

Agenda

Thursday, May 15, 2025

Regular Meeting: 2:00 P.M.

**Location: NCTD Administrative Offices,
810 Mission Avenue, Oceanside, CA 92054**

View Live Stream at:

<https://www.youtube.com/GoNCTD>

MISSION

North County Transit District's mission is to operate an environmentally sustainable and fiscally responsible transit network that provides seamless mobility for all while achieving organizational and operational excellence.

VISION

North County Transit District envisions a comprehensive transit and mobility system that connects all North County San Diego residents and visitors to a healthy, economically vibrant, and thriving region.

For individuals with disabilities, NCTD will provide assistive services. To obtain such services or copies of documents in an alternate format, please call or write, a minimum of 72 hours prior to the event, to request these needed reasonable modifications. NCTD will make every attempt to accommodate requests that do not give 72-hour notice. Please contact the Clerk of the Board at (760) 966-6696 or clerk@nctd.org.

For individuals with sensory disabilities, this document is available in alternate formats. For information, please contact the Clerk of the Board at 760/966-6696 or clerk@nctd.org. Persons with hearing impairment, please use the California Relay Service (CRS): 800/735-2929 TTY; 800/735-2922 voice; 800/855-3000 Spanish. CRS Customer Service: 877/632-9095 English or 877/419-8440 Spanish.

Agenda materials can be made available in alternative languages upon request. To make a request, please call (760) 966-6696 or email clerk@nctd.org at least 72 hours in advance of the meeting.

Los materiales de la agenda de NCTD están disponibles en otros idiomas. Para hacer una solicitud, llame al (760) 966-6696 o por correo electrónico a clerk@nctd.org al menos 72 horas antes de la reunión.

Any writings or documents provided to a majority of the members of the NCTD Board of Directors regarding any item on this agenda will be made available for public inspection at the office of the Clerk of the Board located at 810 Mission Avenue, Oceanside, CA 92054, during normal business hours.

PUBLIC COMMENT

IN-PERSON PARTICIPATION AT THE BOARD MEETINGS: All persons wishing to address the Board of Directors during the meeting can do so in-person. Speakers must complete a “Request to Speak” form provided before entering the Board Room at NCTD, 810 Mission Avenue, Oceanside, CA. The completed form must be given to the Clerk of the Board before that agenda item is called. Members of the public may also submit their comments via email at publiccomment@nctd.org. All comments received prior to the start of the Board or Committee meeting will be provided to the Board/Committee and made available for public inspection on the NCTD website at: <https://gonctd.com/about-nctd/board-information/> prior to the meeting and included in the record of the Board/Committee Meeting.

VIRTUAL PARTICIPATION AT THE BOARD MEETINGS: Pursuant to Government Code section 54953, NCTD is providing alternatives to in-person attendance for viewing and participating in NCTD Board and/or Committee meetings.

Zoom Participation:

Members of the public may view or participate in the meeting through Zoom from a PC, MAC, iPad, iPhone, or Android device, at the following URL: <https://nctd.zoom.us/j/82846871954?pwd=ePwWP5oOePYu8jLGGr4qBW7AVaTH9h.1>
Passcode: 507406

Phone Participation:

To join the meeting by phone, dial 669-900-6833
Webinar ID: 828 4687 1954
Passcode: 507406

If you would like to speak on an agenda item via Zoom during the meeting, you must email the Clerk of the Board at clerk@nctd.org. Please provide the Clerk your name and item number you wish to comment on. *If you plan on calling into the Zoom meeting rather than videoconferencing, you must also provide the telephone number you will be using.* You must be logged on to the Zoom meeting by phone or online to speak. When it is your turn to comment, the Clerk of the Board will call you by name or phone number. Members of the public may register with the Clerk of the Board to speak on an agenda item until the public comment period for that item is closed.

The public may also provide oral comments on agenda items by calling (760) 966-6560. When prompted, the caller should identify the agenda item they wish to speak about and leave a message not to exceed three minutes. All telephonic comments received prior to the start of the Board or Committee meeting will be provided to the Board/Committee prior to the meeting and made available for public inspection on the NCTD website at: <https://gonctd.com/about-nctd/board-information/>.

REGULAR MEETING BEGINNING AT 2:00 PM

- **CALL TO ORDER**
- **ROLL CALL OF BOARD MEMBERS**
- **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- **SAFETY BRIEF & EVACUATION PROCEDURES – Suheil Rodriguez, Director of Administration/Clerk of the Board**
- **CHANGES TO THE AGENDA**
- **PUBLIC COMMUNICATIONS**

There is a time limit of 15 minutes for this section of Public Communications and each speaker is limited to three minutes for their presentation.

All written and/or telephonic comments received by 5:00 p.m. the day before the meeting will be shared with the Board of Directors and made available for public inspection prior to the meeting. Written and/or telephonic comments may not be read aloud or played for the Board of Directors during the meeting. All telephonic and written comments will be made part of the record.

A. MINUTES

Approve Minutes for NCTD's Regular Board Meeting of March 20, 2025

Approve Minutes for NCTD's Special Board Meeting of April 17, 2025

(Suheil Rodriguez, Director of Administration/Clerk of the Board)

B. CONSENT ITEMS 1 – 7

Items reviewed and recommended for approval by the Executive Committee (EXEC), Marketing, Service Planning and Business Development Committee (MSPBD), Performance, Administration and Finance Committee (PAF), Staff (S), or Board (B)

All matters listed under CONSENT are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on the motion, unless members of the Board, the Chief Executive Officer, or the public, request specific items to be discussed and/or removed from the Consent Calendar for separate action. A request from the public to discuss an item must be filed with the Clerk of the Board on the "Request to Speak" form before that agenda item is called.

ITEMS PULLED FROM CONSENT WILL BE MOVED TO THE END OF THE AGENDA

1. Receive the Monthly Intergovernmental Affairs Report (S) (Attachment 1A -1E)
(Mary Dover, Chief of Staff)
2. Receive the Monthly Transit Operations Performance Report for February and March 2025 (S)
(Attachment 2A and 2B)
(Katie Persons, Director of Service Planning)
3. Receive the Marketing, Service Planning, and Business Development Committee Report (S)
(Attachment 3A and 3B)
(Mary Dover, Chief of Staff)
4. Approve Supplemental Agreement No. 05 to Agreement No. 20015 with Swiftly, Inc. for Ridership Analytics and Automatic Passenger Counter Certification Services (S)
(Katie Persons, Director of Service Planning)
5. Authorize the Chief Executive Officer to Execute Change Order No. 01 to Agreement No. 25013 with Vincor Construction, Inc. for the General Administration Office Building Third Floor Improvements (S)
(Tracey Foster, Chief Development Officer)

6. Approve the Public Transportation Agency Safety Plan for Bus and the Combined Public Transportation Agency Safety Plan/System Safety Plan for COASTER and SPRINTER Services (S) (Attachment 6A and 6B)
(Lori A. Winfree, Deputy Chief Executive Officer/Chief General Counsel)
7. Adopt Resolution No. 25-03 Authorizing the Execution of the Certifications, Assurances, and Authorized Agent Forms for the Low Carbon Transit Operations Program for the Purchase of Zero Emission Hydrogen Replacement Buses (S) (Attachment 7A)
(Eun Park-Lynch, Chief Financial Officer)

C. INFORMATIONAL ITEM 8

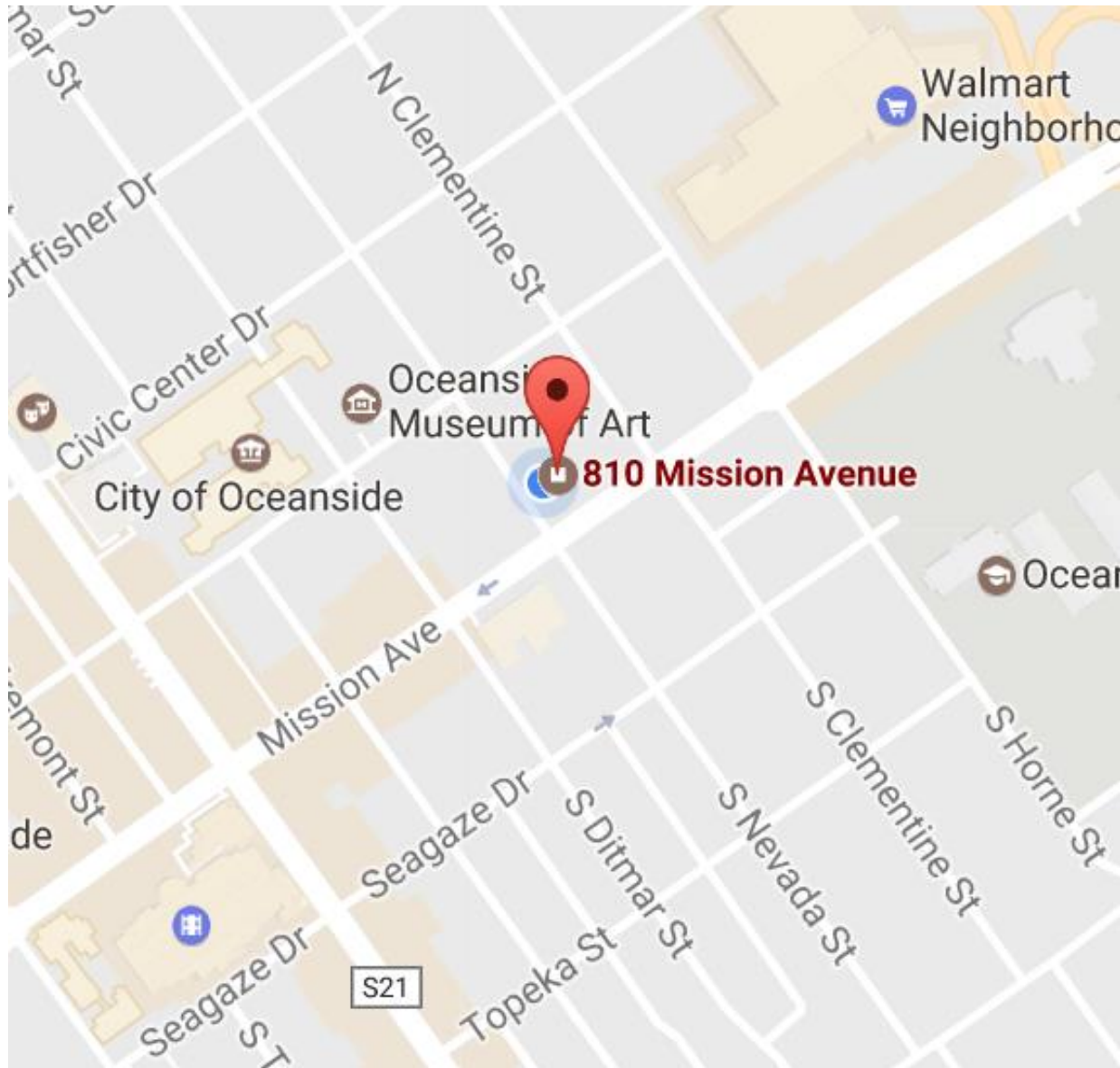
8. Receive an Update Regarding the Development of the Proposed FY2026 Operating Budget and FY2026-2030 Capital Improvement Program (Attachments 8A – 8C)
(Eun Park-Lynch, Chief Financial Officer)
- **CHIEF EXECUTIVE OFFICER’S REPORT**
 - **BOARD MEMBER REPORTS, COMMENTS, AND CORRESPONDENCE**
 - **REMAINING PUBLIC COMMUNICATIONS**
 - For any remaining speakers who have completed a “Request to Speak” form.
 - **ADJOURNMENT**
 - **CERTIFICATIONS AND RULES (FOR BOARD AND PUBLIC INFORMATION)**
 - Posting of Board Agenda (Page 6)
 - Rules for Public Speakers at meetings of the North County Transit District (Page 7)
 - Quorum and Voting Information (Page 8)

Upcoming Meetings:

- ***Marketing, Service Planning and Business Development (MSPBD) Committee Meeting: Wednesday, June 11, 2025 at 12:00 p.m.***
- ***Regular Board Meeting: Thursday, June 26, 2025 at 2:00 p.m.***

All Regular Board and Committee Meetings will be held at NCTD Administrative Offices, 810 Mission Ave., Oceanside CA, unless otherwise provided on public notice.

MAP OF NORTH COUNTY TRANSIT DISTRICT OFFICES



The NCTD Board Chambers is located at NCTD Administrative Offices, 810 Mission Avenue, Oceanside, CA 92054 and is accessible by the COASTER (NCTD Commuter Rail), SPRINTER (NCTD Hybrid Rail), and the BREEZE (NCTD Bus).

Please log onto www.goNCTD.com to check our current routes and schedules, or call 1-800-COMMUTE.

May 12, 2025

To: North County Transit District Board Members
From: Suheil Rodriguez, Clerk of the Board
Subject: POSTING OF REGULAR BOARD AGENDA

In Compliance with the Ralph M. Brown Act, as Amended, the following information is provided.

The Agenda for this Regular meeting of the Board was posted as follows:

Regular Meeting: May 15, 2025 at 2:00 p.m.

Posted At: 810 Mission Avenue, Oceanside, CA

Posted Online At: www.goNCTD.com

Date & Time of Posting: May 12, 2025 by 2:00 p.m.

Posted By: Suheil Rodriguez, Clerk of the Board

Rules for Public Speakers at Meetings of the North County Transit District

Per Board policy, all public communications at meetings of the North County Transit District shall be made and received in accordance with the following procedures:

1. COMMENTS FOR MATTERS NOT ON AGENDA

- A. Total time limit for telephonic comments:
 - Beginning of meeting: 15 minutes
 - End of meeting: No time limit.
- B. Time limit per speaker per meeting: Three minutes, with no donation of time allowed.
- C. Priority: First come, first served. Speakers who registered to speak with the Clerk will be able to address the Board of Directors in the order they were received.
- D. Order on agenda: Comments for matters not on the agenda will be heard at the beginning of the meeting and if the time limit stated in Paragraph A is exhausted, comments that were unable to be heard due to time limit stated above, will be heard at the end of the meeting under *“Remaining Public Communications.”*

2. TIME LIMITS FOR ADDRESSING MATTERS ON THE AGENDA

- A. Total time limit: None.
- B. Time limit per speaker: Three minutes, with one donation of three minutes, for a maximum of six minutes.
- C. These rules apply to both public hearing and non-public hearing items listed on the agenda.
- D. Comments made not germane to the subject matter of the agenda item being considered are out of order.

3. CUTOFF FOR TURNING IN SPEAKER SLIPS

- A. Members of the public may register with the Clerk to speak on an agenda item up until the public comment period is closed.

4. MODIFICATION OF RULES BY CHAIR

- A. The Board Chair may, in his or her absolute discretion, relax the requirements of these rules. However, a decision of the Chair to do so in one instance shall not be deemed a waiver of the rules as to any other instance or matter.

Quorum and Voting

Pursuant to Public Utilities Code § 125102, a majority of the Board members eligible to vote shall constitute a quorum for the transaction of business and all official acts of the Board shall require the affirmative vote of a majority of the members of the Board eligible to vote; however, after a vote of the members is taken, a weighted vote may be called by any two members eligible to vote.

In the case of a weighted vote, the County of San Diego and each city (with exception of the City of San Diego), shall, in total, exercise 100 votes to be apportioned annually based on population. Approval under the weighted vote procedure requires the vote of the representatives of not less than three jurisdictions representing not less than 51 percent of the total weighted vote to supersede the original action of the Board. When a weighted vote is taken on any item that requires more than a majority vote of the Board members eligible to vote, it shall also require the supermajority percentage of the weighted vote. County population: The population of the County of San Diego shall be the population in the unincorporated area of the county within the area of jurisdiction of the Board pursuant to Public Utilities Code § 125052.

Jurisdiction	2023 Estimate	Percentage	Vote
Carlsbad	115,045	12.1%	12
Del Mar	3,918	0.4%	1
Encinitas	61,254	6.4%	6
Escondido	150,571	15.8%	16
Oceanside	172,186	18.1%	18
San Marcos	94,823	10.0%	10
San Diego County	240,653	25.3%	25
Solana Beach	12,831	1.3%	1
Vista	100,113	10.5%	11
Total	951,394	100.0%	100
<i>Source: 2023 Estimate via SANDAG Open Data Portal – Updated November 2024</i>			



**MINUTES OF THE REGULAR MEETING OF THE
NORTH COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS HELD ON MARCH 20, 2025**

REGULAR BOARD MEETING

CALL TO ORDER

Board Chair Priya Bhat-Patel called the Regular Meeting to order at 2:00 p.m.

ROLL CALL OF BOARD MEMBERS

1. Priya Bhat-Patel (City of Carlsbad)
2. Mike Sannella (City of San Marcos)
3. Tracy Martinez (City of Del Mar) – arrived at 2:12 p.m.
4. Jim O'Hara (City of Encinitas)
5. Joe Garcia (City of Escondido)
6. Eric Joyce (City of Oceanside)
7. Jim Desmond (County of San Diego)
8. Jewel Edson (City of Solana Beach)
9. Corinna Contreras (City of Vista)
10. Kent Lee (City of San Diego) – Absent

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Board Member Joyce led the Pledge of Allegiance to the American Flag.

SAFETY BRIEF AND EVACUATION PROCEDURES

Suheil Rodriguez, Clerk of the Board, reviewed emergency evacuation procedures.

CHANGES TO THE AGENDA

None

PUBLIC COMMUNICATIONS

Camila Rang, Del Mar, commented regarding the LOSSAN Realignment Project item that was discussed at the SANDAG Board of Directors meeting on February 28, 2025. She referred to NCTD Chief Executive Officer Shawn Donaghy's comments at the meeting regarding NCTD's obligations to still maintain the railroad as owner on record. She stated that she disagrees that NCTD should continue to run trains on the current alignment if a new realignment option is chosen.

APPROVAL OF THE MINUTES OF THE FEBRUARY 20, 2025 REGULAR BOARD MEETING

ON THE MOTION OF BOARD MEMBER EDSON TO APPROVE THE MINUTES OF THE FEBRUARY 20, 2025 REGULAR BOARD MEETING, SECONDED BY BOARD MEMBER O'HARA.

AYES: BHAT-PATEL, SANNELLA, O'HARA, JOYCE, EDSON, CONTRERAS

NOES: NONE

ABSENT: MARTINEZ, GARCIA

ABSTAIN: NONE

MOTION PASSES.

APPROVAL OF CONSENT ITEMS 1 – 4

1. Receive the Monthly Intergovernmental Affairs Report
2. Receive the Monthly Transit Operations Performance Report for January 2025
3. Receive the Performance, Administration and Finance Committee Chair Report
4. Receive the Unaudited Quarterly Investment Report for the Second Quarter of FY2025
5. Receive the Unaudited Quarterly Financial Report for the Second Quarter of FY2025
6. Receive the Quarterly Safety Report for the Second Quarter of FY2025
7. Receive the Quarterly Security Report for the Second Quarter of FY2025
8. Receive the Quarterly Customer Experience Report for the Second Quarter of FY2025
9. Receive the Quarterly Report of Contract Actions Under the Chief Executive Officer's Authority for the Second Quarter of FY2025
10. Approve Revision 7, Addendum 21 to Master MOU between SANDAG, MTS, and NCTD concerning the Regional Fare Payment System (PRONTO)
11. Award Agreement No. 25034 to Delve Underground for Engineering Support Services of the San Diego LOSSAN Rail Realignment Deliverables
12. Adopt Resolution No. 25-01 Authorizing the Execution of Certifications, Assurances, and Authorized Agent Forms for the Low Carbon Transit Operations Program for the Purchase of Hydrogen Fuel
13. Adopt Resolution No. 25-02 Approving Modifications to NCTD Board Policy No. 8 – *Conflict of Interest Code*
14. Approve Revised FY2025 Classification and Compensation Schedule
15. Waive the Provisions of Board Policy No. 3 – Committees and External Appointments and Board Policy No. 17 – Budget Development, that Require that the Performance, Administration and Finance (PAF) Committee Review Annual Budget Development

ON THE MOTION OF BOARD MEMBER JOYCE TO APPROVE CONSENT ITEMS 1 – 15, SECONDED BY BOARD MEMBER EDSON.

AYES: BHAT-PATEL, SANNELLA, O'HARA, JOYCE, EDSON, CONTRERAS

NOES: NONE

ABSENT: MARTINEZ, GARCIA

ABSTAIN: NONE

MOTION PASSES.

OTHER BUSINESS ITEM 16

16. Conduct Public Hearing to Consider Proposed Elimination of BREEZE Route 444 and Replacement of BREEZE 334 with NCTD+ Service

Katie Persons, Director of Service Planning, provided an overview of the proposal to eliminate BREEZE Route 444 and replace BREEZE Route 334 with NCTD+ service. She stated that NCTD conducted extensive public outreach regarding the eliminations, including launching a dedicated webpage with overviews of proposed changes, information on in-person public outreach events, and the ability to provide public comment. Staff also hosted four publicly noticed, in-person outreach events at Vista Transit Center and at Carlsbad Poinsettia COASTER Station to solicit feedback. NCTD also received 17 written comments and one voicemail from the public regarding the route eliminations.

Board Member Contreras raised concerns about the complete elimination of BREEZE Route 334 and its impact to riders, when there is uncertainty about the sustainability of NCTD+ service. CEO Donaghy responded that there is a commitment from NCTD to provide service to the community currently served by Route 334 in a manner that makes sense for the community, whether that be through continued NCTD+ service or fixed route.

Board Member Edson asked what the estimated cost is of NCTD+ microtransit service in Vista. CEO Donaghy responded that it's about \$700,000 for the service. Board Member Edson added that she is concerned about Route 444 being eliminated since that route has been used by customers as a connection to COASTER service. CEO Donaghy responded that Route 444 has a small number of buses servicing that area during peak hours but it's still underperforming.

Board Member Joyce stated that he would like the Board to discuss the NCTD+ service more in depth in a future meeting.

ON THE MOTION OF BOARD MEMBER DESMOND TO APPROVE OTHER BUSINESS ITEM 16, SECONDED BY BOARD VICE-CHAIR SANNELLA.

AYES: BHAT-PATEL, SANNELLA, MARTINEZ, O'HARA, JOYCE, EDSON, CONTRERAS

NOES: NONE

ABSENT: GARCIA

ABSTAIN: NONE

MOTION PASSES.

CLOSED SESSION ITEM 17

17. Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – Vasquez Gonzalez v. Avila, et al. (San Diego County Superior Court Case No. 37-2023-00044365-CU-PA-NC).

Prior to Closed Session, Vice-Chair Sannella stated on the record that he was recusing himself from this item.

Lori A. Winfree, Chief General Counsel, took the Board into Closed Session at 2:41 p.m. The Closed Session concluded at 3:10 p.m. Chief General Counsel stated that there was no reportable action from the Closed Session.

CHIEF EXECUTIVE OFFICER'S REPORT

CEO Donaghy provided the Board with an overview of the LOSSAN Realignment Project that was discussed at the SANDAG Board Meeting on February 28, 2025. As the owner of the railroad and common carrier designated by the STB and FRA, NCTD has an obligation to maintain the railroad. Whichever realignment option is chosen, the Board will decide on the obligations that NCTD will then have as the owner of the railroad. There is an immense amount of data that SANDAG has collected, and it will be used to make a good decision for the corridor.

Other updates shared were:

- March 18 was Transit Employee Appreciation Day.
- NCTD hosted a Del Mar Bluffs site visit with Senator Schiff on March 1, 2025 to discuss future of the corridor.
- Regional Rodeo was held by the Riverside Transit Agency. NCTD's top bus operator and maintenance team will compete in the International Rodeo in a couple of months.
- NCTD was in DC in February to discuss funding for the agency and the reauthorization bill.
- FY26 Budget discussions are underway, and a presentation is scheduled for May 2025.

BOARD MEMBER REPORTS, COMMENTS, AND CORRESPONDENCE

Board Member Edson gave an update on the LOSSAN corridor ridership. There was a reported 1,282,259 riders in second quarter of FY2024; a 15.1% increase over last year.

REMAINING PUBLIC COMMUNICATIONS

None

ADJOURNMENT

Board Chair Bhat-Patel adjourned the meeting at 3:31 p.m. Submitted by Suheil Rodriguez, Clerk of the Board, for the North County Transit District.

BOARD CHAIR
North County Transit District

CERTIFICATION

I, Suheil Rodriguez, duly appointed and qualified, Clerk of the Board of the North County Transit District, do hereby certify that the above is a true and correct copy of the Minutes of the Regular Board Meeting held on March 20, 2025 approved by the Board of Directors of the North County Transit District adopted at a legally convened meeting of the Board of Directors of the North County Transit District held on May 15, 2025.

CLERK OF THE BOARD
North County Transit District

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**MINUTES OF THE SPECIAL MEETING OF THE
NORTH COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS HELD ON APRIL 17, 2025**

SPECIAL BOARD MEETING

CALL TO ORDER

Board Chair Priya Bhat-Patel called the Special Meeting to order at 2:00 p.m.

ROLL CALL OF BOARD MEMBERS

1. Priya Bhat-Patel (City of Carlsbad)
2. Mike Sannella (City of San Marcos)
3. Tracy Martinez (City of Del Mar) – departed at 3:17 p.m.
4. Jim O'Hara (City of Encinitas) – departed at 4:51 p.m.
5. Joe Garcia (City of Escondido)
6. Eric Joyce (City of Oceanside)
7. Jim Desmond (County of San Diego) – Absent
8. Jewel Edson (City of Solana Beach)
9. Corinna Contreras (City of Vista)
10. Madison Coleman (City of San Diego) – Board Alternate – departed at 4:45 p.m.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Board Vice-Chair Sannella led the Pledge of Allegiance to the American Flag.

SAFETY BRIEF AND EVACUATION PROCEDURES

Suheil Rodriguez, Clerk of the Board, reviewed emergency evacuation procedures.

CHANGES TO THE AGENDA

None

PUBLIC COMMUNICATIONS

None

APPROVAL OF CONSENT ITEM 1

1. Set Public Hearing for June 26, 2025 to Consider Adoption of the FY2026 Operating Budget and FY2026-FY2030 Capital Improvement Program and Authorize Certain Related Actions

ON THE MOTION OF BOARD MEMBER EDSON TO APPROVE CONSENT ITEM 1, SECONDED BY BOARD VICE-CHAIR SANNELLA.

AYES: BHAT-PATEL, SANNELLA, MARTINEZ, O'HARA, GARCIA, JOYCE, EDSON, CONTRERAS

NOES: NONE

ABSENT: DESMOND

ABSTAIN: NONE

MOTION PASSES.

After a brief introduction from the Executive Team, the Board continued with Information Items.

INFORMATIONAL ITEMS 2 – 5

2. Receive an Overview of NCTD Services

Katie Persons, Director of Service Planning, provided an overview of NCTD services.

Board Member Contreras thanked staff for their hard work and is supportive of increasing frequency on the SPRINTER. She also added that NCTD should write a letter to the Federal Administration explaining what NCTD's initiatives are as an agency.

Board Member Edson asked about SPRINTER constraints due to freight service and if it is possible to double track the rail. CEO Donaghy responded that when there is no longer a need for temporal separation with freight services, NCTD would like to increase the frequency on the SPRINTER. Edson further asked about investments in hydrogen fuel by the federal government. CEO Donaghy responded that investments in hydrogen must be made in the state before the federal government can provide funding. Board Member Edson asked about the status of the Bus Network Redesign grant. Ms. Persons responded that the grant has been submitted to Caltrans and NCTD hopes to receive an award by summer.

Vice Chair Sannella asked about the timeline for the COASTER to be able to stop at the Convention Center. CEO Donaghy responded that the groundbreaking is anticipated early next year, and it will take 12-18 month to complete the project.

3. Receive an Update on Intergovernmental Affairs

Mary Dover, Chief of Staff, gave an overview of the political landscape in the federal, state and local levels. She explained that NCTD is working with partners at all levels of government to advocate for the District's priorities in policy and funding legislation. Congress is beginning the process to reauthorize surface transportation legislation, which sets federal policy and levels of funding for highway, transit, and rail programs. The California Legislature is also beginning the process to reauthorize the Cap-and-Trade program, which provides funding for several transit

grant programs. Additionally, NCTD is considering potential changes to its enabling legislation to provide greater flexibility in procurement, construction, and revenue-generating practices, which will need to be approved by the California Legislature.

Lori Winfree, Deputy Chief Executive Officer/Chief General Counsel, explained NCTD's taxing authority per its enabling legislation. She explained that operating revenue generation is limited for NCTD.

Board Member Edson asked about a "carve out" specific to train service, as LOSSAN does. CEO Donaghy responded that this would be challenging.

Board Alternate Coleman asked if NCTD can look into acquiring funds from philanthropic agencies to serve as gap funding. CEO Donaghy responded that this can be considered if it's in the best interest of the agency; however, this may not be fully sustainable since private firms can halt funding at any moment.

Board Chair Bhat-Patel asked if NCTD will request to maintain the same level of funding for cap-and-trade reauthorization. Mary Dover responded that, at a minimum, NCTD will request that it keeps the same level of transit funding, if not more. Board Chair Bhat-Patel also asked to explain how NCTD would potentially function in a similar manner as MTS, in regard to its enabling legislation. Mary Dover explained that MTS is set up as a regional transportation planning agency (RTPA) and, therefore, receive their funds from the state directly, as outlined in SB125. SANDAG serves as NCTD's RTPA, so NCTD receives their funding through SANDAG. NCTD is discussing options of becoming its own RTPA and would welcome the Board's support in this endeavor. CEO Donaghy added that although NCTD's enabling legislation is an apparent roadblock, NCTD must have a clear initiative to find applicable sources of revenue so it can continue running service, which requires NCTD to be thoughtful and respectful as it does so.

Board Member Joyce asked what determines how much funding NCTD gets. Mary Dover responded that the majority of funds NCTD receives are set by formula. As it relates to SB125, NCTD made a strong case to SANDAG that the funds were needed for transit purposes and how they were to be spent before being released.

Board Member Contreras mentioned that SANDAG and the County of San Diego recently received a Caltrans Strategic Partnership grant for the development of VMT (vehicles miles traveled) mitigation in the County and asked if NCTD can benefit from that. Mary Dover responded that NCTD's Planning department has participated in a study by SANDAG, but it's meant to identify potential projects to mitigate VMT and will not necessarily result in a funding source. Board Member Contreras added that NCTD should clearly communicate its priorities to SANDAG and the County.

4. Receive an Update on NCTD's Five-Year Financial Outlook

Eun Park-Lynch, Chief Financial Officer, provided an update on NCTD's five-year financial outlook ahead of the operating budget discussions slated for the May Board meeting. Staff provided information on different funding sources and the restrictions on how NCTD can use federal and state funding. Federal funding distributed to NCTD must be used for capital and preventative maintenance expenses and requires a 20% non-federal match. NCTD must utilize operations funding to provide this non-federal match, limiting the amount of available funding for operations. NCTD is continuously identifying opportunities for efficiencies. However, if additional

funding sources are not identified, which could include a sales tax measure, NCTD may be required to review its service network to manage costs.

Vice Chair Sannella asked if any future transit-oriented developments (TOD) will produce any viable revenue. Park-Lynch responded that estimates for current TOD projects would not produce significant revenue for the District and, hence, were not included in the budget projections. He also asked if NCTD has thought about raising fares to compensate for the lack of funding. CEO Donaghy responded that this is being considered but all fare changes must be approved by SANDAG. SANDAG, MTS and NCTD are currently conducting a study that may determine an increase in regional fares.

Board Member O'Hara mentioned that increasing fares may not make much of an impact to the budget. He believes NCTD needs to be able to do more with what it has.

Board Member Contreras mentioned that a proposal to discuss the agency's fare structure was mentioned during the Performance, Administration and Finance Committee in February. She stated that NCTD should look at ways to generate revenue by way of naming rights, EV charging, and other opportunities.

Board Member Edson noted that the funding for the Youth Opportunity Pass (YOP) is only available through FY26. Although the consensus is that the program is useful, new funding to sustain it has not been identified beyond FY26.

Board Alternate Coleman asked about dynamic pricing on the modes. CEO Donaghy replied that this exists today on COASTER but anything NCTD does as an agency must be in lock step with MTS.

Board Member Joyce asked who mandates NCTD's insurance coverage. DCEO and Chief General Counsel Winfree responded that the statutory cap is a federal cap and that NCTD presently has 13 layers of insurance to reach the cap that is acquired through the overseas insurance market. NCTD expects to see an increase in insurance premiums as a result of world events and price increases. NCTD also expects to see increases in parts for its modes, due to tariff increases and inflation.

Board Member Garcia mentioned that the YOP is a successful program and SANDAG is currently seeking long-term funding for it. The City of Escondido has among the highest ridership on NCTD's system. Public transportation is not only the least expensive option, but, for some, the only option.

Board Member O'Hara suggested adjusting our legislative outreach to either oppose items to mitigate costs or advocate for change to help NCTD acquire more funding. CEO Donaghy currently serves on the Executive Committee of American Public Transportation Association and as the President of Bus Coalition and as such, has been advocating for legislative change. Dover responded that NCTD's Legislative Agenda that was approved by the Board authorizes NCTD to oppose any legislation that has an unfunded mandate.

Board Chair Bhat-Patel would like to discuss the fare structure in the near future. Dover responded that NCTD has asked SANDAG to conduct a study that will assess the fare structure. It is also slated for discussion at the next Performance, Administration and Finance Committee meeting. The Board Chair further asked if there a survey that NCTD can conduct that will allow

us to know the socioeconomic background of the riding public, in order to determine if a fare increase is feasible. Katie Persons responded that SANDAG conducts a regional fare survey to customers every five years, with the most recent one being completed in 2023. This report can be shared with the Board upon future discussion of the regional fare structure.

Board Member Edson asked if NCTD has considered overlapping service within the Metrolink service area. CEO Donaghy responded there have been discussions to overlap service with Metrolink but specifics on formula funding will need to be addressed.

The Board took a small recess at 4:40 p.m. and resumed at 4:50 p.m.

5. Conduct Board Workshop on Long-Range Plan

Shawn M. Donaghy, CEO, presented an overview on the District's initiatives, such as: mode share, agency's branding, capital projects, outsourcing, insourcing, and staffing. One of NCTD's objectives is to modify legislation so that NCTD can be in control of its own funding and management of its activities. As the railroad of record in San Diego, this is paramount for the area.

Board Member Edson agrees that a large portion of funds get allocated to SANDAG when managing NCTD's projects. She also asked how Senate Bill 79, which adds a streamlined, ministerial review for projects that meets a Transit Oriented Development (TOD) criteria in low to high frequency corridors, may impact NCTD. CEO Donaghy responded that NCTD staff will not make decisions on TOD projects without the knowledge or approval of the Board. NCTD is waiting on further clarification of this bill.

Board Member Contreras requested a report on what improvements plan to be completed at Vista Transit Center and how NCTD can improve the customer experience.

Board Member Garcia thanked NCTD for the increased security presence at the Escondido Transit Center. The result has been a reduction of criminal incidents. In his experience, he finds that good wayfinding makes it easier to take public transit. He hopes NCTD can improve station signage to possibly increase ridership.

Board Member Joyce commented that he'd like NCTD to be a driver in economic mobility. In Oceanside, residents are being displaced due to financial burden. He hopes that NCTD can improve the stations, like Oceanside Transit Center, and enhance the customer experience.

Vice Chair Sannella is excited about the new Convention Center platform and hopes to keep microtransit service in San Marcos and Vista. He suggests that NCTD increase transparency on data regarding all modes to the public. CEO Donaghy agrees this is very important so riders can see data in real time and have it readily available.

Board Chair Bhat-Patel reemphasized the need to increase NCTD's presence with local stakeholders, chambers, employment centers, etc. As an active member of Cal Cities, she suggested that NCTD present at one of their meetings to show them NCTD's initiatives and its positions on legislative bills. She agrees that having ridership data be more accessible is important to the community.

Board Member Contreras suggested the improvement of real-time communication and increased amenities and resources at stations while waiting when incidents occur. CEO Donaghy agreed there are many opportunities to improve real-time communication to customers.

CHIEF EXECUTIVE OFFICER'S REPORT

None

BOARD MEMBER REPORTS, COMMENTS, AND CORRESPONDENCE

None

REMAINING PUBLIC COMMUNICATIONS

None

ADJOURNMENT

Board Chair Bhat-Patel adjourned the meeting at 6:00 p.m. Submitted by Suheil Rodriguez, Clerk of the Board, for the North County Transit District.

BOARD CHAIR
North County Transit District

CERTIFICATION

I, Suheil Rodriguez, duly appointed and qualified, Clerk of the Board of the North County Transit District, do hereby certify that the above is a true and correct copy of the Minutes of the Special Board Meeting held on April 17, 2025 approved by the Board of Directors of the North County Transit District adopted at a legally convened meeting of the Board of Directors of the North County Transit District held on May 15, 2025.

CLERK OF THE BOARD
North County Transit District

For individuals with sensory disabilities, this document is available in alternate formats. For information, please contact the Clerk of the Board at 760/966-6553. For persons with hearing impairment, please use the California Relay Service (CRS): 800/855-7100 TTY; 800/855-7100 voice; 800/855-7200 Spanish. CRS Customer Service: 877/546-7414 or 800-867-4323 TTY.

STAFF REPORT | **RECEIVE THE MONTHLY INTERGOVERNMENTAL AFFAIRS REPORT**

Time Sensitive: ☐ Consent: ☒

**STAFF
RECOMMENDATION:**

Receive the Monthly Intergovernmental Affairs Report for March and April 2025.

**BACKGROUND
INFORMATION:**

Attached are the Monthly Intergovernmental Affairs Reports for March and April as well as the Status of Tracked Legislation Report for April 2025 (Attachments A, B, C, D, and E) submitted by Holland & Knight and Townsend Public Affairs. These monthly reports provide updates on federal and state legislative activity impacting the North County Transit District (NCTD). Highlights of the March and April reports include:

Legislative Activity and Updates – Federal:

Federal Budget Update – Speaker of the House Mike Johnson announced that Republican leadership will seek to pass a budget reconciliation package before Memorial Day. On April 10, the House passed a budget resolution previously approved by the Senate to allow House and Senate committees to begin drafting the reconciliation bill. The reconciliation bill may also include an extension of the federal debt ceiling. The Bipartisan Policy Center predicts that the United States will default on its national debt between mid-July and early October if Congress does not raise the debt ceiling.

Federal Appropriations Update – On March 14, Congress passed a six-month continuing resolution (CR) to fund the federal government through September 30. The CR included a small increase in military spending and a \$13 billion cut from Fiscal Year (FY) 2024 domestic spending. Additionally, the CR excludes Community Project Funding and Congressionally Directed Spending requests in the House and Senate FY 2025 appropriations bills. In FY 2025, Representative Scott Peters advanced NCTD's request for \$250,000 for BREEZE bus stop improvements through community project funding. Due to the passage of the CR, NCTD resubmitted this request to Representative Peters for FY 2026.

Department of Transportation (DOT) Secretary Releases Letter to Recipients of Federal Funding – DOT Secretary Sean Duffy issued a letter to all recipients of federal transportation funding stating that they must comply with federal laws or face enforcement actions – including comprehensive audits and possible recovery of funds. The letter maintains that to remain in compliance with federal laws, recipients of federal transportation funding must cooperate with federal immigration enforcement and end all policies, programs, or activities designed to achieve diversity, equity, and inclusion.

Department of Transportation Announces New Internal Guidance for Discretionary Grants – DOT Secretary Sean Duffy announced new internal guidance for pending grant awards between FY 22 and FY 25 through the *Infrastructure Investment and Jobs Act*. DOT will conduct additional reviews of all previous awards without fully obligated grant agreements before authorizing any additional funding. The purpose of the review is to identify project scope and

activities that conflict with the Trump Administration's priorities. After the review, DOT staff will determine whether projects should continue, be revised with reduced or modified scope, or be canceled completely.

Marcus Molinaro Receives Confirmation Hearing for FTA Administrator – On March 27, Marcus Molinaro received a confirmation hearing from the Senate Banking, Housing, and Urban Affairs Committee. Molinaro highlighted his commitment to FTA's contractual obligations, advocated for FTA's discretionary grant programs, and committed to administer grant awards obligated under the *Infrastructure Investment and Jobs Act*. Molinaro requires confirmation by the full Senate before he can assume the role of FTA Administrator.

Legislative Activity and Updates – State:

Early Action Budget Bills – The Assembly and Senate budget committees passed AB100 and SB100, or "Budget Bill Jr." The identical bills address urgent funding needs ahead of the full budget process with a focus on health care and wildfire recovery. Notably, the bills authorize an additional \$17 million to support the Clean Cars 4 All program which offers financial incentives to low-income residents to replace old vehicles with newer and cleaner alternatives. Governor Newsom signed AB 100 into law on April 10.

State Budget – California's personal and corporate income tax revenues in February were \$3.2 billion, 28.1% above projections. Additionally, the February General Fund cash receipts were \$2.3 billion, exceeding the Governor's Budget forecast by 24.9%. Medi-Cal, the state's Medicaid program for low-income residents, faces financial challenges as a recent estimate revealed a \$2.8 billion cost overrun for 2024-25 due to increased enrollment, higher caseloads, and rising pharmaceutical costs. To address immediate budget shortfalls, the state approved a \$3.44 billion General Fund loan to ensure continued provider payments.

Cap and Trade Program Extension – Governor Newsom and state legislative leaders announced that they will begin work to reauthorize California's Cap and Trade program before it expires in 2030. The Cap-and-Trade program requires entities to pay the state for greenhouse gas (GHG) emissions that exceed regulatory limits. Proceeds from Cap-and-Trade are deposited into the Greenhouse Gas Reduction Fund (GGRF) and support a wide range of programs and projects that facilitate the reduction of GHGs throughout the state. During the reauthorization process, lawmakers may propose changes to how funds in the GGRF are appropriated.

Joint Hearing on Declining Gas Tax Revenues – The Senate and Assembly Transportation Committees held an informational hearing to discuss the decline of gas tax revenues in California. Panelists testified that state programs such as the State Transportation Improvement Program (which allocates funds for intercity rail and regional transit improvements) will need new sustainable funding sources to remain solvent. The California Transportation Commission highlighted that their State and Local Transportation System Needs Assessment estimated \$758 billion in transportation and infrastructure needs throughout the state – but only \$541 billion in revenues. Recommendations from the hearing included exploring a wide variety of tax and fee options, charging a package of fees against different activities, and continuing to balance transportation needs, raising revenue, charging fairly, and influencing behavior.

Grant Activity

Below is an overview of successful grant awards in Calendar Year (CY) 2024, as well as successful and pending awards year-to-date in CY 2025. NCTD was the lead applicant for these grant applications, except where otherwise noted.

CY 2024	CY 2025	
Successful Awards	Pending Awards	Successful Awards
San Dieguito Double Track Phase 2 (INFRA) \$53.9 million	Bus Stop Improvements (Community Project Funding) \$250,000	
Battery Electric Buses (Community Project Funding) \$500,000	Bus Network Redesign (Caltrans) \$446,307	
San Dieguito Double Track Phase 2 (SANDAG – ITIP) \$62 million	Buena Creek Grade Separation (Caltrans) \$262,467	
SPRINTER Double Tracking – East (RAISE) \$10.2 million	SPRINTER Infrastructure Investment Program (BUILD) \$3.2 million	
San Dieguito Double Track Phase 2 (SB 125) \$36.4 million	SPRINTER Platform and Track Design (Community Project Funding) \$1.2 million	
Eastbrook to Shell Double Track and DMB5 (TIRCP) \$38.5 million	Sorrento Valley Signal Modernization (Community Project Funding) \$3,816,000	
Gender Action Plan (Caltrans) \$367,591	LOSSAN PTC – NSS, Lab Upgrades, and WabTrax Software (Community Project Funding) \$1,880,000	
Transit Signal Priority – 303 (Caltrans) \$344,521	Buena Creek PSR (Community Project Funding) \$240,000	
Total Successful: \$202,212,112	Total Pending: \$4,158,774	

ATTACHMENT: 1A – Federal Monthly Legislative Report (Holland & Knight) – March 2025
 1B – State Monthly Legislative Report (Townsend) – March 2025
 1C – Federal Monthly Legislative Report (Holland & Knight) – April 2025
 1D – State Monthly Legislative Report (Townsend) – April 2025
 1E – Status of Tracked Legislation Report (Townsend) – April 2025

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

STAFF CONTACT: **Mary Dover, Chief of Staff**
 E-mail: mdover@nctd.org Phone: 760-967-2895

Memorandum

Date: April 11, 2025

To: North County Transit District

From: Holland & Knight LLP

Re: Federal Update – March 2025

This memorandum provides an overview of federal policy developments of importance to the North County Transit District, including those related to:

- Budget Reconciliation Update
- FY 2025/FY 2026 Appropriations Update
- DOT Issues New Internal Discretionary Grants Guidance
- DOT Releases Safe Streets and Roads for All Funding Opportunity
- Marc Molinaro Receives Confirmation Hearing
- Secretary Duffy Testifies Before Senate EPW Committee on Priorities for Surface Transportation Reauthorization Bill

Budget Reconciliation Update

- Republicans in the House and Senate are continuing their work on a budget reconciliation package that will allocate funding for defense, energy, and border security, reauthorizes the 2017 Tax Cuts and Jobs Act, and cuts domestic spending.
- On April 10, the House narrowly passed a budget resolution previously advanced by the Senate, which will allow House and Senate committees to formally draft the reconciliation bill. Despite the House clearing the key procedural hurdle, there remain key divides among the House Republican conference over the amount of spending cuts and certain tax provisions included in a final bill. House Speaker Mike Johnson announced that he would like to pass a bill before Memorial Day, which will require the Speaker, Senate Majority Leader John Thune (R-SD), and President Trump to weigh in with holdouts to meet the Speaker's goal.
- A reconciliation bill could also include an extension of the federal debt ceiling. The Bipartisan Policy Center (BPC) released its [Debt Limit Analysis](#), predicting that the United States is anticipated to default on its \$36 trillion national debt between mid-July and early October if Congress does not act to raise the debt ceiling.

