard. Such changes might be the result of internal or external audits, policy changes, requirement changes from FTA or the state, and/or organizational changes. WisDOT's SSO program standard will be reviewed at least annually. All participants involved in the WisDOT SSO program are welcome to offer changes or additions to the document. Each comment or recommendation received will be reviewed by WisDOT in a timely manner. Proposed changes to the document will be circulated for review in draft form to applicable WisDOT SSO program management and staff, and likewise to designated personnel at each RTA. Following review and comment, draft changes will be approved by the WisDOT SSO program manager and WisDOT supervisor and incorporated into a final revision of the program standard document.

Once the final revision of the program standard has been approved by WisDOT's SSO program manager, each RTA will receive a copy and will be required to acknowledge the most current authorized revision by reviewing and completing a signature page, which includes required signatures by designated personnel at each RTA, including at least one person with direct safety or

safety oversight responsibility at the RTA. Each RTA is required to return the appropriate signature page to WisDOT (by electronic or physical means) in a timely manner. Any corrections or issues at this point in the process will be reviewed by WisDOT, and appropriate changes will be made as needed, to be approved or rejected by WisDOT's SSO program manager and WisDOT supervisor. A finalized revision will then be distributed electronically in PDF format and linked on WisDOT's SSO website, at:

<http://wisconsin.dot.gov/Pages/doing-bus/local-gov/astnce-pgms/transit/compliance/safety-rail.aspx>

Once the most current authorized revision of WisDOT's SSO program standard has been finalized, it will be the responsibility of each RTA to pass these requirements on to their appropriate staff (and contractors, if applicable).

This document has been designed with appendices, procedures, and a reference guide separate from the main body of the standard – updates to these documents will follow a separate update process that includes consultation with RTAs and approval by the WisDOT SSO program manager, but which does not require formal signatures or version renumbering – all updates are posted on the WisDOT website at the same link as above. The program standard contains a version tracking table to assure that the most current authorized version of each applicable document is in use.

## 2.2 Program Standard Distribution

This document is exclusively distributed by WisDOT. The current program standard is made publicly available at the link listed in subsection 2.1.2 (above). The current program standard is also uploaded annually to FTA's electronic reporting system by March 15<sup>th</sup> as part of SSO annual reporting – see Section 9. Digital or hard copies may be requested from the WisDOT SSO program manager – contact information listed in subsection 1.3.1.

## 2.3 Minimum Safety Standards

The FAST Act added a requirement for FTA to include minimum standards for safety into their National Safety Plan, as well as to develop a compendium of transit industry related safety standards.<sup>7</sup> In Wisconsin, minimum standards for safety are adopted and documented by RTAs and govern operations, command and control, and inspection and maintenance of the rail systems, including facilities, infrastructure, and rail-related vehicles.

WisDOT SSO program personnel have direct access to each of the minimum safety standards documents listed below, with a description of each type of document:

- **WisDOT – SSO Program Standard**
  - Provides a description of the policies, processes, and procedures used by the WisDOT SSO program, including minimum safety standards and the distribution of WisDOT SSO Program Standard (and related minimum safety standards).

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<sup>7</sup> This compendium is available at <https://www.transit.dot.gov/regulations-and-guidance/safety/transit-safety-standards>

- **RTA – Public Transportation Agency Safety Plan (PTASP)<sup>8</sup>**
  - Contains requirements for the safety program and related activities at the RTA. This document and its requirements are discussed further in Section 4.
- **RTA – System Security/Emergency Preparedness Plan (SSP/SSEPP)**
  - Describes the requirements for system security and emergency preparedness at each RTA. While neither Parts 673 nor 674 define the content of a security plan and its processes and procedures (as was the case under Part 659), the WisDOT SSO program considers any security program document as a minimum safety standard in terms of its overlap with the safety program at the RTA, especially concerning risk management and emergency preparedness. The WisDOT SSO program requires that RTAs develop a security program plan and oversees an RTA's compliance.
- **RTA – Emergency Operations Plan (EOP)**
  - Provides the coordination and preparedness activities inside and outside of the RTA.
- **RTA – Rail Operating Rule Book**
  - Rules that operators and others working around the rail transit system must follow.
- **RTA – Roadway Worker Protection Plan (RWP)**
  - Related to the Rail Operating Rule Book from the perspective of the protections and procedures for workers on the rail right of way.
- **RTA – Standard Operating Procedures (SOPs)**
  - Used by RTA personnel to manage operations on the rail transit system for both usual and unusual operations, as well as managing maintenance and workers on the right-of-way. These SOPs should include troubleshooting information for frequent problems and managing emergencies on the rail transit system and must include a reviewed and approval process within the RTA.
- **RTA – Investigation Procedures**
  - Includes a description of the types of safety events requiring SSO program (and other agency) notification and investigation, who will perform those activities, causal factor analysis, hazard analysis, and development of recommendations and corrective actions. These RTA procedures are adopted by the WisDOT SSO program to authorize the RTA to be the lead investigator for the SSO program and are also mentioned in Sections 6 and 7.
- **RTA – Safety and Security Certification Plan (SSCP)**
  - Provides the required activities from an RTA's safety program for assuring that safety and security certification is completed for certain capital projects for new equipment/infrastructure or refurbishment of existing equipment/infrastructure. The main topics for safety and security certification are related design criteria, participation of the safety department (or equivalent person or body), and a process of the RTA assuring that all safety and security design criteria exist, were comprehensive, and were properly addressed including integrated testing of the final products.
- **RTA – Configuration Management Plan (CMP)**
  - A configuration management committee and processes are a required element/function within an RTA's safety program, along with safety and security certification and system modifications.

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<sup>8</sup> Unofficially referred to as an Agency Safety Plan (ASP) by FTA.

- **RTA – Transit Asset Management (TAM) Plan**
  - Related to the CMP but with a larger context concerning transit system assets, useful life, state of good repair (SGR), and milestones, benchmarks, targets, and other metrics.
- **RTA – Inspection and Maintenance: Manuals, SOPs, and Standards**
  - Provide the requirements for inspection and maintenance of the rail system, including facilities, infrastructure, and related vehicles. These documents should have the customized requirements for preventive maintenance, inspection, and troubleshooting for equipment problems.

Any changes, or when similar documents are developed by an RTA, require that the WisDOT SSO program must review and approve the final updated document. Each of these documents has its own process for update based on requirements or experience. Changes to the minimum standards for safety at each RTA will be based on their experience, investigations, audits, and transit industry experience. New or updated minimum standards for safety will be mutually agreed to with the WisDOT SSO program through discussions or based on a CAP, as needed.

#### **Related Reference Guide Information – Section 2. Program Standard Development**

- Section 2.3 Program Standard Reviews and Updates
- Section 3.2 Minimum Standards for Safety
- Section 3.3 Security and Emergency Preparedness Plan (SEPP)
- Section 3.4 Milwaukee Streetcar Description, Contacts, and Minimum Standards for Safety
- Section 3.5 Kenosha Area Transit Description, Contacts, and Minimum Standards for Safety

## SECTION 3. PROGRAM POLICY AND OBJECTIVES

### 3.1 Policy

The design and implementation of the WisDOT SSO program relies on the difference between being responsible for defining and executing a rail transit safety program – an RTA’s responsibility – and assuring that safety program is being followed. It is the policy and intent of WisDOT’s SSO program to provide rail transit safety program oversight, not to attempt to take control of or manage an RTA’s programs.

WisDOT’s SSO program is designed to be cooperative with both RTAs and the FTA, in order to encourage efficient and effective management of RTA safety risk to a level as low as reasonably practicable (ALARP). WisDOT’s SSO program is commensurate with the size, number, and complexity of the state’s rail transit systems and operates with acknowledgement of RTA resource constraints. The WisDOT SSO program is also designed to provide proactive and progressive oversight in addressing emerging or uncontrolled safety risk at each rail transit system. As a state agency, WisDOT may pursue any additional rules, program policies, and procedures needed to fully implement its SSO program.

### 3.2 Objectives

The objectives and expectations for the WisDOT SSO program are listed below. The WisDOT SSO program:

- Takes full responsibility for Wisconsin’s rail transit safety oversight program authority and requirements, as defined in this document.
- Commits to assuring qualifications and training for SSO program-related staff, including contractor staff.
- Provides strategic, dynamic, transparent, and flexible safety oversight of RTAs in Wisconsin.
- Works in partnership with Wisconsin RTAs in support of each RTA’s safety program
  - Including safety oversight and technical assistance for maintaining and improving safety performance at the RTAs
- Expects and requires that an RTA’s safety department and personnel gain and maintain competency in executing the requirements of both the RTA’s PTASP and WisDOT’s SSO program standard.
- Expects and requires that RTA executives and management be responsive and committed to the RTA safety program and to fulfilling WisDOT SSO program requirements, in accordance with state law and this program standard, as well as the RTA’s minimum safety standards.
- Commits to being responsible for the sufficiency of investigations, with the expectation that an RTA has first-level responsibility to lead investigations.

- WisDOT may, at its discretion, directly participate in or lead an investigation, including conducting independent or cooperative onsite investigation(s)
- Commits to provide a comprehensive triennial audit of each RTA and maintain awareness of each RTA's safety risk environment.
- Commits to providing annual and periodic information and data to the FTA, as required and appropriate.
- Work in partnership with each RTA in support of their safety program. However:

**The WisDOT SSO program does not own any RTA's safety-related risk.**

**Each RTA owns and is responsible for the safety-related risks associated with operating and maintaining its own rail transit system.**

This means that WisDOT's SSO program staff will participate in and technically review safety-related investigations, internal audits, and complete independent investigations or audits, such as the triennial audit. WisDOT SSO program staff will also make recommendations and provide input and technical assistance as needed or requested. However, RTAs must always develop and own their corrective actions. The WisDOT SSO program will coordinate with an RTA to review and approve CAPs, provided the WisDOT SSO program finds each CAP consistent and complete with respect to the findings or recommendations of the investigations and audits.

As necessary, WisDOT has the authority to escalate enforcement actions (as described in this program standard) based on data analysis of identified safety deficiencies. This enforcement escalation process is in Procedure SSO-004.



## SECTION 4. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS AND INTERNAL REVIEW

This section provides a summary of the requirements for each RTA concerning its PTASP development, revision, approval, and distribution. The primary actions required for the WisDOT SSO program and Wisconsin RTAs, in order to address PTASP requirements, are as follows:

- Each RTA's PTASP must be approved by its board of directors (or equivalent)
- Each RTA must provide specific training criteria for an "adequately trained" Chief Safety Officer (CSO) within their rail transit system

The PTASP rule, 49 CFR Part 673, defines the CSO as:

...[A]n adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer.<sup>9</sup> A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined by this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

### 4.1 Receiving and Evaluating RTA Materials

Each RTA must submit its PTASP to WisDOT for annual review and approval. The PTASP, including all procedures and materials referenced within, must be consistent with 49 CFR Part 673 and the program requirements specified in the following subsection of this document. External documents referenced within a PTASP may include:

- Procedures, checklists, and training materials
  - Operations, maintenance, supervision, etc.
- Internal safety audit program
- Hazard management materials
- Emergency response planning, coordination, and training program(s)
- Rules compliance materials
- Configuration management materials
- Safety certification and testing materials
- Roadway Worker Protection (RWP) program
- New construction/extension plans, procedures, checklists
- Any other documentation related to a rail transit system's safe operation, maintenance, and safety program performance, whether or not it is referenced in the PTASP

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<sup>9</sup> The Accountable Executive (AE), also defined under Part 673.

An RTA must submit an electronic copy of the PTASP to the WisDOT SSO program manager (or designated staff) for review.<sup>10</sup> Draft copies may be shared with WisDOT throughout an RTA's review process, but only a signed, final PTASP will be approved.

The RTA is free to use PTASP review services that may be offered through the FTA. While such reviews may speak to a PTASP's technical compliance with federal regulation, WisDOT's SSO program review encompasses PTASP compliance with federal regulation, state regulation, the WisDOT SSO program standard, and any other relevant standard(s) that may apply. As the SSO agency, WisDOT is the only agency authorized to approve an RTA's PTASP.

#### **4.1.1 WisDOT SSO Program Review and Approval of RTA PTASP**

Each RTA is required to send WisDOT its initial PTASP for review and approval. After adoption of the initial PTASP, each RTA must send WisDOT all significant updates or modifications to a previously approved PTASP, including the required annual PTASP review.

Per 49 CFR 674.29(b), the RTA is required to review its PTASP at least annually, and to make any modifications needed to assure that the plan remains current and accurate. The RTA completes the annual review for the previous calendar year and submits an updated draft PTASP to WisDOT for review and approval before the end of the calendar year. Each submitted draft PTASP must include a summary specifying the document changes.

The WisDOT SSO program may require on-demand changes to a PTASP based on revisions to its program standard, federal or state law or regulation, audit results, investigations, or changing trends in safety and security data and information analysis. Upon receipt of a written notification from the WisDOT SSO program for PTASP modifications, the RTA and the WisDOT SSO program will negotiate a timeframe and set a deadline for completing the revision.

All operating rules, procedures, and separate materials referenced in a PTASP must also be submitted to WisDOT to ensure an efficient and complete review of the RTA's total safety program as documented in its PTASP.

**The RTA must complete a full review of its PTASP every year.**

**All PTASP revisions must be submitted to WisDOT by January 15<sup>th</sup>.**

**If an RTA concludes that no PTASP changes are required,  
the CSO and AE must submit a signed letter to WisDOT asserting  
that annual review is complete with no changes.**

The WisDOT SSO program provides a conformance checklist (included in Appendix G) for PTASP review feedback, consistent with federal and state requirements. Any potential issues with a draft PTASP will be noted and WisDOT will suggest modifications, as needed. WisDOT or the RTA may request PTASP review and discussion meetings, as needed throughout the review process.

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<sup>10</sup> If necessary for document security, supporting procedures may be submitted in hard copy via mail, fax, or hand-delivery. However, electronic submission is always preferred.

Once a draft PTASP is ready for approval, WisDOT will provide the RTA with the final conformance checklist. The RTA can then finalize their draft PTASP (according to their internal PTASP update process) and, with appropriate signatures and a formal transmittal letter, submit the final draft to WisDOT.

**The final, signed, PTASP must be formally submitted to WisDOT by January 31<sup>st</sup>.**

**WisDOT will issue written approval by no later than March 15<sup>th</sup>.**

#### 4.1.2 Initial submittals from a RTA

In the event of a rail transit system capital project (new or extension), an RTA is required to make an initial PTASP submittal (or appropriate modification to an existing plan) to the WisDOT SSO program **at least 180 calendar days before beginning revenue service operations**. The initial PTASP will be reviewed and approved by WisDOT, in writing, as part of the new rail system capital project safety and security certification process. The review and approval process for initial submittals generally follows the existing PTASP update review and approval process (discussed below) but may take several revision cycles to complete, which is the reason for the long-lead time.

An RTA new starts project is required to submit to the WisDOT SSO program a PTASP and associated procedures and referenced materials **at least 180 calendar days before beginning passenger/revenue service operations**. The initial PTASP will be reviewed and approved by the WisDOT SSO program and adopted by the RTA as part of the project's safety and security certification process. The WisDOT SSO program will use the PTASP conformance checklist and will transmit a formal letter of approval to the RTA along with the completed checklist. As necessary, the WisDOT SSO program may require additional information or documentation as part of the review and may request meetings or teleconferences to address identified issues.

Specific to new starts projects, the WisDOT SSO program may conduct on-site readiness reviews to assess the capabilities of the RTA to implement its PTASP during passenger operations. This assessment may be conducted in conjunction with the WisDOT SSO program's review and approval of the initial PTASP submission.

## **4.2 Internal Safety Audit Oversight**

Each Wisconsin RTA must develop and implement a three-year cycle of internal audits covering all aspects of its safety program and PTASP. The purpose of the internal safety audits is to compare the content of RTA safety program documentation to executed RTA activities in order to assess practical drift.

Each RTA is required to provide the WisDOT SSO program with an annual report and certification letter of compliance along with the current PTASP by January 31<sup>st</sup> of each year.

**PTASP Internal Safety Program Compliance Audits.** The overarching topics each RTA is required to audit is as follows:

- **PTASP Updates/SMS Implementation** review and audit of progress – Complete annually with review of the PTASP and safety program related control documents/minimum standards for safety. This audit includes an accounting of progress towards safety performance targets for improvement. This audit should be used as a part of Continuous Improvement and assurance of program record keeping.
- **Safety Management Policy** review and audit – Complete annually with review of the PTASP. This audit should be used as part of Continuous Improvement.
- **Safety Risk Management** review and audit – This audit should be completed at least once during the three-year audit cycle. Schedule based on other planned audits and resources.
- **Safety Assurance** review and audit – Start this audit as soon as possible within the three-year cycle in order to complete the audit of the topics and processes. Report progress towards completing this audit category each year until complete.
- **Safety Promotion** review and audit – This audit should be completed once for each of the two subcomponents during the three-year audit cycle. Schedule based on other planned audits and resources.

#### 4.2.1 Internal Audit Schedule and Checklists

The WisDOT SSO program requires that each RTA provide a three-year schedule of internal safety audits, due by January 31<sup>st</sup> of the first year of the cycle. The schedule must be complete, accounting for all auditable safety program activities during each year of the audit cycle.

As needed, the internal audit schedule can be updated, so long as the overall three-year requirement of completing audits for all aspects of the PTASP and safety program description are met. WisDOT monitors an RTA's internal audit progress through quarterly safety meetings, observation and verification (on-site or remote), and by other means, as necessary. Reference Guide Section 5.2 provides a description of the expected breakdown of internal audit topics to be completed.

The RTA must develop procedures and document the process for performance of on-going internal safety audits. WisDOT must be notified at least fourteen (14) days before audit activity is to take place, and SSO program personnel must have the opportunity to participate at their discretion.

The person conducting an audit cannot be directly involved with the safety program activity being audited. However, this conflict of interest provision can be waived if the RTA obtains independent audit review (through another city department, contractor, or other independent third party) – documentation of the independent audit review process and conflict waiver are required to demonstrate compliance.

The CSO must ensure the results of each audit/review are documented, including: a summary of the audit activity, documentation/personnel reviewed, all findings of noncompliance, all recommendations. Initial CAP information should be included, but the CAP process in section 8 of this document includes CAPs resulting from an RTA's internal audit.

**Related Reference Guide Information – Section 4. PTASP and Internal Safety Audits**

- Section 3.1 Rail Property PTASPs
- Section 3.2 Minimum Standards for Safety
- Section 5.2 Internal Safety Program Audits

**4.3 RTA Annual Report to the WisDOT SSO Program**

By January 31<sup>st</sup> of each year, the RTA must submit a safety program status report with, at minimum, the following contents:

1. A list of the internal safety and security audits/reviews conducted over the past year;
2. A written description of where the RTA is in meeting its triennial audit schedule;
3. An updated schedule for audits/reviews to be completed during the calendar year;
4. The status of all findings, recommendations, and CAPs resulting from the audit/reviews conducted that year including any challenges or issues experienced by the RTA in addressing them.

In addition to the annual report, the RTA must submit a formal letter of certification, signed by the Accountable Executive, stating that the RTA is in compliance with its PTASP, based on evaluations performed during the internal safety and security audit/review process of the previous year.

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## SECTION 5. TRIENNIAL AUDITS

At least once every three (3) years, the WisDOT SSO program will conduct a comprehensive safety program audit of each RTA, with special focus on PTASP compliance and SMS implementation. Primary audit activities will include RTA document review, system and personnel observation, and interviews. Other than document review, audit activities will be conducted on-site at the rail transit system whenever possible – virtual activities can be scheduled, as needed.

The WisDOT SSO program will establish an audit team and prepare a schedule, procedures, and checklists to guide the audit process. WisDOT will communicate with the RTA all established criteria used to evaluate PTASP compliance and SMS implementation and will prepare and issue an audit report containing findings and recommendations based on those evaluations. An RTA will be required to develop a CAP for each finding of noncompliance, and may develop CAPs for recommendations, as needed.

During an audit, an RTA will be required to demonstrate – through documentation/records, practice, and other verification methods – that:

- The PTASP is an integral part of the RTA's overall management, engineering, operating, and maintenance practice.
- The RTA reviews its PTASP annually and regularly monitors compliance through an ongoing internal audit or review process.
- The RTA identifies hazards, defects, and other safety-related issues.
- The RTA analyses and assesses the safety risk for identified hazards, defects, and other safety-related issues.
- The RTA develops measures to control identified safety risk, and that those measures are implemented and monitored.
- Investigations are conducted following established procedures adopted by the RTA.
- CAPs are developed, sent to WisDOT for approval, implemented, and closed according to WisDOT's CAP process.
- Other activities and tasks, identified in the PTASP and other safety program documentation, are being carried out as specified.

The WisDOT SSO program will provide notice to the RTA at least thirty (30) calendar days before audit activities begin. The first audit activity will be a kickoff meeting/entrance briefing with RTA personnel. The entrance briefing is intended to present an outline of activities, expectations, objectives, and allow for schedule coordination between agencies and personnel. WisDOT's SSO audit process is intended to be flexible in scheduling – changes can be made by WisDOT or requested by an RTA, as needed. Once primary audit activities have concluded, WisDOT will hold an exit briefing where the audit team will present a summary of observations, but no findings or recommendations – those will be presented in a draft audit report.

After the exit briefing, WisDOT SSO program staff will issue a draft report detailing its findings and recommendations. The RTA will have an opportunity to comment on the factual content of the

report, including any findings and recommendations. The WisDOT SSO audit team will revise the draft report as needed and distribute the final safety audit report.

Once the final audit report has been issued, the RTA is required to develop a CAP to correct findings of noncompliance. The WisDOT SSO program will formally review and approve all such CAPs according to the process described in Section 8. Further information on WisDOT's SSO program audit process and procedure is provided in Appendix L.



## SECTION 6. ACCIDENT NOTIFICATION

This section addresses safety-related events that require the RTA to notify both WisDOT's SSO program and FTA within two hours by telephone or email.

### 6.1 Requirements for RTA to Notify SSO Agency (49 CFR § 674.33)

Part 674 requires that an RTA notify the SSO agency (and FTA) of events that meet the definition of an accident provided in 49 CFR § 674.7 – such events are referred to as *FTA reportable*. The WisDOT SSO program has additional criteria for safety events that trigger notification – such events are referred to as *State reportable* and are further outlined in this section. The list of required state criteria for notification and investigation can be revised in Reference Guide Section 5.1 and Procedure SSO-003 – more topics may be added, as needed, based on data and experience with safety performance issues.

The FTA guidance for providing notification can be found through the following links:

- **Two-Hour Accident Notification Guide<sup>11</sup>**  
<https://www.transit.dot.gov/sites/fta.dot.gov/files/2021-09/Two-Hour-Accident-Notification-Guide%209-24-2021.pdf>
- **Two-Hour Accident Notification Quick Reference Checklist<sup>12</sup>**  
<https://www.transit.dot.gov/sites/fta.dot.gov/files/2021-09/Two-Hour-Accident-Notification-Quick-Reference-Checklist-9-24-2021.pdf>
- **2021 FTA Joint SSO and RTA Virtual Workshop – Accident Notification and Investigation<sup>13</sup>**  
<https://www.transit.dot.gov/sites/fta.dot.gov/files/2021-10/Accident-Notification-and-Investigation.pdf>
- **\*2023 SSOR Annual Report User Manual, Version 5.0<sup>14</sup>**  
<https://faces.fta.dot.gov/suite/>  
\*Only available to users with verified access credentials.

Experience has shown that some events become reportable based on further information beyond the two-hour time limit, and this will continue to be expected. For example, a *security* event where two or more persons are transported away from the scene for medical attention; or a situation involving difficulty in accurately and quickly assessing the extent of damage. In some cases, an event appears to be reportable but is later determined not to meet reportable event criteria – each of these situations will be managed on a case-by-case basis. In each case, designated RTA personnel should send notice and begin the appropriate reporting process as soon as possible under the circumstances.

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<sup>11</sup> FTA's Two-Hour Accident Notification Guide was last updated on 9/24/2021.

<sup>12</sup> FTA's Two-Hour Accident Notification Quick Reference Checklist was last updated on 9/24/2021.

<sup>13</sup> Presented on 10/20/2021; includes material from the Maryland DOT that does not constitute federal guidance.

<sup>14</sup> FTA's 2023 SSOR Annual Report User Manual, Version 5.0 was last updated on 1/16/2024 and is only available through FTA's Transit Integrated Appian Development (TriAD) platform to verified users with access credentials.

### 6.1.1 Time limits for notification

With the information available to an RTA in the immediate aftermath of a safety event, the RTA must notify both WisDOT and FTA within two (2) hours of the event, provided designated RTA personnel have determined that the event is an *accident* according to this document.

WisDOT acknowledges that RTA personnel may have incomplete information in the immediate aftermath of a safety event. Therefore, WisDOT requires that RTA personnel notify the SSO agency of all safety events – except those that clearly and unambiguously do not rise to the level of *accident* – within the two-hour timeframe. If further investigation by designated RTA personnel reveals that an event has not crossed an *accident* threshold, there is no harm done in having notified WisDOT – notification itself does not automatically irrevocably categorize a safety event (which might otherwise be categorized an *incident* or *occurrence*) as an *accident*.

### 6.1.2 Initial Notification

The RTA is required to contact one of the WisDOT SSO program staff listed in Reference Guide Section 5.1 and Procedure-003. The initial notification should be in the form of an email and is intended for the RTA staff to provide known facts about the safety event that has occurred. A telephone call is acceptable but must be followed-up as soon as practicable with an email in the same format as an original email notification.

### 6.1.3 Initial Notification Form

The following information must be provided by the RTA in the initial notification of a safety event. If listed information is not applicable to a particular safety event, the item must remain on the initial notification form but may be marked appropriately (not applicable-N/A, to be determined-TBD, etc.).

- Name and job title of person reporting and name of RTA
- Event type:
  - Fatality; Serious injury; Property damage; Evacuation (life-safety), Derailment; Other (with description)
- Event location, time, and date
- Notification time for WisDOT SSO program
- Fatalities
- Injuries
- Rail transit vehicle(s) involved (type, number)
- Other vehicle(s) involved (type, number)
- Property damage estimate
- Whether the event FTA, NTSB, or TSA reportable
- RTA designated personnel conducting the investigation (name, title, contacts)
- Narrative description of the event – fact-based

**Email notification, with a set format including all of the listed information, is required.**

While telephone notification is allowed, the RTA must provide a notification email as soon as practicable following an initial telephone notification.

The RTA may be required to provide additional information at the WisDOT SSO program's request. The RTA should maintain a current list of contact information for all primary and alternate contact personnel, including email addresses, telephone, and cell phone. This information is also located in Reference Guide Section 5.1 and Procedure SSO-003.

**6.1.4 RTA Reportable Event Notifications to Other Federal Agencies**

Additional notifications to federal agencies may also be required – an RTA may be required to notify NTSB or TSA for events listed in 49 CFR Part 840<sup>15</sup> and 49 CFR Part 1580<sup>16</sup>. For all notifications to other federal agencies (FRA<sup>17</sup>, NTSB, and TSA), the WisDOT SSO program requires that the RTA share those notifications and any additional information requested by those other federal agencies.

**6.1.5 RTA Hazardous Conditions Notifications to the WisDOT SSO Program**

When designated RTA personnel, using the criteria and assessment process in their PTASP, identify a *significant hazardous condition*, the RTA must notify WisDOT within 24 hours of the determination. The RTA may follow the same basic notification process for a safety event, but the notification must clearly indicate that is for a significant hazard and not a safety event.

Based on RTA risk monitoring activities (discussed in Section 1), WisDOT requires notification and reporting on events that are not considered reportable to FTA – these fall under the *State reportable* category. For example, while FTA requires two-hour notification for life-safety evacuations, WisDOT requires notification of *all* evacuations of rail vehicles, regardless of cause. Reference Guide Section 5.1 and Procedure SSO-003 contain information on such “state reportables” and should be consulted often by designated RTA personnel.

**Related Reference Guide Information – Section 5. Accident Notification**

- Section 5.1 Notifications and Investigations

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<sup>15</sup> Available at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title49-vol7/pdf/CFR-2011-title49-vol7-part840.pdf>

<sup>16</sup> Available at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title49-vol9/pdf/CFR-2011-title49-vol9-part1580.pdf>

<sup>17</sup> FRA notification requirements for commuter rail or shared track are 49 CFR 225.9, 233.5, and 234.7, if applicable.

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## SECTION 7. ACCIDENT INVESTIGATIONS

The WisDOT SSO program is responsible for the sufficiency of all accident investigations at each RTA under its jurisdiction. However, that does not mean that SSO program personnel will act as lead investigators – the RTA is always responsible for completing notification to WisDOT and FTA (and other agencies when required) and is the default lead investigator on behalf of WisDOT’s SSO program. Accordingly, each RTA must:

- Produce clear, competent, and standardized investigation reports
- Ensure that only designated personnel conduct investigations and produce investigation reports

All personnel tasked with performing safety event investigations – whether WisDOT SSO program personnel or designated RTA personnel – must be trained in accordance with the PTSCTP (49 CFR Part 672).

Part 674 lists SSO agency responsibilities for accident investigation and reporting. Under 49 CFR 674.35(a), an SSOA must:

1. Investigate or require an investigation of any accident
2. Be ultimately responsible for the sufficiency and thoroughness of all investigations
  - a. Whether conducted by the SSO agency or the RTA
3. Conduct an independent review of the RTA’s findings of causation
  - a. When the SSO agency requires an RTA to investigate an accident
4. Coordinate investigations with the RTA
  - a. When the RTA is also conducting its own internal investigation of the accident
  - b. In accordance with the SSO program standard (and any agreements in effect)

Under 49 CFR 674.25(c), WisDOT also “has primary responsibility for the investigation of any allegation of noncompliance with a [PTASP].” WisDOT Procedure SSO-009 describes this specific investigation process.

### 7.1 Beginning an Accident Investigation

WisDOT requires the investigation of any *accident* and has adopted the relevant federal definitions for these purposes (Appendix A). **The RTA will be the initial lead investigator for any rail transit system accident**, even if another agency ultimately leads the investigation or begins an independent or parallel investigation. Accordingly, **the RTA must have designated personnel to conduct investigations and have a record of its investigation process and procedures**. An RTA’s investigation procedures should follow industry practice and must be reviewed, approved, and adopted by WisDOT. An RTA’s investigation procedures are designated as a minimum safety standard.

WisDOT SSO program staff may be present at an accident scene, either as a resource or as an observer. In all cases, when SSO personnel intend to be present a rail transit accident scene,

WisDOT will notify the CSO and will coordinate with RTA staff so as not to interfere with first responders or other personnel on scene.

In the cases where WisDOT SSO assumes the lead investigator role or otherwise participates in the investigation (as opposed to observing), designated WisDOT SSO personnel will follow the RTA's investigation procedures as approved and adopted. Reporting will follow the requirements of this section and associated appendix and procedures. **All WisDOT staff going onsite at a rail transit system will follow all RTA safety practices and procedures.**

Any person serving as a lead investigator (whether designated RTA or WisDOT personnel) must be trained according to the PTSCPT, the RTA's roadway worker protection (RWP) plan, and any other applicable RTA procedures and requirements for investigation. Any other person participating in the investigation team should have appropriate and relevant rail system competencies to ensure the accident is investigated thoroughly.

If the FTA begins an investigation, the RTA must support that FTA investigation, as required. If the NTSB begins an investigation, the RTA must support that NTSB investigation, as required. WisDOT will support the RTA, FTA, and/or the NTSB as a resource, party, or observer, subject to requests or requirements in place for the agency conducting the investigation.

Per 49 CFR 674.37(a), "[i]n any instance in which an RTA must develop and carry out a CAP, the SSO [agency] must review and approve the CAP before the RTA carries out the plan...."

Accordingly, regardless of the agency leading an investigation, if the RTA *must* develop a CAP(s), WisDOT *must* review and approve the CAP(s) before the RTA begins implementation – see section 8 for WisDOT's CAP process.

## 7.2 Investigation Data, Process, and Outputs

Consistent with FTA's transit-specific SMS, the WisDOT SSO program operates under the framework that the purpose of an investigation is to:

1. Gather and assess facts to determine cause(s); and
2. Identify corrective measures to prevent recurrence.

Accordingly, an investigation is **not** intended to affix blame, subject people to liability for their actions, or to recommend disciplinary action.

Investigation data must address, at minimum, the following:

- **Safety performance of the operator**
  - Before, during, and after the safety event being investigated.
- **Safety performance of others responding to the accident** (dispatch, trainer, field supervisor(s), etc.)
  - Before, during, and after the safety event being investigated.
- **Securing the train/scene and assuring there are no additional hazards**
  - Need to assess the safety performance of those involved in this critical activity including the operator, dispatch, supervisor(s), and any additional RTA personnel responding to the safety event (e.g., performance and following procedure and/or

command to lower the pantograph or shut down OCS). This also includes control of any train movement or single-tracking.

- **Safety performance of any passenger evacuation**
  - Regardless of location (terminal station, platform, right-of-way); however, special attention should be given to control of any evacuation with passengers with disabilities or conducted on the right-of-way (other rail transit vehicles, traffic, pedestrians).
- **Consideration of future prevention of the accident**
  - Can be included from documented after-action report, hot wash, or any discussion concerning future occurrence. Special focus on additional capabilities – capabilities not currently possessed by the RTA – that would increase safety performance and emergency response.

As part of the investigation, designated RTA personnel must complete an analysis to develop the primary cause, contributing factors, and corrective actions. Typical corrective actions include: re/training; updating (or adding new) procedures; posting awareness information (bulletins, orders, etc.) and activities; and enhancing (or adding) system or personnel capabilities.

As an investigation proceeds from notification into investigation, designated RTA personnel must complete and issue an initial facts report (IFR). The IFR should be submitted to WisDOT as soon as practicable after the safety event, but must be submitted no longer than four (4) days after the accident. The IFR must include all factual information and data collected at the time of the report.

All further reports flow from the IFR, which is updated throughout the investigation process as follows:

- Within ten (10) days: updated facts and follow-up processes
- Within twenty (20) days: identification of the preliminary cause of the safety event
- After thirty (30) days: monthly progress updates until the draft final investigation report can be submitted

For RTA-led investigations – which will be the vast majority of investigations – the CSO must review, sign, and submit all reports and attached documentation to the WisDOT SSO program manager and any SSO program personnel assigned to the investigation. In accordance with the process outlined in Procedure SSO-010, WisDOT will then review the report and either: 1) adopt and approve it during a monthly RTA safety meeting or quarterly SSO meeting; or 2) require that the RTA provide specific additional information to be included in the report.

If designated WisDOT SSO program personnel act as lead investigator, reporting will follow the same basic requirements of this section and the same process included in Procedure SSO-010. For WisDOT-led investigations, designated RTA personnel may provide input and comments before the report is finalized. Should any RTA comments require resolution, an existing RTA safety meeting or SSO quarterly meeting can be used, or an *ad hoc* meeting between designated WisDOT and RTA staff may be called.

If revisions to the draft final investigation report are required, the timeframe for revising the report will be determined jointly by the WisDOT SSO program and the RTA, on a case-by-case basis.

Once WisDOT formally adopts and approves of an RTA's investigation report, the final report (no longer 'draft final') will serve as the formal WisDOT SSO program investigation document.

## **7.4 Confidentiality of Investigation Reports**

WisDOT regularly receives requests for records subject to Wisconsin's public records statutes, Wis. Stats. §§ 19.31-19.39, which include requirements for both disclosure and non-disclosure. It is WisDOT's policy that all persons are entitled to the greatest possible information regarding WisDOT affairs and the official acts of its offices and employees, consistent with state statutes.

Concerning SSO program reports (including investigation reports, regardless of lead agency), WisDOT will comply with applicable state law, including applicable provisions on disclosure, non-disclosure, exemption, and fee assessment. Where personally identifiable information (PII) is in question, WisDOT SSO program reports may be de-identified as described in Procedure SSO-006 and in accordance with Wisconsin's public records statutes, Wis. Stat. §§ 19.31-19.39.

Please refer to Appendix J for further information regarding State of Wisconsin open records policy.



## SECTION 8. CORRECTIVE ACTIONS

The WisDOT SSO program requires an RTA to develop and implement a corrective action plan (CAP) for each finding of noncompliance as a result of the following:

- Investigation Report
  - From the RTA, WisDOT, FTA, NTSB, or other agency having jurisdiction
- RTA Internal Safety Audit
- Triennial Audit
  - WisDOT auditing the RTA
  - FTA auditing the WisDOT SSO program
- Risk-based inspection
- Hazard or risk management process

### 8.1 CAP Development

All CAPs, regardless of source, must:

1. Be developed by the RTA
2. Be reviewed and approved by the SSO agency prior to RTA implementation, except for immediate or emergency corrective actions that must be taken to ensure immediate safety
3. Specifically describe:
  - a. RTA actions to minimize, control, correct, or eliminate the risks and hazards identified by the CAP
  - b. The schedule for taking those actions
  - c. The individuals responsible for taking those actions

Once the need to develop a CAP has been established, whether internally or externally, **the RTA must develop the CAP as soon as practicable but by no later than thirty (30) days**. A CAP must be developed for all:

- Findings of non-compliance
- Deficiencies noted through:
  - Investigation
  - Risk-based inspection
  - Hazard or risk assessment
  - Regular operations or maintenance activities of the RTA

The need to develop a CAP may also be established – by WisDOT, the RTA, or other agency having jurisdiction – through observation, recommendation, or any other method (if required).

### 8.2 CAP Approval

Per 49 CFR 674.37(a) and (b), “[i]n any instance in which an RTA must develop and carry out a CAP, the SSO [agency] must review and approve the CAP before the RTA carries out the plan,” and

“[i]n any instance in which a safety event...is the subject of an investigation by the NTSB, the SSO [agency] must evaluate whether the findings or recommendations by the NTSB require a CAP by the RTA, and if so, the SSO [agency] must order the RTA to develop and carry out a CAP.”

**No matter which agency leads an investigation,  
if an RTA must develop a CAP(s),  
WisDOT must review and approve the CAP(s)  
before the RTA begins implementation.**

Part 674 provides an exception to the requirement of prior CAP approval for “immediate or emergency corrective actions.” However, the RTA must then provide the SSO agency with timely notification and obtain subsequent review and approval.

For the WisDOT SSO program, only a CAP as defined in this section is subject to this exception – “immediate or emergency corrective actions that must be taken to ensure immediate safety” are not presumed to fall under the CAP process. If such an action does fall under CAP requirements, **the RTA must notify WisDOT as soon as practicable but no later than 48 hours after the corrective action has been initiated.**

Once the RTA has submitted a CAP for WisDOT approval, WisDOT will review the CAP and issue a formal response as soon as practicable but within thirty (30) days of receipt. To promote efficiency and clear communication, CAP approval primarily will be conducted during existing RTA safety meetings and SSO quarterly meetings.

### 8.3 CAP Enforcement

The CAP is WisDOT’s primary method of enforcement for issues of RTA non-compliance, safety risk, and other deficiencies. WisDOT is authorized to require each RTA to comply with all CAP requirements included in this document. If there is any dispute or disagreement regarding a CAP between WisDOT and an RTA, WisDOT is the authority in the process and has final approval. However, an RTA is always encouraged to explain its position – WisDOT’s SSO program is committed to reasonably evaluate RTA comments related to CAP development, implementation, and closure.

To minimize the likelihood of disagreement and promote clarity, efficiency, and effectiveness, each CAP must be memorialized as a written document identifying, at minimum, the following:

1. A detailed description of the deficiency to be corrected
2. A list of specific actions to be taken by the RTA to address the deficiency by:
  - Minimizing, controlling, correcting, or eliminating identified risks and hazards
  - Include interim steps, as applicable
3. Each individual(s) responsible for each specific action
4. A CAP schedule with estimated completion dates for each step and for the CAP as a whole
5. Any other critical information
  - Description of short-term mitigations or workarounds and why they are required
  - Description of longer-term mitigations and why they require more time

## **8.4 Policy and Practice for Tracking and Verifying RTA CAP compliance**

Each RTA must follow a CAP monitoring process and maintain an up-to-date CAP tracker. Each RTA must review and update its CAP tracker on a monthly basis, at minimum – this process can be a standing agenda item for monthly safety committee meetings or its own separate meeting. The CAP tracker must be made available to WisDOT for review both monthly (during RTA safety meetings) and quarterly (during SSO program meetings).

The RTA CAP tracker must include all RTA CAPs, clearly separate individual CAPs and key information about them, and clearly speak to progress on each action step, including any revisions, until the CAP is closed. Once WisDOT approves a CAP, the content, scope, person(s) responsible, and due dates cannot be changed without additional notification and approval by WisDOT.

The RTA CAP tracker will also be a standing agenda item to be discussed at each quarterly meeting between WisDOT and the RTA (described in Section 1). When a CAP is ready for closure, the RTA is required to provide documented evidence for closure, which, at minimum should describe how each action step was completed, when each step was completed, and when the CAP as a whole was completed.

## **8.5 SSO Agency Policy and Practice for managing conflict with RTA relating to development or execution of CAP or Findings**

This section explains WisDOT’s policy and practice for managing any conflicts with RTAs relating to development or execution of a CAP or of audit findings.

If an RTA disagrees with or otherwise disputes a WisDOT finding (or recommendation), or fails to develop or implement a CAP, WisDOT will require the RTA to perform a comprehensive hazard and risk analysis on the deficiency in question. The analysis must provide documented, data-driven evidence to demonstrate that the deficiency does not and will not present an unnecessary safety risk to rail transit passengers, patrons, personnel, or the public. Such a hazard analysis must follow all program standard requirements and all aspects of the RTA’s hazard management process.

WisDOT SSO program personnel will review the RTA’s analysis; if the RTA can demonstrate that existing actions have sufficiently mitigated the hazard or reduced safety risk to an acceptable level, WisDOT will review the finding (or recommendation) and revise accordingly. If, however, WisDOT determines that the RTA’s hazard analysis indicates the deficiency in question presents an unacceptable level of risk, WisDOT will require the RTA to begin the CAP process described in this section immediately, with the RTA’s disputed hazard analysis attached as a record to the final CAP documentation.

### **Related Reference Guide Information – Section 8. Corrective Actions**

- Section 5.4 Corrective Actions and Plans, including Procedure SSO-011

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## SECTION 9. ANNUAL REPORTING TO FTA

The WisDOT SSO program completes its annual reporting to FTA by March 15<sup>th</sup> of the following year, as required by 49 CFR § 674.39. All submissions to FTA will be made using an FTA-specified reporting system<sup>18</sup>, including the following:

1. The SSO program standard
2. Evidence of PTSCPT progress/completion
3. A publicly available report that:
  - a. Summarizes SSO agency oversight activities for the preceding twelve months
  - b. Describes the causal factors of accidents identified through investigation, and
  - c. Identifies:
    - i. The status of corrective actions
    - ii. Changes to PTASP, and
    - iii. SSO agency level of effort in carrying out its oversight activities;
4. A summary of:
  - a. Triennial audits completed during the preceding twelve months
  - b. RTA CAP progress arising from triennial audits
  - c. SSO agency PTASP review and approval evidence
5. SSO agency certification of compliance with Part 674

Part 674 does not include any other submissions for the annual report. However, FTA has included several additional items through its electronic system, including: individual program status reports for each RTA and individual transmission letters for each entity receiving that report;<sup>19</sup> an SSO program workload assessment;<sup>20</sup> and an SSO program financial plan.<sup>21</sup> While WisDOT acknowledges that FTA requests these additional items, WisDOT does not acknowledge that these items are required to comply with the annual reporting requirement set out in 49 CFR § 674.39.

For all items uploaded to FTA's electronic system for annual reporting, information may be de-identified as described in Procedure SSO-006 and in accordance with Wisconsin's public records statutes, Wis. Stat. §§ 19.31-19.39.

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<sup>18</sup> The FTA currently requires use of a system called SSOR that is connected to TrAMS, FTA's grant-reporting platform.