FY 2025/FY 2026 Appropriations Update

- On March 14, Congress passed a six-month continuing resolution (CR) that extends government funding through September 30. This option did not include Community Project Funding and Congressionally Directed Spending requests that were in the House/Senate FY25 appropriations bills.
- After urging Republicans to pass a one-month short-term CR to provide Congress additional time to negotiate FY25 funding bills and voicing opposition to the six-month CR, Senate Minority Leader Chuck Schumer announced on Thursday, March 13, that he would support the six-month CR, paving the way for the House-passed CR to get through the Senate. Schumer's announcement that he would support the CR led to an uproar among Democrats, including those in his caucus and in the House. The CR includes a slight increase in military spending and a \$13 billion cut from FY24 levels in domestic nondefense spending.
- House Appropriations Committee Chair Tom Cole released guidance for the House's FY26 community project funding and programmatic request process. Chair Cole has announced that members will continue to be limited to 15 requests for FY26. In advance of the guidance, some members have released their community project funding (CPF) forms, while many waited for the Chairman to release the respective full committee and subcommittee guidance.
- On April 10, the Senate released its Congressionally Directed Spending guidance.

DOT Issues New Internal Discretionary Grants Guidance

- DOT Secretary Sean Duffy released new internal guidance his Department would implement while overseeing the pending funding awarded from FY 2022 through FY 2025 through the Infrastructure Investment and Jobs Act (IIJA). The Department notes that projects with executed grant and cooperative agreements in place that are fully obligated are not subject to the guidance.
- For prior awards without fully obligated grant agreements, the Department will conduct additional reviews of projects before it authorizes additional funding for the project. The guidance asserts that "the focus of this review is to identify project scope and activities that are allocating funding to advance climate, equity, and other priorities counter to the Administration's Executive Orders."
- Below are the executive orders the Department requires all grant agreements to be in compliance with:
 - [Executive Order 14148](#), Initial Rescissions of Harmful Executive Orders and Actions;
 - [Executive Order 14154](#), Unleashing American Energy

Holland & Knight

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- [Executive Order 14151](#), Ending Radical and Wasteful Government DEI Programs and Preferencing
 - [Executive Order 14168](#), Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government
 - [Secretarial Order 2100.7](#), Ensuring Reliance Upon Sound Economic Analysis in Department of Transportation Policies, Programs, and Activities Secretarial Memorandum on Implementation of Executive Orders Addressing Energy, Climate Change, Diversity, and Gender
- The Department noted the following project elements that would trigger a review of a project: “equity activities, Diversity, Equity, and Inclusion (DEI) activities, climate change activities, environmental justice (J activities, gender-specific activities, when the primary purpose is bicycle infrastructure (i.e., recreational trails and shared-use paths, etc.), electric vehicles (EV), and EV charging infrastructure.”
 - Once a review has been completed, the Department will determine whether a project should continue in its current form with no change, be revised with a reduced or modified scope, or be canceled entirely. Projects that are recommended to adjust their scope, are to eliminate and, where possible, replace aspects of the project that run counter to the administration’s priorities.

DOT Releases Safe Streets and Roads for All Funding Opportunity

- DOT released the notice of funding opportunity (NOFO) for the Safe Streets and Roads for All (SS4A) Grant Program. This program provides funding to local entities to plan and develop measures that reduce pedestrian fatalities and increase roadway safety. All applications for SS4A are due June 26, 2025.
- This notice makes available up to \$982,260,494 for FY 2025 grants:
 - \$580,000,000 is available for Implementation Grants
 - Expected number of awards: 40 to 70
 - Expected funding range: \$2,500,000 to \$25,000,000
 - \$402,260,494 is available for Planning and Demonstration Grants
 - Expected number of awards: 400 to 700
 - Expected funding range: \$100,000 to \$5,000,000
- Notably, the NOFO removed all mentions of prior Biden Administration criteria such as climate change, environmental justice, and equity. However, the NOFO calls on applicants to consider factors such as how the proposed project would benefit underserved communities.

Marc Molinaro Receives Confirmation Hearing

- On March 27, the Senate Banking, Housing, Urban Affairs Committee held a [hearing](#) concerning multiple confirmations, including that of Marc Molinaro for FTA

administrator. The hearing centered around themes of workforce development, transparency and accountability, rural transit, and his commitment to transit infrastructure projects. Overall, Molinaro expressed commitment to following the contractual obligations of the FTA and advocating for grant money to be released to transit entities.

- Committee members asked about the status of infrastructure projects and funding under the Infrastructure Investment and Jobs Act (IIJA). Molinaro committed to ensuring that authorized funds continue to flow and that projects already in progress remain on track. He emphasized the importance of adhering to contractual obligations and ensuring that federal funds are used effectively to support transit infrastructure.
- Molinaro is expected to be swiftly confirmed by the Senate when his nomination reaches the Senate floor.

Secretary Duffy Testifies Before Senate EPW Committee on Priorities for Surface Transportation Reauthorization Bill

- On April 2, DOT Secretary Sean Duffy testified before the Senate Environment and Public Works (EPW) Committee in a hearing entitled: “[Constructing the Surface Transportation Reauthorization Bill: United States Secretary of Transportation’s Perspective](#)”. The goal of the hearing was to discuss the Trump Administration’s policies for the next surface transportation reauthorization bill, to be passed after the Bipartisan Infrastructure Law (BIL) expires in September 2026.
- During the hearing, Secretary Duffy and EPW Ranking Member Sheldon Whitehouse (D-RI) clashed over the DOT’s decision to freeze funding for certain infrastructure projects to review their alignment with climate and social justice priorities.
- Secretary Duffy also noted during the hearing that the Department is evaluating the cost of a new air traffic control system and revising guidance for the \$5 billion National Electric Vehicle Infrastructure Formula Program (NEVI), which has faced delays.
- While being questioned by Sen. Adam Schiff (D-CA). Secretary Duffy indicated that his Department would continue to support the \$150 million Otay Mesa East land port of entry project.
- Secretary Duffy assured the committee that recent personnel cuts at DOT have not impacted the grant agreement process and mentioned ongoing collaboration with the Office of Personnel Management on a reduction in force plan.

MEMORANDUM

To: North County Transit District Board of Directors
Mary Dover, Chief of Staff

From: Townsend Public Affairs
Casey Elliott, Vice President
Spencer Street, Senior Associate

Date: April 2, 2025

Subject: March 2025 Legislative Monthly Report

STATE UPDATES

In March, the Legislature saw significant activity, including numerous amendments to recently introduced bills and a series of policy committee hearings with robust agendas. As the first house policy committee season progresses, lawmakers conduct in-depth evaluations of proposed legislation, assess potential impacts, and determine which measures will advance to the appropriations committee for fiscal review (if applicable) and eventual floor consideration in their House of Origin. This phase is critical for refining bill language, incorporating amendments, and engaging stakeholders in policy discussions.

This legislative pace is expected to continue through April and May, leading up to the June 6 deadline for bills to advance to the second house. Next month, the Legislature will adjourn for Spring Recess on April 10 and reconvenes on April 21. Legislative focus will shift to the state budget process in May, coinciding with the release of the Governor's May Revision to the January budget proposal.

Beyond the legislative progress, March also saw significant developments in key policy priorities, particularly in wildfire relief and recovery efforts following the devastating January wildfires in Los Angeles.

STATE BUDGET

Prominent Performance from February Income Tax Receipts

The state's personal and corporate income tax revenues surged unexpectedly in February, coming in 28.1% above projections. Year-to-date, these income taxes are now \$3.2 billion (3.5%) higher than Governor Newsom's January budget proposal estimates, offering a slight safety net considering projections were made before tax filing deadlines were extended for Los Angeles County due to wildfires.

Other factors in the state's performance include personal income tax withholdings exceeding projections by 11.3% and corporate tax refunds falling short of forecasts by 52.1%, further

bolstering net receipts. Economic uncertainty still looms as the stock market fluctuates, and federal trade policy impacts could dampen income from capital gains, bonuses, and corporate profits.

February Revenues Exceed Estimates

In March, the Department of Finance released its current [Finance Bulletin](#) with positive news that February General Fund cash receipts were \$2.3 billion, or 24.9%, above the Governor's Budget forecast. This brings year-to-date revenues of \$4.6 billion, or 3.8%, above estimates despite the Governor's Budget being crafted before the tax filing deadline was extended for Los Angeles County taxpayers impacted by the recent wildfires.

Personal income tax and corporation tax receipts drove February's performance at \$1 billion and \$296 million above projections, respectively, while sales and use tax receipts dropped \$167 million below estimates. With just a couple of months until the Governor's May Revise, the Senate and Assembly Budget Committees are busy holding Subcommittee hearings soliciting updates and proposals from state departments, but most items are held open until a later date pending action before the adoption of a final budget bill.

Medi-Cal Update

Medi-Cal, the state's Medicaid program for low-income residents, faces financial challenges amid potential federal funding cuts. While the exact details of these cuts remain uncertain, Medi-Cal's budget is already experiencing cost overruns. The program's budget is [projected](#) at \$174.6 billion for 2024-25 and \$188.1 billion for 2025-26, with more than \$100 billion of its annual costs funded by the federal government. Managed care organization (MCO) taxes also play a key role in supplementing state funding. Despite this, recent estimates revealed a \$2.8 billion cost overrun for 2024-25 due to increased enrollment, higher caseloads, and rising pharmaceutical costs.

Medi-Cal has expanded significantly in recent years, broadening eligibility for various populations, including undocumented residents. According to the California Health Care Foundation, this expansion is part of the state's broader effort to reduce its uninsured rate, which has fallen to a historic low of 6%. However, cost projections remain complex, with overruns and savings due to fluctuating enrollment and funding structures. To address immediate budget shortfalls, the state recently approved a [\\$3.44 billion General Fund loan](#) to ensure continued provider payments—one of the most significant such loans in recent years.

Looking ahead, the state faces growing fiscal challenges, including projected state budget deficits [exceeding \\$10 billion annually](#). The expiration of key revenue sources by 2030, coupled with rising medical costs and potential federal funding reductions, could further strain Medi-Cal's financial stability.

STATE LEGISLATURE

Legislators Announce the “Fast Track Housing Package”

On March 27, a bipartisan and bicameral group of legislators unveiled a Fast Track Housing package designed to tackle the state's housing crisis. The legislators announcing the package included Assembly Members Buffy Wicks (D-Oakland), Matt Haney (D-San Francisco), Tina McKinnor (D-Inglewood), Juan Carrillo (D-Palmdale), Josh Hoover (R-Folsom), David Alvarez (D-

San Diego), Senator Tim Grayson (D-Concord) and Alex Fisch (Special Assistant to Attorney General Rob Bonta).

The package, comprised of over 20 bills aimed at accelerating housing production, builds on recommendations from the March 2025 [Final Report](#) of the Assembly Select Committee on Permitting Reform chaired by Assembly Member Wicks.

Central to the legislation package are efforts to reduce bureaucratic hurdles, streamline housing approvals, and reform processes such as CEQA. Although originally designed to protect the environment, CEQA is frequently exploited by project opponents to litigate new developments, resulting in prolonged and costly delays. Despite multiple reform efforts, many projects continue to face slow permitting due to CEQA-related litigation and administrative obstacles.

The measures in the package are expected to be assigned to the appropriate policy committees for review and consideration, if not already, ahead of the policy committee deadlines, which are scheduled for early May 2025. The policy committee assignments will initiate the formal process of hearings and deliberations, allowing for thorough examination and discussion before moving forward in the legislative process.

The measures included in the package are organized by five key obstacles that supports say can delay housing development:

1. **Application:** The process of getting the housing project “in the door” to be reviewed by the local government.
2. **California Environmental Quality Act (CEQA):** The process of analyzing how the housing project affects the environment.
3. **Entitlement:** The process of getting the project approved for construction by the local government.
4. **Post-Entitlement:** The process of coordinating the permits necessary to build the housing development, including demolition, grading, and building permits.
5. **Enforcement:** The part of the process where the laws are interpreted, and the rights of all parties are upheld.

The measures are listed below, organized by the key housing project development obstacles listed above:

Application

- [AB 1294 \(Haney\)](#): Establishes a statewide uniform application for housing projects that comply with local laws, creating consistency across jurisdictions. *Sponsored by Abundant Housing LA.*

California Environmental Quality Act (CEQA)

- [AB 609 \(Wicks\)](#): Creates an exemption from the California Environmental Quality Act (CEQA) for housing projects that are compliant with local laws and in environmentally

friendly locations, as specified.

This measure is sponsored by CA YIMBY and Bay Area Council.

- **SB 607 (Wiener):** Proposes numerous CEQA reforms including focusing analysis, expanding exemptions, and strengthening the determinations of lead agencies to allow exemptions.

This measure is sponsored by Bay Area Council, Housing Action Coalition, Rural County Representative of California, and Prosperity CA.

Entitlement

- **AB 357 (Alvarez):** Exempts student housing developed by a public institution of higher education, or a qualified nonprofit, from review by the Coastal Commission.

This measure is sponsored by the Student Homes Coalition and UC Student Association.

- **AB 920 (Caloza):** Requires a city or county, with a population of 150,000 or more that has an internet website, to have a centralized application portal for all permits across departments and to allow tracking in real time of applications.

This measure is sponsored by Abundant Housing LA.

- **AB 961 (Avila Farias):** Extends the sunset for the “California Land Recycling and Reuse Act of 2004” (CLRRA), which provides liability protections to promote the cleanup and redevelopment of blighted contaminated properties.

This measure is sponsored by the Bay Area Council.

- **AB 1007 (Rubio):** Reduces the time period that a responsible agency is required to approve or disapprove a project, as specified, from 90 days to 45 days.

This measure is sponsored by the California Building Industry Association (CBIA).

- **AB 1276 (Carrillo):** Ensures that housing projects are subject to the regulations and requirements in effect at the time of the preliminary application, including those from state and regional agencies, and mandates that these agencies use a “reasonable person” standard to determine whether a housing project is consistent with applicable regulatory plans.

This measure is sponsored by CBIA.

- **SB 328 (Grayson):** Expedites the remediation and reuse of contaminated sites by placing timelines on the Department of Toxic Substance Control (DTSC) to respond to permit requests for housing projects and caps their fees for reviewing the remediation of sites that were not contaminated by the project sponsor.

This measure is sponsored by the Housing Action Coalition and San Francisco Bay Area Planning and Urban Research Association (SPUR).

- **SB 489 (Arreguín):** Requires state and regional agencies, until January 1, 2030, to post their housing development project application requirements online, and that all decisions are either covered by the timelines included in the Permit Streamlining Act or post-entitlement permit statutes.

This measure is sponsored by CBIA.

- **SB 677 (Wiener)**: Makes adjustments to provisions that have impeded the implementation of the by-right duplex and lot-splitting provisions of SB 9 (Atkins, 2021), and aims to enhance the feasibility of projects eligible for the by-right provisions of SB 35 (Wiener, 2017).

This measure is sponsored by CA YIMBY, the Housing Action Coalition, and the Local Initiatives Support Corporation San Diego (LISC-SD).

Post-Entitlement

- **AB 557 (McKinnor)**: Removes local inspections on factory-built housing that are already inspected by the State.
This measure is sponsored by SoLA Impact.
- **AB 660 (Wilson)**: Imposes new mandates and stricter timelines on local governments and special districts regarding the post-entitlement phase of housing development approvals.
This measure is sponsored by CBIA.
- **AB 782 (Quirk-Silva)**: Prohibits local governments from requiring bonding or other financial assurances related to subdivision improvements that will be privately owned and maintained.
This measure is sponsored by CBIA.
- **AB 818 (Avila Farias)**: Facilitates the rapid rebuilding and repairing of housing affected by natural disasters by expediting its entitlement and post-entitlement permits and waiving fees.
- **AB 1026 (Wilson)**: Modifies the "local agency" definition to include electrical corporations, holding them to the same transparency and review deadlines as local governments.
This measure is sponsored by the Housing Action Coalition.
- **AB 1206 (Harabedian)**: Requires local agencies to adopt pre-approved housing plans for single-family and multifamily housing by January 1, 2026, and mandates that agencies post these plans and applicant contact information online, provide fast-tracked approval within 30-days for projects using pre-approved plans, and to ensure the approval process is non-discretionary.
- **AB 1308 (Hoover)**: Requires building departments to provide an estimated timeframe for building permit inspections and allows applicants to contract with private professional providers to undertake the inspection.
This measure is sponsored by CA YIMBY.

Legal Rights and Enforcement

- **AB 610 (Alvarez)**: Requires the housing element of a city or county's general plan to include a governmental constraints disclosure statement, in addition to the analysis of governmental constraints on housing development. AB 610 prohibits the adoption of new or amended governmental constraints, or more stringent revisions, during the planning period unless they were included in the disclosure statement and the local government has fulfilled prior housing element program commitments, or the measure is required by

state or federal law. This measure specifies that it does not limit the Department's authority to review local government actions.

This measure is sponsored by CBIA and SPUR.

- **[AB 712 \(Wicks\)](#):** Increases penalties for local and state agencies that violate housing statutes, in a manner in keeping with existing law in the Housing Accountability Act.
This measure is sponsored by CBIA.
- **[AB 1050 \(Schultz\)](#):** Prohibits private reciprocal easement agreements from prohibiting housing if the site is already zoned for housing.
This measure is sponsored by SPUR.
- **[SB 786 \(Arreguín\)](#):** Resolves multiple ambiguities in housing element law to provide clarity for local governments, project applicants, and courts.
This measure is sponsored by Attorney General Rob Bonta.

Joint Hearing on Declining Gas Tax Revenues

As the Legislature grapples with the impending point of diminishing returns for the collection of gas tax revenues, the Senate and Assembly Transportation Committees convened an informational hearing to provide more context to the issue and solicit expert input. The committees first welcomed the Legislative Analyst's Office (LAO) to frame the decline of gas tax revenues and review the state's existing resources for transportation funding. After providing an overview of state and local programs that benefit from fuel tax and vehicle fee revenues, the LAO concluded with a projected decline in transportation revenues by comparing two scenarios: using existing policies and trends as of early 2022, by which revenues would drop by about \$2 billion, or an alternative dataset from the California Air Resources Board's Scoping Plan under which the state would take specific actions to meet its climate goals resulting in a decrease in revenues by about \$4 billion.

To put the decline of fuel tax revenues into context and provide a history of the state's motor fuel tax, Brian Taylor with the UC Institute of Transportation Studies and Dr. Asha Weinstein Agrawal with the Mineta Transportation Institute presented the upsides and downsides of the tax and various scenarios reviewing how quickly revenues could decline. Maintaining revenue levels while gas consumption decreases requires increasing fuel tax rates, which takes a significant political lift, and the goal of the tax is seemingly shifting from gaining revenue towards discouraging fuel consumption to meet statewide goals. As Dr. Agrawal noted, predicting future revenues is hard, but a fast ZEV transition will significantly reduce annual revenue.

The final panel focused on the impacts of the gas tax decline, covering local and statewide implications. Statewide programs, including the State Transportation Improvement Program, Local Streets and Roads, and the State Highway Operation and Protection Program, will all need sustainable funding sources to continue the progress made in recent years. The Transportation Commission presented data from part of their recent [State and Local Transportation System Needs Assessment](#), which estimates \$758 billion in needs but only \$541 billion in revenues, creating a \$216 billion shortfall. The Sacramento Area Council of Governments and NCE presented the local perspective as regional planning agencies and other local entities that use fuel tax revenues for various programs. Without sustainable funding streams, locals run the risk of not being eligible for SB 1 funds if they cannot meet greenhouse gas reduction targets.

Feedback from Committee Members and members of the public focused on the affordability and feasibility of maintaining state targets while bringing in enough revenue. Recommendations amongst the panelists included exploring a wide variety of tax and fee options, replicating the SB 1 approach with a package of fees charged against different activities, and maintaining interplay between transportation needs, raising revenue, charging fairly, and influencing behavior.

State Auditor Recommends More Energy Efficiency Program Oversight

To help meet the state's greenhouse gas emission reduction goals, the California Public Utilities Commission (CPUC) supervises the administration of several energy efficiency programs implemented by public utilities, such as PG&E, Southern California Edison, San Diego Gas & Electric, and the Southern California Gas Company. As directed by the Joint Legislative Audit Committee, the [State Auditor](#) released a review of the management and efficacy of these programs with recommendations for improvements, in March 2025.

The 85-page audit covers background on the performance of the efficiency programs, how they are administered, recommended areas for growth, as well as responses from state agencies. Overall, the audit found the costs of these programs outweighed the resulting benefits and the energy efficiency program portfolios frequently did not meet the CPUC's annual goals for electricity and natural gas savings. In fact, since 2019, none of the electricity-providing utilities met their energy savings goals. The CPUC's limited oversight evidently allowed underperforming programs to persist, and to remedy this, the Auditor recommended monitoring and legislative fixes to maximize energy savings.

Specific recommendations include increasing monitoring of utilities' efficiency programs, identifying underperforming programs proactively and eliminating those that do not deliver sufficient energy or cost savings, and amending state law to require the CPUC to discontinue funding for programs that consistently underperform. In response, the CPUC committed to the vast majority of the Auditor's recommendations and will work to implement improvements for energy efficiency programs.

Encampment Resolution Funding Report

On March 5, the Legislative Analyst's Office (LAO) released a [report](#) providing an oversight analysis of the Encampment Resolution Funding (ERF) program. The LAO, a non-partisan fiscal and policy advisor, is assisting the Legislature in its fiscal oversight role for the multi-year ERF program, which provides competitive grants to local communities to address homeless encampments by offering resources to transition individuals living in encampments into housing.

In total, the state has provided \$37 billion in funding for housing and homelessness initiatives in recent years. The total funding for the ERF program amounts to \$900 million, across four rounds of funding. During the June 2024 budget negotiations, the Governor and Legislature agreed to allocate an additional \$100 million for the fourth round of ERF funding in the 2025 budget, bringing the program's total funding to \$1 billion over five rounds of funding.

The 2024-25 budget package established a new reporting requirement for grantees: information on spending during the previous calendar year, program outcomes and accomplishments, and the status of remaining funds must be included in the annual progress report, which must be sent to the Department of Housing and Community Development (HCD) by April 1, 2025.

In their report, the LAO recommends that the Legislature postpone decisions on providing a fifth round of program funding until additional program data is received. Without additional reporting data, the Legislature cannot yet determine if the funds are being used to resolve encampments as intended, rather than for encampment sweeps or other actions that don't align with the program's purpose. Evaluating the program's cost-effectiveness remains challenging without data on the number of individuals moved from encampments to permanent housing.

EXECUTIVE BRANCH ACTIVITY

Governor Newsom Proclaims State of Emergency

On March 1, Governor Newsom proclaimed a [State of Emergency](#) to accelerate critical wildfire prevention efforts statewide. The proclamation suspends certain environmental regulations, such as the California Environmental Quality Act (CEQA) and the Coastal Act, to fast-track fuel reduction projects, including vegetation removal, fuel breaks, and prescribed burns.

The proclamation also facilitates the involvement of non-state entities in conducting approved fuel reduction work with expedited approval. It also directs state agencies to provide recommendations for increasing the use of prescribed fire season and increases the California Vegetation Treatment Program's (CalVTP) efficiency and utilization, in order to continue promoting rapid environmental review for large wildfire risk reduction treatments.

Governor Newsom Issues Order to Accelerate Utility Undergrounding and Wildfire Prevention

Governor Gavin Newsom issued [Executive Order N-24-25](#) on March 27 to expedite the rebuilding process in Los Angeles by further suspending CEQA and the California Coastal Act in impacted communities within Los Angeles and Ventura Counties. The order aims to accelerate the restoration of utility and telecommunication infrastructure, including the 'undergrounding' of utility equipment, by streamlining regulatory hurdles and reducing related delays.

The order directs state agencies, including the California Public Utilities Commission (CPUC) and the Office of Energy Infrastructure Safety, to collaborate with utilities and local governments to streamline the permitting process. It prioritizes 'undergrounding' utility projects in areas most vulnerable to wildfires, aiming to reduce fire hazards caused by exposed power lines.

Additionally, the order calls for greater transparency and accountability by requiring utilities to publicly disclose their plans for 'undergrounding' utilities, timelines, and costs. Regular progress reports are also mandated, and the order encourages public engagement to ensure projects are conducted efficiently and equitably.

This order builds on Governor Newsom's executive order issued in January 2025 regarding the California Coastal Act and further removes regulatory obstacles that could otherwise hinder utilities from efficiently rebuilding, strengthening, and upgrading infrastructure in the aftermath of wildfires.

Governor Newsom Streamlines Approval for Solar Project

Using new judicial streamlining under the California Environmental Quality Act (CEQA), Governor Newsom certified the Cornucopia Hybrid Solar Project, expediting the development of a 300 MW solar and 300 MW battery storage facility in Fresno County. This initiative is expected to power approximately 300,000 homes and enhance grid reliability by dispatching electricity during peak demand periods, including evenings and nights when renewable generation typically declines.

Established in 2021 by SB 7 (Atkins) and expanded in 2023 by SB 149 (Caballero), the new judicial streamlining process mandates that courts resolve CEQA challenges within 270 days, significantly reducing potential delays from the usual three to five years. Only 24 projects have been certified by these processes to date. The Cornucopia project also incorporates agrivoltaic practices, such as using sheep grazing to manage vegetation around solar panels, aligning with California's approach to sustainable land use.

Memorandum

Date: May 2, 2025

To: North County Transit District

From: Holland & Knight LLP

Re: Federal Update – April 2025

This memorandum provides an overview of federal policy developments of importance to the North County Transit District, including those related to:

- House Begins Budget Reconciliation Markups
- DOT Secretary Issues Letter to Federal Funding Applicants
- House T&I Committee Holds Hearing on State of the Nation's Transit Systems
- Lawmakers Send Letter Advocating for the BRIC Program

House Begins Budget Reconciliation Markups

- This week, the House began markups on the budget reconciliation package to allocate funding for the President's defense, energy, and immigration priorities, while reauthorizing the 2017 tax cuts.
- The House Transportation & Infrastructure (T&I) Committee approved their respective package by a party-line vote of 36-30 on April 30. With instructions to cut about \$10 billion, the committee is responsible for one of the smaller components of the final bill. In contrast, the Ways & Means and Energy & Commerce Committees are tasked with generating the bulk of the cuts and tax measures.
- The bill includes a new \$250 fee for electric vehicles (EVs) and a \$100 fee for hybrid vehicles. The final text dropped a \$20 registration fee for passenger vehicles, after a number of Republican members expressed opposition to the fee. Funding generated from these new annual fees would be deposited in the Highway Trust Fund to help keep its solvency. Members also allocated more than \$21 billion for air traffic control tower and terminal radar approach control facility replacements and more than \$21 billion for the Coast Guard.
- When Congress returns next week, the House Agriculture, Energy & Commerce, and Natural Resources Committees will hold their markups. Below is the House's reconciliation markup schedule:

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Committee	Date	Instructions	Status
Armed Services	April 29	Spend up to \$100 billion	Approved 35-21 on 4/29
Education & Workforce	April 29	Cut at least \$330 billion	Approved 21-14 on 4/29
Homeland Security	April 29	Spend up to \$90 billion	Approved 18-14 on 4/29
Financial Services	April 30	Cut at least \$1 billion	Approved 30-22 on 4/30
Judiciary	April 30	Spend up to \$110 billion	Approved 23-17 on 4/30
Oversight	April 30	Cut at least \$50 billion	Approved 22-21 on 4/30
Transportation & Infrastructure	April 30	Cut at least \$10 billion	Approved 36-30 on 4/30
Natural Resources	May 6	Cut at least \$1 billion	
Energy & Commerce	May 7	Cut at least \$880 billion	
Agriculture	May 8	Cut at least \$230 billion	
Ways & Means	May 12-13	Spend up to \$4.5 trillion, can increase debt limit by \$4 trillion	

DOT Secretary Issues Letter to Federal Funding Applicants

- U.S. Department of Transportation (DOT) Secretary Sean Duffy released a [letter](#) reminding recipients of federal financial assistance from DOT of certain requirements the Department expects entities to abide by. Duffy informs that recipients of federal assistance enter into partnership with the federal government and are expected “to comply fully with all applicable Federal laws and regulations.”

- On immigration, Duffy stated that recipients of federal grant dollars are to cooperate generally with Federal authorities “in the enforcement of Federal law, including cooperating with and not impeding U.S. Immigration and Customs Enforcement (ICE) and other Federal offices and components of the Department of Homeland Security in the enforcement of Federal immigration law.”
- Duffy clarifies that under the Trump Administration, officials view diversity, equity, and inclusion programs as illegal. As a result, applicants are expected to follow federal laws and remove hiring preferences and other actions that could be considered DEI.

House T&I Committee Holds Hearing on State of the Nation’s Transit Systems

- On April 9, the House (T&I)’s Subcommittee on Highways and Transit convened for a [hearing](#) entitled, “America Builds: A Review of Our Nation’s Transit Policies and Programs.” During the hearing, members and witnesses discussed the impact of the Infrastructure Investment and Jobs Act (IIJA) and how to expand upon that framework in the surface transportation reauthorization bill that expires in 2026.
- Both lawmakers and witnesses agreed that there needs to be continued investment in public transit, particularly in rural areas that have historically received less funding. Furthermore, there was a discussion of regulations on public transit, and witnesses called for minimizing [National Environmental Policy Act \(NEPA\)](#) standards to increase efficiency and requiring agencies to release data to ensure accountability. Representatives and the panel also considered how to implement a federal framework for autonomous vehicles (AVs) and how to increase the spare ratio of bus vehicles in the event of extreme weather.

Lawmakers Send Letter Advocating for the BRIC Program

- Reps. Brittany Pettersen (D-CO) and Suzanne Bonamici (D-OR) sent a letter to Department of Homeland Security Secretary (DHS) Kristi Noem and Acting Federal Emergency Management Agency (FEMA) Administrator Cameron Hamilton expressing concern over the federal government’s move to terminate FEMA’s Building Resilient Infrastructure and Communities (BRIC) program.
- The BRIC program is designed to help states, local communities, tribes, and territories reduce the risk of disasters and natural hazards. DHS and FEMA officially announced the termination of BRIC awards from fiscal years 2020-2023. The IIJA allocated approximately \$1 billion to BRIC to fund resilience projects across the United States.

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- The BRIC program was a key funding tool for the Biden Administration as they worked to address the impact of climate change, like sea level rise. Funding was utilized to help communities plan and build the infrastructure needed to respond to natural disasters made worse by increasing temperatures and other extreme weather. However, due to the program's connection to climate change and other environment-related topics, it was targeted by the Trump Administration as it ran counter to the President's various [energy-related executive orders](#).

MEMORANDUM

To: North County Transit District Board of Directors
Mary Dover, Chief of Staff

From: Townsend Public Affairs
Casey Elliott, Vice President
Spencer Street, Senior Associate

Date: May 1, 2025

Subject: April 2025 Legislative Monthly Report

STATE UPDATES

In April, the Legislature advanced a substantial number of bills through the legislative process, many of which were amended during policy committee hearings. During this stage, lawmakers conducted thorough evaluations of proposed legislation, assessed potential impacts, and determined which measures should move forward to the appropriate fiscal committees, such as the appropriations committee, for additional review if needed. From there, qualifying bills proceed to the floor in their House of Origin for further consideration. This phase is critical for refining bill language, incorporating stakeholder input, and shaping policy through amendments. Towards the middle of April, the Legislature adjourned for Spring Recess from April 10 to 21.

Looking ahead, the rapid pace of legislative activity is expected to continue through May and June, as lawmakers work toward several upcoming deadlines. The first, on May 2, is the deadline for policy committees to hear and report fiscal bills to fiscal committees. Just one week later, on May 9, policy committees must report non-fiscal bills to the Floor. By May 23, fiscal committees are required to complete their hearings and report all bills to the Floor in their respective house of origin. This leads into the first week of June, which will be reserved exclusively for Floor sessions in each house. The legislative cycle will then reach a key milestone on June 6, the deadline for bills to move to the second house for further consideration.

The legislative transition from policy review to fiscal analysis aligns with the state's budget process, which intensifies in May with the release of the Governor's May Revision. This revised budget proposal offers an updated assessment of the state's fiscal outlook and evaluates the viability of funding new spending proposals included in pending legislative measures.

Below is an overview of pertinent actions from the month of April.

STATE BUDGET

During the week of April 7, the full budget committees in both the Assembly and Senate convened to consider [AB 100/SB 100](#), the early action "Budget Bill Jr." AB 100 and SB 100 are identical bills introduced in their respective chambers to streamline the legislative process, ensure procedural compliance, and addresses urgent funding needs ahead of the state's full budget process.

AB 100 provides both technical and substantive amendments to the Budget Acts of 2023–24 and 2024–25 and authorizes the allocation of billions of dollars across multiple sectors, with a primary focus on healthcare, emergency response, and environmental resilience.

Key provisions include:

- **\$2.8 billion** General Fund authorization for the Medi-Cal program in fiscal year 2024–25 to ensure continued payments to managed care plans and health care providers.
- **\$2.8 billion** authorization for the Department of Health Care Services (DHCS) to support the General Fund deficiency in the Medi-Cal program for 2024-25.
- **\$181 million** appropriation, from the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Fund (Proposition 4, 2024), to support wildfire prevention and resilience efforts, including strengthening local fire prevention capabilities, enhancing forest health, and reducing the risk of wildfires spreading from wildlands into populated areas.
- Authorizes previously approved funds (from the First Extraordinary Session earlier this year) for the Eaton and Palisades fires in Los Angeles County to offset property tax revenue losses of specified local governments from 2024-25 and 2025-26 fiscal years, similar to prior property tax backfills after major natural disasters.
- Authorizes an additional **\$17 million** from the Enhanced Fleet Modernization Subaccount to support the Clean Cars 4 All program through local air districts, which offers incentives to help lower-income residents in priority communities replace older, higher-polluting vehicles with newer, cleaner alternatives.

Following presentations by the Department of Finance and the Legislative Analyst's Office, key topics of discussion in both Budget Committee hearings included the proposed \$2.8 billion Medi-Cal appropriation and an additional \$17 million allocation for the Clean Cars 4 All Program. Regarding the Clean Cars 4 All Program, Committee members voiced concerns about the lack of data on program participation and outcomes, questioning the proposed funding level in the absence of more comprehensive performance metrics.

On April 10, AB 100 passed both the Assembly and Senate Floors, and was subsequently signed into law by Governor Newsom on April 14.

Cap and Trade Program Extension Announced

On April 15, Governor Gavin Newsom, alongside Senate pro Tempore Mike McGuire and Assembly Speaker Robert Rivas, announced a coordinated effort during this legislative year to extend California's Cap and Trade program beyond its current 2030 end date. The proposal aims to provide long-term market certainty, attract sustained investment in clean technologies, and reinforce the state's leadership on climate policy in light of emerging federal challenges. The administration underscored its commitment to maintaining California's ambitious climate goals, regardless of shifting national policy landscapes.

California's Cap and Trade program, first established in 2006, holds carbon polluters accountable by requiring them to pay for greenhouse gas emissions that exceed regulatory limits. Revenues

from the program deposited into the Greenhouse Gas Reduction Fund have supported significant investments in environmental sustainability, public health, transportation initiatives, and pollution reduction. State leaders emphasized that extending the program is critical to ensuring California remains on track to achieve carbon neutrality by 2045.

STATE LEGISLATURE

Key Policy Committee Hearing Updates

In April, several policy committees convened to consider a wide range of legislative proposals. Notably, the Senate Housing Committee and the Assembly Housing and Community Development Committee held hearings in their respective houses to review high-profile measures. Other key committees, including those focused on Local Government, Health, and Transportation, also met to advance bills within their subject areas.

Below is a summary of notable actions taken on measures heard in committee:

[SB 79 \(Wiener\)](#) allows mid-rise multifamily housing, up to seven stories, within a half-mile of major transit stops, with the intent of increasing housing supply and supporting public transportation infrastructure. During its hearing in the Senate Housing Committee, supporters emphasized the bill's role in addressing the state's housing shortage and promoting sustainable development. However, there were also some concerns shared regarding potential neighborhood impacts and the risk of displacement. Ultimately, the measure passed on a 6–2 vote, with three Members abstaining. The recent amendments to the measure aim to balance state housing goals with local control by giving local governments the flexibility to tailor transit-oriented development (TOD) areas and standards through implementing ordinances, with oversight from the Department of Housing and Community Development (HCD). Additionally, TOD projects meeting environmental, labor, and affordability standards will be eligible for streamlined ministerial approvals under existing laws like [SB 423](#) (Wiener, 2024). The amendments seek a compromise to promote the development of mid-rise housing near transit hubs while addressing community concerns and ensuring projects adhere to key standards. SB 79 is pending a hearing in the Senate Appropriations Committee.

[SB 677 \(Wiener\)](#) by contrast, failed to pass the Senate Housing Committee, receiving a 4–3 vote. However, the bill was granted reconsideration, making it eligible to be rescheduled for a future hearing in the same committee. The measure aimed to streamline housing approvals by building upon prior legislation such as [SB 9](#) (Atkins, 2021) and [SB 423](#) (Wiener, 2024), to facilitate the construction of duplexes and fourplexes on single-family lots. Opposition stemmed from concerns about the effectiveness of previous housing reforms and their unintended consequences. Some expressed skepticism, noting that past legislation had not delivered the promised increase in affordable housing and had led to community pushback. Additional raised issues included infrastructure strain, parking, and the preservation of neighborhood character. Senator Wiener acknowledged the setback but emphasized the ongoing need for housing reform, stating that efforts to address the state's housing crisis would continue.

[SB 634 \(Pérez\)](#), which prohibits a state agency or local jurisdiction from adopting or enforcing a regulation or ordinance that imposes civil or criminal penalties on a person who is homeless or assists an individual experiencing homelessness, was heard in the Senate Local Government Committee. During the hearing, opposition expressed concerns that this measure would hinder a local agency's ability to manage public spaces and address community needs. In response to the opposition, Senator Pérez made substantial amendments to the bill during the hearing, and

distributed an outline of the intended changes, effectively narrowing the scope of the legislation to address the concerns by those in opposition of the measure. The amendments removed the provisions that would prohibit local agencies from adopting or enforcing regulation ordinance on a person who is homeless. Ultimately, the amendments led to the bill's passage out of the committee with a 4–2 vote.

[AB 650 \(Papan\)](#) proposes amendments to California's Planning and Zoning Law, with a specific focus on the regional housing needs allocation (RHNA) process. The measure aims to ensure that allocations for extremely low- and acutely low-income households are distributed in a way that is roughly proportional to the housing needs of very low-income households, within a 3% range. During the committee hearing, Assembly Member Papan introduced amendments designed to enhance the clarity and fairness of the RHNA process, while addressing concerns about disproportionate burdens placed on certain jurisdictions. This measure passed with substantial support from local governments and has been referred to the Assembly Local Government Committee with the author's amendments.

[SB 707 \(Durazo\)](#), which proposes several updates to the Ralph M. Brown Act, passed the Senate Judiciary Committee unanimous support. The measure aims to improve public access to local government meetings. Key provisions include requiring city councils and county boards to offer remote participation options via telephonic or audiovisual platforms, ensuring interpretation services are available upon request, and mandating broader public outreach through accessible websites and local media. While the committee supported the overall goals of the measure, some Members noted potential implementation challenges for smaller jurisdictions with limited resources. SB 707 has been referred to the Senate Appropriations Committee.

Assembly Speaker Takes Action on Affordability

On April 23, Assembly Speaker Robert Rivas announced the creation of four new select committees targeting the state's most pressing affordability challenges: childcare, food insecurity, housing finance, and transportation costs. In an attempt to address California's escalating cost-of-living crisis, these committees will develop legislative solutions to alleviate financial pressures on middle-class families, many of whom struggle to meet basic needs despite earning above-average incomes.

The Select Committee on Child Care Costs will prioritize making early childcare universally accessible and affordable, addressing high costs, underpaid workers, and limited subsidized care availability. Co-chaired by Assembly Majority Leader Cecilia Aguiar-Curry (D-Winters) and Assemblymember Stephanie Nguyen (D-Elk Grove), the committee seeks to support working families by ensuring parents can access necessary childcare services.

Addressing food insecurity, the Select Committee on CalFresh Enrollment and Nutrition aims to increase enrollment in the CalFresh program and improve access to nutritious food. With over a million eligible Californians facing hunger and significant federal funds unutilized, co-chairs Assemblymembers Mia Bonta (D-Oakland) and LaShae Sharp-Collins (D-San Diego) will work to respond to potential federal cuts to nutrition programs and ensure families can afford healthy meals.

The Select Committee on Housing Finance and Affordability, co-chaired by Assemblymembers Anamarie Ávila-Farías (D-Concord) and John Harabedian (D-Pasadena), will tackle the issue of housing demand outpacing funding by exploring financing solutions to accelerate housing production. Additionally, the Select Committee on Transportation Costs and the Low Carbon Fuel

Standard, co-chaired by Assemblymembers Lori Wilson (D-Suisun City) and David Alvarez (D-San Diego), will evaluate the effectiveness of the nearly two-decade-old program, seeking greater transparency and reforms to prioritize California consumers amid rising gas prices and out-of-state resource allocation.

Coupled with the creation of the new select committees, the Speaker also offered his support for a suite of bills to facilitate housing construction, protect tenants from housing fees, and accelerate the resolution of wage theft claims. Legislative action will continue through the work of oversight and policy hearings across several committees and the Assembly as a whole.

Senate Local Government Committee Advances Brown Act Modernization Legislation

In early April, the Senate Local Government Committee, chaired by Senator María Elena Durazo, heard 16 bills, including two focused on modernizing the Brown Act, which governs open meetings for local legislative bodies. These measures aim to expand teleconferencing options, improving public access, particularly for vulnerable communities such as the disabled and non-English speakers.

The first bill, [SB 239 \(Arreguín\)](#), proposes allowing local and regional non-voting advisory bodies to conduct remote meetings, provided the physical meeting location is staffed by the body or the legislative body. This measure excludes advisory bodies with oversight over sensitive matters, such as police oversight, elections, and budgets, from remote participation. During the hearing, committee members raised concerns about maintaining public access and transparency while allowing remote meetings. Questions were raised regarding effective public participation, quorum requirements, and potential impacts on decision-making when fewer members attend in person. There was also discussion on why certain advisory bodies would be excluded from remote meetings.

Additionally, the requirement for staff at the in-person meeting locations raised logistical concerns, especially for bodies without dedicated staff. Overall, the committee sought a balance between flexibility for members with caregiving or disability challenges and the need to ensure public participation and transparency. Senator Arreguín accepted amendments, including a sunset provision that expires on January 1, 2030, and emphasized that the bill strikes a balance between transparency and flexibility, especially for those unable to attend in person due to caregiving, disabilities, or logistical issues.

The second Brown Act bill in the hearing, [SB 707 \(Durazo\)](#), aims to modernize and extend key provisions of the Act, including teleconferencing, which is set to expire in 2026. SB 707 requires local governments to livestream meetings, offer remote public comment, provide materials in multiple languages, and implement interpretation services to promote inclusivity. While SB 707 is generally supported, some stakeholders raised concerns about inconsistencies in the flexibility offered to different types of multi-member bodies, which could undermine transparency. Despite these concerns, SB 707 is seen as a collaborative effort to balance flexibility with the need for public access. The discussion in the committee hearing reflected progress made thus far but also emphasized that conversations with stakeholders will continue to address remaining concerns.