<sup>19</sup> This report appears to be the one separately referred to under 49 CFR 674.13(a)(7), an annual "status of the safety" of each rail transit system report to be sent to the state governor, RTA board of directors (or equivalent), and FTA administrator, and not the report referred to for annual submission to FTA under 49 CFR 674.39(a)(3), "[a] publicly available report that summarizes...oversight activities...describes the causal factors of accidents...and identifies the status of corrective actions, changes to [PTASPs], and the level of effort by the SSO [agency] in carrying out its oversight activities."

<sup>20</sup> The workload assessment was a submission requirement for the Part 674 certification process, not an annual submission to FTA.

<sup>21</sup> Similar to the workload assessment, the financial plan was first requested by FTA as a one-off request for an SSO grant spending plan and only subsequently into the SSOR system.

# Appendices

## **Appendix A – Federal Authorizing Documents**

[49 U.S.C. § 5330](#) – State safety oversight; Repealed  
[49 CFR Part 659](#) – Rail fixed guideway systems; state safety oversight; Rescinded  
[49 U.S.C. § 5329\(e\)](#) – State Safety Oversight Program  
[49 CFR Part 670](#) – Public Transportation Safety Program  
[49 CFR Part 671](#) – Rail Transit Roadway Worker Protection  
[49 CFR Part 672](#) – Public Transportation Safety Certification Training Program  
[49 CFR Part 673](#) – Public Transportation Agency Safety Plans  
[49 CFR Part 674](#) – State Safety Oversight  
[Special Directive 22-53](#) – Risk-Based Inspection Program (WisDOT)

## **Appendix B – State Authorizing Documents**

[Wis. Stat. § 85.066](#) – Transit safety oversight program (2015)  
[Wis. Admin. Code Trans 10](#) – Transit safety oversight program for rail fixed guideway transportation systems (2018)  
Delegation Letters – Issued from 2000 through 2014 (no longer in effect)

## **Appendix C – Technical Training Plan (TTP)**

## **Appendix D – Organization Charts**

State of Wisconsin → WisDOT  
WisDOT: DTIM → BTLRRH and Public and Specialized Transit Section (SSO Program)  
City of Milwaukee and Operations and Maintenance Contractor (MSS)  
City of Kenosha and Kenosha Area Transit (KAT)

## **Appendix E – WisDOT SSO Program Investigation Procedure**

## **Appendix F – Interim PTASP Requirements**

## **Appendix G – Interim PTASP Checklist**

## **Appendix H – Security Plan Assessment**

## **Appendix I – Process for Conducting Internal Safety Audits**

## **Appendix J – State of Wisconsin Open Records Law**

## **Appendix K – Kenosha Area Transit – KAT**

## **Appendix L – Procedure for Conducting Triennial Audit of an RTA**

## **Appendix M – Milwaukee Streetcar System – MSS**

# WisDOT SSO Program Standard

## List of Appendices

Version Date	Title
1/28/2025	Appendix A – Federal Authorizing Documents
7/31/2024	Appendix B – State Authorizing Documents
1/28/2025	Appendix C – Technical Training Plan (TTP)
1/28/2025	Appendix D – Organization Charts
1/28/2025	Appendix E – Corrective Action Plan (CAP) Form
1/28/2025	Appendix F – CAP Review and Approval Checklist
7/31/2024	Appendix G – PTASP Review and Approval Checklist
7/31/2024	Appendix H – RTA Security Plan Checklist
1/28/2025	Appendix I – RTA Internal Safety Audits
7/31/2024	Appendix J – State of Wisconsin Open Records Law
1/28/2025	Appendix K – Kenosha Area Transit – KAT
7/31/2024	Appendix L – Triennial Audit Materials
1/28/2025	Appendix M – Milwaukee Streetcar System – MSS

## Federal Authorizing Documents

Citation – Link	Title	Notes – Status
<a href="#">49 U.S.C. § 5330</a>	State safety oversight	Repealed by operation of law on April 15, 2019
<a href="#">49 CFR Part 659</a>	Rail fixed guideway systems; state safety oversight	Required by law to be rescinded as of April 15, 2019; officially rescinded by FTA on February 7, 2022
<a href="#">49 U.S.C. § 5329(e)</a>	State Safety Oversight Program	Effective July 6, 2012
<a href="#">49 CFR Part 670</a>	Public Transportation Safety Program	Effective August 11, 2016
<a href="#">49 CFR Part 671</a>	Rail Transit Roadway Worker Protection	Effective December 2, 2024
<a href="#">49 CFR Part 672</a>	Public Transportation Safety Certification Training Program	Effective July 19, 2018
<a href="#">49 CFR Part 673</a>	Public Transportation Agency Safety Plans	Effective July 19, 2018
<a href="#">49 CFR Part 674</a>	State Safety Oversight	Effective March 16, 2016
<a href="#">Special Directive 22-53</a>	Special Directive Under 49 U.S.C. § 5329 (k) and 49 CFR Part 670 Required Actions to Implement a Risk-Based Inspection Program at the Wisconsin Department of Transportation	FTA issued 31 Special Directives to require all SSO agencies to develop and implement a risk-based inspection (RBI) program as required by the Bipartisan Infrastructure Law. SSO agencies must submit documentation to the Federal Transit Administration by October 21, 2024.  FTA approved WisDOT's RBI development plan on December 6, 2024.



## State Authorizing Documents

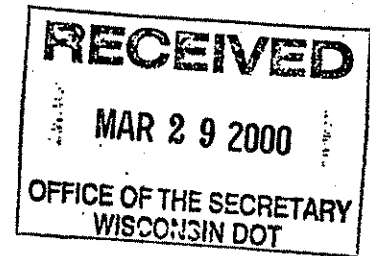
Citation – Link	Title	Notes – Status
<a href="#">Wis. Stat. § 85.066</a>	Transit safety oversight program	Originally passed in 2015; updated in 2018
<a href="#">Wis. Admin. Code Trans 10</a>	Transit safety oversight program for rail fixed guideway transportation systems	Effective 2018

<b>Delegation Letters – Issued from 2000 through 2014</b>		No longer in effect since passage of Wis. Stat. § 85.066 in 2015
Governor Thompson to WisDOT Secretary Thompson	March 22, 2000	Wisconsin Department of Transportation designated as the state agency responsible for administering the state safety oversight program under 49 CFR Part 659.
WisDOT Secretary Mulcahy to DTIM Administrator Wittwer	April 19, 2000	Delegation of all responsibilities associated with SSO program to DTIM, BTLRRH, Public Transit Section
Governor Walker to WisDOT Secretary Gottlieb	February 20, 2014	Designating WisDOT as the agency responsible for administering the SSO program as updated by 49 U.S.C. § 5329(e); still under 49 CFR Part 659
WisDOT Secretary Gottlieb to DTIM Administrator Switzer	February 21, 2014	Delegation of all responsibilities associated with SSO program to DTIM, BTLRRH, Transit Section



**TOMMY G. THOMPSON**

**Governor  
State of Wisconsin**



March 22, 2000

Charles H. Thompson, Secretary  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue, Rm. 120B  
P.O. Box 7910  
Madison, WI 53707

Dear Secretary Thompson:

Federal Transit Administration (FTA) regulations require states that have FTA funded rail systems to designate a state agency responsible for rail safety oversight for these transit systems.

While Wisconsin currently has no urban passenger rail or fixed guideway systems that qualify under the rule, the downtown circulator currently under construction in Kenosha will qualify when completed later this year. Design and construction costs for this system were FTA funded, and Kenosha is intending to use FTA funds to offset operating costs.

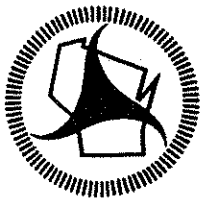
The designated agency is responsible for overseeing rail fixed guideway systems' safety practices. The oversight agency's initial responsibility will be to establish standards to be used by the transit system in preparing a rail system safety program plan, and to review and approve this plan. On an ongoing basis, the oversight agency's responsibility is to ensure that the transit system is complying with the plan. Specific tasks include investigating accidents and unacceptable hazardous conditions, reviewing corrective action plans prepared by the transit system, conducting safety reviews every three years, and preparing reports to submit to the Federal Transit Administration.

With this letter, I am designating the Wisconsin Department of Transportation as the state agency responsible for administering the state safety oversight program for urban passenger rail fixed guideway systems in Wisconsin that do not fall under the authority of the Federal Railroad Administration. In this role, the Department of Transportation will be responsible for all activities necessary to comply with title 49 of the Code of Federal Regulations, Part 659.

Sincerely,

  
TOMMY G. THOMPSON  
Governor

cc: R. Field, FTA  
J. Ettinger, FTA



## Wisconsin Department of Transportation

[www.dot.state.wi.us](http://www.dot.state.wi.us)

Tommy G. Thompson  
Governor

Terrence D. Mulcahy, P.E.  
Secretary

Office of the Secretary  
4802 Sheboygan Ave., Rm. 120B  
P.O. Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-1113  
FAX: 608-266-9912  
E-Mail: [sec.exec@dot.state.wi.us](mailto:sec.exec@dot.state.wi.us)

April 19, 2000

Ernie Wittwer, Administrator  
Division of Transportation  
Investment Management  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue, Rm. 951  
Madison, WI 53707

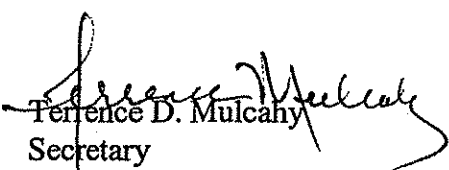
Dear Mr. Wittwer:

As you know, Governor Thompson has designated the Wisconsin Department Of Transportation as the state agency responsible for administering the state safety oversight program for urban passenger rail fixed guideway systems in Wisconsin that do not fall under the authority of the Federal Railroad Administration. In this role, the Department is responsible for all activities necessary to comply with title 49 of the Code of Federal Regulations, Part 659.

The federal regulations require the designated agency to oversee rail fixed guideway systems' safety practices. The Department's initial responsibility will be to establish standards to be used by the transit system in preparing a rail system safety program plan, and to review and approve this plan. On an ongoing basis, the Department's responsibility is to ensure that the transit system is complying with this plan. Specific tasks include investigating accidents and unacceptable hazardous conditions, reviewing corrective action plans prepared by the transit system, conducting safety reviews every three years, and preparing reports to submit to the Federal Transit Administration.

With this letter, I am delegating all responsibilities associated with safety oversight of urban passenger rail fixed guideway systems in Wisconsin that are not regulated by the Federal Railroad Administration to the Division of Transportation Investment Management, Bureau of Transit and Local Roads. Public Transit Section.

Sincerely,

  
Terrence D. Mulcahy  
Secretary



**SCOTT WALKER**  
**OFFICE OF THE GOVERNOR**  
**STATE OF WISCONSIN**

P.O. Box 7863  
MADISON, WI 53707

February 20, 2014

Mark Gottlieb, P.E., Secretary  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue, Room 120B  
P.O. Box 7910  
Madison, WI 53707

Dear Secretary Gottlieb:

A new State Safety Oversight Program authorized by 49 U.S.C. § 5329(e) of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), contains substantial change in the way in which public transportation safety will be addressed by states and the Federal Transit Administration (FTA). The rail safety provisions of MAP-21 apply to every state that has a rail fixed guideway public transportation system already in operation, or in engineering or construction, which is not subject to regulation by the Federal Railroad Administration (FRA). MAP-21 requires that each state with a rail fixed guideway transit system establish a State Safety Oversight (SSO) agency.

The designated agency serving as SSOA will:

- Be legally and financially independent of the rail transit systems it will oversee;
- Have adequate authority to oversee those systems including enforcement of each systems' safety plan; and
- Have adequate resources for appropriate staffing to carry out these responsibilities.

MAP-21 authorizes approximately \$44 million in FFY2013 and FFY2014 funding to assist 30 states in meeting the rigorous requirements of the law. Under this provision, FTA may issue grants for up to 80% of the reasonable costs of an SSO program.

With this letter, I am designating the Wisconsin Department of Transportation as the agency responsible for administering the State Safety Oversight Program for rail fixed guideway public transportation systems in Wisconsin that do not fall under the authority of the FRA. In this role, the Department will be responsible for all activities necessary to transition from the current 49 CFR part 659 rail safety provisions to a new MAP-21 compliant program. As the State Safety Oversight Agency for Wisconsin, the Department will be the recipient of the MAP-21 5329(e) funds available to Wisconsin.

Sincerely,

Scott Walker  
Governor

cc: Marisol Simón, FTA  
Duana Love, FTA



## Wisconsin Department of Transportation

[www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

Scott Walker  
Governor

Mark Gottlieb, P.E.  
Secretary

Office of the Secretary  
4802 Sheboygan Avenue, Room 120B  
P O Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-1113  
FAX: 608-266-9912  
E-mail: [sec.exec@dot.wi.gov](mailto:sec.exec@dot.wi.gov)

February 21, 2014

Aileen Switzer, Administrator  
Division of Transportation Investment Management  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue, Rm. 951  
Madison, WI 53707

Dear Ms. Switzer:

Governor Walker has designated the Wisconsin Department of Transportation as the state agency responsible for administering the State Safety Oversight Program for rail fixed guideway public transportation systems in Wisconsin that do not fall under the authority of the Federal Railroad Administration. In this role as State Safety Oversight Agency (SSOA), the Department is responsible for all activities necessary to comply with the rail safety provisions of MAP-21.

To meet the MAP-21 requirements and adequately promote the purposes of safety in public transportation, appropriate steps will be taken to ensure the SSOA will:

- Be legally and financially independent of the rail transit systems it will oversee;
- Have adequate authority to oversee those systems including enforcement of each systems' safety plan; and
- Have adequate resources for appropriate staffing to carry out these responsibilities.

Federal Transit Administration grant funds will be available to assist in meeting the rigorous requirements of the law.

With this letter, I am delegating all responsibilities associated with the State Safety Oversight Program to the Division of Transportation Investment Management, Bureau of Transit, Local Roads, Railroads and Harbors, Transit Section.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Gottlieb".

Mark Gottlieb, P.E.  
Secretary

## WisDOT SSO Technical Training Plan (TTP)

WisDOT's Technical Training Plan (TTP) identifies how SSO program personnel (including contractors) cover technical training – see 49 CFR Part 672 (Appendix A) – by documenting SSO program competencies and associated trainings, courses, and equivalencies. WisDOT confirms all required trainings and certifications with each RTA on an as-needed basis and reviews and updates its TTP annually to ensure that SSO program staff resources remain sufficient to address all SSO program objectives.

The TTP spreadsheet is linked here:



WisDOT-TTP-2024.11.  
01.xlsx

## WisDOT SSO Program Organization Charts

[State of Wisconsin → WisDOT](#)

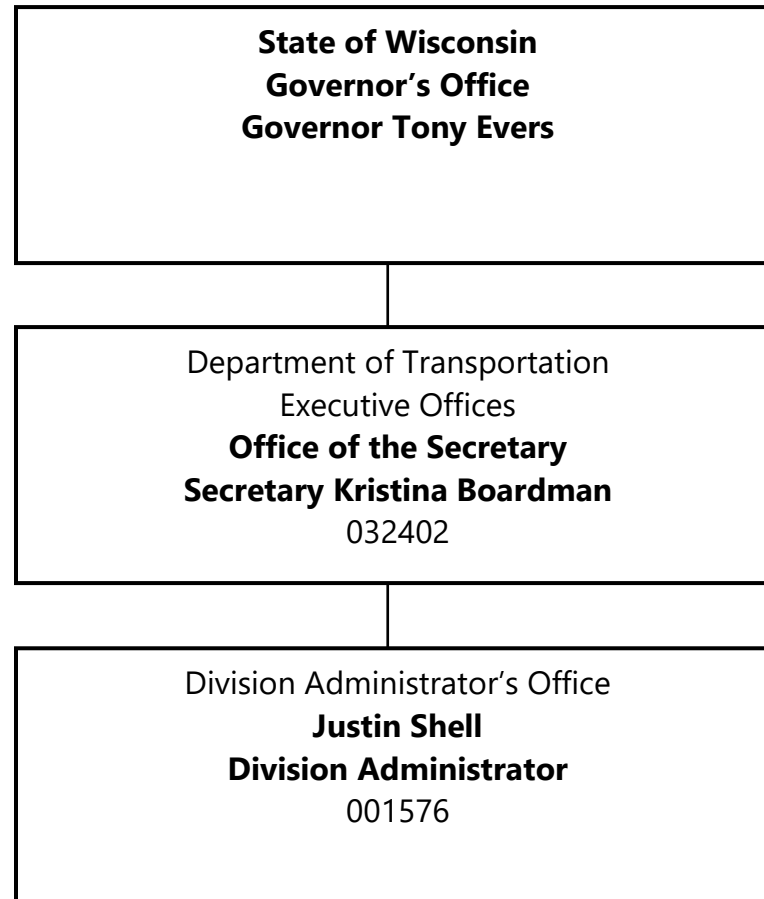
WisDOT: [Division of Transportation Investment Management \(DTIM\)](#)  
[Bureau of Transit, Local Roads, Railroads, and Harbors \(BTLRRH\)](#)  
-and-  
[Public and Specialized Transit Section – SSO Program \(with contractor support\)](#)

SSO Agency Point-of-Contact:

SSO Program:	<b>WisDOT Main Office – Hill Farms Building</b> 4822 Madison Yards Way, S 6th Floor Madison, WI 53705 Phone: (608) 267-6680; fax: (608) 266-0658  <b>SSO Field Office – Milwaukee Intermodal Station</b> 433 West St. Paul Avenue Milwaukee, WI 53203
SSO Program Manager:	<b>Eric Stoegbauer</b> <a href="mailto:eric.stoegbauer@dot.wi.gov">eric.stoegbauer@dot.wi.gov</a> Phone: (608) 267-6680

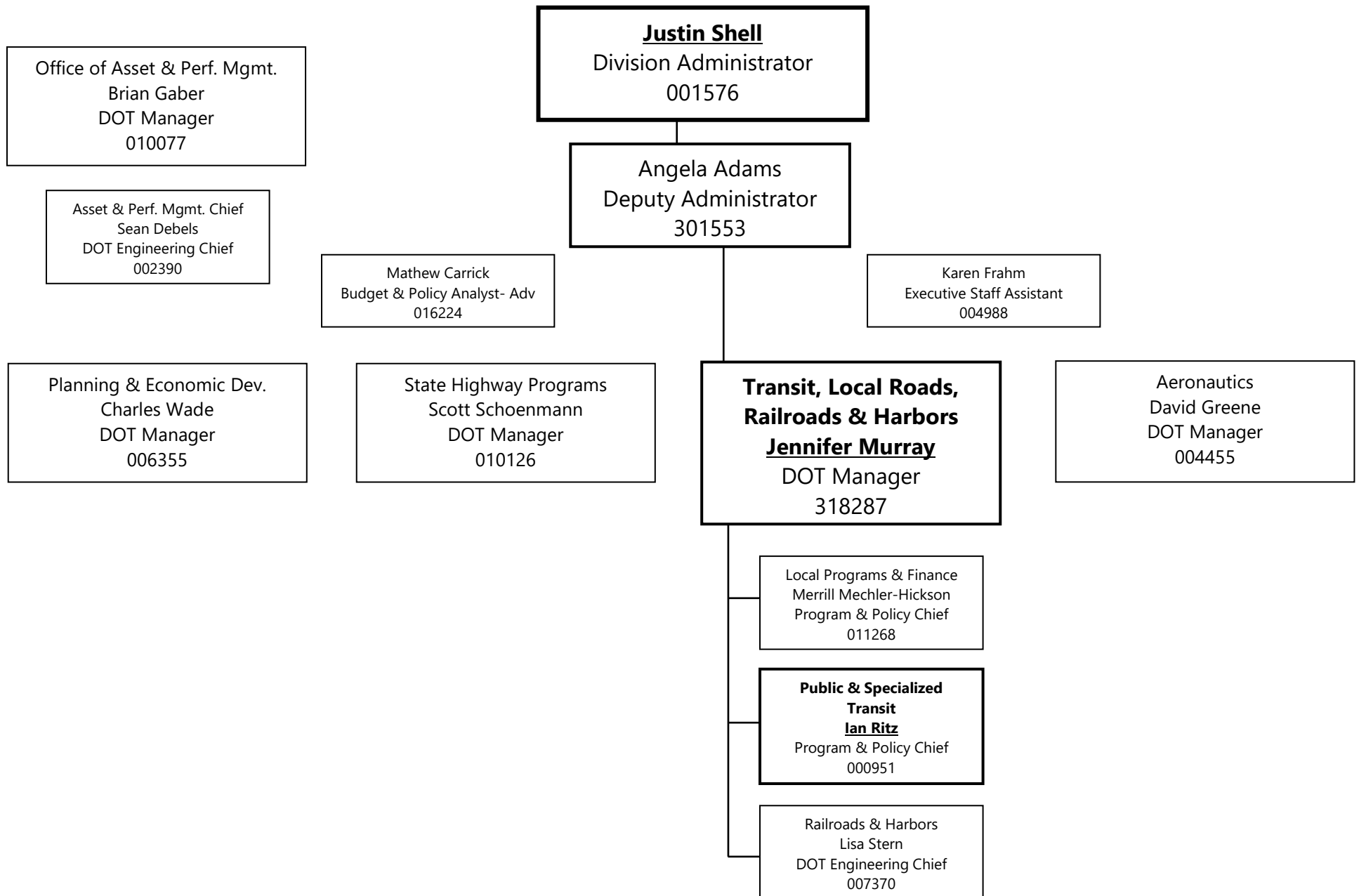
City of Kenosha and Transportation Department  
[Kenosha Area Transit \(KAT\)](#)

City of Milwaukee Department of Public Works and Operations and Maintenance Contractor  
[Milwaukee Streetcar System \(MSS\)](#)