Both SB 239 and SB 707 passed the Senate Local Government Committee, as amended, and will continue through the legislative process.

Affordable Housing Bond Passes Committee Hearing

On April 9, the Assembly Housing and Community Development Committee heard [AB 736 \(Wicks\)](#), among many other measures. This measure authorizes the Affordable Housing Bond Act of 2026, which would place a \$10 billion housing bond on the March 2, 2026 primary ballot to fund the development of affordable and supportive housing. If approved by voters, the bond would provide funding for the following programs:

- \$5 billion to the Multifamily Housing Program (MHP). At least 10 percent of units in a MHP development must be available for extremely low-income households;
- \$1.7 billion to supportive housing administered through the MHP program. Requires the Department of Housing and Community Development (HCD) to offer capitalized operating subsidy reserves for supportive housing developments receiving funding;
- \$800 million for the Portfolio Reinvestment Program;
- \$500 million for a program to be created by the Legislature that funds acquisition and rehabilitation of unrestricted housing units and the attachment of long-term affordability restrictions to the units while safeguarding against the displacement of current residents;
- \$1 billion to the CalHOME Program and the My Home down payment assistance program administered by the California Housing Finance Agency (CalHFA);
- \$350 million to the Joe Serna, Jr. Farmworker Housing Program;
- \$250 million to a dedicated, flexible, and comprehensive state program designed for, and in consultation with, tribes, administered by HCD, to finance housing and housing-related activities that will enable tribes to rebuild and reconstitute their communities; and
- \$400 million for the Infill Infrastructure Grant Program of 2019.

During the hearing, Assembly Member Wicks accepted amendments to allocate more funding to infrastructure and farmworker housing. AB 736 passed the Committee with a 10-1 vote and has been referred to the Assembly Appropriations Committee.

CDCR Releases Recidivism Report

A recent report from the California Department of Corrections and Rehabilitation (CDCR) reveals the state's recidivism rate has declined to 39.1% for inmates released between July 2019 and June 2020, marking the lowest level in over a decade. This represents a 2.8% decrease from the previous year and a significant drop from the 54.3% rate recorded between 2011-2012.

Multiple factors, including the COVID-19 pandemic, which led to reduced crime rates due to lockdowns and changes in policing practices, are attributed to the declining rate. Temporary court closures and the shift to remote proceedings also contributed to fewer convictions during this period. Although controversial, Proposition 57, passed in 2016, allowed for the early release of nonviolent offenders, who demonstrated a lower recidivism rate of 35.8% compared to 44% for those denied early release.

The findings suggest that policy measures aimed at reducing prison overcrowding and promoting rehabilitation, such as educational achievements and participation in fire camps, have positively impacted recidivism rates. Inmates earning educational credits had a reoffending rate of 31.7%,

while those serving in fire camps showed a rate of 31.6%. These insights underscore the effectiveness of targeted programs in supporting successful reintegration and enhancing public safety.

EXECUTIVE BRANCH ACTIVITY

California Takes Legal Action Against Imposed Tariffs

On April 16, the [State of California filed a lawsuit](#) in the U.S. District Court for the Northern District of California, challenging the legality of tariffs imposed by former President Donald Trump. The lawsuit contends that these tariffs, which range from a 10% baseline on most imports to as high as 245% on certain Chinese goods, were implemented without the proper authorization from Congress. The state argues that the use of the International Emergency Economic Powers Act (IEEPA) to justify the tariffs exceeds the authority granted by the act, which does not specifically authorize the imposition of tariffs.

State officials assert that the tariffs have had a detrimental effect on the state's economy, particularly in sectors that depend on international trade, such as agriculture and technology. The lawsuit seeks to have the tariffs invalidated, emphasizing the need for explicit congressional approval for actions that have significant economic consequences.

In response, the U.S. Department of Justice has moved to transfer the case to the U.S. Court of International Trade, located in New York, claiming that this court holds exclusive jurisdiction over trade-related matters. A hearing to resolve the jurisdictional dispute is scheduled for May 22.

New Online Process Aims to Fast-Track Forest Management Approvals

On April 17, Governor Gavin Newsom announced the launch of a [new online permitting system](#) aimed at expediting state-level approvals for forest and vegetation management projects, as part of California's broader effort to strengthen wildfire resilience. The streamlined process is expected to reduce approval timelines to as little as 30 days, dramatically accelerating project implementation that previously could take up to a year, due to administrative delays.

To ensure that environmental standards are upheld during the expedited review process, the state has implemented the [Statewide Fuels Reduction Environmental Protection Plan](#). This framework outlines best practices to minimize impacts on air and water quality, cultural resources, and sensitive habitats. In addition, the state is coordinating with tribal and community partners to expand the use of prescribed and cultural burns, which are recognized methods for reducing wildfire risk. These steps are part of ongoing efforts to prepare for the upcoming wildfire season.

Federal Judge Orders Funding to Legal Aid Programs for Minors

On April 1, U.S. District Judge Araceli Martínez-Olguín of San Francisco reinstated legal funding for migrant children navigating immigration court. Late last month, the Trump administration terminated a contract with Acacia Center for Justice, which provides legal services for migrant children that are in the United States without a parent or guardian.

The suspension of these programs had raised significant concerns among advocates and legal professionals, who argued that the absence of legal representation would violate due process rights and further burden the already backlogged immigration courts. These concerns led to eleven subcontractor groups, some of which had already started laying off staff, suing the

administration in the U.S. District Court for the Northern District of California arguing the government is legally obligated to provide representation to vulnerable children under the Trafficking Victims Protection Reauthorization Act of 2008.

Government agency defendants maintain the service providers could continue offering pro bono services and that taxpayers have no obligation to pay the cost of legal aid. In response to the plaintiffs' challenge, Judge Martínez-Olguín granted their request for a restraining order which, albeit temporarily, will continue funding streams through April 16.



North County Transit District
2025-26 Legislative Report

AB 35

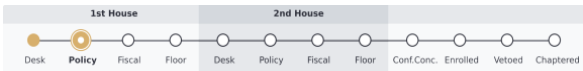
Alvarez (D)

HTML

PDF

California Environmental Quality Act: clean hydrogen transportation projects.

Progress bar



Notes

Notes 1

Positive

Anticipated Impact - would make it easier to develop clean hydrogen projects.

Bill information

Status: 04/22/2025 - Re-referred to Com. on NAT. RES.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would provide for limited CEQA review of an application for a discretionary permit or authorization for a clean hydrogen transportation project, as defined, by requiring the application to be reviewed through a clean hydrogen environmental assessment, unless otherwise requested by the applicant, as prescribed. The bill would, except as provided, require the lead agency to determine whether to approve the clean hydrogen environmental assessment and issue a discretionary permit or authorization for the project no later than 270 days after the application for the project is deemed complete. By imposing new duties on a lead agency, this bill would create a state-mandated local program. The bill would repeal these provisions on January 1, 2036. This bill contains other related provisions and other existing laws. (Based on 04/21/2025 text)

Location:	02/18/2025 - Assembly NAT. RES.	Current Text:	04/21/2025 - Amended
		Last Amend:	04/21/2025

AB 76

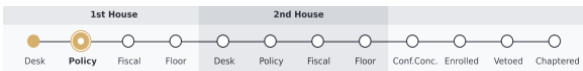
Alvarez (D)

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Surplus land: exempt surplus land: sectional planning area.

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Notes

Notes 1

Anticipated Impact - may facilitate streamlined processes for developing land in sectional planning areas, potentially expediting projects with a mix of affordable housing and academic institution-affiliated housing. This could enhance opportunities for transit-oriented developments that integrate educational facilities,

housing, and transportation infrastructure. This bill is sponsored by the City of Chula Vista and, according to the author's office, "Chula Vista's university effort is positioned to benefit the region greatly. A university presence in the South County would be a key player within the regional economy, producing graduates who occupy regional jobs, employing thousands of local workers, and contributing to the regional and state economies...The change in AB 76 is needed to build a much-needed four-year university in South County and provide the housing necessary for the university's students, faculty, and staff."

Bill information

Status: 04/30/2025 - From committee: Do pass. (Ayes 10. Noes 1.) (April 30).
Calendar: [05/01/25 #88 A-SECOND READING FILE -- ASSEMBLY BILLS](#)
Summary: Current law prescribes requirements for the disposal of surplus land by a local agency. Current law defines "exempt surplus land" to mean, among other things, land that is subject to a sectional planning area document, as described, and meets specified requirements, including that at least 25% of the units are dedicated to lower income households, as specified, and that is developed at an average density of at least 10 units per acre calculated with respect to the entire sectional planning area. This bill would change those requirements so that at a minimum, 25% of units that are proposed by the sectional planning area document as adopted prior to January 1, 2019, and are not designated for students, faculty, or staff of an academic institution must be dedicated to lower income households, as specified, and that the land must be developed at an average density of at least 10 units per acre, in accordance with certain requirements and calculated with respect to the entire sectional planning area and inclusive of housing designated for students, faculty, and staff of an academic institution. (Based on 04/21/2025 text)

Location:	04/09/2025 - Assembly H. & C.D.	Current Text:	04/21/2025 - Amended
		Last Amend:	04/21/2025

[AB 259](#)[Rubio, Blanca \(D\)](#)[HTML](#)[PDF](#)

Open meetings: local agencies: teleconferences.

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Notes

Notes 1

Positive

Anticipated impact - would allow board members to participate in board meetings via teleconference, under certain conditions, until 2030.

Bill information

Status: 04/22/2025 - Read second time. Ordered to third reading.
Calendar: [05/01/25 #130 A-THIRD READING FILE - ASSEMBLY BILLS](#)
Summary: The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law requires a member to satisfy specified requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Current law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less. This bill would extend the

alternative teleconferencing procedures until January 1, 2030. (Based on 04/21/2025 text)

Location: 04/22/2025 - Assembly
THIRD READING

Current Text: 04/21/2025 - Amended
Last Amend: 04/21/2025

AB 294

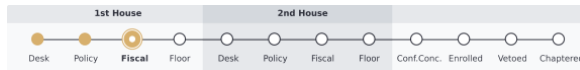
Gallagher (R)

HTML

PDF

Recovery from disaster or emergency: funding priority.

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Notes

Notes 1

Positive

Anticipated impact - would expand assistance and funding to communities for infrastructure and housing recovery projects after an emergency.

Bill information

Status: 04/30/2025 - In committee: Set, first hearing. Referred to suspense file.

Summary: The Office of Emergency Services (OES) is under the supervision of the Director of Emergency Services. During a state of war emergency, a state of emergency, or a local emergency, current law requires the director to coordinate the emergency activities of all state agencies in connection with that emergency. This bill would authorize the OES to prioritize funding and technical assistance under specified programs, including, but not limited to, for infrastructure and housing recovery projects, in communities that suffered a loss in population and businesses due to a major federal disaster, state of emergency, or local emergency and have unmet recovery needs as a result of a major federal disaster, state of emergency, or local emergency. (Based on 01/23/2025 text)

Location: 04/30/2025 - Assembly
APPR. SUSPENSE FILE

Current Text: 01/23/2025 - Introduced

AB 314

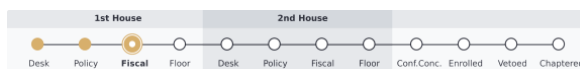
Arambula (D)

HTML

PDF

Affordable Housing and Sustainable Communities Program: project eligibility.

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Notes

Notes 1

Neutral

Anticipated impact - this bill would make transit and active transportation capital projects and transit-oriented development projects near planned high-speed rail (HSR) stations eligible for funding under the Affordable Housing and Sustainable Communities Program. Should the HSR Phase 2 project section from Los Angeles to San Diego move forward, this could expand funding opportunities for eligible projects for the district.

Bill information

Status: 04/30/2025 - Read second time and amended.

Summary: Current law specifies the types of projects eligible for funding under the Affordable Housing and Sustainable Communities Program, including, among others, transit capital projects, active transportation capital projects, and transit-oriented development projects, as provided. This bill would expressly include certain transit capital projects and transit-oriented development projects near planned high-speed rail

stations that meet specific criteria as eligible for funding under the program. (Based on 04/30/2025 text)

Location: 04/29/2025 - Assembly APPR.

Current Text: 04/30/2025 - Amended
Last Amend: 04/30/2025

[AB 339](#)

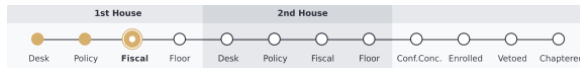
[Ortega \(D\)](#)

[HTML](#)

[PDF](#)

Local public employee organizations: notice requirements.

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Notes

Notes 1

Anticipated impact - would require the district to provide a recognized employee organization written notice regarding contracts to perform services that are within the scope of work of existing job classifications represented by the employee organization.

Bill information

Status: 04/09/2025 - In committee: Set, first hearing. Referred to APPR. suspense file.

Summary: The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. Current law requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Current law requires the governing body of a public agency, and boards and commissions designated by law or by the governing body, to give reasonable written notice, except in cases of emergency, as specified, to each recognized employee organization affected of any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the governing body or the designated boards and commissions. This bill would require the governing body of a public agency, and boards and commissions designated by law or by the governing body of a public agency, to give the recognized employee organization no less than 120 days' written notice before issuing a request for proposals, request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization. The bill would require the notice to include specified information, including the anticipated duration of the contract. (Based on 01/28/2025 text)

Location: 04/09/2025 - Assembly APPR. SUSPENSE FILE

Current Text: 01/28/2025 - Introduced

[AB 340](#)

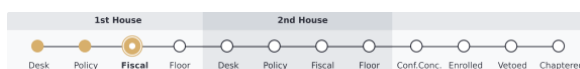
[Ahrens \(D\)](#)

[HTML](#)

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Employer-employee relations: confidential communications.

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Notes

Notes 1

Neutral

Anticipated impact - would prohibit an employer from questioning an employee or employee representative from an employee organization regarding communications between the employee and their representative

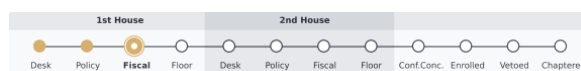
Bill information

Status: 04/23/2025 - In committee: Set, first hearing. Referred to suspense file.

Summary: Current law that governs the labor relations of public employees and employers, including, among others, the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, and provisions relating to higher education, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions of current law further prohibit denying to employee organizations the rights guaranteed to them by current law. This bill would prohibit a public employer from questioning a public employee, a representative of a recognized employee organization, or an exclusive representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation. (Based on 03/05/2025 text)

Location: 04/23/2025 - Assembly
APPR. SUSPENSE FILE

Current Text: 03/05/2025 - Amended
Last Amend: 03/05/2025

[AB 394](#)[Wilson \(D\)](#)[HTML](#)[PDF](#)**Public transportation providers.****Progress bar****Notes****Notes 1****Positive**

Anticipated impact - promotes safer transit environments for both riders and workers by expanding existing Penal Code to protect all transit employees against battery, and clarifies that a transit agency may seek a temporary restraining order against a perpetrator for battery against a transportation provider or employee or contractor thereof, and that the restraining order shall apply across the entirety of the transit system where the offense occurred.

Bill information

Status: 04/30/2025 - In committee: Set, first hearing. Referred to suspense file.

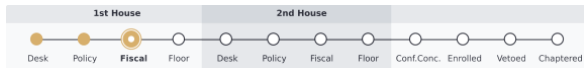
Summary: Current law defines a battery as any willful and unlawful use of force or violence upon the person of another. Current law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Current law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would expand this crime to apply to an employee, public transportation provider, or contractor of a public transportation provider. (Based on 04/23/2025 text)

Location: 04/30/2025 - Assembly
APPR. SUSPENSE FILE

Current Text: 04/23/2025 - Amended
Last Amend: 04/23/2025

[AB 1051](#)[Davies \(R\)](#)[HTML](#)[PDF](#)**Route 76: Payómkawish Highway.**

Progress bar



Notes

Notes 1

Neutral

Bill information

Status:	04/29/2025 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 16. Noes 0.) (April 28). Re-referred to Com. on APPR.		
Summary:	Current law provides for the California Transportation Commission to adopt locations for state highways on routes authorized by law, and describes the authorized routes in the state highway system, including that for Route 76, as provided. This bill would name and designate specified portions of Route 76 as the "Payómkawish Highway." (Based on 04/24/2025 text)		
Location:	04/29/2025 - Assembly APPR.	Current Text:	04/24/2025 - Amended
		Last Amend:	04/24/2025

[AB 1070](#)[Ward \(D\)](#)[HTML](#)[PDF](#)

Transit districts: governing boards: compensation: nonvoting members.

Progress bar



Notes

Notes 1

Neutral

Anticipated impact - would require the district to add two nonvoting members and four alternative nonvoting members to the board. The bill would also require board members to demonstrate personal use of the transit system to be compensated by the district.

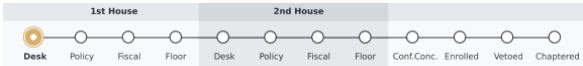
Bill information

Status:	04/23/2025 - In committee: Set, first hearing. Hearing canceled at the request of author.		
Summary:	Current law provides for the formation of various transit districts and specifies the duties and powers of their governing boards. Current law authorizes a transit district to compensate a member of the governing board for attending a board meeting and for engaging in other district business, as provided. This bill would prohibit a transit district from compensating a member of the governing board unless the member demonstrates personal use of the transit system, as specified. The bill would require the governing board of a transit district to include 2 nonvoting members and 4 alternate nonvoting members, as specified. The bill would require nonvoting members and alternate nonvoting members to have certain rights and protections, including the right to attend and participate in all public meetings of the governing board, except as specified. The bill would require the chair of the governing board of a transit district to exclude these nonvoting members from meetings discussing, among other things, negotiations with labor organizations. (Based on 04/03/2025 text)		
Location:	03/17/2025 - Assembly L. GOV.	Current Text:	04/03/2025 - Amended
		Last Amend:	04/03/2025

[ACA 1](#)[Valencia \(D\)](#)[HTML](#)[PDF](#)

Public finance.

Progress bar



Notes

Notes 1

Anticipated impact - Unknown direct impact on NCTD. The ACA would change the required amount of funding transferred from the state General Fund to the Budget Stabilization Account (BSA) to an undefined amount, and would increase the balance limit of the BSA.

Bill information

Status: 01/29/2025 - Introduced measure version corrected.

Summary: The California Constitution prohibits the total annual appropriations subject to limitation of the State and of each local government from exceeding the appropriations limit of the entity of government for the prior year adjusted for the change in the cost of living and the change in population. The California Constitution defines “appropriations subject to limitation” of the State for these purposes. This measure would change the 1.5% required transfer to an undetermined percentage of the estimated amount of General Fund revenues for that fiscal year. The measure would change the 10% limit on the balance in the Budget Stabilization Account to 20% of the amount of the General Fund proceeds of taxes for the fiscal year estimate, as specified. The measure would specify that funds transferred under these provisions to the Budget Stabilization Account do not constitute appropriations subject to the above-described annual appropriations limit. (Based on 12/02/2024 text)

Location: 12/02/2024 - Assembly
PRINT

Current Text: 12/02/2024 - Introduced

ACA 4

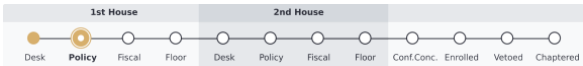
Jackson (D)

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Homelessness and affordable housing.

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Notes

Notes 1

Anticipated impact - could fund affordable housing projects that may lead to the development of housing near transit corridors, however, would earmark 5% of the state's General Fund for housing, which would reduce flexibility in the state budget to allocate funding to other areas, including transportation. The bill would not directly reduce funding for transportation.

Bill information

Status: 04/30/2025 - Coauthors revised. From committee: Be adopted, and re-refer to Com. on HUM. S. Re-referred. (Ayes 8. Noes 2.) (April 30). Re-referred to Com. on HUM. S.

Calendar: 05/01/25 A-HUMAN SERVICES Upon adjournment of Session - State Capitol, Room 444 LEE, ALEX, Chair

Summary: The California Constitution authorizes the development, construction, or acquisition of developments composed of urban or rural dwellings, apartments, or other living accommodations for persons of low income financed in whole or in part by the federal government or a state public body, or to which the federal government or a state public body extends assistance, if a majority of the qualified electors of the city, town, or county in which the housing is proposed to be located approves the project by voting in favor thereof, as specified. This measure, the Housing Opportunities for Everyone (HOPE) Act, would create an account in the General Fund into which, beginning in the 2027–28 fiscal year, and each fiscal year thereafter until September 30, 2036, a sum would be transferred from the General Fund equal to or greater than 5% of the

estimated amount of General Fund revenues for that fiscal year, as specified. The measure would require the moneys in the account to be appropriated by the Legislature to the Business, Consumer Services, and Housing Agency, and would authorize that agency to expend the moneys to fund prescribed matters related to homelessness and affordable housing, including housing and services to prevent and end homelessness. (Based on 01/24/2025 text)

Location:	04/30/2025 - Assembly HUM. S.	Current Text:	01/24/2025 - Introduced
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SB 30

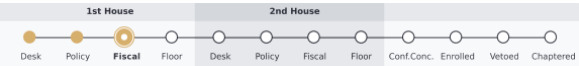
Cortese (D)

HTML

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Diesel-powered on-track equipment: decommissioning: resale and transfer restrictions.

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Notes

Notes 1

Negative

Anticipated impact - prohibits the district from selling or transferring diesel-powered on-track rail equipment.

Bill information

Status:

04/30/2025 - VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)

Summary:

Would prohibit a public entity that owns diesel-powered on-track equipment from selling, donating, or otherwise transferring that equipment for continued use after the public entity decommissions the equipment. (Based on 03/26/2025 text)

Location:	04/30/2025 - Senate APPR.	Current Text:	03/26/2025 - Amended
		Last Amend:	03/26/2025

SB 63

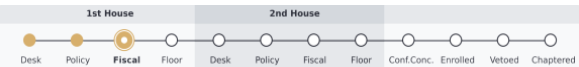
Wiener (D)

HTML

PDF

San Francisco Bay area: local revenue measure: transportation funding.

Progress bar



Notes

Notes 1

Neutral

Anticipated impact - No direct impact on the district. The bill creates the Transit Revenue Measure District (TRMD) to include Alameda, Contra Costa, and San Francisco counties, and allows the TRMD to impose a district tax in specific counties directly or by voter initiative.

Bill information

Status:

04/29/2025 - Read second time and amended. Re-referred to Com. on APPR.

Summary:

Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would establish the Transportation Revenue Measure District with jurisdiction extending throughout the boundaries of the Counties of Alameda and Contra Costa and the City and County of San Francisco and would require the district to be governed by the same board that governs the commission, thereby imposing a state-mandated local program. The bill

would authorize a retail transactions and use tax applicable to the entire district to be imposed by the board of the district or by a qualified voter initiative for a duration of 10 to 15 years, inclusive, and generally in an amount of 0.5%, subject to voter approval at the November 3, 2026, statewide general election. (Based on 04/29/2025 text)

Location:	04/28/2025 - Senate APPR.	Current Text:	04/29/2025 - Amended
		Last Amend:	04/29/2025

SB 71

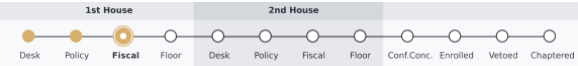
Wiener (D)

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California Environmental Quality Act: exemptions: transit projects.

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Notes

Notes 1

Anticipated impact - would exempt various district projects from CEQA. Specifically, the bill permanently exempts various active transportation plans from CEQA and expands the exemption to include a transit comprehensive operational analysis (a plan that redesigns or modifies a transit operator’s or local agency’s public transit service network, including the routing of fixed route and microtransit services). The bill also permanently exempts from CEQA pedestrian and bicycle facilities, transit prioritization projects, public projects for the institution or increase of bus rapid transit, bus, or light rail service, including the construction or rehabilitation of stations, terminals, or existing operations facilities, and public projects for the construction or maintenance of infrastructure of facilities to charge, refuel, or maintain zero-emission public transit buses, trains, or ferries. Extends the CEQA exemption for projects using near-zero emission, natural gas, or low-NOx technology until 2032.

Bill information

Status:

04/28/2025 - April 28 hearing: Placed on APPR. suspense file.

Summary:

The California Environmental Quality Act (CEQA) until January 1, 2030, exempts from its requirements active transportation plans, pedestrian plans, or bicycle transportation plans for the restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and the related signage for bicycles, pedestrians, and vehicles. This bill would extend the operation of the above-mentioned exemption indefinitely. The bill would also exempt a transit comprehensive operational analysis, as defined, a transit route readjustment, or other transit agency route addition, elimination, or modification, from the requirements of CEQA. Because a lead agency would be required to determine whether a plan qualifies for this exemption, the bill would impose a state-mandated local program. (Based on 03/25/2025 text)

Location:	04/28/2025 - Senate APPR. SUSPENSE FILE	Current Text:	03/25/2025 - Amended
		Last Amend:	03/25/2025

SB 74

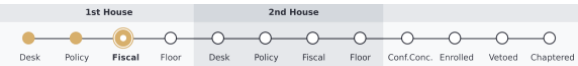
Seyarto (R)

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PDF

Office of Land Use and Climate Innovation: Infrastructure Gap-Fund Program.

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Notes

Notes 1

Neutral

Anticipated impact - would expand funding opportunities for the district to develop and construct infrastructure projects under the Infrastructure Gap-Fund Program. Transit districts in California, if organized

as special districts, are eligible to apply for SB 74 grants if they are undertaking qualifying infrastructure projects (such as road projects that decrease vehicle miles traveled and improve public health and safety), have met the local tax contribution threshold, and are facing unforeseen costs after construction has begun.

Bill information

Status: 04/21/2025 - April 21 hearing: Placed on APPR. suspense file.

Summary: Current law establishes the Office of Land Use and Climate Innovation in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. Current law authorizes a local agency to finance infrastructure projects through various means, including by authorizing a city or county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the office, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies for the development and construction of infrastructure projects, as defined, facing unforeseen costs after starting construction. The bill would authorize the office to provide funding for up to 20% of a project's additional projected cost, as defined, after the project has started construction, subject to specified conditions, including, among other things, that the local agency has allocated existing local tax revenue for at least 45% of the initially budgeted total cost of the infrastructure project. When applying to the program, the bill would require the local agency to demonstrate challenges with completing the project on time and on budget and how the infrastructure project helps meet state and local goals, as specified. (Based on 04/07/2025 text)

Location: 04/21/2025 - Senate APPR.
SUSPENSE FILE

Current Text: 04/07/2025 - Amended
Last Amend: 04/07/2025

SB 79

Wiener (D)

HTML

PDF

Local government land: public transit use: housing development: transit-oriented development.

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Notes

Notes 1

Neutral

Anticipated impact - would make transit-oriented development an allowable use on specified sites, gives transit agencies more flexibility under the Surplus Land Act, and exempts certain projects from CEQA. The bill is intended to make it easier to develop housing near major public transportation stops and on land owned by transit agencies.

Bill information

Status: 04/30/2025 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 3.) (April 30). Re-referred to Com. on APPR.

Summary: Current law prescribes requirements for the disposal of surplus land by a local agency. Current law defines "surplus land" for these purposes to mean land owned in fee simple by any local agency for which the local agency's governing body takes formal action declaring that the land is surplus and is not necessary for the agency's use. Current law defines "agency's use" for these purposes to include land that is being used for agency work or operations, as provided. Current law exempts from this definition of "agency's use" certain commercial or industrial uses, except that in the case of a local agency that is a district, except a local agency whose primary purpose or mission is to supply the public with a transportation system, "agency's use" may include commercial or industrial uses or activities, as specified. This bill would additionally include land leased to support public transit operations in the definition of "agency's use," as described above. (Based on 04/23/2025 text)

Location: 04/30/2025 - Senate APPR.

Current Text: 04/23/2025 - Amended

Last Amend: 04/23/2025

SB 86

McNerney (D)

HTML

PDF

California Alternative Energy and Advanced Transportation Financing Authority Act: sales and use tax exclusion.

Progress bar



Notes

Notes 1

Anticipated impact - permanently extends and increases the allocation for the California Alternative Energy Advanced Transportation Authority's sales and use tax exclusion program. This program administers a sales and use tax exclusion for manufacturers of alternative energy source technology used for renewable electricity generation or advanced transportation. SB 86 may provide greater opportunities for transit agencies to invest in advanced transportation technologies and infrastructure improvements.

Bill information

Status:

04/07/2025 - April 7 hearing: Placed on APPR. suspense file.

Summary:

The California Alternative Energy and Advanced Transportation Financing Authority Act establishes the California Alternative Energy and Advanced Transportation Financing Authority. The act authorizes, until January 1, 2026, the authority to provide financial assistance to a participating party by authorizing exclusions from sales and use tax for certain projects, including those that promote California-based manufacturing, California-based jobs, advanced manufacturing, reduction of greenhouse gases, or reduction in air and water pollution or energy consumption. The act prohibits the sales and use tax exclusions from cumulatively exceeding \$100,000,000 for each calendar year, except as provided. The Sales and Use Tax Law, for the purposes of the taxes imposed pursuant to that law, until January 1, 2026, excludes the lease or transfer of title of tangible personal property constituting one of those projects to any contractor for use in the performance of a construction contract for a participating party that will use that property as an integral part of the approved project. This bill would extend indefinitely the authorization to provide financial assistance in the form of a sales and use tax exclusion for projects approved by the authority. The bill would increase the maximum cumulative amount of the sales and use tax exclusions authorized under these provisions to \$300,000,000 per calendar year. The bill would add electrical generation facilities using nuclear fusion technology to the types of projects qualifying for this sales and use tax exclusion. (Based on 01/21/2025 text)

Location: 04/07/2025 - Senate APPR.
SUSPENSE FILE

Current Text: 01/21/2025 - Introduced

SB 231

Seyarto (R)

HTML

PDF

California Environmental Quality Act: the Office of Land Use and Climate Innovation: technical advisory.

Progress bar



Notes

Notes 1

Anticipated impact - would establish clear guidelines for CEQA compliance for the district to follow in determining whether a proposed project may have a significant impact on the environment.

Bill information

Status: 04/07/2025 - April 7 hearing: Placed on APPR. suspense file.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Under current law, the recommendation, continuous evaluation, and execution of statewide environmental goals, policies, and plans are included within the scope of the executive functions of the Governor. Current law establishes the Office of Land Use and Climate Innovation in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. This bill would require, on or before July 1, 2027, the Office of Land Use and Climate Innovation to consult with regional, local, state, and federal agencies to develop a technical advisory on thresholds of significance for greenhouse gas and noise pollution effects on the environment to assist local agencies. The bill would require the technical advisory to provide suggested thresholds of significance for all areas of the state, as specified, and would provide that lead agencies may elect to adopt these suggested thresholds of significance. The bill would also require the Office of Land Use and Climate Innovation to post the technical advisory on its internet website. (Based on 03/20/2025 text)

Location: 04/07/2025 - Senate APPR.
SUSPENSE FILE

Current Text: 03/20/2025 - Amended
Last Amend: 03/20/2025

[SB 232](#)[Seyarto \(R\)](#)[HTML](#)[PDF](#)**California Environmental Quality Act: guidelines: study.****Progress bar****Notes****Notes 1**

Anticipated impact - the bill requires the Office of Land Use and Climate Innovation to report to the Legislature how allowing projects to move forward under the CEQA Guidelines in place at the time the project submitted its notice of preparation could impact the speed, efficiency, and environmental considerations of the CEQA process. The report could provide the district more guidance and stability on the CEQA process.

Bill information

Status: 04/07/2025 - April 7 hearing: Placed on APPR. suspense file.

Summary: The California Environmental Quality Act (CEQA) requires the Office of Land Use and Climate Innovation, formerly named the Office of Planning and Research, to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA. The CEQA guidelines require a lead agency, immediately after deciding that an environmental impact report is required for a project, to send a notice of preparation stating that an environmental impact report will be prepared to the office and each responsible and trustee agency, as specified. This bill would require the office to conduct a study to, among other things, evaluate how locked-in guidelines could impact regulatory certainty for future project proponents, lead agencies, and stakeholders and assess how locked-in guidelines could affect the speed and efficiency of the environmental review process pursuant to CEQA. The bill would define "locked-in guidelines" as CEQA guidelines, that are in effect at the time of the first issuance of the notice of preparation for a project, that apply to the project throughout the course of the environmental review process pursuant to CEQA, regardless of changes in the guidelines that occur after the first issuance of the notice of preparation. The bill would require, on or before January 1,

2027, the office to submit a report to the Governor and the Legislature on the study.
The bill would repeal these provisions on January 1, 2028. (Based on 03/20/2025 text)

Location: 04/07/2025 - Senate APPR.
SUSPENSE FILE

Current Text: 03/20/2025 - Amended
Last Amend: 03/20/2025

[SB 239](#)

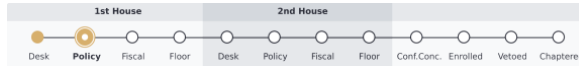
[Arreguín \(D\)](#)

[HTML](#)

[PDF](#)

Open meetings: teleconferencing: subsidiary body.

Progress bar



Notes

Notes 1

Anticipated impact - allows subsidiary bodies of the district to teleconference meetings without having to notice and make publicly accessible each teleconference location, or have at least a quorum participate from locations within the boundaries of the agency. A subsidiary body is defined as an advisory body that meets the Brown Act's definition of a legislative body, serves exclusively in an advisory capacity, and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements.

Bill information

Status: 04/08/2025 - Set for hearing May 6.

Calendar: 05/06/25 S-JUDICIARY 1:30 p.m. - 1021 O Street, Room 2100 UMBERG, THOMAS, Chair

Summary: The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified. Current law, until January 1, 2026, authorizes specified neighborhood city councils to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if, among other requirements, the city council has adopted an authorizing resolution and 2/3 of the neighborhood city council votes to use alternate teleconference provisions, as specified. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require the subsidiary body to post the agenda at each physical meeting location designated by the subsidiary body, as specified. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. (Based on 04/07/2025 text)

Location: 04/03/2025 - Senate JUD.

Current Text: 04/07/2025 - Amended
Last Amend: 04/07/2025

[SB 273](#)

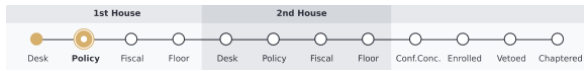
[Grayson \(D\)](#)

[HTML](#)

[PDF](#)

Surplus land.

Progress bar



Notes

Notes 1

Anticipated impact - unknown. This measure is currently a nonsubstantive spot bill related to the Surplus Land Act.

Bill information

Status: 02/14/2025 - Referred to Com. on RLS.

Summary: Current law declares that surplus government land should be made available for affordable housing, including near transit stations, and for parks and recreation or open-space purposes. This bill would make a nonsubstantive change to this provision. (Based on 02/04/2025 text)

Location: 02/04/2025 - Senate RLS.

Current Text: 02/04/2025 - Introduced

SB 348

Hurtado (D)

HTML

PDF

State Air Resources Board: Low Carbon Fuel Standard.

Progress bar



Notes

Notes 1

Anticipated impact - requires CARB to reconsider and revise the Low Carbon Fuel Standard regulations to reduce the program's financial burden on drivers in the state. This could impact work the district has done to comply with the state's Low Carbon Fuel Standard, as LCFS may represent one of the most effective tools at the state's disposal to support ZEV development and adoption, even if ZEVs are not the program's central focus.

Bill information

Status: 04/30/2025 - VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)

Summary: Current law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Current law requires the state board to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board. This bill would require the state board, when it revises, adopts, or establishes any policy, standard, rule, or regulation that would have a direct financial impact to drivers in the state, to consider the financial burden on drivers and to prepare a thorough analysis and evaluation of the financial impact of the proposed action to drivers to ensure full transparency. (Based on 03/20/2025 text)

Location: 04/30/2025 - Senate APPR.

Current Text: 03/20/2025 - Amended

Last Amend: 03/20/2025

SB 359

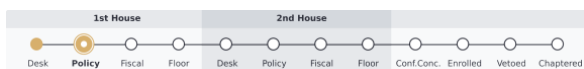
Niello (R)

HTML

PDF

Use Fuel Tax Law: Diesel Fuel Tax Law: exempt bus operation.

Progress bar



Notes

Notes 1

Anticipate impact - no direct impact on the district, as transit districts are already eligible for an exemption from the Use Fuel Tax Law state excise tax on gasoline.

Bill information

Status: 04/08/2025 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on REV. & TAX.

Calendar: 05/14/25 S-REVENUE AND TAXATION 9:30 a.m. - 1021 O Street, Room 1200
MCNERNEY, JERRY, Chair

Summary: The Use Fuel Tax Law imposes a state excise tax at specified rates, generally \$0.18 per gallon, on the use of fuel, as defined, and establishes various exemptions from those taxes, including an exemption for any transit district, transit authority, or city owning and operating a local transit system, as provided. This bill would additionally apply this exemption to a county that owns and operates a local transit system, as provided. This bill would additionally apply this exemption to a county that owns and operates a local transit system, as provided. (Based on 04/08/2025 text)

Location: 02/26/2025 - Senate REV. & TAX

Current Text: 04/08/2025 - Amended

Last Amend: 04/08/2025

SB 419

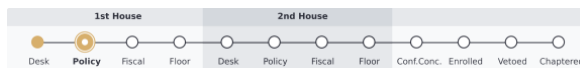
Caballero (D)

HTML

PDF

Hydrogen fuel.

Progress bar



Notes

Notes 1

Positive

Anticipated impact - would provide the district an exemption from sales and use tax on the sale, storage, use, and consumption of hydrogen fuel.

Bill information

Status: 03/18/2025 - Set for hearing May 14.

Calendar: 05/14/25 S-REVENUE AND TAXATION 9:30 a.m. - 1021 O Street, Room 1200
MCNERNEY, JERRY, Chair

Summary: Would, on and after January 1, 2026, provide an exemption from the taxes imposed by the Sales and Use Tax Law for the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, hydrogen fuel. (Based on 02/18/2025 text)

Location: 02/26/2025 - Senate REV. & TAX

Current Text: 02/18/2025 - Introduced

SB 445

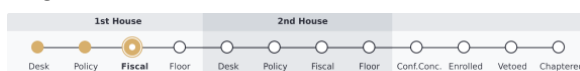
Wiener (D)

HTML

PDF

Transportation: planning: complete streets facilities: sustainable transportation projects.

Progress bar



Notes

Notes 1

Neutral

Anticipated impact - would require Caltrans to develop and adopt a project intake, evaluation, and encroachment permit review process for complete streets facilities that are sponsored by a transit agency.

Bill information

Status: 04/25/2025 - Set for hearing May 5.
Calendar: 05/05/25 S-APPROPRIATIONS 10 a.m. - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair
Summary: This bill would instead require the Department of Transportation to develop and adopt the above-described project intake, evaluation, and encroachment review process on or before February 1, 2027. The bill would also state the intent of the Legislature to amend this bill with legislation that accelerates and makes more reliable third-party permits and approvals for preconstruction and construction activities on sustainable transportation projects. (Based on 04/10/2025 text)

Location: 04/23/2025 - Senate APPR. **Current Text:** 04/10/2025 - Amended
Last Amend: 04/10/2025

SB 496

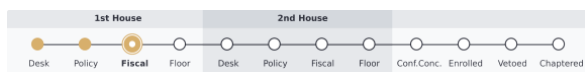
Hurtado (D)

HTML

PDF

Advanced Clean Fleets Regulation: appeals advisory committee: exemptions.

Progress bar



Notes

Notes 1

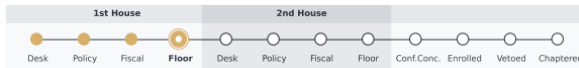
Neutral

Anticipated impact - establishes an Appeals Advisory Committee by which the district may request a review of denied exemption requests from the Advanced Clean Fleets Regulation, and updates the emergency vehicle exemption to include vehicles that respond to critical operations related to emergencies and disasters.

Bill information

Status: 04/25/2025 - Set for hearing May 5.
Calendar: 05/05/25 S-APPROPRIATIONS 10 a.m. - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair
Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified governmental and nongovernmental entities. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board's internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made. The bill would require specified information relating to the committee's consideration of an appeal to be made publicly available on the state board's internet website. (Based on 04/07/2025 text)

Location: 04/22/2025 - Senate APPR. **Current Text:** 04/07/2025 - Amended
Last Amend: 04/07/2025

Railroad crossings: permit applications: review.**Progress bar****Notes****Notes 1**

Positive/neutral

Anticipated impact - provides a more efficient review process for uncontested rail crossing applications, minimizing delays that could jeopardize time-sensitive funding.

Bill information

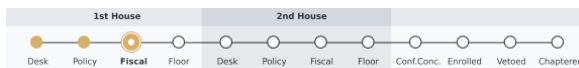
Status: 04/29/2025 - Read second time. Ordered to consent calendar.

Calendar: **05/01/25 #142 S-CONSENT CALENDAR SECOND LEGISLATIVE DAY**

Summary: The bill would require an application for a railroad crossing to include, at a minimum, certain information concerning the proposed railroad crossing. The bill would authorize the commission to partially or completely exempt railroad crossing applications that meet certain requirements from review under otherwise applicable adjudication procedures and would authorize the commission to establish an expedited review and approval process for those applications. (Based on 02/20/2025 text)

Location: 04/28/2025 - Senate
CONSENT CALENDAR

Current Text: 02/20/2025 - Introduced

High-speed rail: economic opportunities.**Progress bar****Notes****Notes 1**

Neutral

Anticipated impact - Requires certain infrastructure districts that use their revenues to finance the construction of the high-speed rail project to dedicate a majority of its revenue to infrastructure projects within the jurisdiction of the local agencies that establish the district. This would include enhanced infrastructure financing districts, community revitalization and investment authorities, Mello-Roos Community Facilities Districts, and any other district or agency established by a local agency for the primary purpose of financing infrastructure projects, including those with a state agency member, which can include the High Speed Rail Authority.

Bill information

Status: 04/30/2025 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (April 30).

Calendar: **05/01/25 #49 S-SENATE BILLS - SECOND READING FILE**

Summary: Would require the Office of Land Use and Climate Innovation, on or before July 1, 2026, to commission a study on economic opportunities along the high-speed rail alignment, as provided, and to submit a progress report to the chairpersons of the Senate Committee on Transportation and the Assembly Committee on Transportation for input. The bill would require, on or before January 1, 2027, the study to be completed and a report on the study's findings and recommendations to be submitted to the appropriate policy and fiscal committees of the Legislature. The bill would require an infrastructure district, as defined, that uses its revenue to finance the construction of the high-speed rail project to dedicate a majority of its revenue to

infrastructure projects within the jurisdiction of the local agencies that establish the district. (Based on 04/23/2025 text)

Location: 04/30/2025 - Senate APPR.

Current Text: 04/23/2025 - Amended

Last Amend: 04/23/2025

SB 569

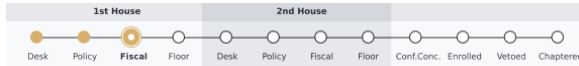
Blakespear (D)

HTML

PDF

Department of Transportation: homeless encampments.

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Notes

Notes 1

Neutral

Anticipated impact - directs the Caltrans to establish a dedicated liaison to facilitate the removal of homeless encampments on Caltrans' right-of-way and authorizes Caltrans to negotiate specified terms for Delegated Maintenance Agreements with local jurisdictions.

Bill information

Status: 04/25/2025 - Set for hearing May 5.

Calendar: 05/05/25 S-APPROPRIATIONS 10 a.m. - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Summary: Current law authorizes the Department of Transportation to establish maintenance programs related to highway cleanup, as specified. This bill would require the department to establish a dedicated liaison to, among other things, facilitate communication with local governments and relevant state agencies with regard to addressing homeless encampments within the state highway system and to oversee the development and implementation of delegated maintenance agreements between local agencies and the department in which both work together to reduce and remove homeless encampments within the department's jurisdiction. The bill would authorize the department to grant a single general entry permit for the duration of a delegated maintenance agreement to conduct activities authorized by the bill. The bill would require the department to submit an annual report to the Legislature summarizing specified information and recommendations regarding homeless encampments. (Based on 04/21/2025 text)

Location: 04/22/2025 - Senate APPR.

Current Text: 04/21/2025 - Amended

Last Amend: 04/21/2025

SB 607

Wiener (D)

HTML

PDF

California Environmental Quality Act: categorical exemptions: infill projects.

Progress bar



Notes

Notes 1

Neutral

Anticipated impact - this measure makes numerous changes to CEQA. Some provisions that could impact the district include:

SB 607 creates a new environmental review process for projects that do not meet the eligibility criteria for a CEQA exemption based on a single eligibility condition, and changes the criteria and legal standard by which lead agencies evaluate whether to prepare an mitigated negative declaration, negative declaration, or environmental impact report.