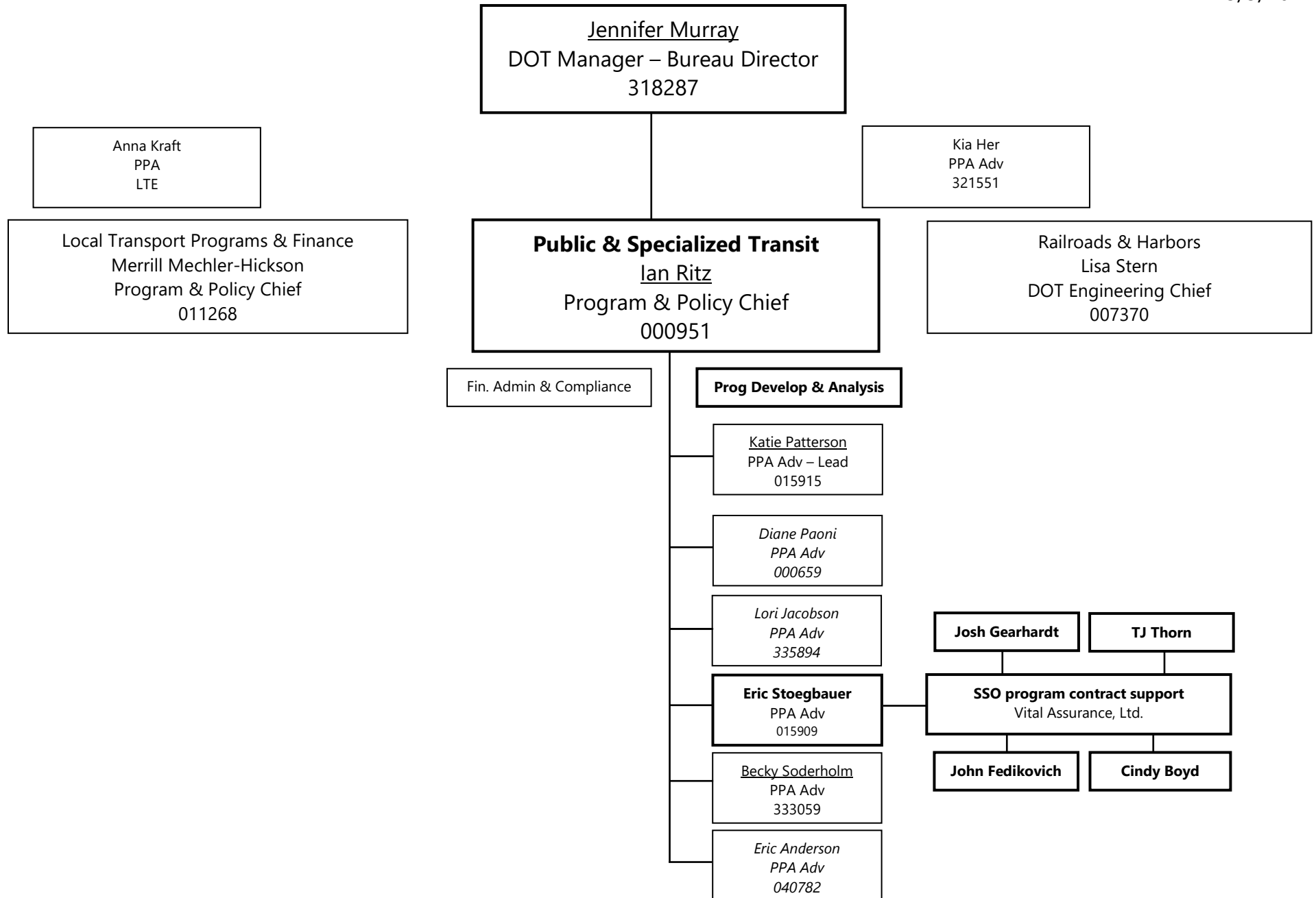




Department of Transportation (DOT)  
**Division of Transportation Investment Management (DTIM)**  
9/9/2024

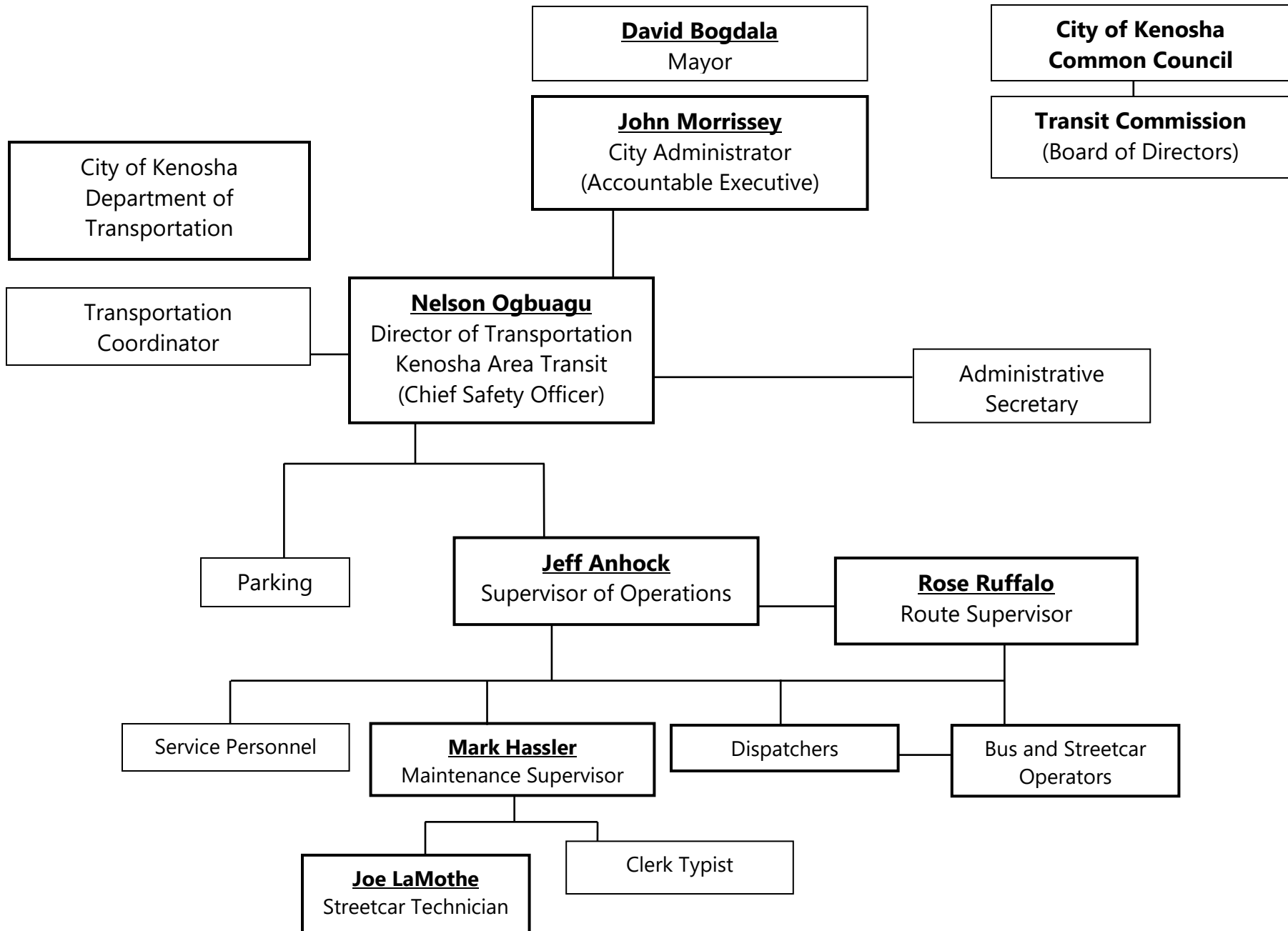


Division of Transportation Investment Management (DTIM)  
**Bureau of Transit, Local Roads, Railroads & Harbors (BTLRRH)**  
9/9/2024



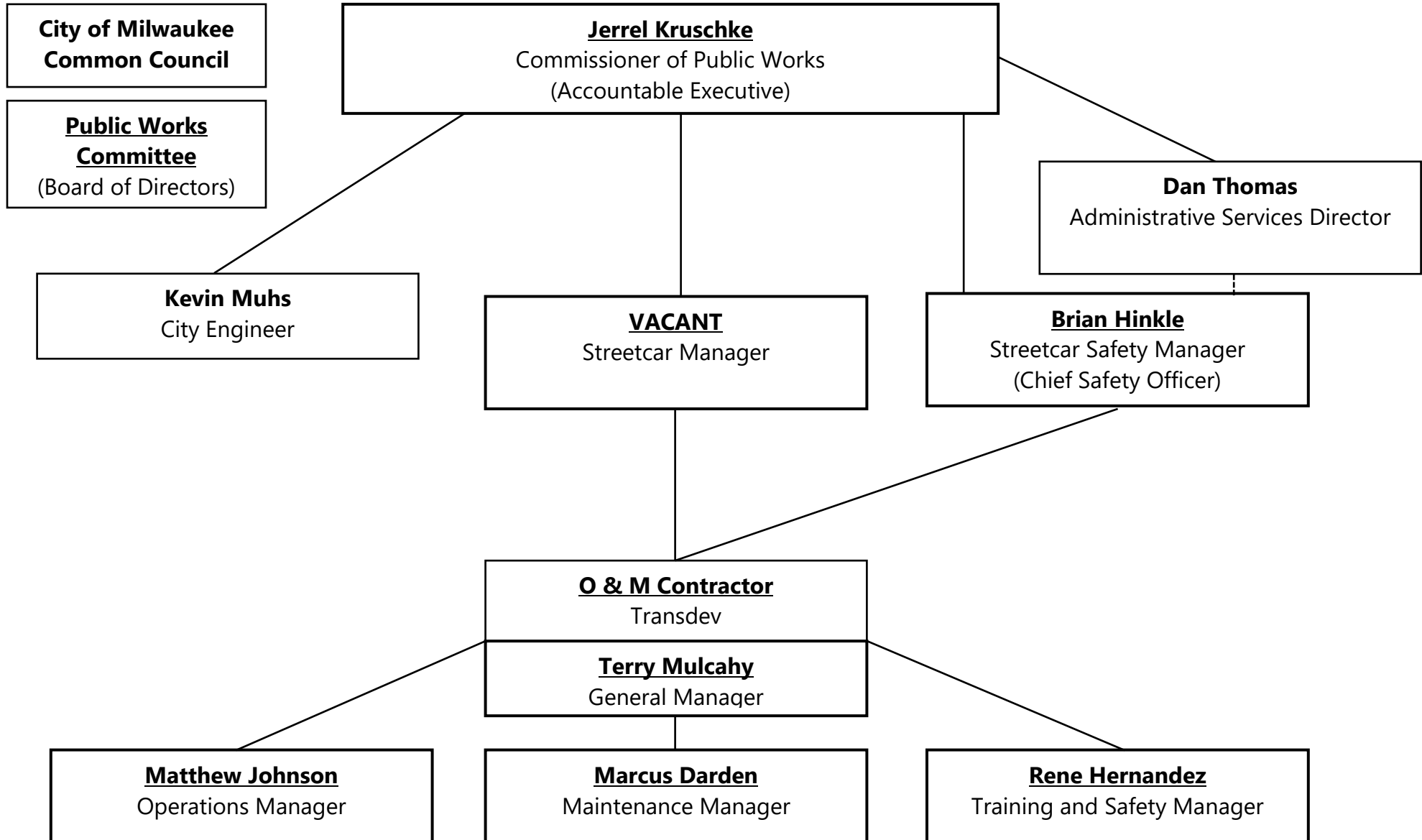
# ORGANIZATION CHART – KENOSHA AREA TRANSIT

City of Kenosha – Transportation Department



# ORGANIZATION CHART – MILWAUKEE STREETCAR SYSTEM

City of Milwaukee – Department of Public Works



## Corrective Action Plan Form

Rail Transit Agency (RTA) Information	
<b>RTA:</b>	Name of RTA
<b>Date CAP submitted:</b>	MM/DD/YYYY Date CAP is submitted to WisDOT for approval
<b>CAP tracking number:</b>	<b>RTA-CAP-NNN-YY</b> Ex.: KAT-CAP-001-25; MSS-CAP-002-25
<b>Finding resulting in CAP:</b>	Narrative description of the hazard, defect, finding of non-compliance, or other concern resulting in the need for a CAP; must include the wording of an audit finding, if applicable, or other description provided by an external agency (WisDOT, FTA, NTSB, <i>etc.</i> )
<b>Source:</b>	Identify source of the finding (i.e., SSO triennial audit; inspection; investigation [cite to relevant investigation/event number], <i>etc.</i> )
<b>Proposed action:</b>	Comprehensive narrative description of the action(s) RTA will take to address all components of the finding noted above; can include the wording of a recommended action provided by an external agency (WisDOT, FTA, NTSB, <i>etc.</i> ) but must reflect the full scope of the RTA's proposed action(s) to correct the finding
<b>CAP due date:</b>	<b>MM/DD/YYYY</b> Final due date when all CAP implementation, including each interim action step (as provided below) is expected to be complete and ready for WisDOT verification for CAP closure.

Responsibility for overall CAP implementation / RTA point-of contact	
<b>Name:</b>	
<b>Job Title/Role:</b>	
<b>Phone:</b>	
<b>Email:</b>	

CAP Implementation Strategy / Timeline			
#	Interim Action Steps	Person Responsible	Due Date
1	Breakout steps to complete CAP	Person responsible for this individual step	Due date for this individual step
2			
3			
4			
5			
6			
7			
8			
9			
10			

## Corrective Action Plan Review and Approval Form

### WisDOT SSO Program CAP Review and Approval Checklist

<b>RTA:</b>	<input type="checkbox"/> Kenosha Area Transit <input type="checkbox"/> Milwaukee Streetcar System
<b>CAP #:</b>	<b>RTA-CAP-NNN-YY</b> Ex.: KAT-CAP-001-25; MSS-002-25
<b>CAP Type:</b>	Immediate/Emergency? Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Source and Description</b>	<u>Source (Audit Finding, Investigation, etc.)</u>  Brief narrative description of the issue.
<b>Summary of Planned Corrective Action</b>	<u>Recommended Action</u>  Brief narrative description of the recommended action – could be a recommendation from WisDOT, FTA, NTSB, or the RTA  <u>CAP Implementation Strategy</u>  Description of the RTA's implementation strategy and corrective action steps
<b>Estimated CAP Completion Date</b>	MM/DD/YYYY Original date proposed by RTA, to be updated if WisDOT grants an RTA request for CAP modification or extension (see below)
<b>Additional Information</b>	Additional information provided by the RTA re: the CAP
<b>Supporting Documentation</b>	List of supporting documents that may have been included
<b>Review and Assessment</b>	<u>WisDOT CAP Requirements</u>  1. Identified the hazard or programmatic deficiency: <b>Y/N; WisDOT SSO notes on whether RTA has adequately identified the hazard or programmatic deficiency in the CAP.</b>  2. Identifies the action to be taken by the RTA: <b>Y/N; WisDOT SSO notes on whether RTA has adequately identified the action(s) it must take to adequately address identified hazard or programmatic deficiency.</b>  3. Defines an implementation schedule: <b>Y/N; WisDOT SSO notes on whether RTA has adequately defined an implementation schedule, including interim action steps and final CAP completion.</b>  4. Defines the individual(s) and department(s) responsible for the implementation:

	<p><b>Y/N; Name of individual responsible for CAP implementation; Names of individuals responsible for interim action steps (if applicable).</b></p> <p>5. Defines any other critical information, such as interim/short-term steps taken while awaiting longer-term mitigations to be implemented:</p> <p><b>WisDOT SSO notes on other information RTA may have presented in CAP.</b></p> <p>Does this corrective action plan meet the requirements of Section 8 of WisDOT Program Standard?</p> <p><b>Y/N</b></p>
<b>Recommendation</b>	<p>WisDOT's recommendation for CAP disposition</p> <p><i>Ex.: Recommend returning to RTA to address WisDOT review comments; Recommend WisDOT approval; Recommend WisDOT closure (if applicable), etc.</i></p>
<b>Reviewer/ Date</b>	WisDOT CAP Reviewer Name / Date of review
<b>Approval /Date</b>	WisDOT CAP Approval Date (if applicable)
<b>CAP Modification / Extension Requested</b>	<p>MM/DD/YYYY</p> <p>Date RTA requested CAP modification or extension</p>
<b>Modification / Extension Approval</b>	<p>MM/DD/YYYY</p> <p>Date CAP modification or extension request is approved by WisDOT</p>

## CAP Closure and Verification

<b>CAP Evidence</b>	List evidence of CAP verification and/or closure.
<b>Supporting Documentation</b>	List any supporting documentation included by RTA for CAP verification and/or closure: pictures, reports, data sheets, <i>etc.</i>
<b>Review of Documentation</b>	Brief notes on RTA supporting documentation.
<b>Recommendation</b>	<p>WisDOT's recommendation for CAP disposition</p> <p><i>Ex.: Recommend returning to RTA to address WisDOT review comments; Recommend WisDOT closure</i></p>
<b>Verification Activity</b>	What activity did WisDOT CAP reviewer engage in to verify CAP?
<b>Reviewer</b>	WisDOT CAP Reviewer Name
<b>Review Date</b>	Date of CAP verification/closure review

## PTASP Review and Approval Checklist

### **NAME OF RTA**

### **Public Transportation Agency Safety Plan**

### **PTASP DATE and VERSION**

### **Review Checklist for Rail Transit Agencies and State Safety Oversight Agencies**

The following checklist is based on the Federal Transit Administration (FTA) checklist for Rail Transit Agencies (RTAs) and State Safety Oversight (SSO) Agencies to assist with the development of the Public Transportation Agency Safety Plan (PTASP) for rail transit modes. The checklist is intended for use by RTAs, required to draft, update, and maintain a PTASP in accordance with 49 CFR Part 673, and for SSO agencies during PTASP review and approval, per 49 CFR Part 674.

### **Overview**

[Section A Rail Transit Agency Information](#)

[Section B Agency Safety Plan Development, Approval, and Updates](#)

[Section C Emergency Preparedness and Response Plan](#)

[Section D Safety Performance Measures and Targets](#)

[Section E Development and Implementation of Safety Management System \(SMS\)](#)

[Section F Safety Management Policy](#)

[Section G Safety Risk Management](#)

[Section H Safety Assurance](#)

[Section I Safety Promotion](#)

[Section J Corrective Action Plans](#)

[Section K Documentation, Definitions, and Acronyms](#)

[Section L SSO Agency Compliance Assessment](#)



## Section A – Rail Transit Agency Information

	Checklist Item	Page	WisDOT Notes
	<b>A-1.</b> Transit agency name and address		Green in the lefthand column indicates technical compliance and sufficient detail for the information required.
	<b>A-2.</b> Mode(s) of transit service covered by the ASP (673.11(b))		Yellow in the lefthand column indicates technical compliance for the information required; the RTA may be required to provide more detail or clarity before WisDOT will approve.
	<b>A-3.</b> SSO agency and authority for SSO program.		Red in the lefthand column indicates either a missing technical component or insufficient detail for the information required; the RTA will need to provide updates before WisDOT will approve.
	<b>A-4.</b> An Accountable executive who is:		
	A-4-a. Accountable for ensuring that the agency's SMS is effectively implemented throughout the agency's transit system (673.23(d)(1)).		
	A-4-b. Accountable for ensuring action is taken to address substandard performance in the agency's SMS (673.23(d)(1)).		
	<b>A-5.</b> A Chief Safety Officer (or SMS Executive) who:		
	A-5-a. Is designated by the Accountable Executive (673.23(d)(2)).		
	A-5-b. Holds a direct line of reporting to the Accountable Executive (673.23(d)(2) and 674.29(b)).		
	A-5-c. Is adequately trained (673.5 and 674.29(b)).		
	A-5-d. Has the authority and responsibility for day-to-day implementation and operation of the agency's SMS (673.23(d)(2)).		
	A-5-e. Does not serve in other operational or maintenance capacities (673.5)).		

## Section B – Agency Safety Plan Development, Approval, and Updates

	Checklist Item	Page	WisDOT Notes
	<b>B-1.</b> The Accountable Executive's signature of the ASP (673.23(a)(1)) and date of signature.		
	<b>B-2.</b> The Board of Directors' or Equivalent Authority's approval of the ASP (673.11(a)(1) and 674.29(b)) and date of approval.		
	<b>B-3.</b> Certification of compliance with Part 673 (673.11(a)(4), 673.13, 674.29(a)), including the name of the individual or entity that certifies the ASP and date of certification.		
	<b>B-4.</b> Certification of compliance with the Program Standard established by the SSOA, including the name of the individual or entity that certifies compliance with the SSOA's Program Standard and date of certification (674.29(a)).		
	<b>B-5.</b> Process and timeline for conducting an annual review and update of the ASP (673.11(a)(5) and 674.29(b)), including the ASP version number and other relevant information.		

## Section C – Emergency Preparedness and Response Plan

	Checklist Item	Page	WisDOT Notes
	<b>C-1.</b> An emergency preparedness and response plan or procedure that addresses, at a minimum:		
	<b>C-1-a.</b> The assignment of employee responsibilities during an emergency (673.11(a)(6))		
	<b>C-1-b.</b> Coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the RTA's service area (673.11(a)(6)).		

## Section D – Safety Performance Measures and Targets

	Checklist Item	Page	WisDOT Notes
	<b>D-1. <u>Fatalities</u>:</b> Total number of reportable fatalities and rate per total vehicle revenue miles, by rail transit mode (National Safety Plan and 673.11(a)(3)).		
	<b>D-2. <u>Injuries</u>:</b> Total number of reportable injuries and rate per total vehicle revenue miles, by rail transit mode (National Safety Plan and 673.11(a)(3)).		
	<b>D-3. <u>Safety Events</u>:</b> Total number of reportable events and rate per total vehicle revenue miles, by rail transit mode (National Safety Plan and 673.11(a)(3)).		
	<b>D-4. <u>System Reliability</u>:</b> Mean (or average) distance between major mechanical failures, by rail transit mode (National Safety Plan and 673.11(a)(3)).		
	<b>D-5.</b> Performance targets are made available to the State to aid in the planning process (673.15(a)).		
	<b>D-6.</b> Performance targets are made available to the Metropolitan Planning Organization(s) (MPO) to aid in the planning process (673.15(a)).		
	<b>D-7.</b> Coordination with the State and MPOs in the selection of State and MPO safety performance targets, to the maximum extent practicable (673.15(b)).		