Bill information

Status: 04/30/2025 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (April 30).

Calendar: [05/01/25 #50 S-SENATE BILLS - SECOND READING FILE](#)

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Existing law defines "negative declaration" and "mitigated negative declaration" for these purposes. This bill would revise the definition of negative declaration to mean a written statement briefly describing the substantial evidence in the record that the proposed project will not have a significant effect on the environment, as specified. The bill would also revise the definition of mitigated negative declaration to mean that revisions would avoid or mitigate the effects on the environment, as determined by the public agency based upon substantial evidence in the record, as specified, and that there is substantial evidence that the project as revised will not have a significant effect on the environment, as provided. (Based on 03/24/2025 text)

Location: 04/30/2025 - Senate APPR.

Current Text: 03/24/2025 - Amended

Last Amend: 03/24/2025

[SB 752](#)[Richardson \(D\)](#)[HTML](#)[PDF](#)

Sales and use taxes: exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses.

Progress bar**Notes****Notes 1**

Positive

Anticipated impact - would continue the sales and use tax exemption for zero-emission transit buses for the district until 2028.

Bill information

Status: 03/18/2025 - Set for hearing May 14.

Calendar: 05/14/25 S-REVENUE AND TAXATION 9:30 a.m. - 1021 O Street, Room 1200
MCNERNEY, JERRY, Chair

Summary: Existing state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes, including, until January 1, 2026, an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, specified zero-emission technology transit buses sold to specified public agencies that are eligible for specified incentives from the State Air Resources Board. This bill would extend the exemption for specified zero-emission technology transit buses until January 1, 2028. This bill contains other related provisions. (Based on 02/21/2025 text)

Location: 03/12/2025 - Senate REV. & TAX

Current Text: 02/21/2025 - Introduced



STAFF REPORT

**RECEIVE THE MONTHLY TRANSIT OPERATIONS PERFORMANCE
REPORT FOR FEBRUARY AND MARCH 2025**

Time Sensitive: ☐ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Receive the Monthly Transit Operations Report for February and March 2025.

**BACKGROUND
INFORMATION:**

The Monthly Transit Operations Performance Report (TOPR) provides an overview of NCTD's performance trends by mode as they relate to budgeted goals and minimum performance standards for each month of the fiscal year. NCTD's performance goals are developed as part of the annual operations budget development process. Minimum performance standards are set forth in each modal operations and maintenance contract.

The monthly TOPR is intended to provide performance reporting on key performance indicators without the detailed analysis of trends that are included in the annual TOPR. The data contained in this staff report is unaudited and subject to change. Starting in FY2025, staff removed certain metrics from the TOPR attachment to improve legibility and allow for the inclusion of the NCTD+ mode. Metrics removed include passengers per revenue mile and metrics related to LIFT response time and pick-up windows. These metrics will continue to be tracked internally for performance management purposes. Attached to this staff report is a table that provides information on NCTD's modal performance compared to the established goals or standards, as well as a comparison to the previous fiscal year. The monthly TOPR uses the same symbology from the annual TOPR and is explained below:



STANDARD/GOAL MET:

Indicates goal or standard was met.



STANDARD/GOAL NEARLY MET:

Indicates actual performance was within 10% of the goal or standard.



STANDARD/GOAL NOT MET:

Indicates goal or standard was not met.

Systemwide Performance

February 2025

February 2025 systemwide ridership was 636,115, which is 5.2% above the budgeted goal and 7.6% above the February 2024 ridership of 591,311. February 2025 was also at 81.2% of FY19 pre-pandemic levels.

March 2025

March 2025 systemwide ridership was 712,746, which is 8.7% above the budgeted goal and 9.9% above the March 2024 ridership of 648,821. March 2025 was also at 79.6% of FY19 pre-pandemic levels.

BREEZE Performance

February 2025

BREEZE boardings for February totaled 421,193, above the budgeted goal of 385,747 by 9.2% and an 11.1% increase compared to February 2024. February 2025 was also 88% of FY19 pre-pandemic levels. BREEZE on-time performance (OTP) was 83.3% for the month, below the minimum performance standard of 88%.

March 2025

BREEZE boardings for March totaled 462,473, above the budgeted goal of 416,772 by 11% and an 10.8% increase compared to March 2024. March 2025 was also 84.5% of FY19 pre-pandemic levels. BREEZE OTP was 85.1% for the month, below the minimum performance standard of 88%.

COASTER Performance

February 2025

COASTER boardings for February totaled 58,361, above the budgeted goal of 52,791 by 10.6% and a 11.2% increase compared to February 2024. February 2025 was also 66.3% of FY19 pre-pandemic levels. COASTER OTP was 95.1% for the month, above the minimum performance standard of 95%.

March 2025

COASTER boardings for March totaled 66,683, above the budgeted goal of 60,342 by 10.5% and a 10.7% increase compared to March 2024. March 2025 was also 60.5% of FY19 pre-pandemic levels. COASTER OTP was 96% for the month, above the minimum performance standard of 95%.

SPRINTER Performance

February 2025

SPRINTER boardings for February totaled 137,410, below the budgeted goal of 150,365 by 8.6% and a 6.7% decrease compared to February 2024. February 2025 was also 69.8% of FY19 pre-pandemic levels. SPRINTER OTP was 96.2% for the month, above the minimum performance standard of 95%.

March 2025

SPRINTER boardings for March totaled 162,785, above the budgeted goal of 159,921 by 1.8% and a 3.1% increase compared to March 2024. March 2025 was also 73.4% of FY19 pre-pandemic levels. SPRINTER OTP was 96.2% for the month, above the minimum performance standard of 95%.

FLEX Performance

February 2025

FLEX boardings for February totaled 8,104, above the budgeted goal of 5,152 by 57.3% and a 103.8% increase compared to February 2024. February 2025 was also 329.2% of FY19 pre-pandemic levels. FLEX OTP was 87.4% for the month, below the performance standard of 88%.

March 2025

FLEX boardings for March totaled 8,996, above the budgeted goal of 5,507 by 63.4% and a 105.1% increase compared to March 2024. March 2025 was also 338.4% of FY19 pre-pandemic levels. FLEX OTP was 88.3% for the month, above the minimum performance standard of 88%.

LIFT Performance

February 2025

LIFT boardings for February totaled 8,964, below the budgeted goal of 9,040 by 0.8% and a 3.5% increase compared to February 2024. February 2025 was also 69.7% of FY19 pre-pandemic levels. LIFT OTP was 89% for the month, below the minimum standard of 92%. LIFT productivity, measured by passengers transported per revenue hour, was 2.17 for the month, which is above the minimum performance standard of 1.80 passengers per revenue hour.

March 2025

LIFT boardings for March totaled 9,544, below the budgeted goal of 11,243 by 15.1% but a 5.8% increase compared to March 2024. March 2025 was also 69.3% of FY19 pre-pandemic levels. LIFT OTP was 89.9% for the month, below the minimum standard of 92%. LIFT productivity, measured by passengers transported per revenue hour, was 2.05 for the month, which is above the minimum performance standard of 1.80 passengers per revenue hour.

NCTD+ Performance

February 2025

NCTD+ boardings for February totaled 2,083, above the budgeted goal of 1,848 by 12.7%. NCTD+ OTP was 86% for the month, below the minimum standard of 92%.

March 2025

NCTD+ boardings for March totaled 2,265, above the budgeted goal of 2,046 by 10.7%. NCTD+ OTP was 85.7% for the month, below the minimum standard of 92%.

Youth Opportunity Pass (YOP) Performance

February 2025

Youth pass usage for February 2025 totaled 95,757, a 6% increase compared to February 2024.

March 2025

Youth pass usage for March 2025 totaled 112,709, a 16.8% increase compared to March 2024.

ATTACHMENT: 2A – Monthly Transit Operations Performance Report, February 2025
2B – Monthly Transit Operations Performance Report, March 2025

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

STAFF CONTACT: **Katie Persons, Director of Service Planning**
Email: kpersons@nctd.org Phone: 760-966-6683

Transit Performance Report - February 2025

SYSTEM Performance (All Modes)	Budget Goal ¹	February 2025	Variance from Goal/Standard	February 2024	Variance from Prior Year
Total Boardings	604,943	636,115	5.2%	591,311	7.6%
Average Weekday Boardings	24,882	26,082	4.8%	23,187	12.5%
Average Saturday Boardings	15,602	16,339	4.7%	14,624	11.7%
Average Sunday Boardings	12,163	13,142	8.0%	11,474	14.5%
BREEZE Performance	Budget Goal / Performance Standard ¹	February 2025	Variance from Goal/Standard	February 2024	Variance from Prior Year
Total Boardings	385,747	421,193	9.2%	378,946	11.1%
Average Weekday Boardings	15,953	17,190	7.8%	14,982	14.7%
Average Saturday Boardings	9,672	10,716	10.8%	9,304	15.2%
Average Sunday Boardings	7,001	8,630	23.3%	6,777	27.3%
Boardings per Revenue Hour	12.0	12.6	4.9%	11.1	13.5%
Percent of Scheduled Service Operated	99.98%	99.70%	-0.3%	99.51%	0.2%
Major Mechanical Failures	33	36	9.1%	50	-28.0%
Other Mechanical Failures	0	11	1100.0%	0	1100.0%
Chargeable Accidents	5	10	100.0%	8	25.0%
On-time Performance	88.0%	83.3%	-5.3%	84.3%	-1.1%
Passenger Concerns	72	65	-9.7%	64	1.6%
COASTER Performance	Budget Goal / Performance Standard ¹	February 2025	Variance from Goal/Standard	February 2024	Variance from Prior Year
Total Boardings	52,791	58,361	10.6%	52,468	11.2%
Average Weekday Boardings	2,078	2,402	15.6%	1,931	24.4%
Average Saturday Boardings	2,064	2,129	3.1%	1,575	35.2%
Average Sunday Boardings	1,682	1,313	-22.0%	1,407	-6.7%
Boardings per Revenue Hour	55.8	64.2	15.1%	52.2	23.1%
Percent of Scheduled Service Operated	100.0%	99.0%	-1.0%	99.9%	-0.8%
Major Mechanical Failures	1	4	300.0%	0	400.0%
Other Mechanical Failures	0	1	100.0%	0	100.0%
Chargeable Accidents	0	0	0.0%	0	0.0%
On-time Performance	95.0%	95.1%	0.1%	96.7%	-1.6%
Passenger Concerns	4	14	250.0%	10	40.0%
SPRINTER Performance	Budget Goal / Performance Standard ¹	February 2025	Variance from Goal/Standard	February 2024	Variance from Prior Year
Total Boardings	150,365	137,410	-8.6%	147,261	-6.7%
Average Weekday Boardings	6,159	5,651	-8.3%	5,749	-1.7%
Average Saturday Boardings	3,550	3,156	-11.1%	3,508	-10.0%
Average Sunday Boardings	3,245	2,941	-9.4%	3,126	-5.9%
Boardings per Revenue Hour	82.8	76.1	-8.1%	79.1	-3.8%
Percent of Scheduled Service Operated	100.0%	99.7%	-0.3%	99.6%	0.0%
Major Mechanical Failures	1	7	600.0%	13	-46.2%
Other Mechanical Failures	0	1	100.0%	10	-90.0%
Chargeable Accidents	0	0	0.0%	0	0.0%
On-time Performance	95.0%	96.2%	1.3%	96.2%	0.1%
Passenger Concerns	7	8	14.3%	4	100.0%
FLEX Performance	Budget Goal / Performance Standard ¹	February 2025	Variance from Goal/Standard	February 2024	Variance from Prior Year
Total Boardings	5,152	8,104	57.3%	3,977	103.8%
Average Weekday Boardings	211	341	61.8%	148	130.4%
Average Saturday Boardings	150	183	22.0%	138	32.6%
Average Sunday Boardings	84	140	66.7%	79	77.2%
Passengers per Revenue Hour	2.69	3.93	46.1%	2.93	34.0%
Major Mechanical Failures	2	1	-50.0%	0	100.0%
Other Mechanical Failures	0	2	200.0%	0	200.0%
Chargeable Accidents	0	0	0.0%	0	0.0%
On-time Performance	88.0%	87.4%	-0.6%	82.5%	6.0%
Passenger Concerns	4	3	-25.0%	1	200.0%
LIFT Performance	Budget Goal / Performance Standard ¹	February 2025	Variance from Goal/Standard	February 2024	Variance from Prior Year
Total Boardings	9,040	8,964	-0.8%	8,659	3.5%
Average Weekday Boardings	415	409	-1.4%	377	8.5%
Average Saturday Boardings	100	114	13.7%	99	15.2%
Average Sunday/Holiday Boardings	86	81	-5.5%	85	-4.7%
Passengers per Revenue Hour	1.80	2.17	20.3%	2.32	-6.4%
Major Mechanical Failures ²	2	3	50.0%	2	50.0%
Other Mechanical Failures ²	0	0	0.0%	0	0.0%
Chargeable Accidents	1	0	-100.0%	1	-100.0%
On-Time Performance	92.0%	89.0%	-3.2%	93.5%	-4.7%
Passenger Concerns	13	25	92.3%	5	400.0%
NCTD+ Performance	Budget Goal / Performance Standard ¹	February 2025	Variance from Goal/Standard	February 2024	Variance from Prior Year
Total Boardings	1,848	2,083	12.7%	0	100.0%
Average Weekday Boardings	66	89	34.8%	0	100.0%
Average Saturday Boardings	66	41	-37.9%	0	100.0%
Average Sunday Boardings	66	37	-43.9%	0	100.0%
Passengers per Revenue Hour	1.80	3.67	103.8%	0.00	100.0%
Chargeable Accidents	0	0	0.0%	0	0.0%
On-time Performance	92.0%	86.0%	-6.5%	0.0%	100.0%
Passenger Concerns	3	3	0.0%	0	300.0%
Median Wait Time (minutes)	20:00	17:01	-14.9%	00:00	0.0%

¹ Budgeted goals are developed every fiscal year within budget documents and are based upon ridership projections and past performance while minimum performance standards are generally set forth in each modal operations and maintenance contract. Rail standards continue to adhere to the minimum performance standards established in past contracts.

Transit Performance Report - March 2025

SYSTEM Performance (All Modes)	Budget Goal ¹	March 2025	Variance from Goal/Standard	March 2024	Variance from Prior Year
Total Boardings	655,831	712,746	8.7%	648,821	9.9%
Average Weekday Boardings	26,203	26,776	2.2%	25,365	5.6%
Average Saturday Boardings	12,247	17,757	45.0%	13,234	34.2%
Average Sunday Boardings	9,789	14,105	44.1%	11,336	24.4%
BREEZE Performance	Budget Goal / Performance Standard ¹	March 2025	Variance from Goal/Standard	March 2024	Variance from Prior Year
Total Boardings	416,772	462,473	11.0%	417,268	10.8%
Average Weekday Boardings	16,546	17,313	4.6%	16,398	5.6%
Average Saturday Boardings	7,758	10,885	40.3%	7,709	41.2%
Average Sunday Boardings	6,102	8,897	45.8%	6,873	29.4%
Boardings per Revenue Hour	11.9	12.7	6.5%	11.9	6.8%
Percent of Scheduled Service Operated	99.98%	99.76%	-0.2%	99.57%	0.2%
Major Mechanical Failures	36	36	0.0%	48	-25.0%
Other Mechanical Failures	0	5	500.0%	2	150.0%
Chargeable Accidents	5	13	160.0%	11	18.2%
On-time Performance	88.0%	85.1%	-3.3%	83.3%	2.2%
Passenger Concerns	79	85	7.6%	78	9.0%
COASTER Performance	Budget Goal / Performance Standard ¹	March 2025	Variance from Goal/Standard	March 2024	Variance from Prior Year
Total Boardings	60,342	66,683	10.5%	60,233	10.7%
Average Weekday Boardings	2,545	2,543	-0.1%	2,389	6.4%
Average Saturday Boardings	1,400	2,679	91.4%	1,920	39.5%
Average Sunday Boardings	902	1,747	93.8%	1,435	21.7%
Boardings per Revenue Hour	61.2	70.0	14.5%	62.9	11.3%
Percent of Scheduled Service Operated	100.0%	99.2%	-0.8%	99.7%	-0.5%
Major Mechanical Failures	1	1	0.0%	1	0.0%
Other Mechanical Failures	0	0	0.0%	0	0.0%
Chargeable Accidents	0	0	0.0%	0	0.0%
On-time Performance	95.0%	96.0%	1.1%	96.1%	0.0%
Passenger Concerns	5	10	100.0%	5	100.0%
SPRINTER Performance	Budget Goal / Performance Standard ¹	March 2025	Variance from Goal/Standard	March 2024	Variance from Prior Year
Total Boardings	159,921	162,785	1.8%	157,908	3.1%
Average Weekday Boardings	6,329	6,078	-4.0%	6,033	0.7%
Average Saturday Boardings	2,818	3,862	37.0%	3,386	14.1%
Average Sunday Boardings	2,585	3,169	22.6%	2,857	10.9%
Boardings per Revenue Hour	80.4	82.9	3.1%	80.0	3.6%
Percent of Scheduled Service Operated	100.0%	98.9%	-1.1%	99.0%	-0.1%
Major Mechanical Failures	1	18	1700.0%	17	5.9%
Other Mechanical Failures	0	0	0.0%	5	-100.0%
Chargeable Accidents	0	0	0.0%	0	0.0%
On-time Performance	95.0%	96.2%	1.3%	96.1%	0.1%
Passenger Concerns	8	7	-12.5%	6	16.7%
FLEX Performance	Budget Goal / Performance Standard ¹	March 2025	Variance from Goal/Standard	March 2024	Variance from Prior Year
Total Boardings	5,507	8,996	63.4%	4,387	105.1%
Average Weekday Boardings	215	343	59.9%	157	118.5%
Average Saturday Boardings	120	174	44.5%	118	47.5%
Average Sunday Boardings	80	183	129.3%	99	84.8%
Passengers per Revenue Hour	2.66	4.06	52.5%	3.08	32.0%
Major Mechanical Failures	2	3	50.0%	3	0.0%
Other Mechanical Failures	0	0	0.0%	0	0.0%
Chargeable Accidents	0	0	0.0%	1	-100.0%
On-time Performance	88.0%	88.3%	0.4%	86.9%	1.7%
Passenger Concerns	4	0	-100.0%	1	-100.0%
LIFT Performance	Budget Goal / Performance Standard ¹	March 2025	Variance from Goal/Standard	March 2024	Variance from Prior Year
Total Boardings	11,243	9,544	-15.1%	9,025	5.8%
Average Weekday Boardings	502	411	-18.2%	388	5.9%
Average Saturday Boardings	85	110	30.0%	101	8.9%
Average Sunday/Holiday Boardings	55	72	31.4%	72	0.0%
Passengers per Revenue Hour	1.80	2.05	13.7%	2.16	-5.3%
Major Mechanical Failures ²	2	0	-100.0%	1	-100.0%
Other Mechanical Failures ²	0	0	0.0%	0	0.0%
Chargeable Accidents	1	1	0.0%	1	0.0%
On-Time Performance	92.0%	89.9%	-2.3%	93.2%	-3.6%
Passenger Concerns	14	26	85.7%	8	225.0%
NCTD+ Performance	Budget Goal / Performance Standard ¹	March 2025	Variance from Goal/Standard	March 2024	Variance from Prior Year
Total Boardings	2,046	2,265	10.7%	0	100.0%
Average Weekday Boardings	66	88	33.3%	0	100.0%
Average Saturday Boardings	66	47	-28.8%	0	100.0%
Average Sunday Boardings	66	37	-43.9%	0	100.0%
Passengers per Revenue Hour	1.80	3.89	116.2%	0.00	100.0%
Chargeable Accidents	0	0	0.0%	0	0.0%
On-time Performance	92.0%	85.7%	-6.9%	0.0%	100.0%
Passenger Concerns	3	2	-33.3%	0	200.0%
Median Wait Time (minutes)	20:00	24:16	21.4%	00:00	0.0%

¹ Budgeted goals are developed every fiscal year within budget documents and are based upon ridership projections and past performance while minimum performance standards are generally set forth in each modal operations and maintenance contract. Rail standards continue to adhere to the minimum performance standards established in past contracts.



STAFF REPORT

RECEIVE THE MARKETING, SERVICE PLANNING, AND BUSINESS DEVELOPMENT COMMITTEE CHAIR REPORT FOR THE MARCH 24, 2025 MEETING

Time Sensitive: ☒ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Receive the Marketing, Service Planning, and Business Development Committee Chair Report for the March 24, 2025 meeting.

**BACKGROUND
INFORMATION:**

On March 24, 2025, at 10:02 a.m., the Marketing, Service Planning, and Business Development (MSPBD) Committee met as scheduled with a quorum of appointed members in attendance.

MSPBD Committee Agenda Item No. 1 - Elect the MSPBD Committee Chair and Vice-Chair

Suheil Rodriguez, Director of Administration, provided an overview of the item and asked the committee to nominate and elect a MSPBD Committee Chair and Vice-Chair for calendar year 2025.

ON THE MOTION OF COMMITTEE MEMBER JOYCE, SECONDED BY COMMITTEE MEMBER MARTINEZ TO ELECT COMMITTEE MEMBER MARTINEZ AS MSPBD CHAIR AND TO ELECT COMMITTEE MEMBER GARCIA AS VICE-CHAIR.

AYES: MARTINEZ, O'HARA, GARCIA, JOYCE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION PASSES.

MSPBD Committee Agenda Item No. 2 – Receive Proposed Calendar Year 2025 MSPBD Committee Work Plan

Mary Dover, Chief of Staff, presented the proposed CY2025 MSPBD Work Plan.

Committee Member O'Hara requested past agendas as references that may assist those who are new to the committee. In response, Mary Dover mentioned that many of the items are reviewed annually by the MSPBD Committee, and past agendas can be provided for those topics. She noted that the BREEZE planning effort is a new item, but offered to provide information on the BREEZE Speed and Reliability Study, if requested.

Committee Member Martinez supported O'Hara's request and suggested providing a brief update for each agenda item to ensure clarity and continuity.

Additionally, Committee Member O'Hara recommended expanding the focus beyond customer feedback to identify individuals who are not currently using the service. This approach would allow the committee to analyze the differences in customer demographics, identify areas of overlap, and explore ways to encourage those who are not yet using the service to engage with it.

MSPBD Committee Agenda Item No. 3 – Receive an Update on the Fiscal Year 2026 Service Implementation Plan (SIP)

Katie Persons, Director of Service Planning, provided an overview of the development on the proposed FY2026 SIP.

Committee Member Garcia asked about the funding mechanisms for double tracking and service frequency. CEO Shawn Donaghy explained that funding could come from multiple sources, including partnerships with freight companies, the Department of Defense, and Federal Railroad Administration rail funds. For vehicle purchases, the funding depends on the chosen mode of transportation and fuel source, with several options still available under the current administration.

Committee Member Martinez requested an update on the convention center platform. Donaghy stated that it is expected to be completed by late 2027.

Committee Member O'Hara asked if a transit pass similar to UC San Diego's (UCSD) could be extended to MiraCosta College. Katie Persons responded that while no agreement is currently in place, discussions have begun. She noted that UCSD students now have access to the entire transit system, which could serve as a model for other colleges.

Committee Member O'Hara noted that partnering with MiraCosta College would have been beneficial, highlighting their weekend farmers market near the highway as a prime location for a visible bus stop or advertisement. He suggested that such an initiative could boost ridership and provide a strong return on investment.

CEO Shawn Donaghy discussed the UCSD partnership, noting that NCTD receives less per student than MTS. He praised CFO, Eun Park-Lynch, and Katie Persons for negotiating an improved agreement that now includes all transit services and suggested expanding partnerships with workforce development programs and non-traditional schools. He also emphasized the need to revisit service levels and financial agreements with institutions like MiraCosta and Palomar Colleges.

Committee Member O'Hara suggested NCTD's focus should be on providing free transit for students, suggesting that affordable, competitive services would be more effective in increasing ridership. He emphasized the need to make transit more convenient and cost-effective than other transportation options.

Regarding the Youth Opportunity Pass program, CEO Donaghy acknowledged funding challenges and differences in ridership reporting between agencies. While unsure of the program's future, he noted the agency is in a stronger financial position than others and is exploring ways to improve youth ridership tracking.

Committee Chair Martinez stressed the importance of tailoring service strategies for public schools, community colleges, and universities. She suggested aligning

transit schedules with school hours and improving service to key institutions like Santa Fe and San Diego High School.

In conclusion, CEO Donaghy highlighted the need to balance affordability with service quality and advocated for targeted support to underserved groups to sustain long-term transit operations while maintaining financial stability.

ATTACHMENT(S): 3A – Draft CY2025 MSPBD Work Plan
3B – Fiscal Year 2026 Service Implementation Plan Presentation

FISCAL IMPACT: This staff report has no fiscal impact.

STAFF CONTACT: **Mary Dover, Chief of Staff**
E-mail: mdover@nctd.org Phone: 760-967-2895



Marketing, Service Planning, and Business Development (MSPBD) Committee

PROPOSED CY2025 WORK PLAN

Joe Garcia, Committee Member
 Eric Joyce, Committee Member
 Tracy Martinez, Committee Member
 Jim O'Hara, Committee Member

Staff Committee Liaison: Mary Dover, Chief of Staff

COMMITTEE REVIEW	ITEM
March	• Elect MSPBD Committee Chair and Vice-Chair • Receive Proposed CY2025 MSPBD Committee Work Plan • Receive Update on the FY2026 Service Implementation Plan (SIP)
June	• Receive Marketing and Communications Program Update • Receive Update on Customer Feedback Trends and Initiatives
October	• Receive Update on BREEZE Planning Efforts • Receive an Update on Safety and Security • Receive Update on NCTD+ Microtransit



Receive Update on the FY2026 Service Implementation Plan

MSPBD Committee Meeting
March 24, 2025

COASTER SPRINTER BREEZE FLEX LIFT

Service Implementation Plan (SIP)

- The SIP provides a service plan forecast with detailed information about the upcoming fiscal year.
- The SIP is a requirement under the Master Memorandum of Understanding (MOU) with SANDAG to satisfy the regional requirement for a short-range transit plan.
- The SIP is developed consistent with NCTD Board Policy No. 17 – *Budget Development*



Key Assumptions – FY2026

- Current federal, state, and local funding projections will require NCTD to make service level reductions across all modes.



Other Key Factors – FY2026

- Regional Youth Opportunity Pass program is currently funded through June 30, 2026
- NCTD will submit a funding request to SANDAG's Flexible Fleets program to fund Fallbrook-Pala and Eastern Oceanside zones
- UCSD U-Pass expanded to provide UCSD students access to COASTER, FLEX, and NCTD+



Key Assumptions – FY2027+

- **New COASTER Passenger Stations**
 - Convention Center (FY2027)
 - Del Mar Fairgrounds (FY2030)
- **SPRINTER Doubletracking and Frequency Increases**
- **Bus Network Redesign**



Other Key Factors – FY2027+

- **NCTD submitted a Caltrans Planning Grant application in January 2025 for a Bus Network Redesign**
 - Study will include three key scenarios:
 - Reduced funding scenario
 - Maintenance funding scenario
 - Increased funding scenario
 - Service scenarios and costing would be developed as part of the study and incorporated in future SIPs upon final adoption of the plan and appropriate financial outlook



Other Key Factors – FY2027+

- Uncertain funding projections at all levels of government, coupled with decreasing sales tax revenues, pose significant challenges in projecting future service levels.
- Should the current forecast continue without the introduction of a new funding source, NCTD will likely need to cut service in future years.



Next Steps

- **FY2026 Service Implementation Plan:**
 - Incorporate feedback and finalize SIP with Finance team by April 18, 2025
- **FY2026 Budget Development Process:**
 - April 17, 2025: Set public hearing for consideration of adoption of Budget
 - May 15, 2025: Board receives update on Budget development
 - June 26, 2025: Board asked to approve Operating and Capital Budget





STAFF REPORT

APPROVE SUPPLEMENTAL AGREEMENT NO. 05 TO AGREEMENT NO. 20015 WITH SWIFTLY, INC. FOR RIDERSHIP ANALYTICS AND AUTOMATIC PASSENGER COUNTER CERTIFICATION SERVICES

Time Sensitive: ☒ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Approve Supplemental Agreement No. 05 to Agreement No. 20015 with Swiftly, Inc. for ridership analytics and automatic passenger counter certification services in the amount of \$455,685, for a total agreement amount not-to-exceed of \$3,044,460.

**BACKGROUND
INFORMATION:**

The North County Transit District (NCTD) uses real-time transit analytics software provided by Swiftly, Inc. (Swiftly) to gather and process vehicle location data from various existing sources to provide real-time information on vehicle locations, delays, arrival information, and ridership for all NCTD modes.

Swiftly interfaces with various information systems to collect and aggregate system and passenger information into real-time data that can be shared with riders for arrival time, detours and service alerts, as well as provide NCTD staff with valuable information on ridership as collected through the automatic passenger counters (APC) installed in all modes. The APC data is collected through Hopthru. Hopthru aggregates the APC data with general system data to provide staff with granular analytics and geospatial displays that enable real-time performance monitoring and reporting functionality.

In October 2020, NCTD executed Agreement No. 21013 with Hopthru. The services provided by Hopthru are critical to comply with triennial APC certifications as required by the National Transit Database (NTD). Compliance with NTD reporting requirements is crucial for NCTD to demonstrate accountability for service performance required to receive federal funding. Hopthru was acquired by Swiftly in August 2024.

The purpose of Supplemental Agreement No. 05 to Agreement No. 20015 with Swiftly is incorporate the services of Hopthru, previously contracted through Agreement 21013, as well as incorporate additional data services (e.g., data analysis and data cleansing) provided by Swiftly that are required for the NTD recertification of the SPRINTER hybrid rail and BREEZE bus modes.

Prior Actions on Agreement No. 20015

On October 17, 2019, the NCTD Board of Directors (Board) awarded Agreement No. 20015 to Swiftly for \$828,750 for a base period of five years and five optional one-year extensions for a total not-to-exceed amount of \$1,735,139 (Agenda Item No. 5).

On December 29, 2020, NCTD entered into Supplemental Agreement No. 1 for a Real-Time Transit Analytics Accumulator for \$42,323 for the remaining base period and \$61,716 for the option years, which was within the authority of the Executive Director per Board Policy No. 19 - *Delegation of Authority to Chief Executive Officer*, for a total increase of \$104,039.

On September 16, 2021, the Board approved Supplemental Agreement No. 2 for the Service Adjustments Module in the amount of \$95,034 for the remaining base period and \$171,888 for the option years (Agenda Item No. 11), for a total increase of \$266,922.

On November 16, 2023, the Board approved Supplemental Agreement No. 3 for the lease, provisioning, and implementation of two vanity short codes in the amount of \$46,000 for the remaining one-year base and an additional \$216,550 for the option years (Agenda Item No. 14), for a total increase of \$262,550.

On July 18, 2024, the Board approved Supplemental Agreement No. 4 for Fleet Expansion Phase 1 in the amount of \$43,098 to include the COASTER Connection vehicles, and Optional Fleet Expansion Phase 2 in the amount of \$177,031 (Agenda Item No. 10), for a total increase of \$220,129.

Staff Recommendation

Staff recommends that the Board approve Supplemental Agreement No. 5 to Agreement No. 20015 with Swiftly to add Hopthru's Ridership Analytics dashboard and APC cleansing services for \$455,685 for the remaining contract years, for a total agreement not-to-exceed amount for Agreement No. 20015 of \$3,044,460.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of Supplemental Agreement No. 5 to Agreement No. 20015 is an amount not-to-exceed \$455,685. The estimated expense for FY2025 is \$7,846 which is funded with local operating funds programmed in accounts 260.50311x, which collectively have an FY2025 budget of \$1,163,040. Future years expenditures will be budgeted through the annual operating budget process.

COMMITTEE REVIEW: None

STAFF CONTACT: **Katie Persons, Director of Service Planning**
E-mail: kpersons@nctd.org Phone: 760-966-6683



STAFF REPORT

**AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE
CHANGE ORDER NO. 01 TO AGREEMENT NO. 25013 WITH VINCOR
CONSTRUCTION, INC. FOR THE GENERAL ADMINISTRATION
OFFICE BUILDING THIRD FLOOR IMPROVEMENTS**

Time Sensitive: ☐ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Authorize the Chief Executive Officer (CEO) to finalize negotiations and execute Change Order No. 01 to Agreement No. 25013 with Vincor Construction, Inc. in an amount not-to-exceed \$490,000 for contingency related to conditions encountered during facility improvements at NCTD's General Administration Office building.

**BACKGROUND
INFORMATION:**

At the November 21, 2024 Regular Board Meeting, the North County Transit District (NCTD) Board of Directors (Board) authorized the CEO to negotiate and finalize Agreement No. 25013 with Vincor Construction, Inc. (Agreement) regarding improvements to NCTD's General Administration Office (GAO) third floor improvements (Item No. 9).

During construction, the project team identified opportunities to improve or remediate conditions that require additional work. This requires a modification to the Agreement to ensure successful completion of the work being completed. Items may include general contracting work such as electrical, improvements to ventilation and duct work, interior wall bracketing, and abatement required to ensure building is at current code or general services needed. The cost of the requested contingency is approximately \$490,000.

Staff recommends that the Board authorize the CEO to finalize negotiations and execute Change Order No. 01 to Agreement 25013 with Vincor Construction, Inc. not-to-exceed \$490,000 for the contingency for improvements related to NCTD's GAO third floor offices. Negotiations are currently being finalized with the contractor. However, approval is requested at this time so as to not delay the project.

ATTACHMENT:

None

FISCAL IMPACT:

The fiscal impact of this proposed contract action is not-to-exceed \$490,000 which will be funded with local Transportation Development Act (TDA) funds programmed in project No. 125018.

COMMITTEE REVIEW:

None

STAFF CONTACT:

Tracey Foster, Chief Development Officer
E-mail: tfoster@nctd.org Phone: 760-966-6674

STAFF REPORT

APPROVE THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN FOR BUS AND THE COMBINED PUBLIC TRANSPORTATION AGENCY SAFETY PLAN/SYSTEM SAFETY PLAN FOR COASTER AND SPRINTER SERVICES

Time Sensitive: ☐ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Staff recommends that the Board of Directors approve the North County Transit District's Public Transportation Agency Safety Plan for Bus Services and the combined Federal Railroad Administration System Safety Plan/Public Transportation Agency Safety Plan (SSP) for the COASTER and SPRINTER Services for compliance with 49 CFR Part 673 and 674 and 49 CFR Part 270.

**BACKGROUND
INFORMATION:**

Both the Federal Railroad Administration (FRA) and the Federal Transit Administration (FTA) adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation in the United States. The North County Transit District (NCTD) is responsible for producing required safety plans in compliance with FRA and FTA regulations relative to BREEZE/LIFT/FLEX ("bus services"), COASTER and SPRINTER services.

NCTD's bus services are required to have a Public Transportation Agency Safety Plan (PTASP) in accordance with FTA's 49 CFR Part 673. The COASTER and SPRINTER are required to have a System Safety Plan (SSP) in accordance with FRA's 49 CFR Part 270. Separately, the SPRINTER is required to have a PTASP in accordance with FTA's 49 CFR Part 673. The combined SSP/PTASP document distinguishes between additional elements that are required by the PTASP and not the SSP by placing a small California flag next to that element. FTA regulations require that the PTASPs are approved by the NCTD Board of Directors. Lastly, both regulations require ongoing engagement with local union membership as well as an annual review and update.

The bus services PTASP and the combined rail services SSP/PTASP were approved by the Board of Directors at its meeting on May 16, 2024. As part of the annual review process of both plans, NCTD met with the Rail Safety Committee on April 17, 2025 and May 7, 2025, and with the Bus Safety Committee on April 24, 2025 and May 7, 2025. Both Committees approved their respective proposed annual plan updates. Revisions to the proposed updated plan documents include updated 2025 calendar year safety performance targets as well as general department and position title updates to align with the current NCTD organizational structure.

If the Board approves staff's recommendation, the adopted combined SSP/PTASP for COASTER and SPRINTER will be submitted to both the CPUC (on behalf of the FTA as the rail State Safety Oversight Agency) and to the FRA for final approval.

Based on the foregoing, staff recommends that the Board approve the North County Transit District's Public Transportation Agency Safety Plan for Bus Services and the combined Federal Railroad Administration System Safety

Plan/Public Transportation Agency Safety Plan (SSP) for COASTER and SPRINTER Services in compliance with 49 CFR Part 673 and 674 and 49 CFR Part 270.

ATTACHMENT: 6A– NCTD Combined FRA System Safety Program and FTA Public Transportation Agency Safety Plan for NCTD's Rail Services
6B – NCTD Bus Services Public Transportation Agency Safety Plan

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

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Federal Railroad Administration
System Safety Program Plan
and
Federal Transit Administration
Public Transportation Agency Safety Plan
for the COASTER and SPRINTER Services

May 15, 2025

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Revision Record

SSP Revision Information

DATE	REVISION NO.	PAGES AFFECTED	COMMENTS
February 24, 2021	Initial Publication		
July 15, 2021	Revision 1	All	Updated based on request for additional information from the FRA after initial review
May 16, 2024	Revision 2	All	Updated to combine SSP and PTASP for SPRINTER into one document
May 15, 2025	Revision 3	All	Updated based on request for additional information from the FRA after review of May 16, 2024 document.

PTASP Revision Information

DATE	REVISION NO.	PAGES AFFECTED	COMMENTS
February 20, 2020	Initial Publication		
May 21, 2020	Revision 1	All	Updated based on SSOA review
July 22, 2021	Revision 2	All	Annual review and updated based on requirements of CPUC GO 175 Series
January 19, 2023	Revision 3	All	Annual review and updated based on organizational changes and Bipartisan Infrastructure Law of 2021 requirements.
November 8, 2023	Revision 4	All	Updated with administrative changes only.
May 16, 2024	Revision 5	All	Annual Review and updated to combine SSP and PTASP for SPRINTER into one document
May 15, 2025	Revision 6	All	Annual Review and updated to include newest FTA and CPUC regulations.

1.0 System Safety Program Policy Statement

Safety is a core value and the North County Transit District (NCTD) is committed to implementing, maintaining, and constantly improving safety processes to ensure, to the maximum extent possible, that its activities are supported by an appropriate allocation of agency resources.

Employees and contractors at all levels are accountable for the delivery of the highest level of safety performance, starting with the Chief Executive Officer (CEO) and continuing throughout the agency including contractors and their employees. This combined Federal Railroad Administration (FRA) System Safety Program (SSP) Plan/Federal Transit Administration (FTA) Public Transportation Agency Safety Plan (PTASP) serves as a guiding policy document describing the agency's approach to managing risk and proactively addressing safety for COASTER commuter rail and SPRINTER hybrid rail. Where an item is only applicable to PTASP requirements, the section will be labeled with a California State Flag.



This document is based on the four components of Safety Management: 1) Safety Management Policy, 2) Safety Risk Management, 3) Safety Assurance and 4) Safety Promotion. This plan provides evidence of NCTD's commitment to the following safety objectives:

1. **Support** the management of safety by providing appropriate resources to foster an organizational culture that encourages safe operational practices, effective safety reporting and communications, and pro-actively manages safety with equivalent attention to results as other management systems.
2. **Enforce** the management of safety as an explicit responsibility of all NCTD employees and contractors.
3. **Define** for all NCTD employees and contractors their accountabilities and responsibilities for the delivery of safe transit operations.
4. **Operate** a safety reporting program as a fundamental tool in support of hazard identification and safety risk evaluation activities to eliminate or mitigate the safety risks of the consequences of hazards resulting from transportation activities to a point that is as low as reasonably practicable (ALARP).
5. **Ensure** that no action will be taken against any NCTD employee or contractor employee who voluntarily discloses a safety concern through the safety reporting system, provided that such disclosure does not indicate, beyond a reasonable doubt, an illegal act, gross negligence or a deliberate or willful disregard of regulations or procedures by the reporting party.
6. **Comply** with and whenever possible and practicable, exceed any applicable legislative or regulatory requirement or standard.
7. **Ensure** that sufficiently trained and skilled staff are available and assigned to manage the NCTD SSP/PTASP.
8. **Ensure** that all NCTD employees and contractors are formally made aware of adequate and appropriate safety management information, trained properly on safety requirements, and are competent in SSP/PTASP policies and procedures, as well as being only assigned to safety related duties that are commensurate with their skills and training.
9. **Establish and measure** NCTD safety performance against realistic system safety program goals and against realistic safety performance indicators and targets including those established by the National Transportation Safety Plan (NPTSP).
10. **Improve**, on a continuous basis, NCTD's safety performance through management processes that ensure appropriate safety action is taken in a timely fashion and is effective when implemented.



The Rail Safety Committee is responsible for supporting the development, management and implementation of this PTASP as described further in Section 15.7 – *Hazard Communications and Reporting* of this document and in NCTD Administrative Policy SAF-2004 – Safety Committee. NCTD’s Deputy CEO/Chief General Counsel is the designated SMS Executive and is responsible for the overall management, implementation, and compliance of this document. However, it is everyone’s responsibility to actively promote a culture of safety from within. This policy statement will be posted on employee bulletin boards at NCTD facilities and will be revised (if applicable) during the annual review process.

Priya Bhat-Patel
Board Chair
North County Transit District



Date

Shawn M. Donaghy
Chief Executive Officer
North County Transit District

Date

Lori Winfree
Deputy CEO/Chief General Counsel
SMS Executive
North County Transit District

Date

2.0 Goals, Objectives, and Scope

2.1 Goals

The overall goal of this document is to identify, eliminate, minimize, and control safety hazards and their attendant risks to a point that is As Low as Reasonably Practicable (ALARP). NCTD will accomplish this by establishing requirements, lines of authority, levels of responsibility, accountability, and methods of documentation and communication throughout the Agency.

This document serves as a framework to implement the following four components of a Safety Management System (SMS):

1. Safety Management Policy – including safety accountabilities and responsibilities, integration with public safety and emergency management, and documentation and records. (Sections 1.0 through 5.0)
2. Safety Risk Management – including hazard identification and analysis, risk evaluation and mitigation based on a pre-defined decision process. (Sections 14.0 through 17.0)
3. Safety Assurance - including safety performance monitoring, internal safety audits, accident investigations, employee reporting systems, and safety certification and configuration management. (Sections 6.0, 12.0, 13.0, and 18.0 through 20.0)
4. Safety Promotion – includes communication of safety information to employees and training to achieve and maintain competencies. (Sections 7.0 through 10.0)

2.1.1 SSP Goals- FRA

System Safety Program Goals apply to both COASTER and SPRINTER operations. The data will be collected separately but then combined to create the statistics needed to monitor the trends related to the goals below.

1. **Zero Fatalities, Serious Injuries, and Significant Accidents** – This goal helps ensure mitigation of any risks with a severity level that could result in the death of a passenger or employee, serious injury to a passenger or employee, or an accident that would trigger an independent investigation by a regulator (FRA or FRA) or the NTSB.
 - 1.1. Strategy 1 – The NCTD Safety Department will assess risks for all hazards and corrective actions to ensure identified and reported hazards are mitigated through the hazard management process.
 - 1.2. Strategy 2 – Ensure all employees are properly trained in their job responsibilities.
 - 1.3. Strategy 3 – Conduct inspection, audit, and testing programs for compliance.
 - 1.4. Strategy 4 – Engage tenant railroads through Quarterly Stakeholder Meetings to reduce the likelihood of tenant incidents on NCTD's rail corridors.
2. **Reduce Employee Injury Rate** – This aim of this goal is to reduce the employee injury by at least 5% year-over-year. While the FTA views injury rates by vehicle revenue miles, for the purposes of the SSP, NCTD will review the injury rates using a ratio based on 200,000 work hours.
 - 2.1. Strategy 1 - Promote employee reporting of hazards through the use of the Employee Hazard Reporting Form and C3RS (see Goal 4).

- 2.2. Strategy 2 – Implement employee safety messaging through “Safety First” bulletins and targeted messaging.
 - 2.3. Strategy 3 – Perform injury reenactments to determine true root causes that can be tracked and mitigated.
3. **Reduce Near Misses and Trespasser Strikes** – This goal aims to reduce near miss events and trespasser strikes by 5% year-over-year. Near misses and other trespasser events are not only safety issues, but they also create unnecessary stress for employees and unnecessary delays for passengers.
- 3.1. Strategy 1 – Improve trespasser reporting by field employees. Accurate trespasser reporting allows NCTD to better understand hot spots of trespasser activity and allow stakeholders to improve anti-trespassing efforts.
 - 3.2. Strategy 2 – Improve reporting of fencing defects. Much of the right of way, especially on the San Diego Subdivision, is not fenced. However, where fencing does exist, ensuring that it is intact and adequate helps in deterring trespassing activities.
 - 3.3. Strategy 3 – Engage local stakeholders. Where documentation of high trespasser activity exists, NCTD will work with local jurisdictions, including city government officials and local law enforcement, to determine how best to deter access to the right-of-way.
4. **Voluntary Hazard Reporting** – This goal aims to increase the number of hazards reported by employees, contractors, and tenant railroads by 20% year-over-year.
- 4.1. Strategy 1 – Continue promotion of employee hazard reporting form, including sharing outcomes of those reports with the Safety Committee and posting the results in breakrooms.
 - 4.2. Strategy 2 – Revitalize NCTD’s C3RS program with the FRA and NASA.
 - 4.3. Strategy 3 – Work with tenant railroads to identify methods to engage their employees in reporting hazards along NCTD’s corridors.



2.1.2 PTASP Safety Performance Measures and Targets- FTA

These safety performance measures and targets only apply to SPRINTER Operations and are based on the measures established under the National Public Transportation Safety Plan. NCTD’s safety performance targets seek to mitigate identified safety risks to a point that is as low as reasonably practicable. By identifying targets that are specific, measurable, attainable, relevant, and time-bound (SMART), NCTD will ensure safety data is evaluated against these performance measures and targets. The Safety Performance Targets set are based on a three-year rolling average of data submitted by NCTD to the NTD. The Safety Committee reviews the data provided, recommends specific performance measures, and approves the final Safety Performance Measures. The Safety Performance Targets are outlined in the Appendices.

NCTD's safety performance measures and targets are made available to the state and the San Diego Association of Governments (SANDAG), which is NCTD's Metropolitan Planning Organization (MPO). NCTD has representation on the SANDAG Transportation Committee, which advises the SANDAG Board of Directors on major policy-level matters related to transportation. This membership supports regional transportation planning as well as NCTD PTASP's safety goals and objectives. Board membership also permits NCTD to coordinate with SANDAG in the selection of their safety performance targets.

2.2 Plan Objectives

The SMS Executive is responsible for ensuring the following objectives are achieved and serves as the Chief Executive Officer's designee for oversight and execution of this document. The objectives of this document are:

- Provide an overall safety management methodology that coordinates the various programs, policies, and procedures affecting NCTD's operations system in order to reduce risks and maximize safety.
- Provide a level of safety that is comparable to or exceeds industry standards.
- Achieve and maintain a level of safety in employees' work environment comparable to or well above that of other organizations in the rail industry.
- Identify, manage, mitigate, and/or control potential hazards that may exist in NCTD's system to a point that is ALARP.
- Maintain compliance with the applicable requirements of regulatory agencies.
- Maximize continuing safety by affecting the design and configuration of future growth in services and infrastructure.



2.3 Scope

This document encompasses the safety activities associated with NCTD operations and maintenance. The Federal Railroad Administration (FRA) safety requirements detailed in this document are based on 49 CFR Part 270. This document has also been prepared in accordance with NCTD's standards and plans, as provided below under applicable documents, and complies with the requirements in CPUC General Order (GO) 164 Series and Rail Transit Safety Branch Program Standards, Federal Transit Administration (FTA) 49 CFR Part 673, Public Transportation Agency Safety Plan (PTASP) and 49 CFR Part 674, State Safety Oversight. NCTD receives federal funding under 49 U.S.C. §5307, §5337 and §5339. In addition, the American Public Transit Association (APTA) Manual for the Development of Rail Transit System Safety Program Plans was used for guidance in preparing this document.

Additional guidance has been provided by the FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. NCTD intends to comply with any minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C).

3.0 Rail System Description

3.1 System Overview

The North San Diego County Transit Development Board (NSDCTDB) was created by California Senate Bill 802 on September 20, 1975, to plan, construct, and operate, directly, or through a contractor, public transit systems in its area of jurisdiction, as codified in California Public Utilities Code sections 125000, *et. seq.* On January 1, 2003, a state law was enacted (SB 1703) that essentially transferred transit planning, programming, development, and construction to the San Diego Association of Governments (SANDAG), San Diego County's Regional Planning Agency. As a result, SANDAG leads the project planning and development for capacity enhancing projects for NCTD pursuant to an agreement that clearly defines roles, responsibilities, and processes to govern the relationship. In January 2006, the California State Legislature renamed NSDCTDB, the "North County Transit District".

NCTD is governed by a ten (10) member Board of Directors (Board) with voting members from: the cities of Carlsbad, Del Mar, Encinitas, Escondido, Oceanside, Solana Beach, San Marcos, and one member from the Fifth District San Diego County Board of Supervisors. The City of San Diego is also represented on the Board as a non-voting member.

NCTD provides integrated public transit service in North San Diego County with its BREEZE buses, FLEX on-demand, LIFT ADA-certified paratransit, COASTER commuter rail, and SPRINTER hybrid rail modes of transportation. The NCTD service area includes the cities of Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego, Vista, San Marcos, and Escondido, Camp Pendleton, and unincorporated areas of the County.

In 1992, NCTD purchased the portion of the San Diego Subdivision mainline rail corridor between the Orange County/San Diego County line and the Del Mar city limits from the Atchison Topeka and Santa Fe Railway (ATSF). ATSF retained an exclusive freight easement and the maintenance responsibility for industry tracks off the main tracks. The freight easement is now owned by BNSF Railway. The route south of Del Mar is owned by the San Diego Metropolitan Transit System (MTS); however, NCTD has the responsibility to operate and maintain the entire railroad, now known as the San Diego Subdivision pursuant to an Amended and Restated Shared Use Agreement between NCTD, MTS and BNSF. The COASTER service began between Oceanside and San Diego in 1995.

NCTD is designated as a rail common carrier by the Surface Transportation Board based on the movement of interstate commerce on the tracks and the Railroad of Record by the Federal Railroad Administration responsible for safety over the entire San Diego portion of the LOSSAN corridor.

As part of the same transaction with ATSF, NCTD purchased the Escondido Subdivision, a 22-mile branch line that extends from the San Diego Subdivision in an easterly direction from Oceanside to Escondido on which NCTD's SPRINTER diesel multiple unit (DMU/hybrid) rail services run. SPRINTER service started in 2008.

COASTER is a commuter rail service that currently operates 30 trains Monday through Thursday and 32 trains on Fridays between Oceanside and downtown San Diego. In addition, 20 trains currently operate on Saturdays, Sundays and holidays. Additional service is provided to support special events. Trains are operated in a push-pull configuration with one locomotive engineer and one conductor.

SPRINTER hybrid rail operates over the 22-mile route between Oceanside and Escondido serving 15 stations. SPRINTER operations have been relieved of certain FRA requirements and follow FTA/CPUC regulations. Additionally, NCTD will adhere to FTA and CPUC regulations unless they conflict with FRA regulations that have not been waived by the FRA. The DMUs generally operate on 30-minute headways, with some periods of hourly service, starting early morning and continuing service throughout the day, including weekends and holidays. SPRINTER operates 68 trains Monday through Thursday and 78 trains on Fridays between Oceanside and downtown San Diego. In addition, 55 trains operate on Saturdays, and 50 trains operate on Sundays and holidays. Passenger and freight services are temporally separated per Federal Railroad Administration (FRA) requirements. DMUs are operated with a Train Operator. Train Attendants are part of the train crew as often as possible, but not required.

3.2 Safety Sensitive Contractors

NCTD contracts with Jacobs Engineering to provide on-track protection/flagging services to third party contractors. NCTD shares this plan with Jacobs Engineering and provides appropriate training to all Jacobs employees working on NCTD property. Contact information for Jacobs Engineering is provided along with the Additional Infrastructure Users in Appendix B.

3.3 Additional Infrastructure Users

Tenants/users of NCTD's rail systems are the following:

Amtrak: Operates 20 daily Pacific Surfliner intercity trains on the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Corridor serving San Diego, Orange, and Los Angeles Counties and points north.

BNSF Railway: Operates nightly local freight service, and occasional daytime trains, on both the San Diego and Escondido Subdivisions.

Metrolink Commuter Rail Service: Southern California Regional Rail Authority (SCRRA), referred to as Metrolink, operates 15 weekday trains and 12 weekend trains serving the Oceanside Transit Center. The Orange County Transit Authority (OCTA) owns the portion of the LOSSAN rail corridor between the Orange/San Diego County line and the BNSF Railway connection in Fullerton.

Additional infrastructure points of contact can be found in Appendix B.

Responsibilities of additional infrastructure users:

- Notify NCTD of any potential or recognized hazard in a timely manner
- Ensures that all accidents or incidents are investigated, documented, and reported to NCTD as required by regulation
- Compliance with required operating and maintenance rules and regulations such as Timetable/Special Instructions (TTSI), General Code of Operating Rules (GCOR), and applicable Codes of Federal Regulations (CFRs).

3.4 Parallel Rail Operations

San Diego Trolley (SDTI) runs electrified light rail on tracks parallel to the San Diego Subdivision in a shared right-of-way between MP 257.1 and the Santa Fe Depot (MP 267.5). In the event of an unusual or emergency incident between these mile posts, San Diego Subdivision operating rules require communication between the Operations Control Center (OCC) and the SDTI Control Center to request that trolley traffic be slowed or stopped and, if necessary, the overhead catenary power shut off. In addition, SDTI standard operating procedures require communication between the Trolley Control Center and the OCC to slow or stop trains in the event of a trolley emergency in the shared right-of-way. Contacts for SDTI can also be found in Appendix A.

3.5 Physical Characteristics

COASTER – The San Diego Subdivision mainline consists of a mix of 115 and 136 lb. continuous welded rail (CWR) which is maintained to FRA Class 5 track standards. Maximum passenger train speed is 90 MPH, and the maximum authorized speed for freight trains is 55 MPH. Though geographically oriented north-south, the San Diego Subdivision is operated in an east-west timetable direction, San Diego being east, to maintain consistency with timetable directions of connecting railroads. Positive Train Control (PTC) is implemented throughout the San Diego Subdivision.

SPRINTER – The Escondido Subdivision mainline consists of 136 lb. continuous welded rail (CWR) which is maintained to FRA Class 3 standards. Maximum speed for passenger equipment is 55 mph and 30 mph for freight. The Escondido Subdivision is operated as an east-west railroad with Oceanside as the westernmost point. The line is operated under Centralized Traffic Control (CTC) rules. Between CP Loop west (MP 116.4) and CP Loop east (MP 118.4), a freight bypass track exists as the San Marcos Loop was not designed to support freight trains. The San Marcos Loop alignment diverges to the south of the original track providing a connection to California State University San Marcos.

3.6 Equipment

Currently, the COASTER operates a fleet of 28 Bombardier bi-level commuter cars and cabs and nine Siemens Charger locomotives. NCTD primarily utilizes five four-car sets for the current baseline service schedule. Extra cars are used based on demand, special capacity, special events, etc. Vehicles operate at a maximum authorized speed of 90 MPH, depending on location.

NCTD has procured eight Bombardier Bi-Level Coaches and three Bombardier Bi-Level Cabs. NCTD's Bi-Level procurement includes the replacement of one cab. Each coach car has a seating capacity of approximately 130 passengers and the capability of accommodating up to an additional 110 standing passengers. Level boarding is provided at all stations for all passengers and complies with the requirements of the Americans with Disabilities Act (ADA).

The SPRINTER system fleet is composed of 12 Siemens VT-642 diesel multiple unit (DMU) vehicles. Vehicles operate at a maximum authorized speed of 55 MPH and are capable of being operated as a single or coupled with one or more other vehicles and operated as a train by a single train operator with a train attendant inside the passenger compartment. Each vehicle is propelled by two diesel engines and has an operator cab at each end with a driving console for bi-directional operation.

A single SPINTER consist is approximately 137 feet long with a seating capacity of approximately 128 seated passengers and the capability of accommodating up to 100 additional standing passengers. Level boarding is provided at all stations for all passengers and complies with ADA requirements.

3.7 Facilities

The General Services Division (GSD) is responsible for facilities maintenance. GSD maintains facilities to support the NCTD transit system and services including the following:

General Administrative Offices (GAO): GAO is NCTD's administrative headquarters, located at 810 Mission Avenue in Oceanside. GAO houses NCTD's administrative, financial, marketing, public information, operations, planning, and executive management functions.

Oceanside Transit Center (OTC): OTC is located at 195 S. Tremont Street, in Oceanside. OTC is the primary hub for all NCTD modes including SPINTER, and COASTER. Customer Service is housed at OTC.

Also located at the OTC is the Security Monitoring Center (MC), which is staffed 24-hours a day, 7 days a week by Control Center Technicians who monitor NCTD's closed-circuit TV (CCTV) security cameras and monitor communications throughout NCTD.

311 S. Tremont Ave.: The building at 311 S. Tremont Avenue in Oceanside, CA is home to NCTD's Development Services Division.

501 Mission Avenue: The Safety Department and the Service Planning Department are housed on the second floor above the CVS.

SPINTER Operations Facility (SOF): The SPINTER fleet is maintained at the hybrid rail vehicle maintenance facility and storage yard at 1021 West Washington Avenue in Escondido, CA. The SOF is located approximately 0.2 miles west of the Escondido Transit Center, on the north side of the Escondido Subdivision. The track connecting the yard to the Escondido Subdivision is used exclusively by SPINTER trains. The SOF also houses the Operations Control Center (OCC). The OCC is staffed 24-hours a day, 7 days per week and is the central location for transportation system security, emergency response coordination, rail dispatching, emergency communications, and on-platform customer service communications.

Stuart Mesa Maintenance Facility (SMMF): The maintenance and storage facility for COASTER, Metrolink and freight train equipment is located at MP 222.0. This facility is equipped with passenger storage tracks, an inspection/servicing/wash track, and two inside shop tracks. Shop facilities include three inspection and maintenance pits, an overhead crane, car, and locomotive jacks, car, and locomotive washer, fueling and sanding equipment, car cleaning and service support equipment, heavy maintenance work areas, storage spurs, materials warehouse, a crew room, and administrative offices. By agreement with NCTD, Metrolink and freight trains use SMMF for layovers and/or light servicing.

Maintenance of Way Facility (MOW): The facility is located at 3700 Maritime Way in Oceanside, CA. Track and signal maintenance staff, activities, and equipment are based in the MOW facility located in Oceanside. Track and signal maintenance for the San Diego and Escondido Subdivisions are operated from this facility.

3.8 San Diego Subdivision – Rail Stations

- Oceanside - OTC: Served by COASTER, SPRINTER, Metrolink, and Amtrak. (195 S. Tremont St., Oceanside, CA 92054)
- Carlsbad - Carlsbad Village: Served by COASTER, (2775 State St., Carlsbad, CA 92008)
- Carlsbad - Poinsettia: Served by COASTER, (6511 Avenida Encinas, Carlsbad, CA 92009)
- Encinitas: Served by COASTER, (25 East D St, Encinitas, CA 92024)
- Solana Beach: Served by COASTER and Amtrak. (105 N. Cedros Ave., Solana Beach, CA 92075)
- Sorrento Valley: Served by COASTER, (11170 Sorrento Valley Rd., San Diego, CA 92121)
- San Diego - Old Town Transit Center: Served by COASTER and Amtrak. (4005 Taylor St., San Diego, CA 92110)
- San Diego - Santa Fe Depot: Served by COASTER and Amtrak. (1050 Kettner Blvd., San Diego, CA 92101)

NOTES:

- MTS owns Old Town Transit Center.
- Santa Fe Depot is owned by Santa Fe Depot, LLC.
- Amtrak staffs ticket offices at OTC, Solana Beach, and the Santa Fe Depot.
- All stations have CCTV monitoring and public address systems operated by and viewed from the OCC and the MC. Stations are equipped with automatic ticket vending machines (TVMs). The Security Department provides 24/7 monitoring of the CCTV system at the MC.

3.9 Escondido Subdivision – Rail Stations

- Oceanside - OTC: Served by COASTER, SPRINTER, Metrolink, and Amtrak (195 S. Tremont St., Oceanside, CA 92054)
- Coast Highway: Served by SPRINTER (1304-1/2 S. Tremont St., Oceanside CA 92054)
- Crouch Street: Served by SPRINTER (609 Crouch St., Oceanside CA 92054)
- El Camino Real: Served by SPRINTER (1505 El Camino Real, Oceanside, CA 92054)
- Rancho Del Oro: Served by SPRINTER (3513 Oceanside Blvd., Oceanside, CA 92056)
- College Blvd: Served by SPRINTER (4103-1/2 Oceanside Blvd., Oceanside, CA 92056)
- Melrose: Served by SPRINTER (1495-1/2 N. Melrose Dr., Oceanside, CA 92056)
- Vista Transit Center: Served by SPRINTER (240 N. Santa Fe Rd., Vista, CA 92083)
- Civic Center Vista: Served by SPRINTER (810 Phillips St., Vista, CA 92083)
- Buena Creek: Served by SPRINTER (1923 Buena Creek Rd., San Diego, CA 92084)
- Palomar College: Served by SPRINTER (1142 W. Armormite Dr., San Marcos, CA 92069)
- Civic Center-San Marcos: Served by SPRINTER (40 W. San Marcos Blvd., San Marcos, CA 92069)
- Cal State San Marcos: Served by SPRINTER (410 La Moree Rd., San Marcos, CA 92069)
- Nordahl Road: Served by SPRINTER (2121 Barham Dr., Escondido, CA 92025)
- Escondido: ETC Served by SPRINTER (796 W. Valley Parkway, Escondido, CA 92025)

NOTES:

All stations have CCTV monitoring, public address systems, and electronic message boards operated by and viewed from the OCC and the MC. Stations are equipped with TVMs. The Security Department provides 24/7 monitoring of the CCTV system at the MC.

4.0 NCTD Organizational Structure

4.1 NCTD Divisions

NCTD's operations are led by a Chief Executive Officer who reports to the Board. All NCTD employees and contractors have general safety-related tasks under this document. NCTD's Organizational Structure is detailed in Appendix B.

Chief Executive Officer

The NCTD Chief Executive Officer, as the Accountable Executive, has the following authorities, accountabilities, and responsibilities:

- Control and direction over human and capital resources needed to develop and maintain both this document and the Transit Asset Management (TAM) Plan
- Designate a Chief Safety Officer/SMS Executive in accordance with 49 CFR 673.23(d)(2)
- Address the safety performance of NCTD and its contractors
- Address substandard performance under this document
- Has the ultimate responsibility for carrying out this document
- Execute the NCTD Transit Asset Management Plan
- Establishment and implementation of this document
- Implement safety risk mitigations for the safety risk reduction program and consider other safety risk mitigations recommended by the Safety Committee and included in the PTASP per 49 CFR 673.23(d) (see also SAF-2004 – Safety Committee Policy)

Under the guidance of the Chief Executive Officer, NCTD Division Chiefs have the following authorities, accountabilities, and responsibilities:

- Allocate appropriate resources to accomplish goals and objectives
- Responsible for functional area oversight and day to day operations
- Ensure compliance with programs and processes identified in this document

SMS Executive

The SMS Executive is responsible for the implementation of this document, is adequately trained and does not serve in any other capacity in operations or maintenance. The SMS Executive has the following authorities, accountabilities, and responsibilities:

- Implementation of this document and operation of NCTD's SMS
- Ensure action is taken to address substandard performance
- Advise NCTD Chief Executive Officer on safety related items
- Ensure NCTD policies are consistent with the stated objectives

Office of Chief General Counsel

NCTD's Deputy CEO/Chief General Counsel is appointed by and reports directly to the Board of Directors. The Office of Chief General Counsel provides compliance oversight for all agency activities and divisions, including safety and security, through the Comprehensive Compliance and Oversight Program (CCOP). The Senior Legal Counsel - Regulatory Compliance, who is part of the Office of Chief General Counsel, conducts audits of the Safety Department and facilitates additional regulatory audits and inspections. The Safety Department reports to the Deputy CEO/Chief General Counsel who serves as NCTD's SMS Executive. In addition to oversight for the

Safety Department, the Office of Chief General Counsel supports achievement of safety program goals and objectives through the Risk Management and Regulatory Compliance functions, as well as overall legal support and guidance on safety matters as needed.

Safety Department

The Safety Department is dedicated to maintaining the highest standard of safety for NCTD operations and facilities to ensure that NCTD's customers, employees, and the public are not exposed to an unacceptable level of risk. One primary focus of this Department is to prevent or mitigate accidents and injuries by identifying hazards, analyzing safety data to determine trends, and using trend analysis to resolve hazards. The Department also conducts internal inspections and audits to verify that the agency is compliant with federal and state regulations. The Department fosters a positive culture of safety at all levels of the organization both for employees and contractors.

Specifically, the Safety Department:

- Issues and maintains this document and NCTD's SMS
- Promotes the Culture of Safety
- Participates in the Risk Roundtable meetings
- Oversees the Hazard Management Process
- Collects and analyzes safety data
- Oversees the accident/incident notification, investigation, and reporting
- Manages the Internal Safety and Security Audit (ISSA) program
- Assures SSP/PTASP compliance/procedures review
- Conducts safety reviews/inspections
- Ensures compliance with safe and healthy work practices by employees and contractors
- Communicates with employees regarding occupational health and safety issues
- Identifies, evaluates, and corrects hazards in a timely manner
- Assists other departments in resolving hazards
- Ensures that accidents, injuries, and illnesses are investigated and that recommendations for corrective actions are developed and implemented as warranted
- Ensures compliance with local, state, and federal safety requirements

The Safety Department is comprised of the following staff:

- SMS Executive or designee
- Rail System Safety Specialist
- Field Safety Specialist
- Bus System Safety Specialist
- Management Analyst, Audit Compliance
- Management Analyst, Program Support

Bus Operations Division

NCTD's Chief Operating Officer overseeing bus operations also oversees the Security Department. The Chief Operating Officer reports to the Chief Executive Officer. Bus Division staff support achievement of safety program goals and objectives through daily compliance with all operating rules, regulations, policies and

procedures that may arise during any interactions with the rail operating environment. Staff in this division also support achievement of goals and objectives through timely identification and reporting of safety hazards.

Security Department

The Director of Security reports to the Chief Operating Officer and is responsible for all security related events and activities throughout the NCTD system, including bus and rail. Security Department staff support achievement of safety program goals and objectives related to transit worker assaults through proactive security measures and training of staff throughout the District on the System Security Program. The Security Department also manages scheduling and coordination of NCTD Emergency Preparedness exercises.

Rail Operations Division

NCTD's Chief Operating Officer overseeing rail operations reports to the Chief Executive Officer. The Rail Operations Division is responsible for the operation and maintenance of NCTD's rail modes (SPRINTER and COASTER), including the Operations Control Center (OCC) which is NCTD's dispatch center. Rail Operations also provides training for the Rail Division Employees. NCTD's Rail Operations staff focuses on providing high quality rail service. Rail Division staff support achievement of safety program goals and objectives through daily compliance with all operating rules, regulations, policies and procedures. Staff in this division also support achievement of goals and objectives through timely identification and reporting of safety hazards encountered in the operating environment.

Rail Right-of-Way and Technology Division

The Chief Rail Right of Way and Technology Officer reports to the Chief Executive Officer. The Rail Right of Way and Technology Division is comprised of the following Departments: Maintenance of Way, Maintenance of Signals, IT Systems and IT Operations. The Technical Manager – Train Control Systems, including Positive Train Control (PTC), also reports within this Division. Right of Way staff support achievement of safety program goals and objectives through daily compliance with all operating rules, regulations, policies and procedures. Staff in these departments also support achievement of goals and objectives through timely identification and reporting of safety hazards encountered in the operating environment. PTC staff support achievement of safety program goals and objectives by ensuring proper software and hardware functionality at all times (both directly and through collaboration with other staff and/or external entities), and through proactive recommendations for improvement in the overall PTC system. Information Technology staff support achievement of safety program goals and objectives through the purchase, installation and maintenance of hardware and software for all NCTD divisions, as well as serving as the lead for NCTD's cybersecurity program.

People Division

NCTD's Chief People Officer oversees the Human Resources and the Learning and Development Departments. As part of the Human Resources Department, the Program Administrator is responsible for all Drug and Alcohol testing as well as other safety related documentation. In addition to supporting achievement of safety program goals and objectives through oversight of the Drug & Alcohol Program, the People Division provides support through timely recruitment and onboarding of staff as well as through compliance with training requirements. Together, their efforts support the recruitment, training and retention of a highly qualified and skilled workforce.

Office of the Chief of Staff

The NCTD Chief of Staff reports to the Chief Executive Officer. The Office of the Chief of Staff includes the Administration, Government Relations, Communications & Marketing, and Customer Experience Departments. Staff in this division support achievement of safety program goals through identification and application for grant funding, general communication about safety initiatives to the public via the Communications & Marketing team, and through receipt of feedback from the public about safety matters through the Customer Experience Department.

Finance Division

The Chief Financial Officer reports directly to the Chief Executive Officer. The Finance Division includes the Grants, Accounting, and Fare Collection Departments. Finance Division staff support the achievement of safety program goals and objectives by ensuring adequate fiscal resources are available for staffing, goods, and services throughout NCTD.

Development Services Division

NCTD's Chief Development Officer reports to the Chief Executive Officer. The Development Services Division (DSD) includes the Project Management Office, Engineering, DSD Support Services, and Real Estate Departments. DSD oversees rail projects and real estate, including right-of-way permitting. Staff in this division support achievement of safety program goals through project development and management to ensure that safety elements are incorporated throughout the life cycle of the project, they are also critical to the configuration management review process. Engineering Department staff also coordinate with SANDAG on projects they are managing for NCTD to ensure appropriate inclusion of safety policies and procedures. The Real Estate Department further supports safety program goals through management of right-of-entry process which incorporates a safety review into permits and work plans.

General Services Division

NCTD's Chief Operating Officer overseeing General Services reports to the Chief Executive Officer. The General Services Division includes the Procurement and Contract Administration, Materials Management and Quality Assurance, Facilities, and Business Intelligence Departments. Facilities staff support achievement of safety program goals and objectives through daily compliance with all applicable rules, regulations, policies and procedures. Staff in this department also support achievement of goals and objectives through timely identification and reporting of safety hazards encountered in the working environment. Staff in the Procurement and Contract Administration Department support achievement of safety program goals and objectives by ensuring the timely purchase of goods and services which support general safety needs, in compliance with the required specifications. The Materials Management and Quality Assurance Department collaborates with the Procurement and Contract Administration Department to ensure adequate inventory levels and that all goods received therein meet specifications. Business Intelligence Department staff support safety program goals and objectives through development and implementation of safety data tracking and reporting.

4.2 Contractor Organization

NCTD requires each safety-critical contractor (hereinafter "contractor") to be responsible for safety and security for the contract operations.

Contractor Safety personnel are responsible for safety within their organizational units including the safety of employees, facilities, equipment, operations, and services provided. Contractor Safety Managers retain ownership of all safety programs within their organizational units and are responsible for coordinating the implementation and maintenance of these programs. Specifically, Contractor Safety Managers shall:

- Implement this document as provided by NCTD
- Ensure employees comply with safe and healthy work practices
- Communicate with employees regarding occupational health and safety issues
- Identify, evaluate, and correct hazards in a timely manner
- Assist other contractor departments in resolving hazards
- Ensure that all accidents, injuries, and illnesses are investigated, documented, and that recommendations for corrective actions are developed and implemented as warranted
- Evaluate the potential impact of proposed modifications on the safety of all affected systems prior to implementation
- Ensure that employees have required licenses, and all required up-to-date certifications and training to perform their job safely
- Ensure that supervisors under their control train employees in the elements of the contractor's Injury and Illness Prevention Program (IIPP), employee responsibilities under the IIPP, hazards associated with the employees' work environment, job specific safety requirements, and safety-related policies, procedures, rules, and workplace practices

4.3 NCTD Contractor Oversight

NCTD seeks to foster and continuously enhance a strong culture of safety within its third-party contractors. The key to the SMS approach is the oversight of the contractors by the Project Managers. These Project Managers work in close coordination with NCTD Safety Department staff to ensure that safety is paramount and that employees at all levels - from front line to management - are involved in the safety culture and have the freedom to report safety issues without fear of reprisal.

In the performance of oversight duties, documents can be requested at any time and will be made available within a reasonable time. Any identified problems and concerns will be discussed, documented and an action plan developed with a schedule for completion as soon as practical. All corrective actions and issues are documented in NCTD's safety database.

5.0 Plan Implementation Process

5.1 Responsibility

NCTD's Chief Executive Officer ensures that the NCTD SMS is effectively implemented throughout the transit system. The SMS Executive or designee is responsible for the content, implementation, distribution, control, and update of this plan. This is a living document, available for review at all times by all NCTD employees and contractors. Comments and revisions may be submitted to the SMS Executive or designee for evaluation and inclusion in the next iteration of the plan. The signed copy of the current plan will be maintained in the Laserfiche Records Repository. All SMS documents will be maintained for a minimum of four (4) years after they are created.

Compliance

This document applies to all persons whose work brings them into contact with COASTER and SPRINTER in the NCTD system, including but not limited to NCTD employees and all contractor personnel (and their subcontractors) for rail services. All persons affected are governed by, and must be fully compliant with, the requirements of this document as it applies to their respective duties while working on or within the NCTD system.

5.1.1 SSP Consultation Process

Substantive changes and amendments to this plan will be sent to each local union representative (lead designated representative for the represented labor organizations) for review and comment for a minimum of sixty (60) days.

For non-substantive changes, each local union representative will be provided a copy of the final document. Changes will be discussed at the next Safety Committee meeting.



5.1.2 PTASP Consultation Process

The Rail Safety Committee will be consulted for approval as required by regulation for the PTASP. Additional consultation meetings will be scheduled as needed to discuss potential updates to the plan prior to submission to the FRA and the CPUC as needed. The meeting minutes documenting the approval of the Safety Plan, including the date, will be included in the Appendices of this document.

5.2 SSP Plan Implementation Timeline

The document was fully implemented by March 18, 2025 (three years following initial approval of the FRA). Internal System Safety Audits, as described in Section 20, ensure that NCTD remains on course with the implementation of this and other safety documents.

5.3 Continuous Plan Evaluation

The NCTD Safety Department will at a minimum, review this document on an annual basis for updates and revisions. This review will incorporate updates recommended by NCTD Divisions. The consultation process will occur through the NCTD Rail Safety Committee. The Rail Safety Committee will be asked to provide input to the document update and will be given 60 days to review the document. The minutes of the Safety Committee meetings will document any discussion regarding the revisions and will be submitted with the final document.

for FRA/CPUC review. The document will be reviewed and approved by the Chief Executive Officer and Board of Directors via signature.

5.4 Strategic Communications and Coordination

NCTD has multiple processes to facilitate continuous improvement throughout the NCTD transit system. These include Safety Committee meetings, Risk Roundtable meetings and Internal Safety Audits.

Safety Committee Meetings allow front line contract employees the opportunity to discuss safety issues and recommend improvements. For issues that are unable to be resolved at the Safety Committee Meetings, those items are referred to the NCTD Risk Roundtable for a detailed risk assessment and mitigation plan.

The Internal Safety Audit program enables NCTD to self-evaluate the safety program and provide opportunities for improvement for both Agency and contract processes and procedures. This program is described in Section 20.

Based on the processes above, NCTD is able to carry out a plan to address any identified safety deficiency and reevaluate the process of improvement through the SMS program.

NCTD maintains a Safety Communication Plan that is consistent with the requirements of SMS. The Safety Communications Plan supports the timely and effective notification and communication between NCTD and its key stakeholders that includes customers, contractors, and the general public. Communications and coordination between NCTD, contractors, other system users, and interested parties, both internal and external, is facilitated through the following methods:

Quarterly Stakeholders Meeting

A quarterly safety meeting for the tenant railroads on the San Diego, and Escondido Subdivisions. Members of the Amtrak, BNSF, and Metrolink safety teams attend and discuss any concerns along the two corridors with members of the NCTD Safety Department.

Timetable Committee/Metrolink Operating Rules Committee

A regional committee consisting of Metrolink, NCTD, Amtrak, and LOSSAN representatives and their respective operating and maintenance contractors, as well as BNSF and Union Pacific in an *ex officio* capacity, that meets monthly as a forum for all rail carriers in the region to discuss and address joint safety, operations, timetable, and rules issues.

5.5 SMS Executive – Responsible for Compliance

The SMS Executive briefs the Chief Executive Officer on a monthly basis, at minimum, on all safety issues, concerns, and activities.

The NCTD SMS Executive is responsible for compliance of this document in accordance with 49 CFR 270.103e(6). Contact information is listed below.

NCTD SMS Executive
Lori Winfree
Deputy CEO/Chief General Counsel
810 Mission Avenue
Oceanside, CA 92054
760.966.6532 | lwinfree@nctd.org



The NCTD SMS Executive certifies that the contents of this document are compliant with 49 CFR 673 and the CPUC's Program Standard and that NCTD will implement the contents of the plan.

5.6 External Oversight Agencies (Mode Specific)

Each of the NCTD modes of operations has specific external oversight agencies responsible for auditing and reviewing the safety programs.

COASTER has regulatory oversight provided by the FRA. NCTD also participates in the American Public Transit Association (APTA) commuter rail committees.

SPRINTER has been designated as a transit hybrid rail system. Regulatory oversight is provided by the FRA, FTA, and California Public Utilities Commission (CPUC). The CPUC provides oversight of the SPRINTER programs in conjunction with the FTA when their regulations are not in conflict with those that have not been waived by the FRA. Additional details on the specific regulations are located in the North County Transit District Shared Use and Waiver of Federal Railroad Administration Regulations, FRA Docket Number FRA-2002-11809. NCTD also participates in the American Public Transit Association (APTA) commuter rail transit committees.



NCTD will provide access to SMS documentation to the FTA, CPUC, or other Federal entity upon request. Additionally, NCTD acknowledges the CPUC's authority for developing the RBI processes and procedures in Sections 1.5.0 and 1.6.0 and will incorporate these requirements as the required RBI procedures applicable in California into NCTD's Agency Safety Plan.

NCTD complies with the authority of the CPUC by assisting in providing timely responses, data requests, records requests, and assistance while on NCTD property. NCTD works in partnership with the CPUC on Safety Certifications, Event Reports, System Modifications, and construction consultations. NCTD recognizes CPUC's authority outlined in the Public Utilities Code and other state laws, and all NCTD employees are required to comply with CPUC representatives performing regulatory oversight in accordance with those laws.

6.0 Maintenance, Repair, and Inspection Program

This section identifies and describes the processes and procedures used for maintenance and repairs of infrastructure and equipment directly affecting railroad safety. This includes facilities, rolling stock, signal and train control systems, track and right-of-way, and station platforms.

6.1 Maintenance Inspections

Maintenance inspections are used to verify that effective maintenance activities are being performed for equipment, track, right-of-way, and associated systems and structures. This practice applies to all parties performing inspections, maintenance, and repairs to all NCTD transit and supporting vehicles, right-of-way, track, bridges, signal and communication systems, and support structures. Inspections, tests, maintenance, and repairs of items subject to this section are performed in compliance with standards set by the CPUC, FTA, FRA, OEM, and Occupational Safety and Health Administration (OSHA), APTA and with NCTD maintenance policies, practices, and guidelines.

6.2 Maintenance Inspections- Infrastructure and Equipment

Equipment and infrastructure that must be maintained for safe rail transit operations include:

- COASTER rolling stock
- SPRINTER railcars
- Dispatching system
- Right-of-way
 - Track
 - Bridges
 - Signal and communication systems
 - Drainage systems

6.3 Maintenance Standards

Comprehensive inspection, servicing, maintaining, and repairing of all transit vehicles is in accordance with standards established by the vehicle manufacturer. NCTD will issue and periodically update a vehicle maintenance plan including documented inspection procedures. Inspection procedures are required to be performed in compliance with applicable CPUC, FTA, FRA regulations and APTA standards for transit vehicle inspections, maintenance, repairs, and regulatory documentation. Vehicle maintenance plans may be maintained within a Computer Maintenance Management System (CMMS) versus a written plan document. NCTD currently utilizes the CORMAP CMMS for COASTER and SPRINTER.

Track, dispatching, and infrastructure systems maintenance inspections and related activities are performed in compliance with applicable FRA and CPUC regulations. NCTD has and will periodically update a track, signal or infrastructure maintenance plan including documented inspection procedures.

Non-routine or special maintenance activities shall be either subject to the hazard management process and/or examined during the applicable NCTD Risk Roundtable meeting.

6.4 Maintenance Inspections- Documentation

Documentation of maintenance inspections performed by NCTD will be maintained in the CMMS. Contractors are expected to make related maintenance records available for NCTD to review upon request.

6.5 Maintenance Inspections- Tracking Corrective Actions to Conclusion

Corrective actions identified through NCTD inspections are entered into the Safety database and tracked until completion. Hazards discovered through the inspections and maintenance process are corrected or removed through normal maintenance procedures.

If, for any reason, a hazard is determined unacceptable and cannot be resolved through the normal maintenance process, the equipment or structure is not returned to service, or its service is restricted to the limits of a lower level of compliance until repairs are completed. Under no circumstance is any equipment or structure not in compliance with applicable federal or state regulations allowed to remain in service, unless appropriate safety mitigations are implemented.

6.6 Maintenance Inspections – Responsibilities

All NCTD Divisions and contractors who perform maintenance related activities will be responsible for:

- Inspecting, servicing, maintaining, and repairing equipment and rolling stock in accordance with applicable maintenance instructions.
- Compliance with all CPUC, FTA, FRA regulations, NCTD contractual requirements, and APTA standards (as appropriate) for locomotive and passenger car inspections, maintenance, repairs, and all regulatory documentation.
- Tracking and documenting equipment, signal, and track maintenance activities, and training and certification of qualified persons performing service activities.
- Inspecting, maintaining, and repairing track, signals, bridges, right-of-way, and associated structures; modifying the signal system; and coordinating and protecting projects on and adjacent to the San Diego and Escondido Subdivisions and right-of-way.
- Managing a fleet maintenance plan that includes an inventory of revenue vehicles, fleet reliability performance, scheduled and unscheduled maintenance, light and heavy overhauls programs, maintenance procedures, and inspection checklists. As noted under 6.3 above NCTD utilizes CORMAP for its vehicle maintenance plan.

Divisions responsible for maintenance shall:

- Perform inspections to oversee the maintenance activities
- Assign corrective actions for non-compliance items that need to be addressed
- Analyze inspection data for safe, abnormal, or unsafe trends
- Correct or address trends through investigation and resolution activities

The Safety Department shall:

- Perform field inspection audits that include some elements which overlap with maintenance inspections oversight primarily performed by the Divisions
- Perform NCTD compliance oversight inspections to observe NCTD operations and maintenance quality control staff perform inspection duties

- Perform an annual internal safety audit focused on maintenance inspections to ensure the NCTD Divisions are providing proper oversight of this component relevant to the department work plan or contract
- Communicate any findings to the Divisions for review and proper assignment for correction

6.7 Facilities Inspections

Facility inspections enhance safety through consistent and thorough documented reviews of facilities to verify that hazards are resolved through routine mitigation efforts as outlined in the hazard management process. Facilities and rail stations will be inspected regularly by the Facilities Department and the Safety Department. This will include inspecting the passenger train/station platform interface (gaps).

6.8 Facility Inspection Techniques

To verify that facilities are well maintained and free of serious hazards, activities performed by the Facilities Department and Safety Department will consist of a combination of some or all of the following:

- Field inspections
- Record reviews
- Internal audits
- Observations
- Evaluations

Periodic Inspections

Passenger and maintenance facilities shall receive regular inspections by Facilities Department, Safety Department, and facilities maintenance contractor(s).

6.9 Facility Inspections- Tracking Corrective Actions to Conclusion

Findings discovered during the course of inspections are addressed through documentation and assignment of corrective actions through the Safety database. Any findings that may be corrected immediately should be addressed and noted in the database and entered as a Facilities Request as detailed in *NCTD SOP 3000.88 – Facilities Work Request Procedure*.

6.10 Facility Inspection Responsibilities

The Facilities Department shall:

- Maintain facilities, keeping safety a top priority
- Cooperate with all inspections, audits, or reviews performed by NCTD or other oversight entities
- Address all corrective actions as assigned
- Maintain facility condition reports as outlined in contracts and other agreements and provide to internal and external auditors upon request
- Perform inspections to oversee the facilities employees
- Assign corrective actions for non-compliant items that need to be addressed
- Identify abnormal or unsafe trends
- Correct or address trends through investigation and solution activities

- Maintain a Facilities Management Plan that incorporates budget development, capital planning, and maintenance inspection programs and procedures. Facility maintenance plans may be maintained within a Computer Maintenance Management System (CMMS) versus a written plan document. NCTD currently utilizes the CORMAP CMMS for Facilities.

The Safety Department shall:

- Perform separate facility audits focused on facility safety and emergency preparedness items. These inspection audits purposely overlap with facility compliance oversight primarily performed by the Facilities Department
- Perform internal safety audits focused on facility inspections to ensure the NCTD Facilities Department is providing proper oversight of employees and contractors
- Perform quarterly OSHA inspections at all major transit facilities and report findings to the Facilities Department
- Communicate any findings to the Facilities Department for review and proper assignment either through a corrective action or Facilities Request

Response to Discrepancies and Unsafe Conditions

Discrepancies, potential hazards, or unsafe conditions discovered through inspections or by any other means should be resolved promptly through mitigation or maintenance action by the party responsible.

A discrepancy or condition related to an NCTD facility, whether administrative, fleet maintenance, transit center or maintenance and operations facility that does not present an immediate hazard or unsafe condition must be reported to the NCTD Facilities Department who will forward to the appropriate contractor or NCTD department for resolution.

7.0 Rules Compliance and Procedures Review

This section describes the processes and procedures used by NCTD to develop, maintain, and comply with applicable railroad safety laws and regulations.

7.1 Rules and Procedures Review

NCTD coordinates and promotes rail corridor operational safety through multiple initiatives including, but not limited to:

- Development of SOPs. A detailed list of all NCTD SOPs is included in Appendix D.
- Implementation of zero-tolerance on the improper use of cell phones and electronic devices by personnel. Details can be found in *NCTD SOP 3000.66 – Personal Electronic Devices*.
- Review of preventative maintenance (PM) schedules and inspections
- Participation in the national General Code of Operating Rules Committee
- Continuously monitoring operating rules compliance and grade crossing safety
- Implementing and maintaining the Timetable Special Instructions governing train movements over the territory.
- Participation in the Confidential Close Call Reporting System (C3RS)

Details for each of these initiatives are provided below.

Railroad Rules Committee

NCTD has implemented a Railroad Rules Committee that reviews and updates railroad related rules for both COASTER and SPRINTER. The committee considers rule changes based on inputs from the departments including, but not limited to, incidents, PTC manufacturer updates, feedback from training classes, FRA safety bulletins and advisories, and response to industry developments. More information is available in the *NCTD Administrative Policy and Procedure SAF-2009 – Railroad Rules Committee*.

Development of Standard Operating Procedures

NCTD has developed a series of Standard Operating Procedures (SOPs) which provide detail, standardization, and uniformity when conducting certain procedures. This series of SOPs allow all NCTD employees and contractors to have a standard framework and language to effectively work as a team across all modes while conducting service management, emergency management, or operational and maintenance functions. More information on the SOP Committee is available in the *NCTD SOP 3000.37 – Development and Management of SOPs*.

Zero Tolerance – Cell Phone and Electronic Devices

NCTD requires its operating employees comply with zero-tolerance policies governing the misuse of cell phones and electronic devices. CPUC GO 172 Series requires in-cab cameras and monitoring is performed. Conduct monitoring and enforcement for compliance with 49 CFR Part 220 and results from observations are entered into the NCTD efficiency testing database. Details on the discipline and appeals process can be found in *NCTD SOP 3000.66 – Personal Electronic Devices*.

Review of Preventative Maintenance Schedules and Inspections

Preventative maintenance (PM) schedules and maintenance of NCTD inspection requirements will help ensure revenue vehicles are operating in a safe and reliable manner. Mechanical departments will ensure adherence to approved PM and inspection schedules to provide safe and properly maintained transit vehicles.

General Code of Operating Rules National Committee

NCTD believes that compliance with operating rules and instructions by railroad operating personnel creates a safe rail operations environment. NCTD is a voting member of and actively participates on the General Code of Operating Rules (GCOR) National Committee, the industry managed entity that maintains, develops, and promulgates the industry standard GCOR.

Operating Rules Compliance

NCTD management monitors rules compliance for rail operations, maintenance of equipment, maintenance of way, and maintenance of signal. Instances of non-compliance or rule violation(s) are reviewed to verify that the employee(s) involved received appropriate remedial training, medical evaluation (when warranted), and verification of skills and knowledge.

NCTD verifies that periodical operational evaluations and inspections are conducted to determine the extent of compliance with operating rules, timetables, and special instructions. For COASTER and SPRINTER, testing is conducted as detailed in the *Program of Operational Tests and Inspections*. All records are maintained in accordance with the NCTD record retention policy, NCTD Board Policy No. 15 – Records Retention Policy and Schedule, and are available for review by Regulatory Agencies upon request.