## Section E – Development and Implementation of Safety Management System (SMS)

	Checklist Item	Page	WisDOT Notes
	<b>E-1.</b> Establishment and implementation of a Safety Management (SMS) (673.11(a)(2) and 673.21).		
	<b>E-2.</b> The SMS is appropriately scaled to the size, scope, and complexity of the RTA and includes Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion (673.21).		

## Section F – Safety Management Policy

	Checklist Item	Page	WisDOT Notes
	<b>F-1.</b> Written statement of safety management policy, including the agency's safety objectives (673.5, 673.21(a), and 673.23(a)).		
	<b>F-2.</b> Employee safety reporting program, that includes:		
	<b>F-2-a.</b> A process that allows employees to report safety conditions to senior management (673.23(b)).		
	<b>F-2-b.</b> Protections for employees who report safety conditions to senior management (673.23(b)).		
	<b>F-2-c.</b> A description of employee behaviors that may result in disciplinary action (673.23(b)).		
	<b>F-3.</b> Communication of the safety management policy throughout the agency's organization (673.23(c)).		
	<b>F-4.</b> Necessary authorities, accountabilities, and responsibilities for the management of safety and the implementation of the RTA's SMS among the key safety roles within the organization:		
	<b>F-4-a.</b> Accountable Executive (673.5, 673.23(d)(1), and 674.7).		
	<b>F-4-b.</b> Chief Safety Officer (or SMS Executive) (673.5, 673.23(d)(2), and 674.29(b)).		
	<b>F-4-c.</b> Agency Leadership and Executive Management (673.23(d)(3)).		
	<b>F-4-d.</b> Key Staff (673.23(d)(4)).		
	<b>F-5.</b> Adequate methods to ensure implementation of ASP by all employees, agents and contractors (674.29(b)).		

## Section G – Safety Risk Management

	Checklist Item	Page	WisDOT Notes
	<b>G-1.</b> Safety Risk Management process for all system elements (673.21(b), 672.25, and 674.29(b)).		
	<b>G-2.</b> Process for hazard identification, including identifying consequences of hazards (673.25(a), 673.25(b)(1), and 674.7).		
	<b>G-3.</b> Process to include FTA, the SSOA, and other oversight authorities as sources for hazard information (673.25(b)(2)).		
	<b>G-4.</b> Process for assessing the safety risks associated with identified safety hazards, including an assessment of the likelihood and severity of the consequences of the hazards, including existing mitigations (673.7, 673.25(c), and 674.7).		
	<b>G-5.</b> Process to prioritize hazards based on the safety risk (673.25(c)(2)).		
	<b>G-6.</b> Process to identify mitigations or strategies necessary as a result of safety risk assessments to reduce the likelihood and severity of the consequences of hazards (673.25(a) and 673.25(d)).		
	<b>G-7.</b> Process for safety risk management, with adequate means of risk mitigation (673.25 and 674.29(b)).		

## Section H – Safety Assurance

	Checklist Item	Page	WisDOT Notes
	<b>H-1.</b> Develop and implement a Safety Assurance process covering Safety Performance Monitoring and Measurement Management of Change, and Continuous Improvement (673.27).		

### *Safety Performance Monitoring and Measurement*

	Checklist Item	Page	WisDOT Notes
	<b>H-2.</b> Monitor system for compliance with, and sufficiency of, the agency's procedures for operations and maintenance (673.27(b)(1)).		
	<b>H-3.</b> Monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended (673.27(b)(2)).		
	<b>H-4.</b> Conduct investigations of safety events to identify causal factors (673.27(b)(3)) and that address:		
	<b>H-4-a.</b> SSOA requirements for notifying the SSOA of accidents including time limits for and methods of notification and what information the RTA must submit to the SSOA (674.27(a)(6) and 674.33(a)).		
	<b>H-4-b.</b> FTA requirements to notify the SSOA and FTA within two hours of any accident occurring on the RTA system (674.33(a)). Accident is defined as any instance involving a fatality occurring at the scene or within 30 days following the accident, one or more persons suffering serious injury (673.5 and 674.7), property damage resulting from a collision involving a rail transit vehicle or any derailment of a rail transit vehicle (674 Appendix).		
	<b>H-4-c.</b> What must be included in any investigation report developed on behalf of the SSOA, including at a minimum, identification of factors that caused or contributed to the accident		



## Appendix G

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	Checklist Item	Page	WisDOT Notes
	and setting forth a Corrective Action Plan as appropriate (674.35(b)).		
	<b>H-4-d.</b> How the RTA will work with the SSOA when conducting its own internal investigation of a safety event (674.35(a)).		
	<b>H-4-e.</b> The process through which the RTA will review investigation reports developed by the SSOA, and submit written dissent, as appropriate (674.35(b)).		
	<b>H-4-f.</b> Training requirements for all personnel and contractors that conduct investigations on behalf of an SSOA in accordance with the Public Transportation Safety Certification Program (674.35(c)).		
	<b>H-5.</b> Monitor information reported through any internal safety reporting programs (673.27(b)(4)).		

### ***Management of Change***

	Checklist Item	Page	WisDOT Notes
	<b>H-6.</b> Identify and assess changes that may introduce new hazards or impact the RTA's safety performance (673.27(c)(1)).		
	<b>H-7.</b> Evaluate any changes that may introduce new hazards or impact the agency's safety performance through the RTA's Safety Risk Management Process (673.27(c)(2)).		

### ***Continuous Improvement***

	Checklist Item	Page	WisDOT Notes
	<b>H-8.</b> Assess the RTA's safety performance (673.27(d)(1)), including:		
	<b>H-8-a.</b> Notifying the SSOA before conducting any internal safety review, following the process specified in the SSOA Program Standard (674.27(a)(4)).		
	<b>H-8-b.</b> Submitting materials regarding the conduct and results of internal safety reviews to the SSOA under the Accountable Executive's signature (674.27(a)(4)).		

## Appendix G

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	<b>H-9.</b> Develop and carry out a plan, under the direction of the Accountable Executive, to address safety deficiencies identified as part of the safety performance assessment (673.27(d)(2)).		
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## Section I – Safety Promotion

	Checklist Item	Page	WisDOT Notes
	<b>I-1.</b> Establish and implement a comprehensive safety training program for all personnel directly responsible for RTA safety (673.29(a)) that:		
	<b>I-1-a.</b> Includes employees and contractors (673.29(a)).		
	<b>I-1-b.</b> Includes refresher training, as necessary (673.29(a)).		
	<b>I-2.</b> Communicate safety and safety performance information throughout the agency's organization (673.29(b)).		
	<b>I-3.</b> Convey information on hazards and safety risks relevant to employees' roles and responsibilities (673.29(b)).		
	<b>I-4.</b> Inform employees of safety actions taken in response to reports submitted through an employee safety reporting program (673.29(b)).		

## Section J – Corrective Action Plans

	Checklist Item	Page	WisDOT Notes
	<b>J-1.</b> When the RTA must develop and carry out a CAP (674.37(a)).		
	<b>J-2.</b> How the RTA will submit CAPs to the SSOA for review and approval (674.37(a)).		
	<b>J-3.</b> How the RTA will manage immediate or emergency corrective actions (674.37(a)).		
	<b>J-4.</b> The required contents of a CAP, including describing 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 (674.37(a)).		
	<b>J-5.</b> How the RTA must periodically report to the SSOA on its progress in carrying out CAPs (674.37(a)).		

## Section K – Documentation, Definitions, and Acronyms

	Checklist Item	Page	WisDOT Notes
	<b>K-1.</b> How the RTA will document key processes and procedures required to carry out the SMS that are not included or referenced elsewhere in the ASP (673.31).		
	<b>K-2.</b> How the RTA will maintain SMS documentation and ensure that all SMS documentation will be maintained for a period of no less than three years after they are created (673.31).		
	<b>K-3.</b> How the RTA will ensure that FTA, any other Federal entity, and the SSOA have access to any SMS documentation maintained by the RTA upon request (673.31).		
	<b>K-4.</b> Applicable definitions from Part 673, Part 674, and the SSOA Program Standard (673.5 and 674.7).		

## Appendix G

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	<b>K-5.</b> Applicable acronyms from Part 673, Part 674, and the SSOA Program Standard (673.5 and 674.7).		
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## Section L – SSO Agency Compliance Assessment (Per 49 CFR 674.29(b))

	Checklist Item	Page	WisDOT Notes
	<b>L-1.</b> Is consistent with FTA’s regulations for implementing such plans and the National Public Transportation Safety Plan (674.29(a)).		
	<b>L-2.</b> In compliance with the SSOA’s Program Standard (674.29(a)).		
	<b>L-3.</b> Is approved by the RTA’s board of directors or equivalent entity (674.29(b)).		
	<b>L-4.</b> Sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for the rail transit system (674.29(b)).		
	<b>L-5.</b> Includes a process and timeline for annually reviewing and updating the ASP (674.29(b)).		
	<b>L-6.</b> Includes a comprehensive staff training program for the operations personnel directly responsible for the safety of the RTA (674.29(b)).		
	<b>L-7.</b> Identifies an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the RTA (674.29(b)).		
	<b>L-8.</b> Includes adequate methods to support the execution of the ASP by all employees, agents, and contractors for the rail transit system (674.29(b)).		
	<b>L-9.</b> Sufficiently addresses other requirements under the regulations at 49 CFR Part 673 (674.29(b)).		

## Security Plan Checklist

## Checklist for Reviewing the System Security and Emergency Preparedness Plan

Rail Transit Agency (RTA) \_\_\_\_\_

State Oversight Agency Reviewer \_\_\_\_\_ Date \_\_\_\_\_

#	CHECKLIST ITEM	PLAN REQUIREMENTS Does the PLAN contain or provide for the following:	INCLUDED Yes — No	PAGE REF.	COMMENTS
1.	Policy Statement	<ul style="list-style-type: none"> <li>A policy statement should be developed for the System Security and Emergency Preparedness Plan.</li> <li>The policy statement should describe the authority that establishes the SSEPP, including statutory requirements and the rail transit agency's relationship with the oversight agency.</li> <li>The policy statement is signed and endorsed by the rail transit agency's chief executive.</li> </ul>			
1.1	Purpose	<ul style="list-style-type: none"> <li>The SSEPP should identify the purpose of the security program endorsed by the agency's chief executive.</li> <li>The SSEPP should introduce the concept of "system security."</li> <li>The SSEPP introduces the concept of "emergency preparedness."</li> </ul>			
1.2	Goals and Objectives	<ul style="list-style-type: none"> <li>The SSEPP should identify the goals of the SSEPP program endorsed by the agency's chief executive.</li> <li>The SSEPP should identify the objectives of the SSEPP program endorsed by the agency's chief executive.</li> </ul>			
1.3	Scope	<ul style="list-style-type: none"> <li>Describe the scope of the SSEPP and Program.</li> </ul>			
1.4	Security and Law Enforcement	<ul style="list-style-type: none"> <li>Describe the security and law enforcement functions that manage and support implementation of the SSEPP.</li> </ul>			
1.5	Management Authority and Legal Aspects	<ul style="list-style-type: none"> <li>Describe the authority which oversees the operation and management of the rail transit agency, including its security/police function.</li> </ul>			



## Checklist for Reviewing the System Security and Emergency Preparedness Plan

#	CHECKLIST ITEM	PLAN REQUIREMENTS Does the PLAN contain or provide for the following:	INCLUDED Yes — No	PAGE REF.	COMMENTS
1.6	Government Involvement	<ul style="list-style-type: none"> <li>Describe how the SSEPP interfaces with local, state and federal authorities to ensure security and emergency preparedness for the system.</li> </ul>			
1.7	Security Acronyms and Definitions	<ul style="list-style-type: none"> <li>Provide a listing of acronyms and definitions used in the SSEPP.</li> </ul>			
2.1	Background and History	<ul style="list-style-type: none"> <li>A description of the agency including general overview, a brief history and scope of rail transit services provided.</li> </ul>			
2.2	Organizational Structure	<ul style="list-style-type: none"> <li>Organizational charts showing the lines of authority and responsibility as they relate to security and emergency preparedness.</li> </ul>			
2.3	Human Resources	<ul style="list-style-type: none"> <li>Provide a categorization and break-down of all employees and contractors who work for/on the rail transit agency.</li> </ul>			
2.4	Passengers	<ul style="list-style-type: none"> <li>Provide a description of the rail transit agency's ridership.</li> </ul>			
2.5	Services and Operations	<ul style="list-style-type: none"> <li>Describe the rail transit agency's operations and services.</li> </ul>			
2.6	Operating Environment	<ul style="list-style-type: none"> <li>Describe the rail transit agency's operating environment.</li> </ul>			
2.7	Integration with Other Plans	<ul style="list-style-type: none"> <li>Describe how the SSEPP integrates with other plans and programs maintained by the rail transit agency.</li> </ul>			
2.8	Current Security Conditions	<ul style="list-style-type: none"> <li>Description of the current security conditions at the rail transit agency and the types of security incidents experienced by the transit system and their frequency of occurrence.</li> </ul>			
2.9	Capabilities and Practices	<ul style="list-style-type: none"> <li>Summary description of methods and procedures, devices, and systems utilized to prevent or minimize security breaches, including passenger education, campaigns, delay, detection, and assessment devices, and others that may be applicable.</li> </ul>			

## Checklist for Reviewing the System Security and Emergency Preparedness Plan

#	CHECKLIST ITEM	PLAN REQUIREMENTS Does the PLAN contain or provide for the following:	INCLUDED Yes — No	PAGE REF.	COMMENTS
3.1	Responsibility for Mission Statement	<ul style="list-style-type: none"> <li>Identification of the person(s) responsible for establishing a transit system security and emergency preparedness policy and for developing and approving the SSEPP.</li> </ul>			
3.2	Management of the SSEPP Program	<ul style="list-style-type: none"> <li>Identification of the person(s) with overall responsibility for transit security and emergency preparedness, including day-to-day operations, SSEPP-related internal communications, liaison with external organizations, and identifying and resolving SSEPP-related concerns.</li> </ul>			
3.3	Division of Security Responsibility	<ul style="list-style-type: none"> <li>Listing of SSEPP-related responsibilities of the personnel who work within the transit agency security/police function.</li> <li>Listing of SSEPP-related responsibilities of other departments/functions, including their relationship to the security/police function.</li> <li>Listing of security-related responsibilities for other (non-security/police) rail transit agency employees, including their relationship to the employee's other duties.</li> <li>A SSEPP Program Roles and Responsibilities Matrix should be developed showing interfaces with other transit system departments/functions and the key reports or actions required.</li> <li>The responsibilities of external agencies for supporting SSEPP development and implementation should be identified.</li> <li>The committees developed by the rail transit agency to address security issues should be identified.</li> </ul>			
4.1	Planning	<ul style="list-style-type: none"> <li>Identification of SSEPP activities and programs in place at the rail transit agency to support planning for system security and emergency preparedness.</li> </ul>			
4.2	Organization	<ul style="list-style-type: none"> <li>Identification of the organization of SSEPP-related activities and programs and the ability to coordinate with external response agencies.</li> </ul>			

## Checklist for Reviewing the System Security and Emergency Preparedness Plan

#	CHECKLIST ITEM	PLAN REQUIREMENTS Does the PLAN contain or provide for the following:	INCLUDED Yes — No	PAGE REF.	COMMENTS
4.3	Equipment	<ul style="list-style-type: none"> <li>Description of the equipment used to support implementation of the SSEPP program.</li> </ul>			
4.4	Training and Procedures	<ul style="list-style-type: none"> <li>Description of SSEPP-related training and procedures available to ensure employee proficiency.</li> </ul>			
4.5	Exercises and Evaluation	<ul style="list-style-type: none"> <li>Description of SSEPP-related activities to ensure the conduct of emergency exercises and evaluation.</li> </ul>			
5.1	Threat and Vulnerability Identification	<ul style="list-style-type: none"> <li>Description of the rail transit agency's activities to identify security and terrorism-related threats and vulnerabilities.</li> </ul>			
5.2	Threat and Vulnerability Assessment	<ul style="list-style-type: none"> <li>Description of the rail transit agency's activities to assess the likely impacts of identified threats and vulnerabilities on the system and to identify particular vulnerabilities which require resolution.</li> </ul>			
5.3	Threat and Vulnerability Resolution	<ul style="list-style-type: none"> <li>Description of how response strategies (both short- or long-term strategies) are developed for prioritized vulnerabilities, including the decision process used to determine whether to eliminate, mitigate, or accept security problems.</li> </ul>			
6.1	Required Tasks for Goals and Objectives	<ul style="list-style-type: none"> <li>Identification of tasks to be performed to implement the goals and supporting objectives required to implement the SEPP.</li> </ul>			
6.2	Task Schedule	<ul style="list-style-type: none"> <li>General schedule with specific milestones for implementation of the security program, threat and vulnerability analyses, staff security training, and regular program reviews during the implementation process.</li> </ul>			
6.3	Evaluation	<ul style="list-style-type: none"> <li>Description of the types of internal management reviews to be conducted, the frequencies of the reviews, and the person(s) responsible.</li> </ul>			

### Checklist for Reviewing the System Security and Emergency Preparedness Plan

#	CHECKLIST ITEM	PLAN REQUIREMENTS Does the PLAN contain or provide for the following:	INCLUDED Yes — No	PAGE REF.	COMMENTS
7.1	Initiation of SSEPP Revisions	<ul style="list-style-type: none"> <li>Description of process used to initiate revisions to the security plan, gather input for the revisions, procedures for updating the security plan, and identification of responsible person(s).</li> </ul>			
7.2	Review Process	<ul style="list-style-type: none"> <li>Description of the process used to review and revise the security plan as necessary, including frequency of reviews, and responsible person(s).</li> </ul>			
7.3	Implement Modifications	<ul style="list-style-type: none"> <li>Description of process used to communicate and disseminate new and revised procedures and other elements of the security plan to appropriate transit agency staff.</li> </ul>			

## **Checklist for Reviewing the System Security and Emergency Preparedness Plan**

# Internal Safety Audit Process for RTAs

## Purpose

This process provides guidelines for RTAs to conduct audits of their safety program. These audits are meant to ensure implementation of the RTA's PTASP and evaluate whether programmatic activities are performing as intended. The results of internal audits are reviewed and approved by the Wisconsin Department of Transportation (WisDOT) State Safety Oversight (SSO) program.

## Scope

The RTA conducts internal audits to evaluate PTASP compliance, measure effectiveness, and report on safety and security activities throughout the year. The RTA must submit a copy of its summary audit report to WisDOT by January 31 each year. The report must include the results of the internal audit process and any other audits that may have been performed during the same year.

## Internal Safety and Security Audit/Review Process

### *Requiring the Internal Safety and Security Audit/Review Process*

An internal audit is a formal process of managing a safety program and that all system elements are in place and performing as specified. The internal audit process is used to determine whether all organizational elements, equipment, procedures, and functions are performing as intended, including:

- Identification of all RTA departments, personnel, and functions subject to audit
- Responsibility for scheduling audits
- Process for conducting audits, including checklist and procedure development and issuing findings of non-compliance (or other term)
- Review of reporting requirements
- Tracking the status of implemented corrective actions, mitigations, or recommendations
- Coordination with the WisDOT SSO program

### *Conducting the Internal Safety and Security Audit/Review*

The RTA must notify WisDOT at least thirty (30) days before conducting an audit and provide the relevant checklist. WisDOT personnel may attend any audit and must be advised of any schedule changes (date and time) in a reasonably timely manner.

All audit elements are to be completed within a three-year cycle. An annual report documenting audit activities and the status of subsequent findings, recommendations, and corrective actions must be provided to WisDOT by no later than January 31.

### *Audit/Review Responsibility*

The department/audit personnel responsible for conducting an audit should not be the same department/personnel in charge of the RTA's PTASP implementation or the specific area being audited. The same audit team does not have to be used for the entire three-year audit process and may vary (depending on the area/element being audited). All audit team members must have their name listed on the audit checklist(s). A consultant or contractor may conduct an audit, but the CSO has primary responsibility that the overall audit process is conducted and completed each audit cycle.

### *Employee and Contractor Safety and Security Programs*

Verification of employee compliance with PTASP requirements may be accomplished through surveys, inspections, analysis of injury and illness reports, and incident reports.

Verification of contractor compliance may be accomplished through reviews of contract specifications, testing, and inspection of contractor performed work activities at the RTA, and at sites controlled or owned by the RTA.

### *Internal Safety and Security Audit/Review Procedures*

**Schedule:** The RTA must develop a three-year audit schedule that addresses all required PTASP and safety program elements, including investigation, emergency preparedness, and security plans/programs (if separate from the PTASP). It is common industry practice to divide audit elements equally over the three-year period. It is the CSO's responsibility that internal audits are completed on time and with sufficient detail and documentation.

### *Checklists*

The auditor(s) must prepare a list of items from the PTASP that will be audited. Checklists should be developed to ensure that all PTASP elements and topics being audited are clearly identified, and that sufficient criteria to assess compliance are included.

### *Reporting on the Internal Audit Process*

Results of audits must be reported to WisDOT and throughout the RTA, including relevant departments impacted by the audit. Audit reports must list the auditors' observations, findings, and required corrective actions. Corrective actions are to be developed and tracked according to the required CAP process outlined in the WisDOT program standard and the RTA's PTASP.

Contents of an audit report include, but are not limited to:

- A list of the internal audits conducted that year
- A discussion of where the RTA is in meeting its three-year audit schedule
  - Including any issues meeting the schedule and any proposed mitigation measures
- An updated schedule for the next year's audits
- The status of all findings, recommendations, and corrective actions

- Any challenges or issues experienced by the RTA in obtaining action from or compliance with the findings, recommendations, and corrective actions during that year

If necessary, WisDOT will request additional information, clarifications, or revisions from the RTA. WisDOT will accommodate meeting with RTA personnel to address any issues identified during review of the report.

The annual report(s) due by January 31 must be accompanied by a formal letter of certification signed by both the RTA's CSO and Accountable Executive; other managers can be included as well, as may be required by RTA policy. The signed certification letter must assert whether the RTA is performing in compliance with its PTASP. If areas of noncompliance have been identified through the audit process, the letter must also include all CAPs or other mitigation activities the RTA is taking (or plans to take) in order to achieve compliance. WisDOT is required to transmit the RTA's certification letter to FTA by no later than March 15<sup>th</sup> each year.