Violations of drug or alcohol usage prohibitions (49 CFR Part 219) or the misuse of cell phones or electronic devices (49 CFR Part 220) may result in the temporary or permanent debarment of an operating employee on NCTD property.

Grade Crossing Public Safety

Grade crossing safety and warning devices in the State of California governed by the FRA and the CPUC. At present, 27 CPUC-approved public grade crossings, two (2) private grade crossings, and six (6) station pedestrian grade crossings exist on the San Diego Subdivision mainline. The Escondido Subdivision has 37 CPUC approved public grade crossings, 23 station pedestrian grade crossings, and four (4) private crossings. Each crossing is equipped with active warning devices consisting of flashing lights, bells, and all road crossings are equipped with crossing gates of CPUC-approved designs.

NCTD is committed to pursuing the highest level of grade crossing safety for the general public, passengers, and train personnel. NCTD continuously monitors grade crossing safety through field evaluations, investigating outside reports of potential issues, analyzing safety data for trends and trouble spots, and maintaining constant vigilance for potential hazards. Working within the parameters of the agencies and regulatory resources, NCTD seeks to mitigate or eliminate hazards through various means, including, but not limited to:

- Safety-focused engineering of new or modified projects to maximize safety
- Cooperative law enforcement education and enforcement activities

- Support of local Operation Lifesaver programs and participation in local activities promoting and educating about railroad and grade crossing safety.

7.2 Rules and Procedures Review- Responsibilities

Department Management

- Train personnel and enforce operating rules, air brake and train handling rules, general orders, original equipment manufacturers (OEM) recommendations, and COASTER or SPRINTER specific instructions, policies, and procedures relating to or governing operations, customer service, safety, and maintenance activities
- Recommend operating rule and Special Instruction additions, changes, modifications and/or deletions.
- Issue and enforce additional workplace safety rules, hazardous materials handling and storage rules, and other rules as necessary to administrative, mechanical, maintenance of way, signal, dispatching and operating employees
- Enforce compliance with all applicable federal regulatory requirements
- Perform and document operating rules tests and inspections per 49 CFR Part 217 to monitor safety and operating rules compliance by employees. Take appropriate remedial action for non-compliance.
- Correct or address trends through investigation and resolution activities
- Perform field inspection safety and operating practices audits that include rules and procedures compliance

Safety Department

- Perform internal safety audits focused on employee training on rules and procedures
- Conduct root cause analysis as required
- Analyze records and data for abnormal or unsafe trends
- Assign corrective actions for non-compliant items that need to be addressed
- Track corrective actions to completion
- Perform field inspection safety and operating practices audits that include rules and procedures compliance
- Communicate any findings to the applicable department for review and proper assignment of corrective action

Tenant Railroads: Amtrak, Metrolink, and Railroad Freight Carriers

- Issue carrier-specific rules and special instructions applicable to tenant railroad crews
- Provide tenant railroad crews with current Timetable Special Instructions and any other operating instructions for both the San Diego and Escondido Subdivisions
- Verify tenant railroad employees, equipment, and practices are in compliance with all applicable FRA and NCTD requirements

7.3 Operating Rules Review

Train operations and MOW activities on the San Diego and Escondido Subdivisions are governed by the current version of the GCOR. The San Diego and Escondido Subdivisions railroad operating and maintenance-of-way rules, special instructions, and procedures to promote safe train operations and MOW functions are documented, monitored, and periodically reviewed. Operations and maintenance activities on the track right-

of-way are controlled from the OCC by the San Diego and Escondido Subdivisions dispatcher. The GCOR is an industry-adopted standard set of railroad operating rules utilized by most railroads in the western United States. Individual rules in the GCOR can be modified or deleted for local operating conditions by:

- Timetable Special Instructions (supersede any conflicting GCOR rules)
- General Orders (supersede conflicting Special Instructions or GCOR rules)
- Form C Track Bulletins (supersede all of the above)

7.4 Hazardous Material Program

The Hazardous Material Program is maintained to ensure that adequate safeguards are in place to prevent exposure to hazardous materials for employees, contractors, passengers, and the general public and to minimize environmental damage as a result of NCTD transit operations.

NCTD makes every reasonable effort to protect people and the environment from potentially harmful effects of hazardous materials and waste. All persons subject to this section will comply with applicable local, state, and federal laws pertaining to environmental protection, and to the use, handling, storage, and transportation of hazardous materials. Areas of responsibilities include:

- Spill response, cleanup, and investigation
- Environmental compliance audits at NCTD facilities
- Storm water management
- Capital program review and advisement
- Regulatory review and interpretation
- Authority policy review and implementation
- Technical advisor and expertise

7.5 Hazardous Materials – Responsibilities

The following responsibilities detail how NCTD staff maintain compliance with the hazardous materials program:

Policies and Procedures

NCTD and its contractors will institute policies for the safety and protection of the environment and persons who may come into contact with hazardous materials used in the San Diego and Escondido Subdivisions maintenance for rail operations. These practices shall be approved by NCTD.

Training

NCTD and contractor employees whose job duties expose them to hazardous materials shall receive initial training and periodic refresher training in hazardous materials identification, safety data sheets (SDS), personal protective equipment (PPE), the Storm Water Pollution Prevention Plan (SWPPP), proper handling and disposing of hazardous materials, and emergency procedures in response to hazardous material spills.

Environmental Compliance

NCTD will conduct monthly environmental compliance audits as detailed in the *NCTD SOP 3000.92 – California Environmental Quality Act (CEQA) Compliance* to ensure NCTD contractors and employees are compliant with all applicable local, state, and federal environmental regulations. This includes assigning corrective actions and

conducting annual training requirements. A copy of the Environmental Assessment Report will be forwarded to the contractor's Safety Managers and NCTD's Facilities/ Development Services Department to verify that issues and concerns are noted and remedied.

Safety Data Sheets (SDS)

NCTD and its contractors will maintain the SDS and chemical lists for all products that contain or produce exposure to hazardous chemicals in accordance with the requirements of OSHA regulations in 29 CFR Part 1910.

Emergency Response

The OCC initiates an emergency response to any hazardous materials incident involving NCTD operations. Incidents are immediately reported to the OCC, who in turn initiate the emergency response notification process, specified in the NCTD Emergency Response Plan (ERP).

Hazardous Material Information

BNSF train crews must have information on hazardous materials carried on freight trains prior to entering NCTD territory. BNSF is responsible for providing that information to the train dispatcher and to comply with applicable regulations regarding rail transportation of hazardous materials.

The Office of Chief General Counsel shall:

- In collaboration with Program Managers (PMs) and SMEs, coordinate with the NCTD Procurement and Contract Administration (PCA) Division to verify each contractor is compliant with the established contract language
- Coordinate with Development Services Division to ensure employees and contractors are following all applicable local, state, and federal environmental regulations
- Cooperate with and review internal oversight and inspection activities

Safety Department shall:

- Perform audits focused on high-level facility safety and emergency preparedness items. These audits purposely overlap with facility compliance oversight primarily performed by the Facilities Department
- Perform internal safety audits based on the triennial audit schedule focused on facility inspections to ensure that the NCTD Facilities Department is providing proper oversight
- Communicate any findings to the Facilities Department for review and proper assignment for correction

Rail Departments shall:

- Perform routine inspections and provide oversight of their employees and their contractors
- Ensure that their contractors have a Hazard Materials Management program and is contractually compliant with that program

Development Services Division shall:

- Conduct environmental compliance audits at facilities to ensure employees and contractors are following all applicable local, state, and federal environmental regulations related to hazardous materials management, spill prevention, storm water compliance and ambient air quality standards

8.0 System Safety Employee and Contractor Training

Employees who are responsible for implementing and supporting this document and any person who is utilizing significant safety related services will be trained on this document.

8.1 NCTD System Safety Training

System Safety training will cover goals of this document, elements in the program, and maintain the requisite knowledge and skills to fulfill their responsibilities under the program. For all NCTD employees, the training will be provided during new-hire orientation for incoming employees and will be conducted annually for refresher training. Training for NCTD employees will be conducted by the SMS Executive or designee, or designee.

Training for NCTD employees with implementation responsibilities, including the Safety Department, members of the Safety Committee, Railroad Rules Committee, and Risk Roundtable, will be given enhanced training that details the Hazard Assessment and Risk Index processes and their roles as outlined in this document.



8.1.1 FTA Required Safety Training

In accordance with 49 CFR 672.13, the SMS Executive and members of the Safety Department have been designated to be directly responsible for the safety oversight of the rail modes. As such, they are required to complete their Public Transportation Safety Certification Transit Plan within 3 years as required. This training includes the relevant investigation training along with the required refresher courses every two years.

8.2 System Safety Training – Contractor

Contractor's training requirements, including refresher training, are detailed in the contract agreement, site work permitting process, and/or comprehensive training plan.

Contractors will be provided this training as contractor starts or as new individuals are assigned to the contract. The System Safety training for contractors will cover goals of this document, elements in the program, and maintain the requisite knowledge and skills to fulfill their responsibilities under the program. Training for contractors will be conducted by the SMS Executive or designee.

8.3 Employee and Contractor Training Records

NCTD training records are maintained by the Learning and Development Department and stored in the NCTD learning management system.

8.4 Safety Training- General

Detailed training programs are necessary to ensure policies, procedures, and programs are followed accordingly. Formal training programs entails in class activities, curriculums, training manuals, lesson plans, field exercises, drills, computer-based training, written and video communications, and testing. NCTD requires all employees and contractors working with the transit system to be properly trained and qualified to perform the duties to which they have been assigned prior to performing those duties. NCTD verifies that initial and recurrent training is conducted, as appropriate, for employees and contractors of the transit agency. The operational and maintenance rules and procedures may vary depending on the mode and location. Those that affect safety for COASTER and SPRINTER employees are listed below:

- General Code of Operating Rules (GCOR)
- Timetable and Special Instructions, General Orders, General Track Bulletins
- Roadway Worker Protection (RWP)
- On-Track Safety Manual (OTSM)
- Applicable Standard Operating Procedures
- Program for Qualification of DMU Operators
- Program for Qualification of Train Attendants
- Certification of Locomotive Engineers
- Certification of Conductors
- Air Brake and Train Handling Rules
- Qualified Mechanical Person Training
- Train Dispatch Manual
- Passenger Train Emergency Preparedness Plan (PTEPP)
- Blue Signal Protection Procedures
- Signals Maintenance Manual
- Emergency response procedures

8.5 Safety Training Programs

NCTD has a comprehensive safety training program for all employees and contractors directly responsible for safety. NCTD Learning and Development is responsible for maintaining the NCTD Corporate Training Plan that outlines the minimum training requirements for NCTD employees. This includes mandatory, initial, refresher and optional in-house and external training based on NCTD policies and state and federal regulations. NCTD's goal is to achieve a high level of staff competency while meeting all regulatory requirements. Training plans outline each Division's responsibilities and lists the course requirements based on the employee's role at NCTD.

8.6 Training and Certification Review

Training and certification are critical to ensure employees have the necessary knowledge, skills, and abilities to work safely and effectively.

NCTD verifies that a training program is implemented for new employees on the operating rules, and a re-certification course is conducted on the rules at least every two (2) years, as applicable. When certifications are issued, NCTD requires a certification review and audit process to verify that all required certifications are always up to date.

NCTD verifies that periodical operational evaluations and inspections are conducted to determine the extent of compliance with operating rules, timetables, and special instructions. See Section 7.1 under Operational Rules Compliance.

8.7 Training and Certification- Responsibilities

Rail Departments shall:

- Ensure employees are properly trained as outlined in the training plan and required by state and federal regulations
- Update training programs and testing as needed
- Cooperate with all inspections, audits, and reviews performed by NCTD or other oversight entities

- Address all corrective actions as assigned
- Provide training reports as outlined in contracts and other agreements with NCTD
- Document all training in the NCTD Learning Management System
- Analyze inspection data for safe, abnormal, or unsafe trends
- Assign corrective actions for non-compliant items and monitor the results
- Address trends promptly through investigation and resolution activities

Any observations or concerns discovered by the Safety Department with regards to COASTER/SPRINTER related training will be communicated to the applicable department for review and proper assignment of corrective actions.

The Safety Department shall:

- Perform an internal safety audit focused on training, certification, and qualifications to ensure that NCTD staff are providing proper oversight of this component, as it is a critical element of safe operations
- Communicate any findings to the appropriate Division for review and proper assignment of corrective actions
- Ensure all corrective actions are addressed and closed out based on assigned timeline

9.0 Emergency Management

Natural and manmade events can impact transit operations at any time and place. Life safety is and will always be the top priority during emergency response efforts. This section reviews the key elements of NCTD's Emergency Management Program. Full details on the NCTD Emergency Management Program can be found in NCTD's Emergency Response Plan (ERP).

FRA regulations including 49 CFR Part 238, Passenger Equipment Safety Standards, and 49 CFR Part 239, Passenger Train Emergency Preparedness Plan detail specific plans and procedures that NCTD follow to maintain safety standards for passenger equipment and help manage passenger train emergencies.



9.1 Infectious Diseases

NCTD follows regulatory guidance from the Centers for Disease Control and Prevention (CDC), FRA, FTA, California Department of Public Health (CDPH), CPUC, and the County of San Diego Health and Human Services Agency (HHS) as applicable to minimize exposure to infectious diseases. Specific details related to a pandemic prevention program can be found in Appendix D of the NCTD IIPP or a contractor's IIPP, as applicable.

9.2 Meetings with External Agencies

NCTD meets with first responder agencies to:

- Plan and execute emergency preparedness drills
- Familiarize first responders with NCTD equipment and property
- Coordinate first responder exercises on NCTD property

All on-scene emergency response activities will utilize the Incident Command System (ICS). ICS is a component of the National Incident Management System, which is a framework that enhances coordination between responders and resources from various entities (state, local, non-governmental agencies, and volunteers).

9.3 Planning Responsibilities

NCTD and contractors may be valuable resources for assisting first responders at the incident scene or managing resources for the emergency by sharing their subject matter expertise and problem-solving skills. Their understanding of incident response and coordination with first responders is critical for managing transit incidents while keeping life safety as the top priority.

NCTD's Security Department, develops and maintains NCTD's Emergency Response Plan (ERP). The NCTD ERP provides guidance for employees and emergency personnel to execute a well-organized, informed, and efficient response to critical incidents, should one occur, in order to reduce or mitigate resulting impacts. In addition, the ERP outlines how NCTD will coordinate with federal, state, regional and local officials when responding to emergencies within NCTD service area.

9.4 Evaluation of Emergency Preparedness

NCTD emergency preparedness is evaluated through plan reviews, training sessions, and exercises. Emergency response training for all modes may be provided as workshops, table-top scenarios, drills, tactical exercises, and large-scale drills. A large-scale drill will be conducted at least once every two (2) years for COASTER and SPRINTER and will include external response agencies.

Every calendar year, at least one (1) of the following types of training relevant to NCTD rail operations emergency response scenarios will be conducted:

- Table-top exercise
- Emergency planning workshops
- Emergency simulations
- Emergency drills

9.5 After Action Reports

Hands-on or scenario-based training will be evaluated to identify strengths and areas for improvement through the completion of an After-Action Report (AAR). Likewise, an AAR may be developed for an actual, noteworthy accident/incident to identify lessons learned and areas for improvement. Any major lessons learned may require the development of corrective actions to address areas for improvement. Corrective actions resulting from an exercise or actual event will be entered into and tracked through NCTD's Safety database.

9.6 Revision and Distribution of Emergency Response Plans

NCTD's Security Department is responsible for managing and distributing the NCTD ERP. The NCTD ERP is a living document, available for review at all times to all NCTD staff and contractors. Comments and revisions may be submitted to the Security Department for evaluation and inclusion in the next iteration of the plan. The plan will be updated as needed and reviewed at a minimum, annually.

9.7 Familiarization Training for Public Safety Organizations

NCTD encourages emergency response agencies to reach out and request coordinating activities during tactical exercises and drills. NCTD will make every effort to provide resources for training and practice of emergency response activities. NCTD is also available to provide classroom training for public safety organizations upon request. Requests may be made through the Customer Experience Department or directly to the Security Department. Additional details may be found in *NCTD SOP 3000.13 – Recommended Practice for Emergency Responder Familiarization of Transit Systems*.

9.8 Responsibilities

Rail Departments shall:

- Participate in the planning, enactment, debriefing, and evaluation of required emergency drills and table-top exercises
- Participate in after action activities and any related corrective actions as assigned.
- Coordinate all initial and recurrent PTEPP and ERP training as required, training for rail operators, mechanical staff, and Right of Way employees, along with management personnel. Training shall be documented for regulatory compliance.

- Develop facility emergency plans in coordination with the Facilities Department and the Safety Department

The Security Department shall:

- Manage, revise, publish and distribute the NCTD ERP
- Coordinate and supervise emergency simulations, exercises, and drills including preparatory meetings with external agencies and as-needed follow-up meetings
- Coordinate after action reports, assign and follow up on corrective actions, as necessary

10.0 Workplace Safety

Safety Assurance is one of the key components of SMS. It includes the systematic and ongoing monitoring and recording of safety performance, as well as an evaluation of SMS processes and practices. Safety Assurance ensures compliance with SMS requirements and utilizes the Safety Performance

10.1 Employee Safety Reporting Program

Employee Hazard Reporting

NCTD employees and contractors are encouraged to report hazards to their supervisor/manager at any time, including but not limited to assaults on transit workers, near-misses, and unsafe acts and conditions. Hazards may also be reported directly to the OCC for entry into the NCTD Safety database. Additionally, NCTD has provided a Safety Hazard Form that is available in an electronic format through the NCTD intranet site, Link, or via a QR code. For specific details, the Safety Hazard form is located in Appendix E of this document.

This form may be used by all employees and contractors to report hazards throughout the system. Once submitted, a member of the Safety Department will investigate the matter with the appropriate department and determine if a true safety hazard exists (in the case of personnel issues or other non-safety related items, the Safety and Risk Management investigator will forward the information to the most relevant manager). If a safety hazard exists, the Safety and Risk Management investigator will enter that information into the NCTD Safety database and determine a risk assessment using the predetermined hazard assessment table. Once the hazard has been assigned a risk level, a corrective action must be assigned to all hazards. A resolution must be achieved prior to any close out.

NCTD's Safety Department is ultimately responsible for ensuring all corrective actions are addressed and closed out in a timely fashion. If the hazard requires additional resources beyond those assigned responsibility, the Safety Department may assign the hazard to the Risk Register. Additional detail on the Risk Management Process can be found in Section 15.0. Employees are notified by the Safety Department once a hazard has been received and once again when it has been mitigated or eliminated either through direct communication or posting the information through safety committee minutes action, in the event of an anonymous report.

Whistleblower Hotline

NCTD is an organization with strong values of responsibility and integrity. It has developed policies and procedures to provide employees and contractors with clear direction and guidance to ensure that NCTD's business is carried out with fairness, efficiency, impartiality, and integrity. NCTD has created avenues to report suspected violations without fear of retaliation. NCTD is committed to an environment where open, honest communication is the expectation, not the exception. If an employee or contractor believes ethical misconduct, and acts of fraud, waste and abuse have occurred, NCTD employees and contractors are encouraged to report the suspected violation via the anonymous Whistleblower Hotline managed by a third-party vendor, at www.nctd.ethicspoint.com or by calling 855-877-6048.

Confidential Close Call Reporting System (C3RS)

C3RS is an FRA-sponsored voluntary confidential program that allows railroad carriers and their employees to report close calls. The program provides a safe environment for employees to report unsafe events and conditions. Employees receive protection from discipline and FRA enforcement. Railroads also receive protection from FRA enforcement for events reported within C3RS. The C3RS program has been fully

implemented by NCTD for rail operations. Employees may submit paper reports via forms located throughout NCTD Rail facilities. Employees may also submit electronic reports on the C3RS website at <https://c3rs.arc.nasa.gov>.

Employee Behaviors and Disciplinary Action

Certain employee behaviors such as willful negligence, drug or alcohol usage prohibitions, or the use of cell phones or electronic devices may result in disciplinary action. For additional details, NCTD's employee discipline policy is provided in the NCTD Employee Handbook. Contractors' discipline policies are located in their respective employee handbooks.

10.2 Roadway Worker Protection (RWP)

The RWP program ensures the safety of persons working on or near the railroad and the railroad right-of-way (ROW) including non-railroad contractors and outside parties that require access or perform work within the San Diego or Escondido Subdivisions. This specific requirement is detailed in 49 CFR Part 214 and in CPUC GP 175 Series.

10.3 RWP Safety Requirements

NCTD's RWP program prescribes the safety requirements for both railroad and non-railroad personnel (third-party contractors) to work safely in or near the railroad environment. This applies to all outside parties, except law enforcement and public emergency response personnel, whose work brings them near or on NCTD's rail system. Specific information related to the NCTD RWP program may be found in the NCTD RWP Plan and in the On-Track Safety Manual.

For third party contracts along the right-of-way, training is provided in a classroom environment administered by an NCTD contractor, a qualified party that manages RWP on behalf of NCTD. Training for NCTD employees may also be provided by the SMS Executive or designee. Participants' successful completion of this course is identified through hardhat decals and ID cards. *More information can be found in NCTD's SOP 3000.27 – RWP Program.*

Protection for emergency response personnel is initially provided through the rail dispatcher and is detailed in the Train Dispatcher's Manual. All on-track vehicle movement is halted until qualified NCTD personnel arrive on scene.

Training is offered to emergency responders including hands-on familiarization, participation in exercises, and locally scheduled drills. Additional details can be found in *NCTD SOP 3000.13 – Recommended Practice for Emergency Responder Familiarization of Transit Systems.*



10.4 RWP Near-Miss Program

RWP near-miss events are critical to report, investigate, and document to gather potential lessons learned to prevent recurrence.

RWP near-miss events are hazards which have the potential to cause employee injury or damage to facilities, infrastructure, or the environment. Near-miss events may be reported via the following methods:

- To either the OCC or the RWIC on scene
- To the employee's supervisor
- Via the NCTD Whistleblower Hotline
- Via C3RS

Additional details on employee hazard reporting may be found in Section 10.1.

All RWP near-miss events are stored and tracked in the NCTD safety database. RWP near-miss records will be retained for four (4) years and be available upon request.

Any investigation for an RWP near-miss event will be conducted based on *NCTD SOP 3000.15 – Accident/Incident Investigation*. Investigations of near-miss events will identify primary and contributory causal factors, including root causes, and implement corrective actions as applicable.

10.5 RWP Verification Process

The RWP/Flagging Contractor shares responsibility to verify personnel are qualified and in compliance with this program. Verification of the program is conducted through regular field inspections of construction worksites.

Non-compliance by those subject to NCTD's RWP program may result in:

- 1) A safety stand-down
- 2) A stop work order
- 3) Re-training and/or
- 4) Removal of individuals from the property.

10.6 RWP Responsibilities

Regulatory Compliance

NCTD has a 49 CFR Part 214 compliant on-track safety program. NCTD will submit the program to the FRA along with any changes to the program as needed.

Contractor Requirements

Contractors are required to meet all applicable regulatory requirements. RWP/Flagging Contractor may not use a Roadway Worker in Charge (RWIC) to provide Lookout/Watchman duties when that RWIC is working with multiple work groups or multiple Lookout/Watchmen.

Employee Training

Employees working as Roadway Workers as defined by 49 CFR 214 will be provided with initial and annual refresher training on Roadway Worker Protection. Those employees eligible to be RWICs will also be trained on the applicable documents, job-specific technical training, and supplemental or refresher training for on-track protection technologies, territory, and equipment, as appropriate.

10.7 Drug and Alcohol Program

NCTD is committed to maintain an alcohol and drug-free workplace, provide a safe and productive work environment, and retain the public's trust and confidence in its transportation services. This section provides instruction to prevent accidents, incidents, and losses resulting from alcohol and drug use.

10.8 Drug and Alcohol Program Applicability

This section applies to all employees and contractors connected with the San Diego and Escondido Subdivisions. NCTD maintains a comprehensive drug and alcohol policy (including appropriate training) that conforms to FTA's requirements in 49 CFR Parts 40 and 655, FRA's requirements in 49 CFR Part 219, or FMCSA's requirements in 49 CFR Sections 382/390, as applicable.

Third-party contractors employing safety-sensitive employees (e.g., Positive Train Control (PTC) contractors) are required to submit an FRA compliant 219 Plan to NCTD prior to conducting any work or services on NCTD property.

10.9 Drug and Alcohol Program – Responsibilities

Rail Departments shall:

- Adhere to drug and alcohol programs as required by NCTD, FTA, FMCSA, and FRA, as applicable
- Cooperate with all inspections, audits, or reviews performed by NCTD or other oversight entities
- Address all corrective actions as assigned

The People Division shall:

- Manage drug and alcohol program requirements
- Coordinate annual drug and alcohol program audits
- Assign corrective actions for non-compliant items and track to completion
- Analyze inspection data for abnormal or unsafe trends
- Correct and/or address trends through investigation and resolution activities

The Safety Department shall:

- Conduct applicable internal safety audits of drug and alcohol programs, including any applicable contractors
- Verify the People Division is compliant with the requirements of 49 CFR Part 219, 49 CFR Parts 40 and 655, and 49 CFR Sections 382/390 as applicable.

10.10 Fitness for Duty Programs

NCTD maintains fitness for duty requirements as detailed in 49 CFR Part 228, Passenger Train Employees Hours of Service. NCTD also offers an Employee Assistance Program, which offers counseling for problems such as marital issues, family relationships, depression, and anxiety, alcohol, and drug issues, and/or problems within the workplace. There is no cost to employees with this benefit. Additional details may be found in the Employee Handbook or through the Human Resources Department.

Additionally, NCTD has a Fatigue Risk Management Plan as required by 49 CFR 270 Subpart E – Fatigue Risk Management Programs. The consultation process for this plan is the same as described in Section 5.1 of this document.

11.0 Public Safety Outreach Program

NCTD has a public safety outreach program that provides safety information to passengers and the general public. Safety concerns or hazards may be reported to NCTD Customer Service through the NCTD website at www.gonctd.com or via telephone at 760-966-6500 during regular business hours. Additionally, the NCTD Security Department maintains a 24-hour Security reporting line at 760-966-6700 to receive reports of safety hazards.

11.1 Public Safety Outreach

NCTD provides safety information to passengers and public utilizing the three “E’s” of safety: Education, Engineering and Enforcement.

Educational opportunities for the customers and public will include relevant safety information in the Rider’s Guide, on the NCTD website, part of newsletters and mailings, advertising, and community events. The NCTD Safety Department also provides a quarterly safety update to the NCTD Board of Directors which details relevant safety statistics and trends that is available on the NCTD website.

Engineering and enforcement safety outreach for passengers and public includes physical barriers and signage programs to deter trespassing and encourage use of regulated grade and pedestrian rail crossings. NCTD has contracted with the San Diego Sheriff’s Office for enforcement activities at all major transit centers as well as along the railroad right-of-way.

California Operation Lifesaver (CAOL)

NCTD partners with California Operation Lifesaver for community events throughout the year and culminating every September for Rail Safety Month.

Outreach Events

Outside of official CAOL events and presentations, NCTD sets up booths at community events like Street Fairs and Schools.

Rail Safety Month

In addition to the CAOL Rail Safety Month events, the NCTD Communications & Marketing Department provides additional outreach during Rail Safety Month.

Suicide Prevention Signs

Suicide prevention signs are provided throughout the right of way, predominantly along station platforms.

Code Compliance Inspectors

Code Compliance Inspectors work through the NCTD properties and provide security assistance.

See Something, Say Something Posters

See Something, Say Something posters are posted on vehicles and at Transit Centers in both English and Spanish.

Social Media

The NCTD Communications & Marketing Department provides additional outreach via various social media platforms.

12.0 Accident/Incident Reporting and Investigation

12.1 Notification, Investigation and Reporting

This section describes NCTD's process for performing accident notification, investigation, and reporting. Accidents and emergencies shall be subject to a formal and objective investigation. Incidents shall be investigated at the discretion of the NCTD Operations and/or the Safety Department.

In the event investigators from the FRA, CPUC, or National Transportation Safety Board (NTSB) should observe an internal investigation or conduct their own investigation of an incident occurring on the San Diego or Escondido Subdivision, all parties involved shall cooperate fully with the needs and requests of these agencies.

12.2 Notification, Investigation and Reporting Responsibilities

Safety Department

The NCTD SMS Executive or designee shall:

- Directly manage the accident investigation process, regulatory agency reporting, corrective action plan(s), and document control
- Ensure that accident investigations include at least:
 - A summary of the incident
 - Root cause and contributing factors
 - Corrective action plan, if applicable
- Function as the primary point of contact with external agencies and regulatory bodies such as FRA, NTSB, CPUC, or FTA
- Submit all necessary reports as required by the FRA, CPUC, or any other governmental organization to NCTD for review and submission to the required regulatory agency

The Safety Department shall:

- Coordinate with applicable internal department(s) to ensure proper notifications and investigation of events involving NCTD employees and/or property
- Verify that contractors conduct the proper notifications and investigation
- Enter all corrective actions identified in the corrective action plan into the internal Safety data base for assignment and completion

The San Diego County Sheriff's Department

The San Diego County Sheriff's Department or local law enforcement (as applicable) investigates:

- Any other fatal incident across all modes or on NCTD property, including death of any person on board a train, related to the movement of a train or otherwise on the San Diego or Escondido Subdivisions' right-of-way
- Grade crossing collisions
- Any impact between a train or on-track equipment and a pedestrian, trespasser, motor vehicle, occupied bicycle, or other object under the control of another person
- Unusual criminal activity
- Other safety or security incidents as requested by NCTD

The Sheriff's Department report of the investigation and conclusions are usually issued within 30 days of the occurrence.

Additionally, the Sheriff's Department will coordinate with other law enforcement agencies as necessary for multi-jurisdictional investigations and incidents.

Rail Departments

The appropriate department manager performs and assists in the formal investigations of:

- Train and/or hybrid rail vehicle collisions and derailments
- Grade crossing and trespasser incidents
- Passenger injuries
- Incidents that result in damage to rail equipment, structures, or property
- Employee injuries and occupational illnesses

Facilities Department

The Facilities Department assists in the formal investigations of:

- Incidents that result in damage to NCTD equipment, structures, or property

A preliminary report is normally provided within twenty-four (24) hours of an incident. A comprehensive written report with all supporting data shall be submitted within thirty (30) days of the occurrence, when warranted. If additional time is required to determine the root causes of an incident, a written communication stating such must be provided to both the NCTD Rail Operations and the Safety Departments.

12.3 Notification Thresholds

All external regulatory agency notification for both the San Diego and Escondido Subdivisions and all NCTD property will be performed by the Director of the OCC, or designee, as detailed in the *NCTD SOP 3000.15 – Accident/Incident Investigation*.

The following information will be included as part of the initial notification:

- The time and date of the incident
- The location of the incident, including CPUC grade crossing number if applicable
- The number of fatalities or injuries
- The rail vehicles involved in the incident, if any
- The factor that makes the incident immediately reportable
- The emergency response organizations at the scene of the incident

National Response Center (NRC)/FRA Accident/Incident Reporting Thresholds

- The NRC is not a response agency. It serves as an emergency call center that fields initial reports for pollution and railroad (FRA) incidents.
- NCTD will notify the NRC within two (2) hours of any incident involving railroad equipment or any incident occurring on NCTD railroad-controlled property, where one (1) or more of the following occurs:
 - A passenger or employee fatality

- Death of an employee or a contractor to a railroad performing work for the railroad on property owned, leased, or maintained by the contracting railroad
- Death or injury of five (5) or more persons
- A train accident that results in serious injury to two (2) or more Train Crew Members or passengers requiring their admission to a hospital
- A train accident resulting in evacuation of a passenger train
- Damage to a tank car or container resulting in release of hazardous materials or involving evacuation of the general public
- A fatality resulting from a train accident or train incident at a highway-rail grade crossing when death occurs within 24 hours of the accident or incident
- Collision or derailment on a main line that is used for scheduled passenger service
- Collision or derailment that fouls a main line used for scheduled passenger service
- A train accident resulting in damage (based on a preliminary gross estimate) of \$150,000 or more to railroad and non-railroad property
- A train accident resulting in damage of \$25,000 or more to a passenger train, including railroad and non-railroad property



California Public Utilities Commission (CPUC) Reporting Thresholds

NCTD will notify CPUC within two (2) hours of any incident involving a transit vehicle or incident occurring on NCTD-controlled property where one (1) or more of the following occurs:

- A fatality (including suicides, suspected suicides, or injury ultimately resulting in a death)
- Two or more injuries
- One or more injuries as the result of a collision
- Intentional and/or criminal act where RTA facilities are involved as the means of injury or death. For example, person pushed towards a moving train
- Fatality caused by slip, trip, or fall on RTA property
- If a fall occurs and the person contacts a train and gets injured
- Multiple injuries resulting from a slip, trip or fall. For example, a person falls into another person and both are injured, or when a person falls and during the rescue/aid another person is injured.
- Evacuation due to life safety reasons, including self-evacuation. A life safety reason may include a situation such as a fire, the presence of smoke or noxious fumes, a fuel leak from any source, an electrical hazard, bomb threat, or other hazard to any person. An evacuation of passengers into the rail right of way (not at a platform or station) for any reason is presumed to be an evacuation for life safety reasons
- Evacuation in order to avoid extended exposure to heat or cold when there is a system breakdown
- Collision resulting in Disabling Damage to a rail transit vehicle
- Collision between two rail transit vehicles (including damage resulting from unintentional hard coupling)
- Collision resulting in one or more injuries
- Rail Transit Vehicle vs Non-Rail Transit Vehicle collision
- An Unintended Train Movement. Any instance where a revenue vehicle is moving and is not under the control of a driver (whether or not the operator is physically on the vehicle at the time). This applies regardless of whether the event occurred in revenue service

- Derailment (safety event in which one or more wheels of a rail transit vehicle unintentionally leaves the rails)
- PTASP Reportable. Unacceptable hazards immediately reportable per the RTA's PTASP.
- Whenever the RTA temporarily disrupts service due to non-collision related natural event such as landslides, flooding, earthquakes, etc., except cautionary speed restrictions for high heat or sweeps after an earthquake event or weather event.



Federal Transit Administration (FTA) Accident/Incident Reporting Thresholds

- The FTA will be notified of accidents or incidents on the Escondido Subdivision that have been reported to CPUC, FRA, and/or the NTSB.
- NCTD will notify FTA within two (2) hours of any incident that is required.
- The report to the FTA shall include all information that is required and also include the primary and secondary event types (e.g., collision, derailment, fire, etc.).
- Anytime the FRA is notified of an accident on the Escondido Subdivision, the CPUC and FTA shall also be notified.

12.4 Accident Investigation References

The following documents and topics are references to assist with the development of accident/incident investigation and reporting procedures:

- CPUC GO 164 Series: Rules and Regulations Governing State Safety Oversight for Rail Fixed Guideway Systems
- 49 CFR, Part 225: Railroad Accidents/Incidents: Reports, Classification, and Investigation (partially waived in FRA waiver 2002-11809 for SPRINTER)
- 49 CFR, Part 674: State Safety Oversight
- FRA Guide for Preparing Accident/Incident Reports
- U.S. Dept. of Transportation Rail Accident Investigator's Handbook
- NCTD SOP 3000.15 - Accident/Incident Investigation

12.5 Accident Investigation and Reporting

Accidents related to all operations or infrastructure are investigated by the NCTD Safety Department in conjunction with the responsible department. NCTD also collects and maintains accident information from other rail partners, such as BNSF and Amtrak.

A final investigation report will be submitted no later than 30 calendar days after the accident has occurred. If the investigation takes longer than this time period, an interim status report will be submitted every 30 calendar days. For contractors, NCTD may at any time choose to do a separate and independent investigation, if applicable. All accident investigations conducted by NCTD are on behalf of the CPUC (if applicable). NCTD will submit final reports to the required regulatory agency.

When necessary, a Safety Review meeting shall be conducted following unusual and/or significant incidents. Causes and contributory factors identified through the debriefing shall be analyzed, and any recurring or continuing hazards, unsafe conditions, or unsafe practices discovered shall be classified in accordance with the

hazard classification procedures. The reviewing body will then issue written recommendations to address or mitigate any such conditions or practices. Recommendations will be tracked until completed or closed.

12.6 Corrective Actions Resulting from Investigations

NCTD develops corrective action plans based on the results of the investigation. Causal and contributing factors will be assessed, and any areas identified as in need of improvement may be included in a corrective action plan. All corrective actions will be input and tracked in the NCTD Safety database.

If the NTSB investigates an accident involving NCTD, the appropriate regulatory agency (FRA or CPUC) and NCTD meet to address NTSB's findings and determine the appropriate corrective actions to be taken based on those findings and other information available about the incident.

12.7 Coordination with NTSB/FRA/CPUC

When investigating accidents NCTD shall:

- Notify NTSB/FRA/CPUC staff when any additional investigation beyond the initial on-scene investigation is conducted by a team or panel, such as performing interviews, questioning witnesses, reenacting accidents, or conducting inspections, measurements, examinations, or tests
- Provide for NTSB/FRA/CPUC and San Diego County Sheriff's Department staff's participation to the fullest extent possible, and make all information related to the accident investigation, including data from event recorders, available to staff for review
- Document in a written report for each incident investigated (except where protected by the attorney-client privilege/work product) the investigation findings, the most probable root cause of the accident, contributing causes, and recommendations for corrective action to prevent a recurrence of the accident
- Prepare a corrective action plan as a part of the investigation report or in a separate document
- Submit its final investigation report within thirty (30) calendar days after the last day of the month in which the accident occurred, and provide an interim status update every thirty (30) days thereafter if necessary.

13.0 Safety Data Acquisition

13.1 Safety Data Acquisition and Analysis

The objectives of safety data acquisition and analysis are to:

- Monitor overall safety performance of COASTER/SPRINTER systems
- Identify potentially hazardous or unsafe trends and take action before they cause, or contribute to the cause of, injuries, accidents, or damage
- Collect, maintain, analyze, and distribute safety data in support of this document
- Document organizational efforts to improve safety and the results thereof

13.2 Safety Data Collection

The activities of this section complement and are supported by Section 15.3, Hazard Investigation, Evaluation and Analysis. Safety statistics and data are gathered through field inspections, incidents, observations, compliance audits, and record reviews. Data is recorded in a comprehensive database, which is used for tracking both safety-related data and contract oversight activities.

External sources of safety and safety-related data will be collected from various sources such as the FRA, FTA, CPUC, and APTA. NCTD will use this information to conduct trend and comparison analysis.

13.3 Safety Performance Metrics and Targets

The Safety Department provides employees and contractors with detailed performance metrics that are utilized by all NCTD Divisions. NCTD is using statistics garnered from an internal Safety database, which collects safety and security information to compare historical data and predictively measure future performance and mitigate potential risk.

13.4 Safety Data Analysis

The safety database offers reporting features to allow users to run comparison and trending reports. Monthly, quarterly, annual, and ad-hoc reports are run by the Safety Department to examine data trends in comparison with previous time periods. The Safety Department examines reports in the following areas:

- Broad contract compliance inspection activities including internal, external, and regulatory inspections and audits
- Corrective action status for all rail modes
- Near miss and unusual occurrence activities for all modes including trespasser reports, rule violations and system failures
- Accidents and incidents for all rail modes

Any factors that reveal unsafe trends are addressed through corrective action measures.

13.5 Safety Data Reporting and Distribution

NCTD Safety Staff use results of trending and data analysis to develop various reports. A report is provided, as required, to the Chief Executive Officer at the Risk Roundtable meetings. A quarterly report is presented to the NCTD Board of Directors at a public meeting to highlight key safety performance indicators.

13.6 Safety Data Acquisition and Analysis- Responsibilities

Rail Departments shall:

- Provide the Safety Department with reports on incidents, accidents and identified hazards
- Report identified trends or concerns to the Safety Department
- Coordinate with the Safety Department on the investigation and corrective actions addressing abnormal trends involving safety concerns
- Conduct regular efficiency testing of operating and maintenance employees to monitor the safety awareness of the front-line employees
- Properly use the Safety database, as assigned, to support the integrity of the data and information and addressing safety and other non-compliance issues

The Safety Department shall:

- Observe efficiency testing of operating and maintenance employees with rail testing officers to monitor the safety awareness of the front-line employees
- Directly investigate or assign an investigation of potential risks discovered through monthly and other reporting activities
- Submit quarterly safety report to the NCTD Board of Directors
- Report abnormal trends and issues at each applicable Risk Roundtable meeting

Other NCTD Divisions and Departments shall:

- Regularly review and examine compliance and oversight activities
- Input compliance data related to contract oversight into the Safety database
- Analyze safety issues resulting from data trends
- Cooperate with the Safety Department and the Compliance Officer during regular audits and/or investigations

14.0 Contract Procurement Requirements

14.1 Procurement Activities

This section covers practices for the procurement of materials, equipment, and supplies, the evaluation of such for quality, application, and potential hazards. This section applies to the purchasing processes for operations, maintenance, and capital purchases. For details on NCTD procurement activities, please refer to PCA Division Policies and Procedures Procurement Manual.

14.2 Procurement Controls

For procurement of parts, components, supplies, and materials, NCTD requires operations and maintenance to maintain procurement quality assurance procedures. NCTD will ensure equipment and materials are in accordance with the technical specifications and requirements set forth by the project's manager or team.

14.3 Procurement Responsibilities

- The NCTD PCA Division is responsible for system capital purchases, fuel, and other services that require procurement in accordance with specifications set forth by the project manager.
- When safety issues are identified that require capital purchases, the Safety Department will coordinate with the PCA Division for the timely acquisition of the items or resources necessary to implement the resolution to the concern.

15.0 Risk-Based Hazard Management Program

Safety risk management is one of the key components of SMS. This risk-based hazard management process is used to identify hazards, evaluate them, and implement actions to eliminate, mitigate or accept the hazard. A hazard is any real or potential condition that can cause injury, illness, or death; damage to or loss of a system, equipment, or property; or damage to the environment.

NCTD's hazard identification and resolution process has been implemented to ensure potential hazards are systematically identified, evaluated, and resolved during design, construction, and revenue operations. Through this process, NCTD seeks to minimize and eliminate injuries to passengers, employees, and the general public, and to prevent service delays and damage to property, equipment, and the environment.

Goals for the risk-based hazard management program are detailed this document. Performance against those goals is reviewed quarterly, at a minimum, and updates are provided to staff, contractors and the NCTD Board of Directors.

As the SMS Executive, the Deputy CEO/Chief General Counsel is responsible for administering the risk-based hazard management program.

15.1 Purpose

This section outlines NCTD's formal process used to identify, evaluate, and mitigate potential hazards associated with transit operations and maintenance. Hazards identified are analyzed for potential impact and resolved by design, procedure, warning device, or other method so that identified hazards are at a point that is ALARP.

Hazard management consists of:

- Hazard identification
- Hazard investigation, evaluation, and analysis
- Hazard mitigation, control, and elimination
- Hazard tracking

15.2 Hazard Identification

The physical and functional characteristics of the system to be analyzed are NCTD operations, maintenance, facilities, procedures, employee practices, and general contractor oversight. Knowledge of how the individual system elements interface with each other is essential to the hazard identification effort. Hazards may be identified through:

- Daily tasks and routine activities conducted by NCTD employees and contractors
- Inspections and observations conducted by the NCTD Safety Department
- Internal audits and records reviews
- External audits conducted by regulatory agencies
- Design reviews where representatives of Safety as well as Operations Divisions participate
- Hazard analyses and special reports prepared by consultants, NCTD employees, contractors, and suppliers
- Hazards that develop as a result of accidents/incidents

- Information from other transit systems or the public at large; and



- Data and information provided by an oversight authority, including but not limited to FTA, the State, or as applicable, the State Safety Oversight Agency having jurisdiction
- Data and information regarding exposure to infectious disease provided by the CDC or a State health authority
- Safety concerns identified through Safety Assurance Activities carried out under 49 CFR 673.27

15.3 Hazard Investigation, Evaluation, and Analysis

Employees are encouraged to immediately address hazards that may be easily resolved, such as a trip hazard that may be easily moved. Hazards that require more extensive measures for resolution should be elevated to managers or mode specific safety committees for corrective action. Managers and safety committees are encouraged to conduct appropriate investigations to determine the potential risk as evaluated through examining the severity and likelihood of the hazard.