# State of Wisconsin Open Records Law

[Wis. Stats. §§ 19.31-19.39](#)

## Open Records Policy Requirements

### Authority and Subject Records

The WisDOT Secretary is officially the authority with legal custody of WisDOT records under the Open Records Law. The Secretary has designated each division administrator and office director as the deputy legal custodian for all public records maintained by each respective division or office. For purposes of WisDOT's SSO program, the D'TIM Administrator and BTLRRH Director are the appropriate custodians, respectively. Authorities are also required to post a notice of access to records on all WisDOT offices open to the public.

As defined by law, records (or data) have many forms, including: written, drawn, spoken, visual, and electromagnetic. Records (or data) are preserved in a medium compatible with WisDOT's record-keeping and operational needs. As defined by Wis. Stat. § 19.32(2), *records* include (but are not limited to): handwritten, typed, or printed pages; maps; charts; photographs; films; recordings; tapes (including computer tapes); computer printouts; electronic information; databases; and optical disks kept by an authority.

### Overall Requirement to Provide Access to Records

The Open Records Law has a strong presumption of access. According to Wis. Stat. § 19.35(1)(a), “any requester has a right to inspect any record”, except where provided by law. Reasonable access must be provided to the public to view or receive copies of records maintained by WisDOT – records shall be provided as soon as practicable. If records are improperly withheld, the requester may seek a court order for disclosure, and penalties in such cases can include reasonable attorney fees (plus costs and forfeiture), up to \$1,000.

### Exceptions and Limitations on Access

All records for which WisDOT is the legal custodian, including electronic records, are subject to disclosure under the Open Records Law, unless protected by law. However, some records must be excluded from a response because of statutory limitations, such as those in Wis. Stat. § 19.36. Creation of records or reports “tailored to meet the needs of the requestor” are not required under the Open Records Law and will not normally be provided if they do not already exist. An exception is the Traffic Accident Section in the Division of Motor Vehicles which receives federal funds for the specific purpose of providing special reports from the accident system.

Records custodians must use the balancing test to determine whether personnel records should be disclosed. If, after applying the balancing test, it is determined that personnel record disclosure is proper, it is WisDOT practice to notify the employee about WisDOT's intent to disclose the record(s). For requests for records of completed disciplinary investigations of WisDOT employees – not RTA employees or contractors – WisDOT is required, under Wis. Stat. § 19.356, to inform the subject(s) of the request, and this statute allows the employee to attempt to obtain a court order to prevent the release of the record(s). WisDOT employees who receive requests for personnel records

must consult with WisDOT's Bureau of Human Resource Services before providing any requested records.

The Open Records Law specifies that the legal custodian of information must suppress or redact protected/confidential information prior to the release of a record – this includes personally identifiable information (PII). Redaction of protected or confidential information is defined in Wis. Stats. §§ 19.32(1r) and 19.62(5), and applies as follows:

1. Where the record subject (or their authorized representative) requests the record; and
2. Where one of the circumstances set out in Wis. Stat. § 19.35(1)(am) is present.

WisDOT cannot charge for the time spent to separate, protect, or redact confidential information prior to release of records.

If an open records request is denied, either completely or in part (including redaction of non-disclosable information), WisDOT must inform the requester in writing. The writing must include an explanation of WisDOT's legal basis for the denial (or redaction), and the requester's legal appeal rights under Wis. Stat. § 19.35(4)(b).

### Exclusions

Wis. Stat. § 19.32(2) provides that records do not include materials:

1. That are purely the personal property of the custodian and have no relation to his or her office;
2. Materials to which access is limited by copyright, patent or bequest; and
3. Published materials in the possession of an authority other than a public library that are available for sale, or which are available for inspection at a public library.

Such materials are not to be provided in responding to an open records request. In addition, the definition of *record* in Wis Stat. § 19.32(2) does not include "...drafts...and like materials prepared for the originator's personal use or prepared...in the name of a person for whom the originator is working...." Materials that satisfy this definition of a *draft* are not provided in response to an open records request.

## Procedures

### Responding to Open Records Requests

The process to respond to open records requests requires WisDOT staff to determine the type of request received and the resources that may be needed to fulfill the request in a responsive manner, using up-to-date policy and guidance.

Once the request is defined, WisDOT staff work with the program areas to procure the records needed to fulfill the request and provide them to the requestor as soon as practicable and without delay. While referring the requester to a record that is already posted online can often resolve the matter if the requester agrees, such posting is not a substitute for responding to a record request. Thus, if the requester insists on a copy of a record instead of being referred to a website, WisDOT staff will provide a copy of the actual requested record.

WisDOT will fulfill open record requests within 10 business days, unless the request is large, complex, or it is not practicable to meet that deadline. In such cases, WisDOT staff should communicate promptly to the requester on the status and expected response time.

### **Simple or Routine Requests**

Requests that are not complex or sensitive in nature and that can be completed by program area staff without additional assistance. They are usually fulfilled by working with the business area staff or assigned records coordinator and following available guidance.

### **Complex Requests**

Requests that may involve records held in multiple program areas or locations. In almost all cases they will need to be tracked, and the divisions or programs need to confer to decide which one is lead and responsible for providing the records to the requester and for tracking.

### **Sensitive Requests**

Requests are sensitive if they involve or are received from the following sources:

- Journalists, reporters, publishers, or other media representatives
- Attorneys (unless the request is for routine information)
- Federal, state, and local agencies
- Federal, state, and local elected officials
- Requests on topics that are high profile, drawing significant media or public scrutiny
- Requests on topics that are controversial
- Requests related to personnel records or issues
- Requests regarding issues on which a lawsuit has been filed (or may be filed)

No authority may destroy any applicable record:

1. Upon the receipt of a request for inspection or copying of the record until after the request is granted and expiration of the approved retention period;
2. Upon the receipt of a request for inspection or copying of the record until at least 60 days after the date that the request is denied and expiration of the approved retention period; or
3. If a legal action is initiated which involves the record, until the case has been resolved and expiration of the approved retention period.

## **Fees and Instructions**

### **Common Department Inquiries and Related Fees**

Section 19.35(3) authorizes WisDOT to impose fees in responding to open records requests. Fees imposed for copies of records may not exceed the actual, necessary, and direct cost of record location and reproduction. WisDOT's fee for photocopies is 15 cents per printed page, or 7 cents per page where paper records are converted to electronic format.

For electronic records, no reproduction fee will be charged where requested records already exist. Search fees (staff hourly pay rate x time spent to locate records) may be charged when they exceed \$50. However, the hourly staff pay must be that of the lowest-paid WisDOT staff qualified to

perform the search (no matter who actually does the search); in addition, the hourly staff pay charged may not exceed \$30 per hour. Costs of mailing may also be charged reflecting the actual, necessary and direct cost of shipping or mailing a record.

Prepayment may be required if copy fees will exceed \$5, or if search fees exceed \$50. Copies may be provided without charge or at a reduced charge, if the custodian determines that waiver or reduction of the fee is in the public interest. Fees cannot be charged for the time taken by WisDOT staff to separate, suppress, or redact confidential or non-disclosable information from materials provided in response to open records requests.

**All content in Appendix J is adapted from:**

WisDOT's Transportation Administrative Manual (TAM), directive FRM 103 on public records, last issued on 12/27/16.

## Kenosha Area Transit – KAT

### KAT Points-of-Contact

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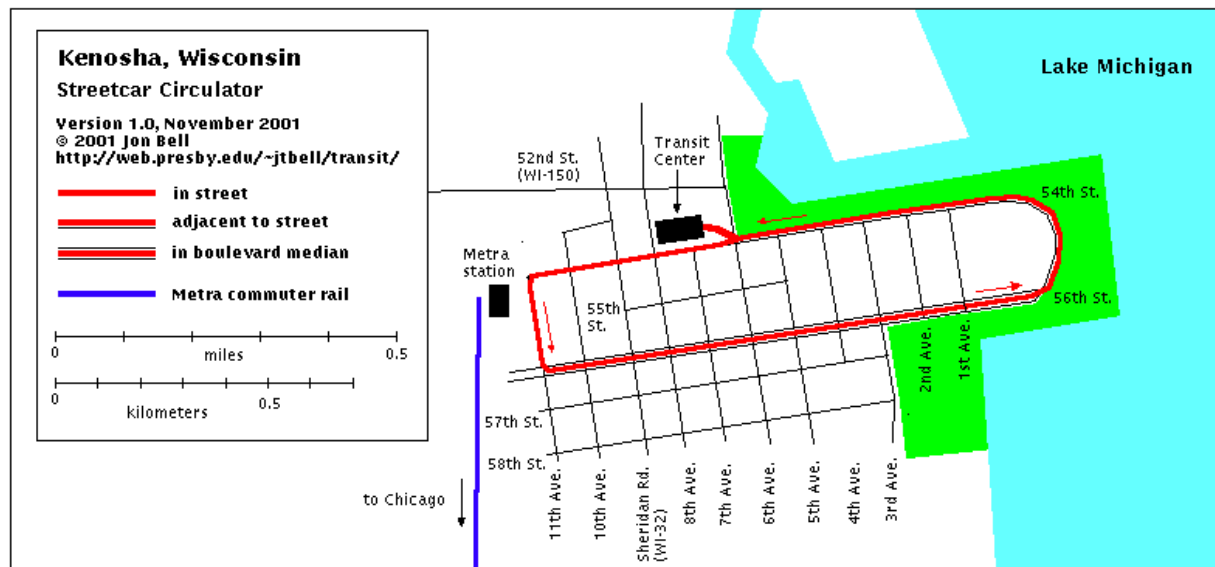
**Streetcar Technician**

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# Kenosha Area Transit Streetcar System Description

## KAT Streetcar Service Map



### System Overview

Started in 2000, the KAT Streetcar system line is operated by a 600-volt direct current overhead contact system, which consists primarily of bracket suspension line poles spaced approximately 100 feet apart throughout 1.9 miles of track.

The route is a loop through downtown Kenosha and is largely within boulevards. The system is operated manually, with no automatic train operations equipment or wayside signals, and is governed by traffic signals and stop signs at each intersection.

The operations and maintenance facility, known as the “Streetcar Barn”, provides indoor storage for the operating fleet, and has the requisite pit and ample space for inspections and running repairs.

### KAT Streetcar Facilities

The Streetcar Barn is located on 724 54<sup>th</sup> Street, Kenosha, Wisconsin. The facility was built in 2000 and is constructed and owned by KAT. The overall facility includes the streetcar yard, a waystation for the Kenosha bus system, and the Streetcar Barn itself. Within the Barn is the maintenance area, the traction power sub-station (TPSS), a conference room, restroom facilities, and office space for the streetcar technician.

The maintenance area within the Barn includes storage space for supplies, a pit, hydraulic jacks, and equipment used to maintain the fleet. KAT provides all of the specialized equipment needed to clean and maintain the vehicles. KAT maintains a supply of spare parts to support day-to-day maintenance needs. Additional facility assets include tools, office furniture, lockers, telephones, radio equipment, fare collection equipment, and computer equipment.

## Triennial Audit Process

The WisDOT SSO program approach to the RTA triennial audit under 49 CFR Part 674 is essentially the same as the full triennial review previously required under 49 CFR Part 659 (now rescinded), and as described in FTA's best practices document "Recommended Best Practice for States Conducting Three-Year Safety Reviews (March 2009)" (RBP), which can be found by following this link:

<https://www.transit.dot.gov/oversight-policy-areas/ssso-three-year-review-recommended-best-practices-march-26-2009-final>

Following the RBP (pages 4 and 5), the WisDOT SSO program can use one or more of the following eight (8) verification methods during a Three-Year Safety Audit (amended to conform to Part 674):

- **Document Review:** Sampling the RTA's agency safety plan and referenced and/or supporting procedures to ensure that each required element of WisDOT's SSO program standard and 49 CFR Part 674 is addressed.
- **Rules Review:** Sampling the RTA's operating rules and bulletins and maintenance rules and procedures to determine if they have been reviewed and updated on a regular basis, if they have been distributed to appropriate RTA personnel as specified in the agency safety plan, if training has been offered, and if this process has been tracked.
- **Records Review:** Sampling of the RTA's records for evidence of implementation of its agency safety plan and referenced or supporting procedures. Records reviewed and/or sampled may include, but are not limited to, training records, records of employee rules compliance checks, internal safety audit reports, maintenance inspection reports, minutes of safety committee meetings, etc.
- **Interviews with RTA Senior Management:** Discussions held with senior RTA management, including the RTA's Accountable Executive, to assess their knowledge of the RTA's safety program, as specified in the agency safety plan and referenced or supporting procedures, and to gauge their commitment to the safety program.
- **Interviews with RTA Safety Personnel:** Discussions held with RTA safety personnel, including the Chief Safety Officer, to assess implementation of the RTA's safety program, to identify issues in its implementation, and to highlight areas of compliance and non-compliance with Part 674 requirements.
- **Interviews with Other RTA Personnel:** Discussions held with other RTA personnel (including a representative sample of operations and maintenance personnel) to verify their understanding of requirements specified in the agency safety plan and referenced or supporting procedures.

- **Field Observations:** Observations and sampling conducted on-site at the RTA to observe implementation of the processes and procedures described in the agency safety plan and supporting or referenced documents, procedures and materials related to the RTA's safety program.
- **Inspections and Measurements:** Inspections and measurements conducted on-site at the RTA to ensure that the RTA's infrastructure and equipment is maintained to the specifications identified in the RTA's standards, procedures, and manuals.

Each of these verification methods has specific strengths and limitations. To adequately assess implementation of all agency safety plan elements, FTA recommends that more than one verification method be used.

### Sampling Rate

The RBP indicates that a sampling approach should be developed, but it does not indicate what that sampling rate should be. The audit process is not expected to be 100% of the rail transit system, and generally, the higher the sampling rate, the higher the cost will be for the triennial audit. The triennial audit approach described here addresses all of FTA's verification methods described in the RBP focused on the Public Transportation Agency Safety Plan (PTASP) rule, 49 CFR Part 673. In the future, this process will mature, along with risk monitoring described in the program standard and procedure SSO-008, and focus on the PTASP and safety management system (SMS), as these processes are developed and implemented at the RTA.

The point of this full triennial audit will be to address Part 674 compliance and then build on that experience to make future triennial audit cycles more sophisticated and effective at measuring the risk environment and identifying potentially unmitigated risk at the RTA. As a focus in developing this proposed triennial audit process, there is a need to build "corporate knowledge" of the RTA rail transit systems' safety performance and risk environment through experience, data collection, and analysis of risk-related information. This information includes experience with investigations, internal audits, close calls/hazards, and completion of CAPs. At first, these analyses will be used to corroborate lagging indicators and then can be developed into leading indicators to be used in preventing future safety events. Further, the results of this data and information analyses will be used in targeting/developing the audit sample sets, focused on safety events that have occurred (rather than based on a random sample principle) and explore the effectiveness of CAPs implementing mitigations to control risk experienced within the rail transit system.



This sampling approach allows the triennial audit process to be systematic and provide a programmatic feedback loop to address any remaining unmitigated risk or address mitigations that are not fully successful in managing risk to a level as low as reasonably practicable (ALARP). This approach also enables the SSO program to get a jump-start on developing the Part 674 compliant risk monitoring data and information analysis tools and activities, including verification of CAPs implementation evidence and effectiveness (risk monitoring also discussed in procedure SSO-008).

### **Triennial Audit Approach**

The triennial audit of the RTA's rail transit system requires the successful completion of the following tasks, which are summarized in the following subsections:

1. Building Knowledge and Tools
2. Planning and Preparation
3. Completing Onsite Activities
4. Reporting and Corrective Actions

This triennial audit approach is intended to be transparent as well as efficient, effective, and sustainable, allowing the required activities to be completed within current grant funding levels now and for future triennial audits and ongoing risk monitoring activities (as required in Part 674) at each RTA.

### Building Knowledge and Tools

1. **Triennial Audit Plan.** The SSO program audit team will meet with WisDOT SSO staff to go over the preparation and analysis activities and develop the triennial audit plan. Once the triennial audit activities commence, the plan will be used to manage schedule and resources, tracking progress of all planned activities to completion.
2. **Audit Scope.** The WisDOT SSO program defines the triennial time-period to match the RTA three-year cycle of internal safety program audits. The WisDOT SSO program triennial audit will occur the year following the completion of the RTA three-year internal safety audit cycle, so that all audits, investigations, and resolution of CAPs can be reviewed and physically checked for appropriate resolution. This audit scope is intended to be synergistic with ongoing risk monitoring activities at the RTA.
3. **RTA Notification.** In the year that the triennial audit is due, the WisDOT SSO program will communicate with the RTA to determine an appropriate timeframe for the triennial audit. The WisDOT SSO program will notify and schedule with the RTA for the planned on-site portion of the triennial audit, at least 60 days in

advance of the on-site activities. This is typically done as part of existing on-site quarterly meetings.

4. **Documentation Collection.** A list of documents will be collected to be reviewed and analyzed for the triennial audit. Primary documents of interest include RTA rail transit programmatic and process level documents related to operations, maintenance, infrastructure and vehicle issues, and safety (and security), with a focus on the RTA's minimum standards for safety.

Documentation List

- a. Agency safety plan (ASP or PTASP)
  - b. System Security Plan / System Security and Emergency Preparedness Plan (SSP / SSEPP)
  - c. Organizational Chart
  - d. Safety and Security Policy Statements
  - e. Operating Rulebooks
  - f. Emergency Response Procedures
  - g. System safety and security statistics for the most recent three-year period prior to the review.
  - h. Inspection and Maintenance Manuals, including standards (this request would be targeted to the rail systems and infrastructure being audited)
  - i. SOPs related to the rail systems and infrastructure being audited, including command and control
  - j. Other relevant documentation, as determined by analysis activities and discussions with WisDOT
5. **Complete Document Review Verification for Triennial Audit.** Once the documentation is collected, it is reviewed and analyzed to address the requirements of the RBP for the document review verification method across all elements of the agency safety plan.
6. **Collect Risk Data and Analysis.** The WisDOT SSO program collects significant safety information from the RTA rail systems. The following data and information will be collected, reviewed, and analyzed to support the sampling used in the triennial audit:
  - a. All RTA investigations, including reports and related CAPs for the previous three years, as well as the current year.
  - b. All safety/security program related internal audits for the current and previous three-year cycle, including all Audit Reports and CAPs. This includes the related findings and recommendations.
  - c. The previous triennial audit report, completed templates, and CAPs.
  - d. All Investigation and audit CAP closure data and evidence for the previous three years.

- e. Close call/Occurrence/Hazard data and information for the previous three years.
  - f. The RTA's safety data and information analyses from the previous three years, such as from the executive safety committee meetings.
  - g. FTA Audits of the SSO program – the previous two FTA audits. This activity will focus on the findings and recommendations directed towards the RTA, and SSO program progress towards completing the corrective actions (what was determined to be an appropriate response and what was accomplished to close the CAPs).
7. **Complete Data Analysis to Identify High-Priority Topics for Triennial Audit.** The audit team will complete an analysis of these compiled data sets to determine the triennial audit sampling of topics within each of the safety program elements/topics, including the minimum standards for safety. This analysis is documented in a separate report, updated annually. The use of this analysis will maximize audit effectiveness and efficiency by placing priority on previously-identified areas of risk, including a check for implementation and effectiveness of related and closed CAPs. Previous safety-related events and internal audit findings will be reviewed and assessed for effectiveness of resulting changes and mitigations.
8. **Complete Rules and Records Verification for Triennial Audit.** In addition, based on the FTA RBP for the rules and records verification categories, the audit team will analyze the RTA rules and records across all elements and topics of the safety program documents and minimum safety standards, as appropriate. Results of this part of the audit will be used to advise the rest of the verification methods for the audit. The amount of records reviewed will be expanded in triennial audits over time based on lessons learned through this audit and ongoing risk monitoring.

#### Planning and Preparation

9. **Progress Meeting with WisDOT.** The audit team will meet with WisDOT to review the analyses and progress through the first three verification categories (documents, rules, and records reviews) and preparation for the on-site portion of the triennial audit.
10. **Audit Template Development and Schedule.** For each of the program documentation elements or groups of elements, a template is used to document details to be checked, interviews of RTA staff (and other related staff), and inspections of locations, equipment, and/or documents. An example template form is provided at the end of this procedure. The completed audit templates should be shared with the RTA at least 30-days in advance of the on-site visit. The

draft templates are provided ahead of time to facilitate the scheduling of interviews, inspections, and documentation review. Invitations to FTA headquarters and regional offices and the Transportation Security Administration (TSA) should be made with sufficient time for them to schedule the time to attend. All of this information is a part of the triennial audit plan. The WisDOT SSO program audit team typically coordinates with RTA safety department staff for all scheduling.

11. **Coordination with the RTA.** The WisDOT SSO program audit team continues to communicate with the RTA as the triennial audit on-site week approaches to share information about any changes, to provide the list of team members that will attend, and to update the interview times and personnel schedule for each interview/inspection. The on-site activities will be planned ahead of time but remain sufficiently flexible to accommodate conflicting schedules and activities at the RTA during the on-site visit.
12. **Complete Update of Triennial Audit Plan.** The triennial audit plan will be a living document, providing flexibility as some activities are completed and other activities are scheduled/re-scheduled until all required triennial audit reviews, interviews, and inspections are completed.

#### Completing Onsite Activities

13. **Track Access Training.** All members of the WisDOT SSO program audit team will need to have current track access training from the RTA. Typically, the RTA will need to be available on the first day to provide track safety training to all of the team members prior to the start of the data collection on-site inspections and interview events that require access to the RTA facilities and right-of-way locations.
14. **On-site Briefings.** The WisDOT SSO program on-site audit team will provide opening and closing briefings for the RTA staff during the on-site visit. These briefings will be focused on sharing activities to be completed and any observations from the preparation and completion of the on-site interviews and inspections. The entire triennial audit is intended to be transparent, with all aspects shared with the RTA management and staff.
15. **Complete Interviews** (senior, safety, and other staff); **Field Observations; and Inspections and Measurements Verification for Triennial Audit.** The triennial audit team will complete all on-site activities based on an approved schedule and checklists. This will include a team of 3-to-5 people (WisDOT and contractor staff). The audit team typically covers all interviews and inspections in two groups to assure that all topics and issues can be covered. Each audit team member is responsible for taking notes, collecting documentation, and taking photos of all activities completed. This documentation is then added to the templates each

evening of the on-site activities. At least one person on the audit team will be responsible for consolidating all notes and documentation for each topic of the on-site audit activities. An additional trip may be required to follow up on questions or rescheduled activities.