Hazard Severity Categories

All identified hazards are assigned one of four severity levels:

CATEGORY NAME	LEVEL	CHARACTERISTICS
Catastrophic	1	Fatality or multiple severe injuries, severe environmental damage, total system loss, extreme financial loss to NCTD
Critical	2	Severe injury or occupational illness, significant environmental, system or equipment damage, major service disruptions, significant financial loss to NCTD
Marginal	3	Minor injury or occupational illness, minor environmental, system, or equipment damage, minor service disruption
Negligible	4	Less than minor injury or occupational illness, less than minor environmental, system or equipment damage. Insignificant service disruption.

Hazard severity is the measure of the consequence the hazard presents. The greater the potential hazard consequence, the more severe the hazard.

Hazard Likelihood Categories

All identified hazards are assigned one of five likelihood levels:

CATEGORY NAME	LEVEL	SPECIFIC INDIVIDUAL ITEM OR LOCATION	FLEET, INVENTORY OR SYSTEMWIDE
Highly Probable	A	Likely to occur with high frequency	Continuously experienced
Probable	B	Will occur many times in the life of an item or at a specific location	Will occur frequently
Possible	C	Likely to occur one or more times in the life of an item or at a specific location	Will occur several times during the life of system
Unlikely	D	Unlikely but possible to occur in the life of an item or at a specific location	Can reasonably be expected to occur during the life of system
Highly Unlikely	E	So unlikely, it can be assumed occurrence will not be experienced at a specific location	Not expected to occur during the life of system

The likelihood that a consequence associated with a given hazard will occur can be described in potential occurrences per unit of time, events, population items or activity. The hazard consequence occurrence likelihood, or frequency of occurrence, represents a qualitative judgment of the relative likelihood of occurrence of an accident caused by an uncorrected or uncontrolled hazard as a result of a particular event or series of events.

A qualitative hazard likelihood will be derived from research, analysis, and evaluation of safety data from the operating experience of NCTD or other similar transit authorities. For example, a derailment of a rail passenger vehicle is typically due to one or several events (e.g., poor construction of the trackway, vehicle over speed, rail-vehicle interface, and/or poor maintenance of the track). The term fleet or inventory in the table refers to the number of units or size of a system elements as an aggregate in the NCTD system (e.g., the number of rail crossings, collectively). Therefore, the table provides a qualitative likelihood category for a particular event occurring within the entire inventory of crossings, or at a single crossing, for example.

Hazard Risk Assessment Table

Risk assessment determines the acceptability of assuming a risk associated with a hazard, the necessity of implementing corrective measures to eliminate or reduce the hazard, or a combination of both. Hazard risk assessment involves categorization of hazard severity and likelihood of occurrence. The guidelines for determining hazard risk are presented in the tables below:

Hazard Risk Levels					
Hazard Severity	Hazard Likelihood				
	A - Highly Probable	B - Probable	C - Possible	D - Unlikely	E - Highly Unlikely
1 - Catastrophic	H	H	H	M	L
2 - Critical	H	H	M	M	L
3 - Marginal	H	M	M	L	VL
4 - Negligible	L	L	L	VL	VL

Hazard Risk Index	Risk Level Definitions
H	High – Unacceptable
M	Moderate – Undesirable, Decision Required
L	Low – Acceptable with Review
VL	Very Low – Acceptable without Review

Unacceptable means the hazard cannot remain as is and must be mitigated.

Undesirable means that the hazard should be mitigated, if at all possible, within fiscal constraints. Fiscal constraints are determined by the Chief Financial Officer in conjunction with the Chief Operating Officer and the SMS Executive or designee.

Acceptable with review means that NCTD management determines that the risk associated with the hazard is acceptable with proposed mitigations.

Acceptable without review means that the hazard can remain.

Hazard risk assessment is initially conducted by the reporting party in the Safety Database. Corrective actions also require the completion of an initial risk assessment by the investigator. The NCTD Safety Department reviews all hazard assessments monthly and recommends mitigation strategies. Hazards that require executive management attention for mitigation are forwarded to the applicable NCTD Risk Roundtable as discussed in Section 15.7.

15.4 Hazard/Risk Mitigation

All corrective actions for hazard and risk mitigation will be completed by the assigned department/division. The responsible party for the corrective action will analyze the hazard and develop recommendations for mitigation or elimination of the hazard. Interim measures may be implemented until the corrective action is completed. Recommendations may include the following protective measures or controls to mitigate the hazard including:

- Elimination (Avoidance)
- Substitution
- Engineering
- Administrative (including training, procedures, warnings, and awareness)
- Personal Protective Equipment

For serious hazards that represent immediate danger to life and health, employees and contractors shall take immediate action to mitigate the hazard and report to the OCC as detailed in *NCTD SOP 3000.15 – Accident/Incident Investigation*. If the hazard can't be immediately mitigated or eliminated, all employees, contractors and customers are to be removed from the affected area until safety can be assured.



The below are considered as a source for safety risk mitigation in accordance with 49 CFR 673.25(d):

- Guidance provided by an oversight authority, if applicable, and FTA
- Guidelines to prevent or control exposure to infectious diseases provided by the CDC or a State health authority

15.5 Regulatory Accident/Incident Reporting Thresholds

All accident and incident reporting must be completed by NCTD as detailed in 49 CFR Part 225.9, CPUC GO-164 Series, or 49 CFR 674, as applicable. This is the minimum regulations that must be met; however, it does not exempt NCTD from meeting all of the reporting requirements and is not all-inclusive. *Additional details may be found in NCTD SOP 3000.15 – Accident/Incident Investigation*.

15.6 Hazards and Corrective Actions Tracking

Hazards needing correction are entered and tracked in the NCTD Safety database. Corrective actions will have:

- 1) original finding information
- 2) a suggested corrective action
- 3) the responsible parties assigned
- 4) a due date identified
- 5) an initial risk assessment.

The NCTD safety data base is designed to provide notification of the corrective action to responsible parties as well as alert them of upcoming due dates and overdue corrective actions. Individuals assigning a corrective action and those responsible for the corrective action are expected to work together to effectively mitigate and/or eliminate the issue. All corrective actions are reviewed by the NCTD Safety Department.



Additionally, NCTD creates corrective action plans as a result of CPUC regulatory inspections utilizing the same process detailed above. Corrective Action Plans (CAPs) as a result of a regulatory inspection are due to the CPUC within 30 days of receipt and must contain all of the items listed in this section. NCTD will update the CPUC with the status of SPRINTER related CAPs every 30 calendar days for CAPs that will be open longer than 60 calendar days.

Detailed hazard identification and corrective actions tracking will support continuous safety improvement throughout the life of the rail system by quickly identifying hazards, assessing risk, and assigning corrective actions to mitigate or eliminate the hazard.

15.7 Hazards Communications and Reporting



CPUC Hazard Reporting Thresholds

Per the requirements of CPUC General Order 164 Series Section 6 (e), NCTD shall report the following hazards monthly via the CPUC on-line reporting tool. CPUC notification is required within 24 hours or the next business day if the categorization of the hazard is unacceptable.

- Near miss collision of train with another train or object with deployment of emergency brake application to prevent collision
- Near miss collision of train, hi-rail equipment, or on rail work equipment with employee, contractor, or trespasser on the rail right-of-way
- Near miss industrial accident on NCTD property with potential for serious injury or fatality
- Any major hazardous material spill meeting the federal government's reporting threshold
- Any significant malfunction or failure of the signaling system/signal system components
- Any switch that has been run through by a rail vehicle on main line track
- Any main line authority violation defined as a de-certifiable event in the Code of Federal Regulations



CPUC and FTA Identified Hazards

Information provided by the CPUC, and FTA can be a source for hazard identification activities. The NCTD Safety Department will receive and assess the information provided by either the CPUC or FTA and report back to the applicable regulatory agency regarding the results of any activities or analysis performed.



FTA Risk Reduction Program

The Bipartisan Infrastructure Law of 2021 requires transit agencies to develop a risk reduction program to improve safety by reducing the number and rates of accidents, injuries, and assaults on transit workers based on data submitted to the National Transit Database (NTD).

NCTD's safety performance measures and targets are based on the measures established under the National Public Transportation Safety Plan. A detailed list of these safety performance measures, and performance targets are found in Appendix A.

As necessary, for hazards that cannot be mitigated at the operational level, a risk-based hazard analysis is performed at the Risk Roundtable meetings and documented in a formal document called the Risk Register. The Risk Register details specific hazards based on analysis to determine the resulting risks related to: operating rules and practices, infrastructure, equipment, employee levels, schedules and training, management structure, or any other aspect that has an impact to operator safety not covered by safety regulations or other federal regulations. This document also details the hazards' likelihood and severity, impacts, and proposed methods that will be used to mitigate or eliminate the hazard and resulting risks. Additional details about the Risk Roundtable and Risk Register are found below.

To reduce the number of accidents, injuries, and assaults on transit workers, NCTD mitigation efforts may include deployment of infrastructure and technology on trains including barriers to restrict the unwanted entry of individuals and objects into the workstations of operators, if the safety committee determines that such barriers or other measures would reduce assaults on transit workers and injuries to transit workers.

Safety Committee Meetings



The NCTD Safety Department hosts a joint labor and safety committee to provide an opportunity for all parties to discuss safety issues identified due to a specific event or identified but not resolved at the supervisor level. The NCTD Safety Committee is composed of 14 voting members, with an equal number of representatives from NCTD Management and labor union appoint frontline employees. Additional attendees may be invited as needed to provide subject matter or technical expertise. The meetings are chaired by two co-chairs: the SMS Executive or designee and a frontline committee member chosen by other frontline committee members.

The Safety Committee is responsible for:

- Reviewing and approving the Public Transportation Agency Safety Plan and any updates.
- Setting annual safety performance targets for the safety risk reduction program
- Supporting the operation of the NCTD's SMS by:
 - Identifying, recommending and monitoring safety risk-based mitigations or strategies, including those in NCTD's risk reduction program, necessary to reduce the likelihood and severity of potential consequences identified through the transit agency's safety risk assessment;
 - Identifying safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended, including safety risk mitigations associated with any instance where the transit agency did not meet an annual safety performance target in the safety risk reduction program; and
 - Identifying safety deficiencies for purposes of continuous improvement as required at § 673.27(d), including any instance where the transit agency did not meet an annual safety performance target in the safety risk reduction program.

In accordance with 49 CFR 673.12(7), safety risk mitigations identified and recommended by the Safety Committee shall be included or incorporated by reference into this document.

More information on the Safety Committee is available in the NCTD Administrative Policy and Procedure SAF-2004 – Safety Committee, including the compensation policy for participation in safety committee meetings and dispute resolutions mechanisms.

The action items arising from the Safety Committee Meeting may be addressed in the following manner:

- Assign a subcommittee to research resolution scenarios or alternatives and work with department managers to implement
- Bring the hazard or unsafe condition to the attention of the appropriate supervisor or manager for internal follow-up and resolution
- Develop a specific action plan for elimination or mitigation of the hazard, and recommend a responsible party to implement the plan
- Recommend a course of action to department or executive management for elimination or mitigation of the hazard

Hazards that are not resolved by the Safety Committee meetings are elevated to the Risk Roundtable and evaluated independently to determine overall impact from a detailed risk assessment based on likelihood and severity.

Risk Roundtable

The Risk Roundtable chaired by the Director of Enterprise Risk Management or designee, will meet at least quarterly and includes safety representatives and management. This group looks at higher level safety trends, specific incidents, or hazards that warrant special attention, and emphasizes any topics that require agency level risk mitigation or elimination. The Risk Register is the formal log which documents items that are deemed significant enough to warrant tracking to either mitigate or eliminate risk.

The standing agenda includes any issues not resolved at the safety committee meetings. NCTD employees that comprise the Risk Roundtable include the: Deputy CEO/Chief General Counsel, Chief Operating Officer, Chief Development Officer, Director of Security, or their designees, and other key staff whose duties are critical to the specific mode of operations. SMS Executive or designee SMS Executive or designee. The Risk Roundtable members may;

- Assign a subcommittee to research resolution scenarios or alternatives and work with department management to implement
- Develop a specific action plan for elimination or mitigation of the hazard, and recommend a responsible party to implement the plan
- Close the hazard on the Risk Register upon resolution

The Risk Roundtable post-meeting report notes are maintained in the NCTD document management system and are also provided in an email to attending participants, copying the Chief Executive Officer.

Quarterly Safety Reports to the Board of Directors

The Safety Department provides a quarterly report to the Board of Directors covering key safety performance metrics.

15.8 Hazard Management Responsibilities

NCTD and its contractors are required to coordinate and collaborate to support the effective management of the hazard management process. The risk-based hazard management program is administered by the NCTD SMS Executive or designee.

Rail Departments and contractors shall:

- Train employees with all, or a portion of the hazard management process based on employee job duties and responsibilities
- Conduct daily safety meetings/job briefings before employees begin duty
- Conduct and participate in monthly safety meetings
- Perform root cause analysis of accidents and incidents in coordination with the Safety Department
- Address corrective actions as assigned
- Participate in safety meetings

The Safety Department shall:

- Train select NCTD employees and contractors on the hazard management process
- Conduct ongoing inspection activities to identify hazards
- Perform root cause analysis of incidents and risks
- Track accident and incident trends
- Track safety trends to identify developing issues
- Ensure the hazard management process is effective
- Evaluate system changes for hazards
- Assist with hazard resolution at all levels of reporting
- Address hazards that are discussed at the Risk Roundtable meeting or placed on the Risk Register
- Ensure that assigned corrective actions include the following:
 - Initial finding
 - Recommended corrective action
 - Responsible parties
 - Due date
 - Risk assessment
- Coordinate with responsible parties for the completion of corrective actions
- Review initial risk assessments on corrective actions
- Maintain a comprehensive Safety database and provide training to other divisions and contractors on its proper use

All other NCTD divisions and departments shall:

- Identify, address, report, and document hazards if able and/or notify supervisory staff or the NCTD Safety Department of hazards
- Enter accurate data into the Safety database
- Assist with the completion of corrective actions when requested
- Track corrective actions to completion

16.0 Risk-based Hazard Analysis

16.1 Risk-Based Hazard Analysis

Risk-based hazards analyses are conducted when there is an identified risk related to operating rules and practices, infrastructure, equipment, employee levels, schedules and training, management structure, or any other aspect that has an impact to passenger rail operator safety not covered by safety regulations or other federal regulations.. The hazard is logged into the NCTD Safety database, and risk-based hazard analyses are completed by the Safety Departments in conjunction with the appropriate NCTD or contractor management and are retained in the NCTD Safety database. Should the risk level be deemed unacceptable, all work related to that risk will stop until appropriate mitigations are identified and implemented.

Operating Rules and Practices

The below Committees regularly various rules and practices related to operations:

The Railroad Rules Committee is an interdisciplinary group that reviews all rules related to the operation of the railroad. The interdisciplinary nature minimizes the risk associated with conflicting rules across departments. More information about the Railroad Rules Committee can be found in *NCTD Administrative Police SAF-2009 Railroad Rules Committee*.

The SOP Committee is an interdisciplinary group that reviews all of NCTD's Standard Operating Procedures (SOP). These are procedures that affect all of NCTD outside of regulatory-required railroad rules, plans, and programs. More information on the SOP Committee can be found in *NCTD SOP 3000.37 - Development and Management of SOPs*.

Any hazards identified by these Committees that cannot be immediately mitigated will be forwarded to the Safety Department for review and analysis. If necessary, the hazard will be added to the Risk Register and reviewed by the Risk Roundtable.

Infrastructure and Equipment

NCTD infrastructure and equipment will be inspected and audited per Section 6.0 Maintenance, Repair, and Inspection Program. Any hazards identified through these activities that cannot be immediately mitigated will be forwarded to the Safety Department for review and analysis. If necessary, the hazard will be added to the Risk Register and reviewed by the Risk Roundtable.

Employee Levels, Schedules, and Training

Each Division is responsible for reviewing their employee levels, schedules and training for any potential risk. Those departments that are subject to the Fatigue Risk Management Program are likewise responsible for ensuring that their staffing meets those requirements.

Management Structure

Management structure can change due to evolving needs of the organization. These changes are reviewed at the Chief Executive Officer level with the SMS Executive to identify and mitigate any potential hazards

Any other hazards that are identified which have a potential impact on railroad safety not covered by railroad safety regulations or other Federal regulations will be forwarded to the Safety Department for review and analysis. These hazards can be reported through the employee hazard reporting system, the Safety Committee, Risk Roundtable, or directly with the Safety Department.

16.2 Risk Mitigations and Hierarchy of Controls

Mitigations for any risk will follow the Hierarchy of Controls and will be considered in the following order of priority:

- Elimination: The mitigation will ensure that the hazard is eliminated, and no additional risk is present.
- Substitution: The mitigation will substitute another component that will reduce the risk related to the hazard.
- Engineering Controls: The mitigation will add engineering controls to prevent human interface with the risk, thereby reduce the risk related to the hazard.
- Administrative Controls: The mitigation will provide work process, plans, or procedure, so that when followed, will reduce the risk related to the hazard.
- Personal Protective Equipment (PPE): The mitigation will provide PPE to the employee to reduce the risk related to the hazard.

16.3 Risk Register

The risk-based hazard analysis and resulting mitigations are documented in a formal document called the Risk Register. The Risk Register details specific hazards based on analysis to determine the resulting risks related to Identified hazards. This document also details the hazards likelihood and severity, impacts, and proposed methods that will be used to mitigate or eliminate the hazard and resulting risks.

The Risk Register and post-meeting reports for Risk Roundtable meetings are maintained in the NCTD document management system and are available for review by a regulatory agency upon request.

17.0 Technology Analysis and Implementation Plan

NCTD has developed and updates a technology analysis and implementation plan which describes the process to identify and analyze current or new technologies that will mitigate any potential hazards identified in the Risk Register. This plan will also analyze the safety impact, feasibility and costs and benefits of implementing those technologies.

17.1 Identification of Technology to Mitigate Hazards

Hazards may be identified either through employee reporting, the Risk Roundtable meetings, inspection, and audit activities, or through an analysis of useful life in the NCTD Transit Asset Management Plan. If applicable after identification, the hazard will be mitigated or eliminated by the assigned responsible party. If new technology is recommended for mitigation of the hazard, an associated project will be created and will utilize the System Modification Review, Approval, and Implementation process that is described in detail below in Sections 18.8 through 18.11.

Potential technologies that will be considered include the following:

- Positive train control systems
- Electronically-controlled pneumatic brakes
- Rail integrity inspection systems
- Rail integrity warning systems
- Switch position monitors and indicators
- Trespasser prevention technology
- Highway-rail grade crossing and warning technology

The following section details the items currently under consideration for implementation over the next 10 years. The description will describe how it will develop, adopt, implement, maintain, and use the technologies.

17.2 Recommended Project List

Priority	Project	Timing	Project Status	Funding Status	Description
1	Signal Optimization – San Diego Sub	2021	Construction	Phase 1 Funded	Eliminate “obsolete” signal equipment to achieve signal system SoGR. Allow for implementation of future looking technologies such as PTC 2.0 and data collection to enact predictive analytics.
2	Signal Optimization – Escondido Sub	2024	Concept	Unfunded	Eliminate “obsolete” signal equipment to achieve signal system SoGR. Allow for implementation of future looking technologies such as PTC 2.0 and data collection to enact predictive analytics.

3	San Diego Sub Crossing Fiber	2023	Concept	Unfunded	Pull fiber into all signal houses where it does not currently exist including crossings. This will allow for collection of data for predictive analytics, facilitate PTC 2.0 concepts such as wireless crossing, and allow for addition of safety features like CCTV cameras at all grade crossings.
4	Escondido Sub Crossing Fiber	2025	Concept	Unfunded	Pull fiber into all signal houses where it does not currently exist including crossings. This will allow for collection of data for predictive analytics, facilitate PTC 2.0 concepts such as wireless crossing, and allow for addition of safety features like CCTV cameras at all grade crossings.
5	Big Data/ Analytics and Preventative Maintenance	2024	Concept	Unfunded	Utilize Signal Optimization as well as Fiber projects to achieve data connectivity with all signal locations. Data pulled from these and other locations can be used to identify and address issues before they impact train service or the public.
6	Mesh Node Completion	2025	Design	Unfunded	Extend and update Wireless Mesh Node technology to reach current gaps in coverage and allow for higher speeds. Wireless Mesh coverage provides communications between cab and coach cars, locomotives, and the NCTD infrastructure. It also allows communications with dispatch during a catastrophic event.

7	PTC 2.0	2030	Concept	Unfunded	Monitor, investigate, and integrate new PTC technologies into NCTD's existing PTC infrastructure as they are developed and brought to market. PTC technologies and industry standards will continue to evolve to implement new functionalities enhance safety for train operations and passengers. Furthermore, the new technologies will enable rich data generation opportunities for NCTD that will drive operational excellence.
8	PTC Escondido Subdivision	2030	Concept	Unfunded	Extend the NCTD PTC system to the Escondido Subdivision which will include signal system upgrades, expansion of the PTC communications infrastructure (radio, cell, and ground fiber), modifications to the PTC back office datacenter, and PTC onboard equipment refresh.

18.0 Safety Assurance

Safety Assurance is one of the key components of SMS. It includes the systematic and ongoing monitoring and recording of safety performance, as well as an evaluation of SMS processes and practices. Safety Assurance ensures compliance with SMS requirements and utilizes the Safety Performance Targets to help measure these activities while providing opportunities for improving safety and minimizing risk.

NCTD ensures that Safety Assurance is maintained through efforts in three (3) core areas:

- Safety Performance Monitoring and Measurement
- Management of Change
- Continuous Improvement

NCTD conducts Safety Performance Monitoring and Measurement through a variety of inspection/audit activities and processes including:

- Internal Safety Audits
- Facilities Inspections
- Maintenance Inspections
- Notification, Investigation and Reporting
- Safety Data Acquisition and Analysis
- Drug and Alcohol Compliance

Management of Change is conducted through the following activities:

- Configuration/Change Management Process
- System Modification and Review
- Safety and Security Certification

Continuous improvement is conducted through the following list of activities:

- Corrective Action Plans (CAPs)
- Lessons Learned
- Procedure Updates
- Employee Training

NCTD has multiple processes to facilitate continuous improvement including Modal Contractor safety meetings, Risk Roundtable meetings and Internal Safety Audits.



Should any established annual safety performance target set by the Safety Committee under 49 CFR 673.19(d)(2) for the safety risk reduction program not be met, the District shall follow the procedures outlined under 49 CFR 673.27(d)(3).

18.1 Change and Configuration Management

Change management is the process and procedure used to manage significant operational changes, system extensions, system modifications or other changes that will have a direct impact on railroad safety.

Configuration Management (CM) details the process used to make configuration changes to the rail system.

CM refers to a discipline for evaluating, coordinating, approving, or disapproving, and implementing changes in a rail system. The CM process ensures there is a process to document changes from the initial concept through development, implementation, and an on-going evaluation of results.

Successful CM requires a well-defined and institutionalized set of policies and procedures to ensure that all NCTD Divisions as well as contractor staff that are affected by the configuration changes are formally notified and approve of the change.

Change Management and Configuration Management will utilize the same System Modification Review, Approval, and Implementation process which is described below.

Any change that affects PTC will also go through the PTC Change Control Board in addition to System Modification process.

Rail Operations, Rail Right-of-Way, and Development Services Divisions

The Rail Operations, Rail Right of Way, and Development Services Divisions are divisions primarily responsible for configuration management activities related to managing and documenting significant changes and/or modifications to NCTD's transportation system, and for verifying that new system elements and modifications in development are reviewed by key stakeholders at appropriate intervals for input and/or approval.

For these types of modifications to mission-critical equipment, facilities, infrastructure, and/or procedures, the Rail Operations, Rail Right of Way, and Development Services Divisions will ensure that:

- A comprehensive review is conducted, and approvals/signoffs are secured from key stakeholders before such changes are made
- Primary and secondary safety and functional impacts of a proposed change are identified, evaluated, and addressed early in a project's design phase
- The completed modifications are properly incorporated into the existing system
- Projects will be managed through the use of Microsoft Project and implemented as directed in NCTD's Project Delivery Manual.

Safety Department

The Safety Department shall:

- Perform an internal safety audit focused on configuration management to ensure the NCTD Rail Operations and/or Development Services Divisions are providing proper oversight of this component relevant to this document and the various operating and maintenance contracts.
- Communicate any findings to the Rail Operations and/or Development Services Division for review and proper assignment of corrective actions.

18.2 System Modification Review, Approval, and Implementation

The system modification review process negates or minimizes the risk involved in acquiring new, or modifying existing systems, equipment, procedures, and service. NCTD is responsible for ensuring all projects implemented will either enhance or maintain COASTER and SPRINTER safety and are implemented in a safe manner. Where a formal Safety and Security Certification program is not required, this section shall apply for system modifications. The overall safety impact, feasibility, cost, and benefit of implementing this system modification are evaluated during the review.

18.4 System Modifications Purpose

Project plans for system modifications to rail operations, maintenance, or infrastructure will include a safety element that addresses the project's overall impact to employees and passengers' safety, as well as a safety plan to be followed during the construction/implementation of the project. The system modification review process will identify and analyze current or new technologies, systems or processes that will mitigate or eliminate hazards and resulting risks identified by a risk-based hazard analysis. These risks can be recorded and tracked in any Risk Roundtable meeting.

18.5 System Modifications Review, Approval, Implementation, and Responsibilities

The Division Chief or designee initiating the proposed change will convene an Ad Hoc System Modification Review Committee Meeting. The agenda will include a review of the project and draft risk-based hazard analysis as proposed by the Division. The Ad Hoc committee will include at least one representative of the following areas of NCTD:

- Safety
- Risk Management
- Engineering
- Office of Chief General Counsel
- Rail Operations
- Rail Right of Way
- Facilities
- Customer Service
- Security

Other departments may be included as needed.

The Ad Hoc committee will review the Risk Based Hazard Analysis (RBHA) and provide suggestions and comments. The final RBHA must be approved by a majority of attendees. If the RBHA is not approved unanimously by the Ad Hoc Committee, the final document must include documentation of unmitigated risks that a committee member bases their vote on. The CEO will be the final signatory on the RBHA.

The Ad Hoc committee will be reconvened throughout the life of the project as determined by the committee during the RBHA review. The follow up meetings will provide updates to the Ad Hoc Committee and present the status of any ongoing mitigations and any new risks that were not previously identified.

NCTD also has additional processes which provide for review of the project throughout the life cycle, including Right of Entry permits and Construction Design Reviews, where technical SMEs provide feedback on various aspects of the project including risk and safety information. Inputs from these processes will be shared with the Ad Hoc Committee as indicated.

All activities of the Ad Hoc committee will be documented in accordance with NCTD *Administrative Policy and Procedure GM-001 Communicating Critical Business Decisions*.

All new and modified NCTD system at-grade crossings on the San Diego and Escondido Subdivisions will follow the procedures described in CPUC GO-88B, as applicable.

18.6 Evaluation of System Modifications

After system modifications have been implemented, an on-going evaluation must be performed to ensure changes to the system don't pose a safety impact or effect safety performance. This is performed by completing the project's post-inspection activities and correcting any identified deficiencies. Once these deficiencies are corrected, the Ad Hoc committee will be notified and closed out. Additionally, ongoing inspection activities and evaluation by the responsible Division and by the NCTD Safety Department will assess changes and monitor for new hazards. If new hazards are identified, they will be tracked through the Hazard Management process.

18.7 Safety and Security Certification

NCTD/SANDAG will prepare a specific Safety and Security Certification Plan (SSCP) according to applicable FRA/FTA guidelines for each of its major projects that may impact safety or security. NCTD/SANDAG verifies that all entities involved in design, construction, operation, and maintenance of all responsible projects comply with the requirements of the safety certification process. Additional details can be found in the NCTD/SANDAG Configuration Management Plan, Engineering and Construction Projects, NCTD Corridor Projects.

18.8 Safety and Security Certification Process

Project-specific SSCPs address safety/security certification management for major projects. Each project SSCP identifies the process used to verify and document conformance with safety and security requirements during design, construction, testing, and operational readiness. The SSCP includes the following:

- The hazard management process to conduct safety hazard analyses and safety hazard resolution. It includes a list of hazard analyses to be performed and submitted as required.
- A list of all safety and security design criteria that will be used in the planning, design, and construction of the project
- A list of certifiable elements and sub-elements
- A description of safety certification audits conducted in accordance with written checklists to verify compliance
- The format and list of safety certification checklists as they become available
- A list of safety certification schedule milestones
- Procedure for updates



18.8.1 CPUC Safety Certification Plans

The CPUC requires Safety Certification Plans for major projects as defined below in Section 21.0 – List of Definitions and Acronyms, related to the SPRINT service that follow the regulatory requirements set forth in General Order 164 series, Section 11.

- NCTD shall prepare a Project specific SC Plan for each of its Projects, using applicable FTA guidelines as a reference.
- NCTD will submit the SC Plan to the CPUC for review and approval during the preliminary engineering phase.
- The SC Plan shall:
 - Address safety certification management including organizational authority and responsibilities, safety certification activities, processes and procedures, documentation requirements and responsibilities, and reporting requirements.
 - Describe the controls used to maintain effective communications and liaison with CPUC throughout the life of the Project. It shall also include procedures to obtain and adequately address Staff's written comments on safety and security design reviews conducted throughout Project development lifecycle.
 - The SC Plan shall identify the process used to verify and document conformance with safety and security requirements during design, construction, testing, and operational readiness as outlined in Section 11 of CPUC GO 164 Series.
 - The SC Plan shall include the following:
 - The hazard management process to conduct safety hazard analyses and safety hazard resolution. The document shall include a list of hazard analyses to be performed.
 - A list of all safety and security design criteria that will be used in the planning, design, and construction of Projects.
 - Certifiable elements and sub-elements list.
 - Safety Certification audits conducted in accordance with written checklists to verify compliance and judge the effectiveness of the SC Plan.
 - Format of Conformance checklists, and a list of the actual checklists as they become available.
 - Safety Certification milestones
 - Procedure for updates.



18.8.2 CPUC Safety Certification Verification Reports

The CPUC requires the submission of a Safety Certification Verification Report to verify Project compliance with the SC Plan as set forth in General Order 164 series, Section 12. NCTD shall:

- Submit the SCVR to Staff at least 21 calendar days prior to the start of service.
- The SCVR shall certify that:
 - All requirements of the SC Plan have been completed except for listed open items, if any.
 - All safety hazards have been adequately mitigated.
 - Adequate restrictions/workarounds are in place to ensure the safety of operations until open items are closed.
- The Project shall not be placed in service until the SCVR is provisionally approved by Staff via issuance of a formal letter to NCTD

- The SCVR shall include:
 - Letter of Intent to Operate;
 - Final Project Verification of Safety; and
 - Remaining Open Items List, if any, with appropriate mitigations.

18.9 Safety and Security Certification Responsibilities

SANDAG and/or applicable NCTD staff in collaboration with the Safety Department are responsible for:

- Ensuring an SSCP is developed with the aforementioned elements
- Submitting the SSCP to the FRA (as applicable) for review and approval during the preliminary engineering phase of major safety/security critical projects and revising the SSCP as the project progresses
- Submitting all revisions to FRA or FTA staff, as applicable
- Ensuring adherence to the SSCP during the development and construction of major safety/security critical projects
- Submitting a Safety Certification Verification Report to verify project compliance with the SSCP.
- NCTD Safety as well as other NCTD Divisions are responsible for supporting safety certification through appropriate planning, reviews, testing, and validations.

19.0 Safety Culture

19.1 Safety Culture Assessment

In an effort to continuously improve its safety management system, NCTD has initiated an agency-wide Safety Culture Assessment Program (Program). This Program provides a means to evaluate NCTD's SMS maturity level, processes, and activities. A Safety Culture Assessment shall be conducted once every three (3) years. The product of the Safety Culture Assessment will provide input to future updates of this document. The latest Safety Culture Assessment was conducted in 2022 and can be provided upon request.

19.2 Safety Culture Assessment Surveys

The primary source of data for conducting the Safety Culture Assessment is the company-wide employee survey that is completed and managed by a third-party contractor.

In addition to evaluating the culture of safety at all levels throughout the organization, another purpose of the safety assessment is to evaluate this document and incorporates the four supporting components of SMS:

- Safety Management Policy
- Safety Risk Management
- Safety Assurance
- Safety Promotion

The safety assessment reviews the safety programs for each operating mode, and other relevant safety plans developed by NCTD contractors and measure the maturity level of SMS.

20.0 Internal System Safety Program Assessment

20.1 Annual Assessment

NCTD conducts an annual assessment to:

- Assess implementation of this document
- Ensure compliance with implemented elements of this document
- Review and measure achievement towards goals

The Assessment will be conducted by the NCTD Safety Department in conjunction with the NCTD Senior Legal Counsel – Regulatory Compliance. The assessment report including recommendations and comments will be presented to NCTD Division Chiefs. Any corrective actions will be assigned to the responsible NCTD Division and tracked in the NCTD Safety database.

Within sixty (60) days of completing the Internal Assessment, NCTD will submit a copy of the assessment report to the FRA including findings and improvement plans necessary to achieve full implementation of this document as well as achieving the goals of the plan.

20.2 Internal Safety Audits (ISA)

This section outlines NCTD's ISA process instituted to self-evaluate the safety program. This section summarizes additional inspection and review activities performed by the Safety Department that augment this program.

20.3 ISA Departments and Functions Subject to Review

The following groups are subject to internal safety audits and reviews:

- Safety Department
- Rail Operations Division
- Rail Right of Way and Technology Division
- Procurement and Contract Administration (PCA) Division
- Development Services Division
- People Division
- Security Department
- Facilities Department
- Contractor(s)



20.4 ISA Review Scheduling

NCTD's Safety Department performs scheduled internal safety and security audits annually to evaluate compliance and measure the effectiveness of this document. Internal safety and security audits are conducted in compliance with GO-164 Series. NCTD's Safety Department prepares and submits this schedule to CPUC at least 30 calendar days prior to the beginning of any scheduled audits. NCTD documents the internal safety and security audits performed during each calendar year within the Safety database and in an annual report provided to the CPUC.

Audits are scheduled by the Safety Department and are conducted in accordance with written checklists by personnel qualified to verify compliance and judge the effectiveness of the activity. Auditors will be independent from the first line of supervision responsible for performance of the activity being audited.

20.5 Scheduled Inspections

The following table explains the elements and responsible parties involved in internal safety reviews. This total scope is completely covered by internal safety and security audits conducted within a three-year or triennial period, and every three-year period thereafter.

<u>Audit</u>	<u>Auditing Department</u>	<u>Audited Department</u>	<u>Performed in Conjunction with Bus?</u>
NCTD Safety Plan Analysis and Review	Chief Operating Officers, Bus & Rail	Safety Department	Yes
Vehicle Maintenance Inspection - Non Revenue	Safety	Bus Operations	No
Vehicle Maintenance Inspections SPRINTER	Safety	SPRINTER MOE	No
Vehicle Maintenance Inspections COASTER	Safety	COASTER MOE	No
SSEPP ISA Process	Safety	Security / Safety Department	Yes
Hours of Service	Safety	OPS/MOS/DIS	No
System Modification Review and Approval	Safety	Development Services	Yes
SSEPP Policies, Goals, and Objectives	Safety	Security Department	Yes
Emergency Management Program	Chief Operating Officers, Bus & Rail	Safety Department & Security Department	Yes
Notification, Investigation, and Reporting COASTER	Safety	COASTER OPS, DIS	No
Notification, Investigation, and Reporting SPRINTER	Safety	SPRINTER OPS, DIS	No
Configuration Management and Safety in Procurement	Safety	Development Services/PCA	Yes
Hours of Service Dispatch	Safety	DIS	No
Rules and Procedures Review NCTD (Dispatch)	Safety	DIS	No
SSEPP Security of Passengers and Employees	Safety	Security Department	Yes
Hazard Management Process	Chief Operating Officers, Bus & Rail	Safety Department	Yes
Safety Data Collection and Analysis	Chief Operating Officers, Bus & Rail	Safety Department	Yes

SSEPP Managing Threats and Vulnerabilities	Safety	Security Department	Yes
Hazardous Material Program (SPRINTER)	Safety	SPRINTER MOE/MOF	No
Hazardous Material Program (COASTER)	Safety	COASTER MOE/MOF	No
Rules and Procedures Review	Safety	OPS, MOS, MOW	No
Drug and Alcohol Program COASTER OPS, MOE, DIS, MOS, MOW,	Safety	People Division	No
Drug and Alcohol Program SPRINTER OPS, MOE	Safety	People Division	No
SSEPP Investigation and Reporting Process	Safety	Security Department	Yes
SSEPP Review and Approval Process	Safety	Security Department	Yes
Track and Signal Maintenance SPRINTER	Safety	MOW, MOS	No
Track and Signal Maintenance COASTER	Safety	MOW, MOS	No
Training and Certification Review NCTD (Dispatch)	Safety	DIS	No
Passenger Rail Emergency Systems SOF	Safety	SPRINTER MOE	No
Passenger Rail Emergency Systems SMF	Safety	COASTER MOE	No
Facility Inspection SPRINTER Facility Operations	Safety	SPRINTER MOE, MOF	No
Facility Inspection COASTER Facility Operations	Safety	COASTER MOE, MOF	No
Training and Certification Review MOW, MOS, MOF	Safety	MOW, MOS, MOF	No
Roadway Worker Protection + GO 175	Safety	MOW, MOS, MOF	No
Training and Certification Review (SPRINTER) Operations, MOE	Safety	SPRINTER OPS, MOE	No
Training and Certification Review (COASTER) Operations, MOE	Safety	COASTER OPS, MOE	No

NCTD audits each of the safety program elements over a three-year period. NCTD's internal safety reviews entail an annual review of one-third of the System Safety Program elements contained in this Plan, executed each year, for three (3) years. At the end of the three-year cycle, after all safety program elements have been reviewed, the process is completed, and the cycle begins anew the following year. Formal internal safety review schedules are created by the Safety Department and the actual review dates are coordinated with the entity under review.

In addition to NCTD's internal safety reviews, this document is available to be audited by the FRA upon request. NCTD is responsible for preparing a response to each defect or recommendation and submitting a written reply to the audit findings within 45 calendar days following receipt of the report. If the findings cannot be resolved prior to submitting NCTD's response, NCTD will develop a corrective action plan for each outstanding item. The corrective action plan shall include the finding, noted by number and specific narrative, the proposed resolution of each finding, as well as interim methods to mitigate risk, the individual responsible for resolving the finding, and the estimated date of closure.

Unscheduled Inspections

The Safety Department performs reviews, audits and inspections of the following programs and facilities throughout the year at their discretion:

- Maintenance facilities and activities
- Station facilities
- Service operations
- Construction activities
- Employee health and safety

20.6 ISA Review Process

Development of Checklists

All internal safety audit checklists, scheduled inspection checklists, and unscheduled inspections checklists are maintained and recorded in the Safety database where findings from these audits and inspections are recorded and tracked until closure.

Issuing of Findings

Findings may be rated in the following four manners:

- NA - Not applicable
- 1 - Compliance Verified, No Deficiencies Observed
- 2 - Substantial Compliance with Exception or Comment
- 3 - Compliance Deficiency, Corrective Action Required

All findings marked as a "3" require an explanation of the finding and the development of a recommended corrective action, assigned to select responsible parties with a due date. The Safety database automatically alerts responsible parties when corrective actions due dates are approaching, or corrective actions are overdue. The person assigning the corrective action is responsible to follow up and verify closure and completion of corrective actions.



20.7 ISA Reporting Requirements

The annual internal safety audit report states the results of each internal audit in terms of the adequacy and effectiveness of this document and includes the status of any subsequent findings and corrective actions. NCTD submits this report to CPUC staff prior to February 15 of each year for internal safety audits performed during the preceding calendar year.



20.7 Coordination with CPUC

The CPUC annual report is accompanied by a formal letter of certification signed by the NCTD Chief Executive Officer indicating that NCTD is in compliance with this document. If NCTD is not in compliance, the letter identifies the activities NCTD will take to achieve compliance.

CPUC reviews and subsequently approves or rejects the annual report. If rejected, CPUC staff identifies the areas in the report to be corrected, and NCTD revises the rejected report and resubmits it to CPUC staff. If NCTD does not agree with the rejection, NCTD engages in discussions with CPUC until resolution is achieved. If no resolution is achieved, NCTD will appeal to the Commission pursuant to the Commission Rules of Practice and Procedure.

The annual report will be distributed internally to applicable departments and/or contractors with appropriate follow-up activities for any open items.

20.8 ISA Responsibilities

Rail Departments and contractors shall:

- All managers and employees will cooperate with audit, inspection, and review activities conducted by NCTD, including the review of practices and documents
- Any findings resulting from internal or other audit/inspection activities will be assigned a corrective action, and contractors are expected to address assigned corrective actions effectively in a timely manner

Safety Department shall:

- In collaboration with the Senior Legal Counsel – Regulatory Compliance, will conduct ongoing audits for the areas assigned in the table provided in Section 20.4 and in accordance with the annual audit schedule
- Perform scheduled internal safety audits on NCTD rail operations, facilities, and engineering groups to ensure their oversight works in conjunction with the practices outlined in this document
- Conduct ongoing audits and internal safety audits to provide oversight in the following areas:
 - Maintenance facilities and activities
 - Station facilities
 - Service operations
 - Construction activities
 - Employee health and safety

The Chief Operating Officers for Bus and Rail will oversee the annual internal safety audits for activities led by the Safety Department

NCTD Division Chiefs are responsible for assigning and ensuring cooperation and coordination of Division staff with internal safety audit activities and scheduled and non-scheduled inspection activities.

21.0 List of Definitions and Acronyms Used

Accident or Safety Event

Per 49 CFR 225 accident is defined as:

- (1) Any impact between railroad on-track equipment and a highway user at a highway-rail grade crossing. The term “highway user” includes automobiles, buses, trucks, motorcycles, bicycles, farm vehicles, pedestrians, and all other modes of surface transportation motorized and un-motorized;
- (2) Any collision, derailment, fire, explosion, act of God, or other event involving operation of railroad on-track equipment (standing or moving) that results in reportable damages greater than the current reporting threshold to railroad on-track equipment, signals, track, track structures, and roadbed;
- (3) Each death, injury, or occupational illness that is a new case and meets the general reporting criteria listed in § 225.19(d)(1) through (d)(6) if an event or exposure arising from the operation of a railroad is a discernable cause of the resulting condition or a discernable cause of a significant aggravation to a pre-existing injury or illness. The event or exposure arising from the operation of a railroad need only be one of the discernable causes; it need not be the sole or predominant cause.
- (4) Occupational illness.



Per 49 CFR 673 a Safety Event is defined as:

an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

ALARP – As Low As Reasonably Practicable

American Public Transportation Association (APTA) – APTA is a nonprofit international association of more than 1,500 public and private sector member organizations that represents all modes of public transportation, including bus, paratransit, light rail, commuter rail, subways, waterborne services, and intercity and high-speed passenger rail. NCTD is an APTA member.

Amtrak – Operator of intercity passenger rail services on the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor that operates over NCTD's San Diego Subdivision.

BNSF Railway – The freight railroad operating on the San Diego and Escondido Subdivisions.

California Public Utilities Commission (CPUC) – State regulatory agency that oversees and regulates railroad and rail fixed guideway safety in the State of California.

Centralized Traffic Control (CTC) – A method of train operations in which trains are authorized to occupy the main track by signal indication and the train dispatcher remotely controls the switches and signals.

Chief Safety Officer – An 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. A Chief Safety Officer may not serve in other operational or maintenance capacities.

COASTER – Commuter rail service provided by NCTD that operates over the San Diego Subdivision between Oceanside and San Diego.

Commuter Rail – A passenger rail transport service that primarily operates between a city center, and the middle to outer suburbs beyond 15 km (10 miles) and commuter towns or other locations that draw large numbers of commuters - people who travel on a daily basis. Trains operate following a schedule, at speeds up to 90 mph. Distance charges or zone pricing may be used. The COASTER service is considered commuter rail.

Confidential Close Call Reporting System (C3RS) – An FRA sponsored voluntary program designed to improve the safety of railroad operations by allowing railroad employees to confidentially report currently unreported or underreported unsafe events. NCTD participates in C3RS.

Contractor – A third party that performs safety-critical tasks on behalf of NCTD.

Corrective Action Plan (CAP) – Actions or a plan of actions developed by NCTD that describes the tasks or measures implemented to minimize, mitigate, control, correct, or eliminate hazard, and the schedule for implementing those actions.

Escondido Subdivision – NCTD owned and maintained right of way extending from MP 99.3 at Oceanside Transit Center to MP 121.66 at the end of the line in Escondido.