### Reporting and Corrective Actions

16. **Complete Triennial Audit Draft Report.** The draft triennial audit report will be completed and shared internally with WisDOT management and with the RTA for review, input, and edit. The report will include both findings and recommendations. The effort to draft this report typically takes 30-to-45 days after the on-site visit and is done at the offices of the WisDOT SSO program team.
17. **Draft Triennial Audit Report for RTA Review.** If there is a need to meet to discuss issues or questions from the draft report, this will be completed either via teleconference or in person as scheduled by the RTA and the WisDOT SSO program team. Any disputes of specific findings or recommendations will either be resolved via communications between the parties or will be documented in the report if not resolved. Any changes or corrections from the RTA will be incorporated into the triennial audit report at this point.
18. **Final Triennial Audit Report and CAPs.** Once the triennial audit report is finalized (including internal approval by WisDOT management), it is delivered to all parties: the WisDOT SSO program team; RTA staff; and any other participants (as applicable). With the delivery of the final triennial report, the WisDOT SSO program team will request that the RTA develop appropriate CAPs to address all findings and recommendations. This is usually accomplished within 30 days after delivery of the final triennial report.
19. **CAPs Approval.** The RTA will submit the CAPs developed from the final triennial report for the WisDOT SSO program team to review and approve. If there are any issues or questions with these CAPs, the WisDOT SSO program team will contact the RTA staff to share specific comments and issues. A CAP tracking table will be developed and include the recommendation/finding, CAP developed by the RTA, any comments from the WisDOT SSO program, RTA person assigned responsibility, and date CAP is due to be resolved. Once the CAPs are agreed to, the WisDOT SSO program will formally approve the RTA CAPs by letter. At that point, the CAPs will be added to the RTA monthly CAP status document and tracked until completion and evidence of completion collected.

### **WisDOT SSO Program Triennial Audit Report Outline Example**

- Executive Summary of Triennial Audit Results
- Introduction
  - Scope
  - Objectives and Approach
  - Preparation Activities
- Rail System Description
- Summary of Observations and Findings
- Triennial Process and Schedule
- Document Analysis for Triennial Audit
- Review of Safety Program Documents and Activities
- Next Steps
  - Recommendations
  - Findings
- Appendices
  - Three Year Audit Checklists
  - Reviewed Documents List
  - Schedule On-Site Triennial Activities
  - Triennial Audit Forms

### **Corrective Actions Table Headings**

- CAP Number
- Recommendation
- Corrective Action
- WisDOT SSO Comments
- Responsibility
- Due Date

## Milwaukee Streetcar System – MSS

### MSS Points-of-Contact

**Jerrel Kruschke**

**DPW Commissioner/Accountable Executive**

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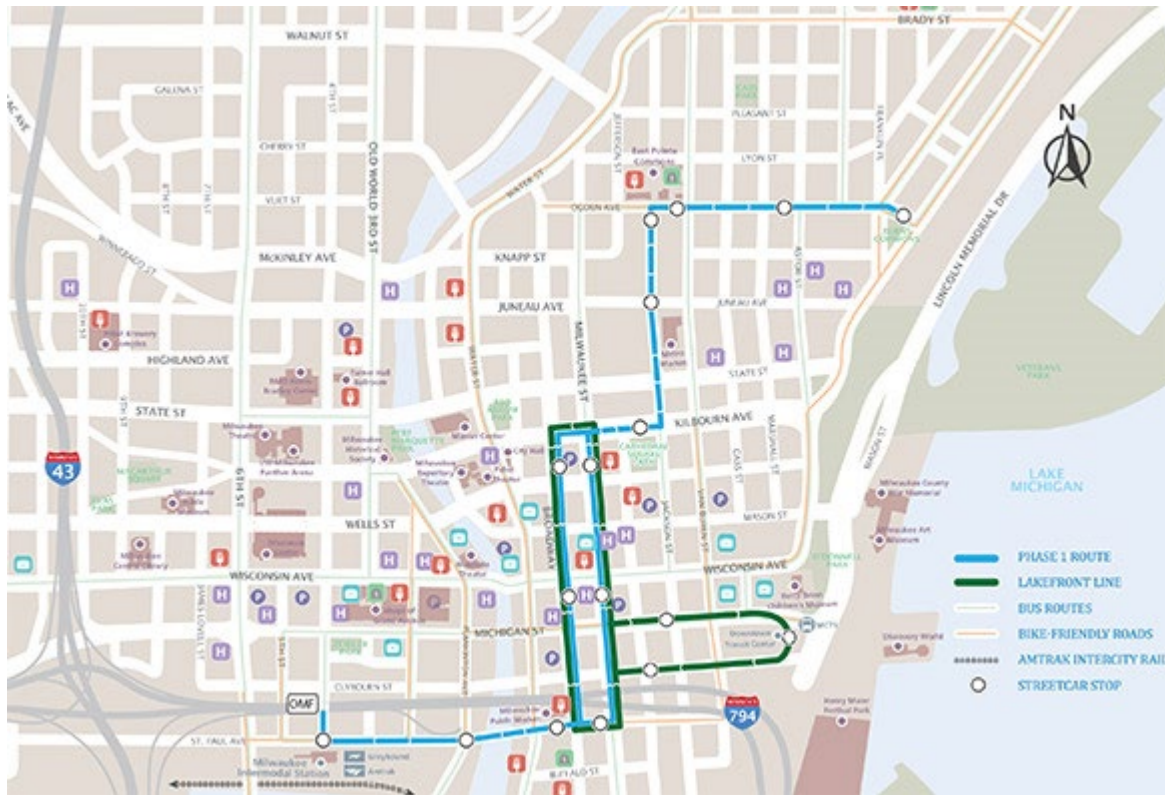
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# Milwaukee Streetcar System Description

## Milwaukee Streetcar Route Map



### The system overview

The Main Line (M-Line) includes 3.91 roundtrip miles and 17 stations. It operates in both directions on Ogden Avenue from Burns Commons to Jackson Street and on Jackson to Kilbourn. At Broadway and Milwaukee, the tracks separate to form a one-way couplet on adjacent streets, operating southbound on Broadway to St. Paul Avenue, and northbound on Milwaukee to Kilbourn. At the south end of the couplet, the streetcar operates in both directions on St. Paul Avenue, with the alignment traveling west from the couplet to the Milwaukee Intermodal Station at 4<sup>th</sup> Street. The primary terminus is the Operations and Maintenance Facility (OMF), located on 4<sup>th</sup> Street, ½ blocks north of St. Paul Avenue.

The Lakefront Line (L-Line) includes 1.91 miles of roundtrip operations, with 8 stops. Approximately 2/3 of the track and 5 of the 8 stations are shared with the M-Line. The L-Line operates in the downtown area on the Milwaukee and Broadway couplet track, interlined with the M-Line. At the south end of the couplet off Milwaukee, the L-Line



turns east on Michigan Street toward the waterfront, stopping at the multi-modal transit stop within the Couture building, then looping around to Clybourn Street and connecting back to Milwaukee Street.

### **MSS Streetcar facilities**

The Operations and Maintenance (OMF) is located on the route at St. Paul and 4<sup>th</sup> Street, beneath the elevated I-794 freeway. The terminus of the M-Line is at the OMF – operators turn into the tail track at 4th Street and layover at this location.

# WisDOT SSO Program Standard

## List of Procedures

<b>Version Date</b>	<b>Title</b>
7/31/2024	Procedure SSO-001 – Program Standard Update
1/28/2025	Procedure SSO-002 – Conflict of Interest
1/28/2025	Procedure SSO-003 – Notification
7/31/2024	Procedure SSO-004 – Enforcement
1/28/2025	Procedure SSO-005 – Annual RTA Status Report
1/28/2025	Procedure SSO-006 – De-identification
Rescinded	Procedure SSO-007 – Reserved for future update
Rescinded	Procedure SSO-008 – Reserved for future update
1/28/2025	Procedure SSO-009 – Allegations of Noncompliance
1/28/2025	Procedure SSO-010 – Investigation Reporting

# Wisconsin Department of Transportation (WisDOT)

## Rail Transit Safety Oversight Program

**Procedure SSO-001:** Update procedure for the WisDOT Rail Transit Safety and Security Oversight (SSO) Program Standard.

**Current Version:** 7/31/2024

### Design Philosophy for SSO Program Standard

The WisDOT SSO program standard describes the WisDOT SSO program processes and procedures, interactions, and requirements for the Wisconsin rail transit agencies (RTAs), and the program's responsibilities to the FTA SSO program. Changes to this SSO Program Standard are made within the WisDOT SSO program and result from internal or external audits, policy changes, requirement changes from FTA or the state, and/or organizational changes. The SSO Program Standard is to be reviewed in December for update each year. In addition, the SSO Program Standard is to be kept up-to-date on an as-needed basis between annual reviews for update. All participants involved in the WisDOT SSO program are welcome to offer changes or additions to the SSO Program Standard. Each comment or recommendation received will be reviewed by the WisDOT SSO program in a timely manner.

### SSO Program Standard Body Update – Revision

A revision is a significant change to the SSO Program Standard body, which includes changes to policy, requirements of the WisDOT SSO program or WisDOT (as SSO agency), or requirements of the Wisconsin RTAs. Updates of actual policy in the body of the SSO Program Standard will require approval and sign-offs from all of the program participants. This type of change will cause a full revision number change in the first digit, e.g., Revision 3.0 would change to Revision 4.0. A row will be added on the Revision Information page to explain the update.

Proposed changes to the SSO Program Standard will be circulated for review in draft form to applicable WisDOT SSO program management and staff and the Wisconsin RTAs. Following review and comment, draft changes must be approved by the WisDOT SSO Program Manager and incorporated into the final revision of the SSO Program Standard.

Once the final updated SSO Program Standard has been approved within WisDOT, each of the Wisconsin RTAs will receive a copy for review and will be required to acknowledge the updated SSO Program Standard by filling in the signature page for the chief executive officer, lead for the safety program, lead for the security program, and any other appropriate parties at the RTA (and sending the signed pages back to the WisDOT SSO program). Any corrections or issues at this point in the process will be reviewed and appropriate changes will be made as needed and approved by the WisDOT SSO Program Manager.

The finalized SSO Program Standard will then be notified to the WisDOT SSO program staff and Wisconsin RTAs and available electronically in Acrobat/pdf format and placed on WisDOT's website at:

<http://wisconsin.gov/Pages/doing-bus/local-gov/astnce-pgms/transit/compliance/safety-rail.aspx>

Once the updated SSO Program Standard has been finalized, it is the responsibility of the Wisconsin RTAs to pass these requirements on to any appropriate staff or contractors.

### **SSO Program Standard Body Update – Administrative Change**

Administrative changes to the SSO Program Standard body are minor in nature without any substantial policy change or expectations of the WisDOT SSO program or the Wisconsin RTAs. Administrative changes will follow a separate update process (version change) that will include review by appropriate staff at the Wisconsin RTAs and approval by the WisDOT SSO Program Manager, and will not require the formal signatures or acknowledgement of the changes by the Wisconsin RTAs. This type of change will cause the version number to change in the second digit, e.g., Revision 3.0 to Version 3.1. A row will be added on the Revision Information page to explain the update.

An administrative change will be notified to the WisDOT SSO program staff and the Wisconsin RTAs and then available electronically in Acrobat/pdf format and placed on WisDOT's website at:

<http://wisconsin.gov/Pages/doing-bus/local-gov/astnce-pgms/transit/compliance/safety-rail.aspx>

Once the updated SSO Program Standard has been finalized, it is the responsibility of the Wisconsin RTAs to pass these requirements on to any appropriate staff or contractors.

### **SSO Program Standard Appendices Update**

The WisDOT Rail Transit SSO Program Standard has been designed with the appendices separate from the body of the program standard. Updates to the appendices will follow a separate update process that will include review by appropriate staff at the Wisconsin RTAs and approval by the WisDOT SSO Program Manager, and will not require the formal signatures or acknowledgement of the changes by the Wisconsin RTAs. When an appendix is updated, the version date on the appendix itself will reflect the update and be noted on a separate appendix tracking list.

Updates to the appendices will be notified to the WisDOT SSO program staff and Wisconsin RTAs and available electronically in pdf format and placed on WisDOT's website at:

<http://wisconsin.gov/Pages/doing-bus/local-gov/astnce-pgms/transit/compliance/safety-rail.aspx>

A list of the appendices and current version date is available at the front of the appendices so that all WisDOT SSO program participants can assure that they have the current version of each appendix.

### **SSO Program Standard Updates Submission to FTA**

Any changes to the WisDOT SSO Program Standard since the last annual submission to FTA will be provided to FTA via the next annual submission by March 31<sup>st</sup>. If the SSO Program Standard has not been changed in the previous year, documentation of the annual check will be provided to FTA as part of the annual submission.

# Wisconsin Department of Transportation (WisDOT) Rail Transit Safety and Security Oversight (SSO) Program

**Procedure SSO-002:** Conflict of Interest (COI) review and resolution procedure.

**Current Version:** 1/28/2025

**Scope:** This procedure explains the identification of potential WisDOT SSO program conflicts of interest (COI), review of these potential COIs, and the determination and documentation of decision-making based on the review of the potential COIs. An example of the use of this potential COI process will be if WisDOT is involved in providing grant funding to Kenosha Area Transit (KAT) or the Milwaukee Streetcar System (MSS) related to the rail systems.

This procedure also includes a template form to capture the potential COI and any decisions and notes from the review of that potential COI. Completed template forms will become formal records to be tracked as part of the WisDOT SSO program.

**Conflict of Interest Requirements:** No individual or entity may provide services to both the WisDOT SSO program and an RTA when there is a conflict of interest (COI) or an appearance of a conflict. A potential COI situation occurs when an individual or entity performing work for a Wisconsin RTA or the WisDOT SSO program is unable (or potentially unable) to render impartial assistance or advice on the development or implementation of the standards and provisions of the WisDOT SSO program, or to objectively perform such work without bias. Each contractor is subject to full disclosure on all present and potential conflicts of interest in its activities or relationships prior to being awarded or during a contract with WisDOT or RTA within the state.

FTA's safety program authorization in 49 U.S.C. § 5329 (from MAP-21) and 49 CFR Part 674 further describes financial independence that prohibits RTA funding of WisDOT's SSO program and requires management of potential COI situations when WisDOT's Public and Specialized Transit Section ("Transit Section") participates in funding projects at an RTA. The WisDOT SSO program does not receive funding from any of the Wisconsin RTAs and is hereby prohibited from doing so. In addition, the Transit Section has different supervision and reporting chains to control conflict between providing or supporting grant funding to an RTA for a capital project and the oversight provided through the WisDOT SSO program for RTA safety and security programs.

**COI Identification, Assessment, and Resolution:** Potential COI situations are required to be actively identified, disclosed, assessed, and resolved for the WisDOT SSO program. For any situation that might arise that could be a potential COI situation as described in section Part 674, WisDOT SSO program personnel must assess and determine whether the COI situation poses an actual conflict or violation of the SSO program. This assessment and determination may require discussions with other staff, WisDOT's Office of General Counsel, or WisDOT executive management.

Ultimately, for each COI assessment occurrence, the following form (below) must be completed to describe the potential COI situation, its assessment, and its ultimate resolution. As a part of this COI assessment procedure, each completed COI form becomes a record to be kept on file as part of the WisDOT SSO program.

## WisDOT SSO Program Conflict of Interest (COI) Review and Assessment

WisDOT SSO Program COI Review and Assessment Form	
<b>Date:</b>	MM/DD/YYYY Date potential COI was reviewed
<b>Personnel:</b>	First Last Name of personnel participating in COI review
<b>Potential COI Description:</b>	Comprehensive description of the potential COI Include date potential COI was identified; circumstances under which potential COI exists ( <i>i.e.</i> , transit funding, contractor RFP, contractor activities, <i>etc.</i> ); names, roles, and responsibilities of parties involved; description of the potential COI
<b>Assessment:</b>	Assessment of potential COI described above Include reference to statutes, regulations, program policies and procedures relevant to identifying and resolving the potential COI
<b>Resolution / Next Steps:</b>	Resolution and/or next steps of potential COI described above <i>Ex.:</i> No COI identified, no further action necessary; COI identified but existing program policies/procedures provide adequate remedy; COI identified, new policy/procedure provides adequate remedy (describe in full); COI identified, SSO program may not proceed as planned (or must proceed as follows; describe in full)

# Wisconsin Department of Transportation (WisDOT) Rail Transit State Safety Oversight (SSO) Program

**Procedure SSO-003:** Reportable Event Notifications to the WisDOT SSO Program.

**Current Version:** 1/28/2025

**Scope:** This procedure provides the notification processes to be used by Wisconsin rail transit agencies (RTAs) for reportable safety events that occur on their rail systems and rail-related property.

Contact Person	Organization	Phone	Email
Eric Stoegbauer	WisDOT SSO	(608) 267-6680	<a href="mailto:eric.stoegbauer@dot.wi.gov">eric.stoegbauer@dot.wi.gov</a>
Josh Gearhardt	Vital Assurance	(937) 216-2772	<a href="mailto:gearhardt@vitalassurance.com">gearhardt@vitalassurance.com</a>
TJ Thorn	Vital Assurance	(502) 316-1283	<a href="mailto:thorn@vitalassurance.com">thorn@vitalassurance.com</a>
*Vital Assurance is under contract with the Wisconsin Department of Transportation (WisDOT) to serve as the contact for receiving safety event reports. Vital Assurance staff can be reached by cell phone numbers listed above.			

All notifications must be complete when submitted, including all known information entered into the appropriate section of the notification form. If information is not available at the time of notification, it must be marked as “under investigation” on the form and fully explained in subsequent reports.

The RTA must provide WisDOT with an initial facts report (IFR) no later than forty eight (48) hours after the notification – see Procedure SSO-010.

There are two (2) primary types of notification: Federal Reportable and State Reportable. The basic process and form for notification of each type is largely the same. However, there are specific criteria, thresholds, and time requirements for each type – see the following pages for information on each type of notification:

[Federal Reportable Events](#)

[State Reportable Events and Conditions](#)



## Federal Reportable Events

As defined in 49 CFR 674.33(a), RTA personnel must notify both WisDOT and the FTA **within two (2) hours** of any safety event where one or more of the following occurs:

1. A **fatality**
  - At the scene or confirmed within 30 days of the safety event
  - Includes death by suicide
2. **Two (2) or more injuries** at the scene
3. All **derailments**
  - Any location, any time
  - Must report even if vehicle sustains no damage or auto re-rails
4. A **collision**:
  - a. Resulting in one (1) or more injuries
  - b. Between two (2) rail transit vehicles
  - c. Resulting in **disabling damage** to a rail transit vehicle
2. **Evacuation** for life safety reasons
3. **Unintended train movement**
  - Any instance where a revenue vehicle is moving and is not under the control of an operator
  - Includes both revenue and non-revenue service operation

**Exclusions: criminal actions** that result in fatalities or injuries (such as homicides and assaults), **are not included** in the two-hour notification requirement.

For notification purposes, the following terms are defined as follows:

- A **safety event** means an unexpected outcome resulting in:
  - Death
  - Injury
  - Damage to or loss of:
    - Facilities
    - Equipment
    - Rolling stock
    - Rail transit system infrastructure
  - Damage to the environment
- A **derailment** means a safety event in which one or more wheels of a rail transit vehicle unintentionally leaves the rails

- A **collision** means any impact between a rail transit vehicle and any other vehicle, object, or any person
- **Disabling damage** means damage to a rail transit vehicle resulting from a collision and preventing the vehicle from operating under its own power
- An **evacuation for life safety reason** means:
  - When persons depart from transit vehicles or facilities, including self-evacuation
  - A life safety reason includes:
    - Fire
    - Presence of smoke
    - Presence of noxious fumes
    - A fuel leak from any source
    - An electrical hazard
    - Any hazard to any person
    - Any evacuation of passengers into the rail right of way (*i.e.*, not at a platform or station) is automatically presumed to be an evacuation for life safety reasons

**Two-hour notification to FTA:** Contact the USDOT's Transportation Operations Center (TOC) by email (recommended method) or phone: [TOC-01@dot.gov](mailto:TOC-01@dot.gov); (202) 366-1863

Submit information details as specified in your SSO agency's program standard, including a summary of the event and pertinent details such as:

- Safety Event date, time, location, and name of the Rail Transit Agency (RTA) providing the notification
- When RTA has more than one rail mode, providing the rail mode and/or line involved in the Safety Event (Heavy Rail/Subway, Light Rail, Streetcar, etc.)
- Number of fatalities, serious injury, persons requiring immediate medical transport
- After an RTV related collision was there substantial damage or towing of RTV or POV
- Primary and secondary event types (e.g. collision, derailment, fire, etc.)

**Additional federal notifications:** RTAs must also comply with the federal requirements for notification to the National Transportation Safety Board (NTSB) and the Transportation Security Administration (TSA).

## State Reportable Events and Conditions

RTA personnel must notify WisDOT **within twenty-four (24) hours** when any of the following events occur or conditions\* are present:

1. **Any collision *not* meeting the federal threshold:** Includes all collisions involving a rail transit vehicle and anything else, including (but not limited to):
  - a. Any other vehicle, regardless of damage
  - b. Any person, whether on foot, bicycle, scooter, *etc.*, regardless of injury
    - i. Includes workers in or near work zones, whether authorized or unauthorized
  - c. Any barricade, fixture, device, signage, roadway debris, or unidentified object, regardless of damage
2. **Near-miss:** Includes all near-misses involving a rail transit vehicle and anything else – same criteria as collisions, above
3. **Any wheel issue:** Includes both identified wheel issues and reports of wheel defect or other non-standard condition
  - a. As identified by RTA personnel or external personnel, including WisDOT, FTA, NTSB, or other federal, state, and local entities
4. **Any switch issue:** Includes both identified switch issues and reports of any issue on any switch that results in non-standard operation
  - a. As identified by RTA personnel or external personnel, including WisDOT, FTA, NTSB, or other federal, state, and local entities
5. **Any signal/aspect or train control movement issue:** Includes any signal system/aspect or other train control issue that results in non-standard operation
6. **Evacuations of passengers for any reason:** Includes any time that passengers are evacuated from a rail transit vehicle for non-life-safety reasons, including departure to a station for reasons other than planned deboarding (*i.e.*, non-life-safety-related failure of rail transit vehicle, component, or system)
7. **OCS or pantograph issue:** Includes mainline and yard issues that cause:
  - a. An overhead line pull-down
  - b. Pantograph damage or entanglement
  - c. Damage to overhead wire or power pole
  - d. Damage to any other OCS infrastructure (*i.e.*, brackets, guide wire, non-powered poles, *etc.*)
8. **Yard control and movement problems:** Includes:
  - a. Hard couples in the yard
  - b. Non-standard switch operation into and out of the yard
  - c. Yard control issues for both revenue and non-revenue vehicles

- 9. Significant hazardous conditions:** Includes any significant hazardous condition, whether identified by RTA personnel or external personnel, including WisDOT, FTA, NTSB, or other federal, state, and local entities

\*Note: These state reportable notification requirements are **in addition to an RTA's hazard management process**. At minimum, RTAs report hazards to WisDOT on a monthly and quarterly basis – these conditions require event-level notification separate from that process and may require further inspection and investigation activity.

# Wisconsin Department of Transportation (WisDOT) Rail Transit Safety and Security Oversight (SSO) Program

**Procedure SSO-004:** Enforcement escalation procedure.

**Current Version:** 7/31/2024

**Scope:** This procedure explains the process that the WisDOT SSO program uses to track potential unmitigated safety (or security) risk at the Wisconsin rail transit agencies (RTAs) and interactions with the RTAs to assure that these potential unmitigated safety (or security) risks are appropriately addressed. The focus for this procedure is on how the WisDOT SSO program may escalate this type of situation if there are disagreements or a lack of responsiveness from the Wisconsin RTAs. This escalation of enforcement may provide a remedy through the Wisconsin Attorney General's office should a Wisconsin RTA be unresponsive to resolution issues required by the WisDOT SSO Program.

**Background – Hazard Management and Risk Monitoring:** With limited budgets and resources, the WisDOT SSO program focuses on issues that have been identified already through National Transit Database (NTD) reporting, event investigations, audit results, and risk monitoring of various safety and security related activities and issues. For each of the Wisconsin RTAs, there is a list of hazard and mitigation topics that are tracked and monitored to assure that mitigation is working and no new risk has been introduced by that mitigation.

Prioritization of hazard/risk issues is based on a concept of if you see or become aware of one issue/concern that might become a hazard, it is noted and tracked. If the potential hazard is observed (or reported) a second time, then it is tracked as a potential unmitigated risk that needs more attention. If observed (or reported) a third time, the response is escalated to an on-site visit to conduct interviews and collect relevant data, such as through inspections. This approach is used by the WisDOT SSO program to manage the limited resources for tracking potentially unmitigated risk. If at any time the potential hazard becomes a significant hazardous condition, the WisDOT SSO program will work with the RTA safety department to respond right away.

This is an ongoing or continuous process of tracking, analysis, observing, and communicating with each of the Wisconsin RTAs to be aware of the risk environment. One critically important operational fact is that each Wisconsin RTA owns its risk, not the

WisDOT SSO Program. Accordingly, care is required in the process of risk monitoring, to assure responsibility of the Wisconsin RTAs for managing and mitigating their own risk.

**Enforcement Escalation:** The WisDOT SSO program has a set of scheduled and ongoing activities that enable the program staff to monitor the risk environment at the Wisconsin RTAs, as follows:

- On-going notification and investigation of safety-related events and communication and cooperation for internal and external audits (such as the WisDOT SSO program Triennial Review) at the Wisconsin RTAs.
- Collection and analysis of monthly/quarterly reporting of investigation, audit, and corrective action status and progress for each Wisconsin RTA and for the performance of the overall WisDOT SSO program.
- Quarterly meetings on-site at the Wisconsin RTAs to go over current safety and security activities and status of all corrective actions – open and recently closed. These on-site quarterly meetings often include additional days of meetings with various RTA staff to monitor and explore performance of the rail systems and activities.
- Additional visits to the Wisconsin RTAs are planned between on-site quarterly meetings to follow-up on issues being tracked and to perform inspections and interviews at the Wisconsin RTAs. Topics for these visits are set based on priorities from the ongoing risk monitoring process.

**First level of escalation.** When WisDOT SSO program personnel identify what appears to be a potentially significant hazardous condition, it will be discussed directly with RTA personnel and management, including when, as is often the case, several issues are discovered simultaneously and considered important for RTA attention and resolution. Such risk-related issues are typically resolved at this level of discussion and interaction. The WisDOT SSO program documents these observations, inspections, interviews, planned resolutions, and continues to monitor whether risk issues are properly resolved over time.

**Second level of escalation.** If WisDOT SSO program personnel continue to observe a pattern of potentially significant risk issues already communicated to an RTA, further communication will be made via a formal letter from the WisDOT SSO program manager to the RTA's designated accountable executive. This letter will provide the risk issue(s) of concern to WisDOT and a formal request to respond to the letter, including an explanation of how the RTA plans to address the identified concerns from the WisDOT SSO program. If the explanations from the RTA are acceptable to WisDOT, the issues and responses will be documented and the risk monitoring will continue. If the RTA determines that the identified risk issues need more attention, then the WisDOT

SSO program requires the RTA to develop an appropriate corrective action plan (CAP) that is agreed to and then tracked to completion.

**Third level of escalation.** The WisDOT SSO Program Standard provides direction to each RTA in regard to its requirement for a formal safety program, including requirements to minimize, control, correct, or eliminate any identified and investigated hazardous condition, within a time period specified by WisDOT, and in accordance with a plan approved by WisDOT's SSO program. The WisDOT SSO Program Standard also requires that each RTA provide all necessary assistance to the WisDOT SSO program, especially in regard to WisDOT participation in required or otherwise appropriate on-site investigations of accidents, hazardous conditions, or audits at the transit agency.

Additionally, s. 85.066(2), Wis. Stats., authorizes WisDOT to "...oversee, enforce, investigate, and audit all safety aspects of all rail fixed guideway transportation systems in the state...." Per the authority granted under s. 85.066, WisDOT, as SSO agency, developed its SSO program standard (revised to comply with 49 CFR Part 674), which specifies that WisDOT oversees and enforces rail transit agency compliance (in execution of its agency safety plan) by ordering corrective action plans or by any other means, as necessary or appropriate.

Based on the direction in WisDOT's SSO Program Standard and these procedures, if an RTA does not properly respond (in scope or timeframe) to requests and direction provided by the WisDOT SSO program in terms of risk identification and proper resolution, this situation will escalate to the executive office of WisDOT. Additional communication between the WisDOT executive office and the RTA will continue. If at any time during this level of escalation that these risk issues cannot be resolved because of a lack of cooperation or responsiveness from the RTA, the ultimate responsibility for enforcement will escalate to the Wisconsin Attorney General's Office.

**Imminent Threat to Public Safety.** Any time the WisDOT SSO Program becomes aware of an imminent threat to public safety at a Wisconsin RTA, immediate communications with the RTA safety department (and other appropriate RTA departments or personnel, as needed) and WisDOT SSO program management will be completed to determine if the threat is truly imminent and what the next steps might be. If WisDOT SSO program management concurs that it is necessary, immediate actions to address the imminent threat to public safety, up to and including shutting down the rail system at the Wisconsin RTA, will be ordered.

**Milwaukee Field Office:** If at any time WisDOT SSO program personnel need to be present for some length of time at the Milwaukee Streetcar System because of an

ongoing event or investigation, the WisDOT SSO program field office at the Milwaukee Intermodal Station (MIS) will be used as the primary field office.

**Kenosha Field Office:** If at any time WisDOT SSO program personnel need to be present for some length of time at Kenosha Area Transit (KAT) because of an ongoing event or investigation, the WisDOT SSO program manager will request accommodation with KAT management for appropriate space at KAT offices; otherwise, the WisDOT SSO program field office at the Milwaukee Intermodal Station (MIS) will be used as the primary field office.



# Wisconsin Department of Transportation (WisDOT) Rail Transit Safety and Security Oversight (SSO) Program

**Procedure SSO-005:** Annual Program Status Report Development Procedure.

**Current Version:** 1/28/2025

**Scope:** This procedure includes an outline and submission timeframe for the annual program status report required under 49 CFR 674.13(a)(7).

**Outline of Annual Program Status Report:** The annual program status report will include:

- Executive Summary
- Brief description of the WisDOT SSO program
- Major SSO program efforts for the calendar year
- Status of the rail safety program for each RTA, including:
  - Brief description of RTA
    - Rail transit system description
    - RTA structure and personnel
  - Statement on RTA compliance with its PTASP
  - WisDOT SSO CAP log for RTA
  - WisDOT SSO Hazard log for RTA
  - WisDOT SSO Event log for RTA
- Closing remarks

**Submission Timeframe:** WisDOT SSO personnel will have the report drafted and ready to submit by March 15<sup>th</sup> of each year (covering the previous calendar year), to be submitted to all required parties simultaneously with the Annual Report to FTA. The distribution list includes the governor of the State of Wisconsin, the boards of directors (or equivalent) of each RTA, and the FTA Administrator.

# Wisconsin Department of Transportation (WisDOT) Rail Transit State Safety Oversight (SSO) Program

**Procedure SSO-006:** Data Submission De-Identification Procedure.

**Current Version:** 1/28/2025

**Scope:** This procedure explains the process and requirements for the SSO program-related data and information to be de-identified, coded, and delivered to parties other than the RTA and WisDOT. The intent of this procedure is to assure that data handled through the WisDOT SSO program that must be provided to other parties does not include security sensitive or personally specific information not necessary to meet legal requirements.

**Data de-identification process:** All transmittals will follow established practices in "Sensitive Security Information (SSI): Designation, Markings and Control", published by FTA in March 2009.

For each record to be submitted, all personal private information (PPI) information must be either redacted or replaced by appropriate job title/role/responsibility (*e.g.*, in a summary of a full report). Unless prohibited by law, WisDOT may provide a summary document in lieu of a full report.

Unless PPI is required by law or internal policy or procedure, any individual identified in a report should be shortened to their corresponding job title (Operator, Supervisor, Maintenance Technician, *etc.*). When this method is used, the title used should provide enough information for a competent reviewer to understand the report in full.

The following data record types must be reviewed for de-identification before being submitted to parties other than the RTA and WisDOT:

1. Investigation documentation, logs
2. Corrective action plan (CAP) documentation, logs
3. Hazard management documentation, logs
4. RTA Maintenance documentation, logs
5. RTA Inspection documentation, logs
6. WisDOT risk-based inspection (RBI) documentation, logs
7. RTA internal audits
8. WisDOT SSO triennial audits
9. RTA internal data and logs (*e.g.*, daily operations log)

# Wisconsin Department of Transportation (WisDOT) Rail Transit State Safety Oversight (SSO) Program

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

**Current Version:** 1/28/2025

**Scope:** This procedure addresses investigation of an allegation of RTA noncompliance with its agency safety plan (ASP or PTASP), as required under 49 CFR 674.25(c).

**Sources of Allegations of RTA agency safety plan Noncompliance:** WisDOT may receive allegations of PTASP noncompliance from a variety of sources, including (but not limited to):

- Comments/complaints/inquiries from individuals
- News media
- RTA employees
- WisDOT SSO activities
- Federal oversight activities

The WisDOT SSO program requirements, processes and procedures are intended to be transparent. The program standard and contacts for the SSO program staff are publicly available on the WisDOT SSO program webpage, allowing anyone to contact WisDOT SSO program staff for any reason, including allegations of RTA noncompliance with their agency safety plan.

**Investigation Procedure for allegation of PTASP noncompliance:**

WisDOT SSO staff will review all allegations of PTASP noncompliance received. If such review reveals an issue that requires action as set forth in the SSO program standard or an RTA's PTASP, WisDOT's SSO program manager will initiate that process as required. If such review does not reveal an issue that requires an action or process described in the SSO program standard or PTASP, further action is at the sole discretion of the program manager.

If an allegation requires investigation, it will follow the investigation procedures described in the SSO program standard. The investigation report and any issues or recommendations required will be communicated and coordinated between WisDOT and the RTA for resolution. In the case of an allegation of noncompliance that comes directly to WisDOT from a comment, complaint, or inquiry from the general public,

WisDOT will ensure that the decision to further investigate the allegation is communicated to the individual(s).

If a CAP is required as a result of the investigation, it will follow the CAP procedures described in the SSO program standard, including prior review and approval by WisDOT.

All investigations for an allegation of PTASP noncompliance are designated as a State Reportable Event or Condition and follow standard record-keeping requirements.

# Wisconsin Department of Transportation (WisDOT) Rail Transit State Safety Oversight (SSO) Program

**Procedure SSO-010:** Investigation Reporting Process

**Current Version:** 1/28/2025

**Scope:** This procedure describes WisDOT SSO Program investigations

**Scope of Investigations:** Section 7 of the WisDOT SSO program standard covers the scope of investigations, following requirements set out in 49 CFR Part 674. Consistent with FTA's transit-specific SMS, the WisDOT SSO program operates under the framework that the purpose of an investigation is to:

1. Gather and assess facts to determine cause(s); and
2. Identify corrective measures to prevent recurrence.

Accordingly, an investigation is not intended to affix blame, subject people to liability for their actions, or to recommend disciplinary action.

Investigation data must address, at minimum, the following:

- **Safety performance of the operator**
  - Before, during, and after the safety event being investigated.
- **Safety performance of others responding to the accident** (dispatch, trainer, field supervisor(s), etc.)
  - Before, during, and after the safety event being investigated.
- **Securing the train/scene and assuring there are no additional hazards**
  - Need to assess the safety performance of those involved in this critical activity including the operator, dispatch, supervisor(s), and any additional RTA personnel responding to the safety event (e.g., performance and following procedure and/or command to lower the pantograph or shut down OCS). This also includes control of any train movement or single-tracking.
- **Safety performance of any passenger evacuation**
  - Regardless of location (terminal station, platform, right-of-way); however, special attention should be given to control of any evacuation with passengers with disabilities or conducted on the right-of-way (other rail transit vehicles, traffic, pedestrians).
- **Consideration of future prevention**

- Can be included from documented after-action report, hot wash, or any discussion concerning future occurrence. Special focus on additional capabilities – capabilities not currently possessed by the RTA – that would increase safety performance and emergency response.

**Investigation Procedures:** Each Wisconsin RTA must develop standard investigation procedures. Those procedures must be adopted and approved by the WisDOT SSO program – this allows the RTA to conduct investigations on behalf of WisDOT. Approved and adopted RTA investigation procedures are designated as minimum standards for safety. The WisDOT SSO program has authority to lead (or otherwise join) any such investigation and will follow the applicable RTA investigation procedures and reporting requirements – see Section 7 of WisDOT’s SSO Program Standard.

**After a safety event has occurred, the investigation process begins immediately.**

Once RTA personnel are aware of the event, have arrived at the scene and worked with first responders to assure safety, investigation activities should be taking place. All investigations include the following major activities:

- Collecting data
  - Including (but not limited to): photos, measurements, retrieving/preserving vehicle data, employee records, maintenance records, time/place information (day/night, bright/overcast, dry/wet, cold/hot, *etc.*)
- Notification
- Initial Facts Report
- Draft Investigation Report
- Final Investigation Report

RTA personnel must also follow other procedures associated with an event/investigation, including the corrective action plan (CAP) and hazard management processes.

#### Notification

Notification must be sent to WisDOT (and other agencies, as required) in the appropriate timeframe: two-hours for Federal Reportable Events and twenty-four (24) hours for State Reportable Events.

#### Initial Facts Report

Designated investigative personnel within the RTA must complete and issue an **initial facts report (IFR)** no later than forty-eight (48) hours after the notification. The IFR must include all factual information and data collected since the time of the safety event.

### Draft Investigation Report

A draft investigation report is due within thirty (30) days of the event and must be the most complete report of the investigation possible, containing all information collected since the event. If the investigation is still pursuing information, the draft report must indicate that – no area in the draft report should be blank.

For RTA-led investigations – which will be the vast majority of investigations – the CSO must review, sign, and all reports submitted to WisDOT. The WisDOT SSO team will then review the report and either:

1. Approve and adopt the report as final; or
2. Send the report back with comments and questions to be addressed in the next submission

**Investigation Report General Outline:** An investigation report must be standardized and include, at minimum, the following topics:

- Event description
- Notification, Incident Response, and Incident Command
- Initiating Event
- Immediate Corrective Actions
- Operator Information – Fatigue Evaluation and Training
- Investigation:
  - Operator event report
  - Field supervision report
  - Employee record/history
  - Post-accident safety inspection
  - Video analysis
  - Communications analysis
- Findings, Potential Causal Factors, and Recommendations (including CAPs)
- Investigator
- Date of Report
- Distribution

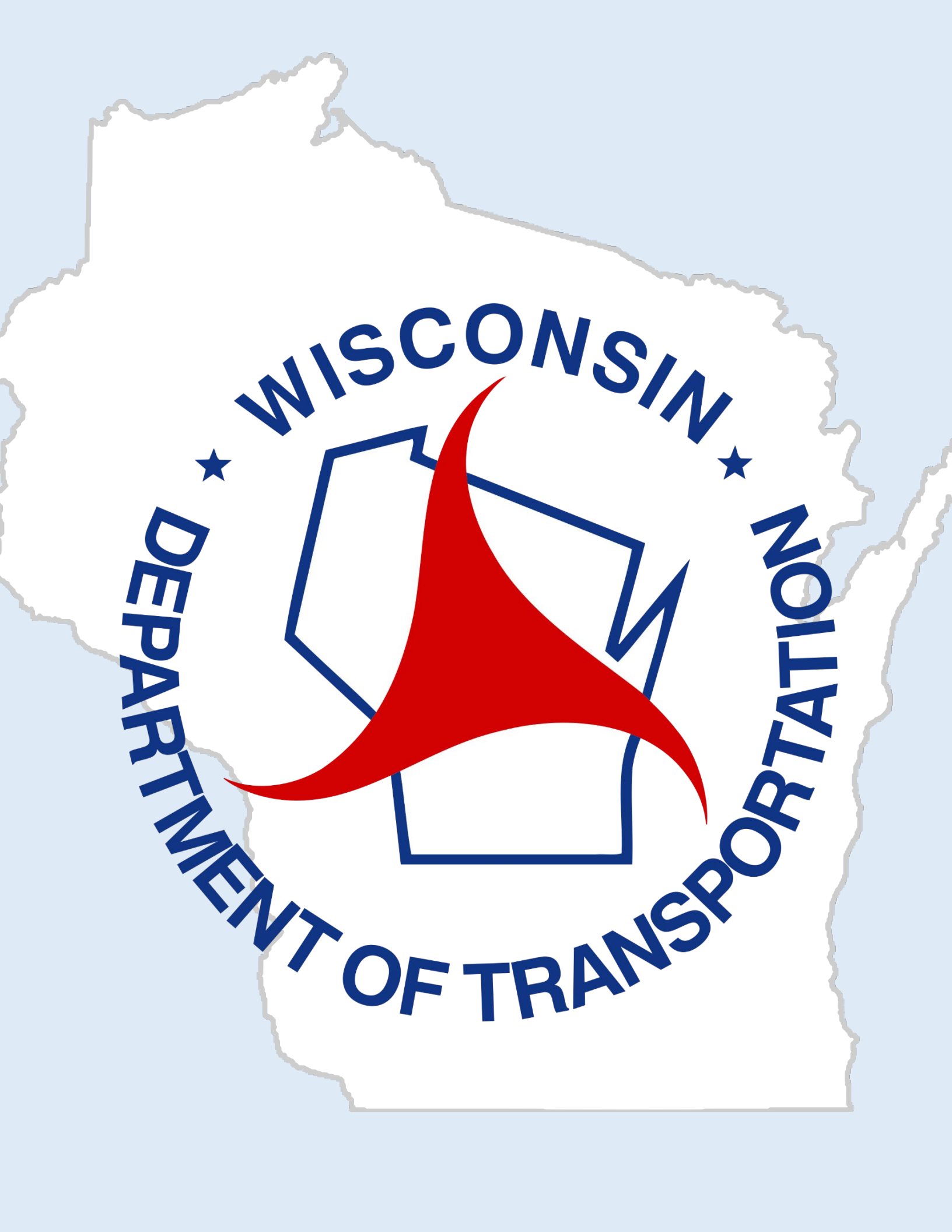
If the WisDOT SSO program staff is the lead investigator, progress and investigation reports will follow the same process and content. The RTA can provide input and comments based on the progress and investigation reports before WisDOT's investigation report is finalized. This may require a meeting between the WisDOT SSO

program and RTA staff to resolve any discrepancies or otherwise address comments or concerns.

If the RTA completed the draft final investigation report, the WisDOT SSO program is required to independently review and agree to the content and conclusions of the investigation report, including primary cause and contributing factors of the safety event being investigated. The WisDOT SSO program also independently reviews and approves any CAPs developed and requires additional evaluation if it is determined that additional or different CAPs are needed.

Once the RTA (or the WisDOT SSO program) indicates that the investigation report is ready for final review, the WisDOT SSO program is required to complete any independent review, discussions with the RTA about content and any changes with the investigation or CAPs, and provide the adoption and approval letter and documentation within 90 days of completion/receipt of the draft final report. The final adopted and approved investigation report and CAPs are the source of required data reporting to FTA on an annual basis, usually by March 15<sup>th</sup> of the following year. De-identification of that information for the annual report to FTA follows Procedure SSO-006 and is applied prior to the final report being complete.





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