Emergency – An unexpected serious event or situation which requires immediate response to the urgent needs of the situation, or to maintain the security and/or integrity of the system, including, but not limited to, any of the following:

- a) Any accident that meets reporting criteria for a regulatory agency
- b) Any injury or illness requiring immediate medical attention, or fatality, involving persons on board a revenue vehicle
- c) Threatened, attempted, or successful suicides
- d) Serious threat to the security or safety of passengers and/or employees
- e) Any event requiring the evacuation of a passenger train
- f) Derailments on the main track or controlled siding
- g) Any unplanned event causing a significant disruption of rail service which may require the arrangement of alternative transportation for NCTD system passengers

Employees – When used in this document, all executives, management, staff, labor, consultants, and contractors of NCTD working on the rail systems.

Event - Any Accident, Incident, or Occurrence.

Federal Railroad Administration (FRA) – Agency of the U.S. Department of Transportation charged with the development, oversight, and enforcement of the Code of Federal Regulations (CFR) relating to the general railroad system in the United States.

Federal Transit Administration (FTA) – Agency of the U.S. Department of Transportation charged with the funding of transit capital and via formula, operations in the United States.

Fully Implemented – All elements of a system safety program (SSP) as described in this document are established and applied to the safety management of the passenger rail operation.

General Code of Operating Rules (GCOR) – Standardized set of rules governing the movement of trains and duties of employees in operations and maintenance of way of a railroad, adopted by NCTD and in effect on the San Diego and Escondido Subdivisions.

Grade Crossing – A designated location approved by the CPUC where a public or private roadway or pedestrian thoroughfare is authorized to cross active railroad tracks at grade. Public grade crossings are part of a public thoroughfare and are required to be equipped with approved passive signage and/or active warning devices. Private grade crossings are not intended for general public use but are for private thoroughfares with limited access which must cross the tracks.

Hazard – Any real or potential condition (as identified in a risk-based hazard analysis) that can cause injury, illness, or death; damage to or loss of a system, equipment, or property; or damage to the environment.

Hazard Analysis – Any analysis performed to identify hazards for the purpose of their elimination, mitigation, or control.

Hybrid Rail – Rail system primarily operating routes on the National System of Railroads, but not operating with the characteristics of commuter rail. This service typically operates light rail-type vehicles as diesel multiple-unit trains (DMU's). These trains do not meet FRA standards, and so must operate with temporal separation from freight rail traffic. The SPRINTER service is considered hybrid rail.

Incident – An event that involves any of the following:

- a) A personal injury that is not a serious injury;
- b) One or more injuries requiring medical transport; or
- c) Damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Internal Safety Audit (ISA) – An audit program used by NCTD to evaluate compliance and measure the effectiveness of this document.

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

Learning Management System – The database used by NCTD to retain training records for Agency employees. Also called Training on the Move.

Mainline – All tracks used for the purpose of the movement of passengers on NCTD vehicles. Mainline does not include storage tracks, yard tracks, or other tracks used for the purpose of storage or maintenance.

Major Projects – New rail systems or extensions, the acquisition and integration of new vehicles and safety critical technologies into existing service, or major safety critical redesign projects, excluding functionally and technologically similar replacements, with a total project cost as defined by the Federal Transit Administration.

Metrolink – Commuter rail service operated by the Southern California Regional Rail Authority (SCRRA) connecting Oceanside with the greater Los Angeles and Inland Empire areas. Operates over the San Diego Subdivision between CP Songs, MP 209.18, and Oceanside, MP 226.4, or further into NCTD territory under special arrangement.

Near Miss – A narrowly avoided accident or safety event. In railroad reporting, a near miss is any interaction with an object, vehicle, or trespasser on or near the right of way which causes the engineer or operator to adjust the controls of the rail vehicle to include braking or slowing down.

North County Transit District (NCTD) – The transit district that is responsible for providing BREEZE, LIFT, FLEX bus services and the COASTER and SPRINTER rail services. NCTD is the owner of the rolling stock, infrastructure, and owner of the Escondido Subdivision and a significant portion of the San Diego Subdivision.

Occurrence - An Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Operations Control Center (OCC) – Located at the SOF in Escondido, the OCC dispatches and supervises all train, hybrid rail and bus movements on the San Diego and Escondido Subdivisions and throughout the NCTD service area. Additionally, emergency management and service management functions are led from the OCC under the Director of the OCC.

Original Equipment Manufacturer (OEM) – A term that refers to the vendor or firm that produces transit vehicles, mainline railroad equipment and/or major subcomponents.

Passenger – A person who is on board, boarding, or alighting from an NCTD vehicle for the purpose of travel.

Passenger Rail Operation – An intercity, commuter, or other short-haul passenger rail service.

Passenger Train Emergency Preparedness Plan (PTEPP) – A plan required by 49 CFR Part 239 that describes NCTD's railroad emergency response procedures and training.

Person – An entity of any type covered under 49 U.S.C 21301, including, but not limited to, the following: a railroad, a manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lesser of railroad equipment, track or facilities; any independent contractor or subcontractor providing goods or services to a railroad; any employee of such owner, manufacturer, lessor, lessee, or independent contractor or subcontractor.

Personal Electronic Device (PED) – A device including but not limited to wireless phones, personal digital assistants, smart phones, two-way pagers, portable internet devices, laptop computers, DVD players, audio players, iPods, MP3 players, electronic games, Bluetooth devices, or any headphones or earbuds.

Positive Train Control (PTC) – Communication-based/processor-based train control technology that provides a system capable of reliably and functionally preventing train-to-train collisions, overspeed derailments, incursions into established work zone limits, and the movement of a train through a main line switch in the wrong position.

Rail Transit Vehicle – Transit rolling stock, including but not limited to passenger and maintenance vehicles.

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

Risk Mitigation - A method or methods to eliminate or reduce the effects of hazards.

Risk Roundtable Meetings – A committee composed of various NCTD and contractor representatives convening quarterly or as required to assure compliance with the requirements of this DOCUMENT and address high level safety concerns with a discussion of risk based on severity and likelihood.

Roadway Worker Protection (RWP) – Safety training provided for employees whose duties include inspection, construction, maintenance, or repair of track, bridges, roadway, signals, communications systems, roadway facilities, or maintenance machinery on or near the railroad track per FRA 49 CFR 214.

Safety – Freedom from harm resulting from unintentional acts or circumstances.

Safety Assurance - Processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety Certification – The series of acts or processes that collectively verify the safety readiness of a project for public use.

Safety and Security Certification Plan (SSCP) – A project-specific document developed by NCTD, which verifies that elements critical to safety are planned, designed, constructed, analyzed, tested, inspected, and implemented, and that employees are trained and follow rules and procedures, in compliance with NCTD and regulatory safety requirements.

Safety Committee – Internal safety committee consisting of staff, labor, and management. Meets periodically to address safety concerns and issues discovered through the routine operation and maintenance of the COASTER and SPRINTER system. Issues that exceed this committee's ability to resolve are referred to the higher-level Risk Roundtable meeting for review.

Safety Database – The database utilized for recording and tracking safety and security activities, including inspections, corrective actions, and accidents/incidents.

Safety Management Systems (SMS) – A comprehensive, collaborative approach that brings management and labor together to build on the transit industry's existing safety foundation to control risk better, detect and correct safety problems earlier, share and analyze safety data more effectively, and measure safety performance more carefully.

Safety Promotion - A combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety Risk Assessment - The formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

Safety Risk Management - A process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

San Diego Subdivision – NCTD operated and maintained section of right-of-way from MP 209.18 in San Diego County to MP 267.7 in the City of San Diego. NCTD's OCC, manages the dispatching duties on the San Diego Subdivision. Passenger trains operated by Amtrak, Metrolink, COASTER, and freight trains operated by BNSF, use all or portions of the San Diego Subdivision.

San Diego Trolley (SDTI) – Light rail transit lines owned and operated by MTS in and around the greater San Diego area. SDTI track parallels the San Diego Subdivision mainline between Old Town, MP 264.1, and the San Diego Santa Fe Depot, MP 267.5.

Security – Freedom from harm resulting from intentional acts or circumstances.

Southern California Regional Rail Authority (SCRRA) – Multi-county commuter rail transportation agency, based in Los Angeles, which provides Metrolink regional commuter rail service. Operates commuter trains between Los Angeles and Oceanside, partially over the San Diego Subdivision.

Storm Water Pollution Prevention Plan (SWPPP) – NCTD's program for preventing pollution caused by storm water run-off.

System Safety – A principle of safety management, developed by the U.S. Military, which recognizes that all organizational plans, programs, policies, practices, and procedures impact the safety of the system as a whole. It requires that these be developed and implemented through a review process that provides for integration of individual departmental needs with the hierarchical needs of the entire system and/or organization.

System Safety Program Plan – A document developed by the passenger rail operation that implements and supports the system safety program.

System Security and Emergency Preparedness Plan (SSEPP) – A document that details NCTD's procedure for maintaining system security as well as its procedure to lead and manage any emergency on the transit system.

Unusual Occurrence – A non-emergency event that is related to safety, the environment, health, security, or operations, which requires appropriate notification and documentation.

22.0 List of Appendices

The following documents are attached as appendices to this document:

- A. Performance Targets 
- B. Additional Infrastructure Users Contact Information
- C. NCTD Organization Chart
- D. List of NCTD Standard Operating Procedures (SOPs)
- E. NCTD Hazard Reporting Form
- F. Post Meeting Report from Safety Committee Approving SSP/PTASP 

Appendix A – Performance Targets- SPRINTER

Safety Performance Measure		3 Year Rolling Average	Goal for 2025
1	Measure 1a – Major Events	7.33	7
2	Measure 1b – Major Event Rate	1.42	1.36
	Collisions	1.33	3
3	Measure 1.1 – Collision Rate	0.26	0.58
	Pedestrian Collisions	.67	3
4	Measure 1.1.1 – Pedestrian Collision Rate	0.13	0.58
	Vehicular Collision	0	0
5	Measure 1.1.2 – Vehicular Collision Rate	0.00	0.00
6	Measure 2a – Fatalities	1.33	2
7	Measure 2b – Fatality Rate	0.26	0.39
8	Measure 2.1 – Transit Worker Fatality Rate	0.00	0.00
9	Measure 3a – Injuries	2.33	3
10	Measure 3b – Injury Rate	0.45	0.58
	Transit Worker Injuries	1.33	2
11	Measure 3.1 – Transit Worker Injury Rate	0.45	0.39
12	Measure 4a – Assaults on Transit Workers	8	15
13	Measure 4b – Rate of Assaults on Transit Workers (new)	1.45	2.91
14	Measure 5 – System Reliability	6,097	2,500

* All rates are based on 100,000 VRM

Appendix B – Additional Infrastructure Users Contact Information

Amtrak

Justin Meko
Vice President of Operational Safety
1 Massachusetts Ave., NW
Washington, D.C. 20002
Justin.meko@amtrak.com | 202.230.2416

Metrolink

Chief of Safety, Security, and Compliance Officer
2704 N. Garey Avenue
Pomona, CA 91767

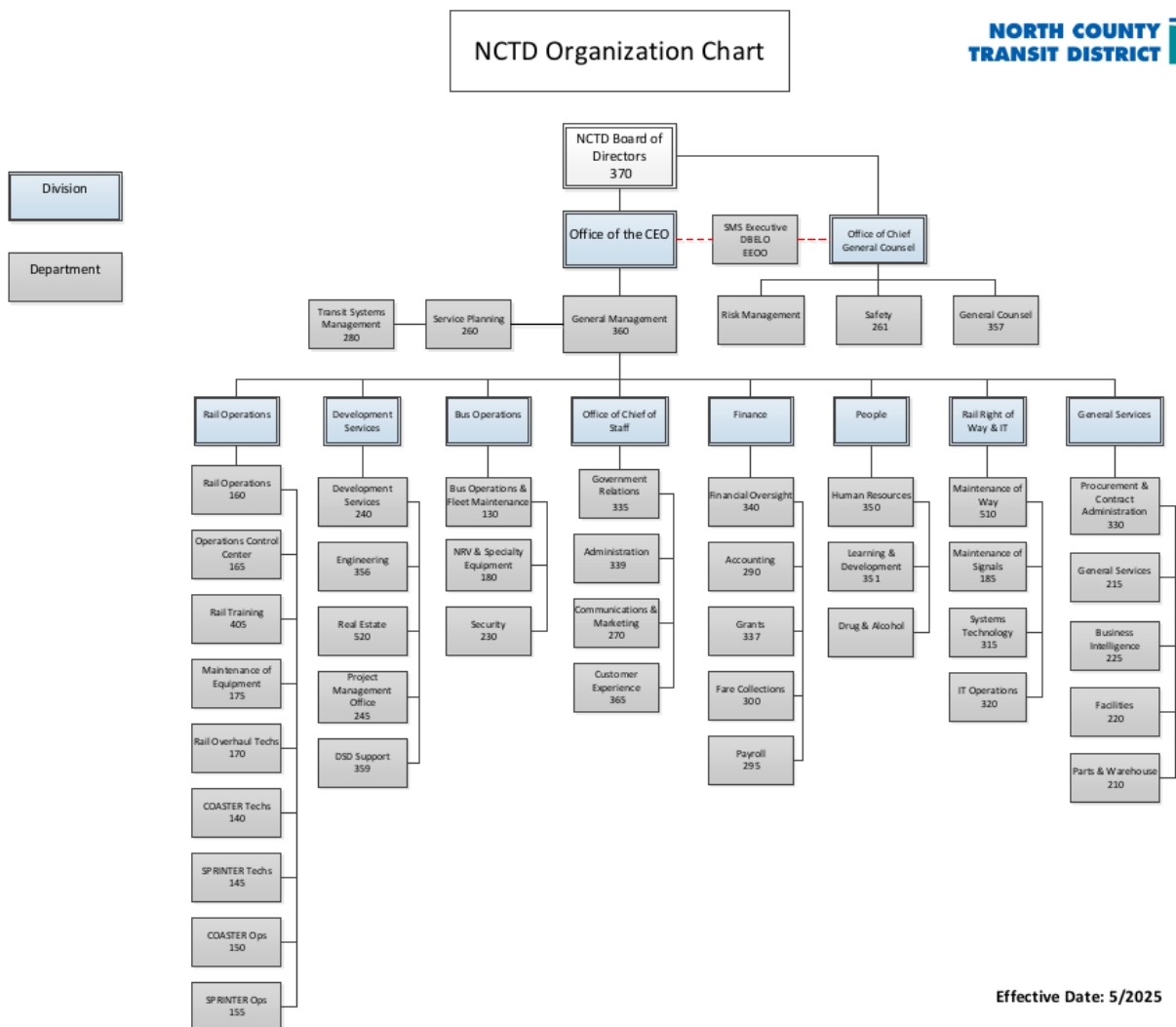
BNSF Railway

Tim Coleman
Superintendent of Safety and Operating Practices, Southern California Division
740 E Carnegie Drive
San Bernardino, CA 92408
Herbert.Coleman@bnsf.com

Jacobs Engineering

Ralph Godinez, Project Manager
(760) 422-7797
3508 Seagate Way Suite 150
Oceanside, CA 92056

Appendix C – NCTD Organization Chart



Appendix D – List of NCTD Standard Operating Procedures (SOPs)

Number	Division/Department	Title
3000.01	Safety	Use of On-Track Equipment by Third Party Contractors
3000.02	Operations	Medical Incidents/Emergencies
3000.03	Operations	Track Irregularities
3000.04	Security Department	Natural Disaster Response
3000.05	Operations	Sheltering Vehicles
3000.06	Operations	Bus Pre-Trip Inspections
3000.07	Operations	Evacuation of NCTD Facilities
3000.08	Operations	Responding to and Reporting on Derailments
3000.09	Operations	Bus Radio Communications and Reports to Dispatch
3000.10	Operations	Reporting for Work for NCTD Operations Contractors
3000.11	Operations	Hours of Service (HOS) for Contractor Employees
3000.12	Security Department	Trespassers and Intrusions into ROW
3000.13	All	Recommended Practice for Emerg. Responder Fam. of Transit Systems
3000.14	Operations	Making Train Stops
3000.15	Safety	Accident/Incident Investigation
3000.16	Operations	Bicycles onboard NCTD Vehicles
3000.17	Operations	Bus In-Service Stops
3000.18	Security Department	Chem/Bio/Radio/Nuclear/Explosive Incidents
3000.20	All	Customer Relations
3000.21	Operations	Emergency Communications - Rail
3000.22	Safety	NCTD Fire Safety Inspections
3000.23	Operations	Fitness for Duty for NCTD Operations Contractors
3000.24	Safety	General Housekeeping and Safety
3000.25	Operations	Shared Use Rail Crossing
3000.26	Safety	PPE
3000.27	Operations	Roadway Worker Protection Program
3000.28	Safety	Safety and Security Meetings
3000.29	All	Security Incidents
3000.30	Operations	Signals and Grade Crossing Issues
3000.31	All	Special Event Service
3000.32	Operations	SPRINTER Operations Facility Emergency Intercom
3000.34	Operations	Train Evacuations
3000.35	Operations	Transit Operating Supervisor Program Requirements
3000.36	Operations	Station Stop Announcements - Bus
3000.37	Safety	Development and Management of SOPs
3000.38	Operations	Elevator Out of Service
3000.39	Development Services	Precision Measuring Equipment Calibration and Inspection
3000.40	Safety	Bridge Worker Safety
3000.41	Development Services	Access and Use of Restrooms at NCTD Transit Centers
3000.42	Development Services	Lockout/Tagout of Equipment
3000.43	All	Active Shooter Incidents
3000.44	Safety	Data Collection and Analysis

3000.45	Safety	Blood-Borne Pathogens
3000.46	Security Department	Security Awareness Training
3000.47	Operations	Trespasser Strike Response
3000.48	Security Department	Threat Condition Levels
3000.49	Security Department	Threat and Vulnerability Assessment
3000.50	Operations	Bus Evacuations
3000.51	Security Department	Bombs and Threats
3000.52	Development Services	Water Conservation
3000.53	Operations	Coupling and Uncoupling for SPRINTER Vehicles
3000.54	Operations	Power and System Outages
3000.55	Operations	Road Call Procedures
3000.56	Operations	Rail Vehicle Pull-In
3000.57	Operations	Bus Bridges
3000.58	Security Department	Proof of Payment (POP) Enforcement Procedures
3000.59	Operations	Pull-In and Securing Buses
3000.60	Operations	Bus Fire Safety Shutdown
3000.61	Operations	Earthquake Response
3000.62	Operations	Transporting and Securing Mobility Devices
3000.63	Operations	Service Disruption and Recovery
3000.64	Operations	Blue Signal Protection
3000.65	Operations	East Loop Bridge Evacuation
3000.66	Operations	Personal Electronic Device
3000.67	Operations	Operations Control Center
3000.68	Safety	Emergency Information Book
3000.69	Operations	Rail Signal Contract Compliance
3000.71	Operations	PA System for Passenger Info/Station Announcements
3000.72	Operations	Troubleshooting and Inspection of Disabled Trains
3000.73	Operations	Rail Radio Communications and Reports to Dispatch
3000.74	Operations	Reports of Unsafe Conditions at Highway - Rail Grade Crossings
3000.75	Operations	MOW Contract Compliance
3000.76	Operations	COASTER Pre-Trip Inspection
3000.77	Operations	SPRINTER Pre-Trip Inspection
3000.78	Operations	Fast Act Speed Reduction Requirements
3000.79	Bus Operations	Zonar Oversight Procedures
3000.80	Operations	NCTD Bus Radio Monitoring and Reporting
3000.81	Operations	Rail Vehicle Operations Cabinet Securement
3000.82	Security Department	Closed Circuit Television Monitoring Procedures
3000.83	Safety	Use of Off-Track Equipment by CFR 214 Exempt Contractors, Subcontractors, and Third-Party Employees
3000.84	Operations	Contractor Reporting for Service Requirements to the OCC
3000.85	Security Department	Badge Issuance
3000.86	Operations	LIFT/ADA Paratransit Operations
3000.87	Operations	LIFT/ADA Paratransit Transfers
3000.88	All	Facilities Work Request Procedure
3000.91	Bus Operations	LIFT Subscription Scheduling
3000.92	General Counsel	California Environmental Quality Act (CEQA) Compliance

3000.93	Security Department	Abandoned Property and Encampments
3000.94	Safety	NCTD Familiarization for Contract Employees
3000.95	Operations	Post Incident Inspection Form
3000.96	Security Department	Refusal of Service
3000.97	Safety	Employee Health Screening
3000.98	Operations	PTC Certification, Operation and Support
3000.99	Operations	Policy and Testing Schedule for OCC Backup Dispatching Locations
3000.100	Operations	Zero Emission Bus Dispatch
3000.101	Operations	ROW Early Warning Detection System
3000.102	Operations	Thermal Runaway Events
3000.103	Operations	Suspension of Service

Appendix E – NCTD Hazard Reporting Form

**NORTH COUNTY
TRANSIT DISTRICT**

Hazard Reporting Form

BEFORE FILLING OUT THIS FORM:

**IF THIS IS AN EMERGENCY OR IMMEDIATE ACTION IS NEEDED,
CALL (760) 966-6700 INSTEAD.**

General/Contact Info

Be as specific/detailed as possible in your descriptions, especially if submitting anonymously.
If you do not enter your name or contact phone, the form is automatically submitted anonymously.

Name (Optional)	Phone Number (Optional)	Date
		Date will be captured on form submission

Witnesses (if any)

Safety Concern Details

Date / Time Situation Observed *

Location of the Safety Concern, Unsafe Condition or Hazardous Work Practice/Near Miss: (7) *

Vehicle/Equipment (if applicable)

Description of the Safety Concern, Unsafe Condition, Hazardous Work Practice/Near Miss: *

Suggestion for improving Safety Concern, Unsafe Condition, or Hazardous Work Practice/Near Miss:

Upload Photos (if Available)

Drag and drop up to 10 files here to upload or
Choose files

This form will now forward to the NCTD Safety & Risk Management Division for next steps.

Appendix F – Post Meeting Report from Safety Committee Approving SSP/PTASP



Post-Meeting Report Form

Distribution List

Lori Winfree, Jeff Johnson, Francisco Perez, Robert Lawrence, Herman Guzman, Casey Klein, Maria Rogers, Porschia Wong, Wayne Sanders, Brigitte Ponce, Scott Lloyd, Chris Carrillo, Jose Vargas, Brian Helms, Adrian Bueno, Gabe Puente, Rodney Adger, Elizabeth Wolf, Jaime Valadez, Tom Tulley, Karen Tucholski, Justin Richardson, Patrick Cola, Devin Wormington, Karen Harris, Misty Calder, Tina McDermott, Marq Webb

Meeting Topic/Title

NCTD Rail Safety Committee Meeting

Meeting Date

April 17, 2025, at 10:00 AM

Meeting Location

Tremont Conference Room

Meeting Participants

Members/Alternates (M/A):

Lori Winfree, Deputy CEO/Chief General Counsel (M)
Karen Harris, Director of Enterprise Risk Management (M)
Chris Carrillo, Director of Security (M)
Casey Klein, Director of Mechanical (M)
Justin Richardson, Chief Right of Way and Technology Officer (M)
José Vargas, COASTER Locomotive Engineer (M)
Jeffrey Johnson, SPRINTER Train Operator (M)
Herman Guzman, Facilities Technician II (M)
Gabe Puente, Control Center Technician (M)
Tom Tulley, Chief Operating Officer – Rail (A)
Scott Lloyd, Director of Facilities (M)
Robert Lawrence, Systems & Communications Technician (M)
Wayne Sanders, Rail System Safety Specialist (A)
Karen Tucholski, Senior Legal Counsel – Regulatory Compliance (A)
Marq Webb, Manager of Security (A)
Brian Helms, Director MOW (A)

Other Participants:

Porschia Wong, Management Analyst II
Brigitte Ponce, Management Analyst II – Program Support
Alex Denis, Chief Operating Officer – General Services
Patrick Cola, Director Rail Operations
Tina McDermott, Director OCC
Michael Warren, CPUC

Summary of Discussion

1. Housekeeping
 - a. Safety Briefing: Provided by Wayne Sanders
 - b. Safety Dept. Reorganization Overview: Presented by Lori Winfree
 - c. Sign-In/Roll Call: Brigitte Ponce conducted roll call
 - i. Membership Updates: Alternates needed for Elizabeth Wolf and Jaime Valadez
2. Safety Committee Policy (SAF-2004) Updates – Karen Tucholski
 - Karen Tucholski provided an overview of proposed changes to the policy governing the Rail & Bus Safety Committees.
 - The proposed updates reflect general clean-up for departments, positions, etc., as well as additional items required per 49 CFR 673.
 - The members approved the proposed changes.
3. PTASP / SSP Updates – Karen Tucholski
 - Karen Tucholski reviewed proposed PTASP/SSP updates which include revised titles, designation of Lori as SMS, and proper division references.
 - Additional updates requested by the CPUC and the FRA for compliance with their regulations were also included (e.g., names safety-sensitive contractors, CPUC reporting thresholds, PTSCTP training requirements, system modification/configuration management procedures, etc.,).
 - Mike Warren (CPUC) recommended aligning safety event definitions with 49 CFR 673; NCTD will review definitions taking into consideration they need to align with both FTA and FRA terminology.
 - The Committee approved the proposed changes, which will then be presented to the NCTD Board of Directors in May for their approval.
4. Transit Worker Assault Update – Chris Carrillo
 - a. Chris Carrillo provided an update on transit worker assaults (physical and non-physical) for Q1 CY 2025, reporting a total of 12 incidents. The majority of incidents are related to SPRINTER; TESU patrols on SPRINTER have been increased to help address.
 - b. Chris shared that a new procedure is in place whereby trains are held at a station for law enforcement response whenever possible; this helps promote identification of the offender as well as the opportunity to press charges.
 - c. Employees were reminded of the importance of pressing charges so that formal action against the offenders can occur which helps promote overall system safety and security.
 - d. A question was asked as to whether direct and/or contract security personnel have pepper spray. Chris stated that NCTD policy does not include issuance of pepper spray or other such tools; the emphasis is on de-escalation and on requesting law enforcement for support as they have more resources for safely addressing such matters. Chris further stated NCTD is enhancing its de-escalation training in coordination with the Learning & Development Department.
 - e. The agency has gone 18 days without an assault as of the meeting.
5. Follow-Up Items
 - a. COASTER Cab Car Seats (Casey Klein)
 - Casey reported that Unit 2303 seat replaced on April 6. Seven new seats expected in two weeks. This item will carry over to the next agenda.
6. Hazard Report Update - All

- Hazard Report #96635: Exterior Window Cleaning – Cab Cars: New cab cars now include spray and squeegee tools for windshield cleaning. This item is closed.
- Hazard Report #105602: Water Testing: All results returned with no contaminants above acceptable levels. Facilities updated procedures to include disinfection of filters per OEM recommendations. This item is closed.
- Hazard Report #11600: Crew Room Conditions at OTC: All reported concerns were addressed, improved lighting, and increased sanitation. This item is closed. A separate item for follow-up regarding possible relocation within the building for crews will be added to the next agenda.
- Hazard Report #11660: Station Platform Security (West of Melrose): Six CCI's scheduled to begin duty in late April. Security will operate in pairs with 24-hour coverage at OTC and ETC. Funds allocated for patrol between Escondido and OTC. This item is closed.
- Hazard Report #11640: Cab Car Ditch Lights (2302 & 2304): Order placed for new adjustable LED lights to replace incandescent models. Delivery delayed due to supplier inventory. This item remains open.

7. New Discussion Items

- a. CRRAF Talking Points: Introduced by Jose Vargas.
 - o Blue Flag Protection at SMMF: concerns about 3-point protection. Casey Klein will follow up. This item will carry over to the next agenda.
 - o COASTER Cab Car Seats: addressed under #5 above.
- b. SPRINTER Safety Concerns: Introduced by Jeffrey Johnson
 - o Platform lighting issues at CSUSM: Jeffrey Johnson requests repair of the platform lights at CSUSM station for enhanced nighttime safety for customers and increased visibility for train operators. Wayne Sanders took photos on 4/16/2025 confirming light poles 1-5 are out. Scott Lloyd will address the lighting issue, which may require third-party support. This item will carry over to the next agenda.
 - o Inadequate A/C in cabs: Casey reported that the 4001 unit was repaired. He further explained that the way the units work is not like building HVAC systems in that these vehicle systems can only cool temperatures down to approximately 15 degrees below external temperatures based on power constraints. HVAC PM frequency is every 3 months which is double what is required. Crews will continue to report any issues of concern to MOE.
 - o SPRINTER overnight vehicles plug in: when plugging the trains in for overnight power the process for crews is difficult logistically based on where the vehicle is staged for access to the gangways which are used by cleaning crews. Wayne and Patrick will review options to pull the vehicle forwards closer to the plug while maintaining minimum needed door access for cleaners. This item will carry over to the next agenda.

8. Open Forum

- Herman Guzman requested consideration for issuance of Narcan to Facilities personnel who clean the transit stations due to potential fentanyl exposure risk.
- Karen Harris stated she will consult with the Environmental health and safety consultant. This item will carry over to the next agenda.
- Gabe Puente raised the below items relative to the Security Monitoring Center:
 - o Missing AED in Security Office (Old Burger King Location): Scott Lloyd stated one will be provided.
 - o Emergency Exit Routes in the MC: A walkthrough has been scheduled with System Safety Specialist Fernando Rocha and Scott Lloyd to evaluate options

for improving emergency egress. This may include retrofitting existing rear window bars with quick-release security screens or bars. An update will be provided at the next meeting.

- o Carbon Monoxide Detectors in the MC: Scott Lloyd reported that all NCTD facilities have both smoke detectors and carbon monoxide detectors. He further reported that fire alarm systems, smoke and carbon monoxide detectors, and fire extinguishers are inspected on a regular schedule in accordance with NCTD policy and manufacturer recommendations.

Action Items/Next Steps (for NCTD Staff)

Next Meeting: July 10, 2025, 10:00 AM

- Casey Klein to follow up on Blue Flag protection at SMMF
- Casey Klein to continue working on COASTER cab car sea replacement
- Rail Ops to advise on any future relocation of SPRINTER crew room at OTC
- Scott Lloyd to address platform lighting issue at CSUSM
- Wayne/Patrick to review OTC SPRINTER plug-in configuration
- Facilities/Safety to review MC emergency egress options
- Karen Harris to follow up on Narcan matter

Action Items/Next Steps (for non-NCTD meeting participants)

N/A

Post-Meeting Report Form

Distribution List

Lori Winfree, Jeff Johnson, Francisco Perez, Robert Lawrence, Herman Guzman, Casey Klein, Maria Rogers, Porschia Wong, Wayne Sanders, Brigitte Ponce, Scott Lloyd, Chris Carrillo, Jose Vargas, Brian Helms, Adrian Bueno, Gabriel Puente, Rodney Adger, Elizabeth Wolf, Jaime Valadez, Tom Tulley, Karen Tucholski, Justin Richardson, Patrick Cola, Devin Wormington, Karen Harris, Misty Calder, Tina McDermott, Marq Webb

Meeting Topic/Title

NCTD Rail Safety Committee Meeting

Meeting Date

May 7, 2025, at 12:30 PM

Meeting Location

TEAMS

Meeting Participants

Members/Alternates (M/A):

Wayne Sanders, Rail Safety Specialist (A)
Karen Tucholski, Senior Legal Counsel, Regulatory Compliance (A)
Marq Webb, Manager of Security (A)
Casey Klein, Director of Mechanical (M)
Brian Helms, Director of MOW (A)
José Vargas, COASTER Locomotive Engineer (M)
Jeffrey Johnson, SPRINTER Train Operator (M)
Herman Guzman, Facilities Technician II (M)
Gabriel Puente, Control Center Technician (M)
Maria Rogers, Deputy Chief Operations Officer (M)
Tom Tulley, Chief Operating Officer – Rail (A)
Scott Lloyd, Director of Facilities (M)
Robert Lawrence, Systems & Communications Technician (M)
Jaime Valdez, SPRINTER MOE, Teamsters, (M)

Other Participants:

Porschia Wong, Management Analyst II
Brigitte Ponce, Management Analyst II – Program Support
Alex Denis, Chief Operating Officer – General Services
Patrick Cola, Director Rail Operations
Tina McDermott, Director OCC

1. Housekeeping
 - a. Sign-In/Roll Call: Brigitte Ponce conducted roll call
 - i. Membership Updates: Alternates needed for Elizabeth Wolf and Jaime Valadez
2. PTASP Updates – Karen Tucholski
 - Karen Tucholski reviewed proposed PTASP updates requested as part of the NCTD Triennial Review process.
 - The Committee approved the proposed changes, which will then be presented to the NCTD Board of Directors in May for their approval.
3. Open Forum
 - o NA

Action Items/Next Steps (for NCTD Staff)

Next Meeting: July 10, 2025, 10:00 AM

Action Items/Next Steps (for non-NCTD meeting participants)

N/A

**NORTH COUNTY
TRANSIT DISTRICT**



North County Transit District
Bus Services
Public Transportation Agency
Safety Plan

May 15, 2025

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Revision Record

Date	Revision No.	Pages Affected	Comments
February 20, 2020	Initial Publication		
May 21, 2020	Revision 1	All	Updated based on SSOA review
July 22, 2021	Revision 2	All	Annual review and updated based on requirements of CPUC GO 175 Series
January 19, 2023	Revision 3	All	Annual review and updated based on organizational changes and Bipartisan Infrastructure Law of 2021 requirements.
November 8, 2023	Revision 4	All	Updated with administrative changes only.
May 16, 2024	Revision 5	All	Annual review and update to remove SPRINTER, which will have its own PTASP that is combined with the FRA System Safety Program.
May 15, 2025	Revision 6	Various	Updates for organizational changes and regulatory requirements

1.0 Safety Management Policy

Safety is a core value and NCTD is committed to implementing, maintaining, and constantly improving safety processes to ensure, to the maximum extent possible, that its activities are supported by an appropriate allocation of agency resources.

Employees at all levels are accountable for the delivery of the highest level of safety performance, starting with the Chief Executive Officer and continuing throughout the agency including contractors and their employees. This Public Transportation Agency Safety Plan (PTASP) serves as a guiding policy document describing the agency's approach to managing risk and pro-actively addressing safety for all bus services (BREEZE, FLEX, LIFT). It is based on the four (4) components of Safety Management:

- Safety Management Policy
- Safety Risk Management
- Safety Assurance
- Safety Promotion.

This plan provides evidence of NCTD's commitment to the following safety objectives:

1. **Support** the management of safety by providing appropriate resources to foster an organizational culture that encourages safe operational practices, effective safety reporting and communications, and pro-actively manages safety with equivalent attention to results as other management systems.
2. **Enforce** the management of safety as an explicit responsibility of all NCTD employees and contractors.
3. **Clearly define** for all NCTD employees and contractors their accountabilities and responsibilities for the delivery of safe transit operations.
4. **Operate** a safety reporting program as a fundamental tool in support of hazard identification and safety risk evaluation activities to eliminate or mitigate the safety risks of the consequences of hazards resulting from transportation activities to a point that is As Low As Reasonably Practicable (ALARP).
5. **Ensure** that no action will be taken against any NCTD employee or contractor employee who voluntarily discloses a safety concern through the safety reporting system, provided that such disclosure does not indicate, beyond a reasonable doubt, an illegal act, gross negligence or a deliberate or willful disregard of regulations or procedures by the reporting party.
6. **Comply** with and whenever possible and practicable, exceed any applicable legislative or regulatory requirement or standard.
7. **Ensure** that sufficiently trained and skilled staff are available and assigned to manage the NCTD PTASP.
8. **Ensure** that all NCTD employees and contractors are formally made aware of adequate and appropriate safety management information, trained properly on safety requirements, and are competent in the PTASP policies and procedures, as well as being only assigned to safety related duties that commensurate with their skills and training.

9. **Establish and measure** NCTD's safety performance against realistic safety performance indicators and targets including those established by the National Public Transportation Safety Plan (NPTSP).
10. **Improve**, on a continuous basis, NCTD's safety performance through management processes that ensure appropriate safety action is taken in a timely fashion and is effective when implemented.

The Bus Safety Committee is responsible for supporting the development, management and implementation of this PTASP as described further in Section 4.3 – *Strategic Communications and Coordination* of this document and in NCTD Administrative Policy SAF-2004 – Safety Committee. NCTD's Deputy CEO/Chief General Counsel is the designated SMS Executive and is responsible for the overall management and implementation of this PTASP; however, it is everyone's responsibility to actively promote a culture of safety from within.

This policy statement will be posted on employee bulletin boards at NCTD facilities and will be revised (if applicable) during the PTASP annual review.

Priya Bhat-Patel	Date
Board Chair	
North County Transit District	

Shawn M. Donaghy	Date
Chief Executive Officer	
North County Transit District	

Lori A. Winfree	Date
Deputy Chief Executive Officer/Chief General Counsel (SMS Executive, Safety Committee Co-Chair)	
North County Transit District	

2.0 PTASP Goals, Objectives, Scope, and Authority

2.1 Goals

The overall goal of the PTASP is to identify, eliminate, minimize, and control safety hazards and their attendant risks to a point that is As Low As Reasonably Practicable (ALARP). NCTD will accomplish this by establishing requirements, lines of authority, levels of responsibility, accountability, and methods of documentation and communication throughout the Agency.

This PTASP serves as a framework to implement the following four (4) components of a Safety Management System (“SMS”):

1. Safety Management Policy – including safety accountabilities and responsibilities, integration with public safety and emergency management, and documentation and records.
2. Safety Risk Management – including hazard identification and analysis, risk evaluation and mitigation based on a pre-defined decision process.
3. Safety Assurance - including safety performance monitoring, internal safety audits, accident investigations, employee reporting systems, and safety certification and configuration management.
4. Safety Promotion – includes communication of safety information to employees and training to achieve and maintain competencies.

2.2 PTASP Goals, Objectives, Scope, and Authority

Specific goals of the PTASP are:

- To continuously enhance the culture of safety and increase safety awareness and foster accountability and responsibility for our transportation systems by incorporating the use of a Safety Management System (SMS).
- Present a clear approach to being continuously proactive in the endless cycle of identifying and managing safety risks through the continual improvement of management processes.
- To place safety as the most important criterion in the development and execution of NCTD’s business plans, programs, and initiatives.
- To encourage and facilitate open lines of communication amongst NCTD employees, contractors, and management.
- To continue to educate and familiarize NCTD employees and contractor staff with the SMS and the culture they are required to live by.
- To establish and promote safety as a core value throughout NCTD in all management decision-making and service delivery activities for the BREEZE/FLEX/LIFT bus services. The safety culture is promoted at all levels and all employees and contractors are held accountable, from the Board of Directors down to the field level employee.
- To incorporate a safety program that will provide the highest level of training for NCTD employees and contractors.
- To track and trend all relevant material such as training records, training programs, accident data, incident logs, inspection records, and internal audit findings to ensure that NCTD staff understands the history of its deficiencies and the direction needed to improve on those areas moving forward.

2.3 Plan Objectives

The SMS Executive or designee is responsible for ensuring that the following objectives are achieved and sustained to provide a safe environment for passengers, employees, and the public at large. The objectives of the PTASP are to:

- Serve as the Chief Executive Officer's designee for oversight and execution of PTASP responsibilities.
- Provide an overall safety management methodology that coordinates the various programs, policies, and procedures affecting NCTD's operations system in order to reduce risks and maximize safety.
- Provide a level of safety in transit services that is comparable to or exceeds industry standards.
- Achieve and maintain a level of safety in employees' work environment comparable to or well above that of other organizations in the transit industry.
- Identify, manage, mitigate, and/or control potential hazards that may exist in NCTD's system to a point that is ALARP.
- Maintain compliance with the applicable requirements of regulatory agencies.
- Maximize continuing safety by affecting the design and configuration of future growth in services and infrastructure.

2.4 Plan Control, Revisions, and Updates

This PTASP is a living document subject to update or revision as needed to meet the evolving safety needs of bus operations and maintenance. Revisions and updates will be issued by the NCTD Safety Department as necessary and will supersede previous pages or editions. At a minimum, the PTASP shall be reviewed on an annual basis by February 15th of each year for any updates and revisions. The PTASP review will incorporate updates recommended by NCTD Divisions including Safety, Development Services and Bus Operations, as well as the Bus Safety Committee. As part of this annual review the Contractor safety department will be asked to provide input to the document update. The PTASP is approved by the NCTD Bus Safety Committee, followed by the Chief Executive Officer and the NCTD Board of Directors via signature.

The responsibility for implementation, distribution, control, and update of the PTASP resides with NCTD's SMS Executive or designee.

2.5 Scope

The PTASP encompasses the safety activities associated with NCTD operations and maintenance for the BREEZE/FLEX/LIFT bus service.

This PTASP has been prepared in accordance with NCTD's standards and plans, as provided in Section 2.8 Applicable Documents, and complies with the requirements in Federal Transit Administration (FTA) 49 CFR Part 673, Public Transportation Agency Safety Plan (PTASP). NCTD receives federal funding under 49 U.S.C. §5307, §5337 and §5339.

Additional guidance has been provided by the FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. NCTD will comply with any minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C).

2.6 Authority

The North San Diego County Transit Development Board (NSDCTDB) was created by California Senate Bill 802 on September 20, 1975, and was renamed the North County Transit District (NCTD) in January 2006. NCTD was created to plan, construct, and operate, directly, or through a contractor, public transit systems in its area of jurisdiction. On January 1, 2003, a state law was enacted (SB 1703) that essentially transferred future transit planning, programming, development, and construction to the San Diego Association of Governments (SANDAG), San Diego County's Regional Planning Agency. NCTD provides integrated public transit service in North San Diego County with its BREEZE buses, FLEX on-demand, and LIFT ADA-certified paratransit, COASTER commuter rail, and SPRINTER hybrid rail modes of transportation.

NCTD provides BREEZE fixed-route service, FLEX on-demand service, and LIFT paratransit service. These services carry passengers in the north San Diego County region from Oceanside to Del Mar, northeast to Escondido, east to Ramona, north to Fallbrook - and service for Camp Pendleton Marine Corps Base. Two (2) facilities located in Oceanside and Escondido support BREEZE, LIFT, and FLEX operations. The region is more than 1,020 square miles in area and has a population of more than 840,000 people. NCTD's headquarters is located in Oceanside. The SPRINTER Operations Facility (SOF) is located in the City of Escondido. SOF also houses the Operations Control Center (OCC) which hosts the dispatching center for both sub-divisions as well as service management and dispatching for BREEZE fixed route service.

2.7 Compliance

This PTASP applies to all persons whose work brings them into contact with BREEZE, FLEX or LIFT services in the NCTD system, including but not limited to NCTD employees and all operations and maintenance contractor personnel (and their subcontractors) for all bus services. All persons affected are governed by, and must be fully compliant with, the requirements of this PTASP as it applies to their respective duties while working on or within the NCTD system.

2.8 Applicable Documents

The following documents were used in preparation of this Plan or are referenced and provide related information.

1. Safety Management System Manual Public Passenger Transportation Systems, March 2016.
2. Public Transportation Safety Certification Training Program. FTA. Code of Federal Regulations, Chapter 49, Part 672
3. Public Transportation Agency Safety Plan. FTA. Code of Federal Regulations, Chapter 49, Part 673
4. Standard Practice for System Safety. U.S. Department of Defense, MIL-STD-882D.
5. Handbook for Transit Safety and Security Certification. U.S. Department of Transportation. FTA.

6. California Vehicle Code
7. Federal Motor Vehicle Safety Standards
8. NCTD System Security and Emergency Preparedness Plan (SSEPP)
9. NCTD Emergency Response Plan (ERP)
10. NCTD Standard Operating Procedures (SOP), Series
11. NCTD Injury and Illness Prevention Program (IIPP)

3.0 System Description and Organization Structure

3.1 System Overview

NCTD provides public bus transportation services primarily within the northern San Diego County region including the cities of Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego, Vista, San Marcos, and Escondido, as well as to large unincorporated areas of the county and Camp Pendleton Marine Corps Base. The District is governed by a Board of Directors composed of one (1) member of each of the city councils of the cities of Carlsbad, Del Mar, Encinitas, Escondido, Oceanside, Solana Beach, San Marcos, and Vista, one (1) member from the San Diego County Board of Supervisors, and one (1) non-voting member from the City Council of the City of San Diego.

NCTD contracts its bus transportation services out to third-party contractors.

- BREEZE consists of 30 fixed bus routes serviced by a fleet of over 150 buses. NCTD is the owner of the bus transit vehicles and associated supporting facilities. A third-party contractor provides the operations and mechanical staff for the BREEZE fixed bus routes service. The contract also includes the operations and maintenance of the FLEX and LIFT services.
- FLEX is an on-demand service (reservations required) with three routes in parts of Ramona and Camp Pendleton where BREEZE service is not available. FLEX vehicles take passengers anywhere within the FLEX zone or to the nearest transfer point on the BREEZE, COASTER, or SPRINTER. FLEX has three different service models: on-demand, deviated fixed-route, and point-deviated fixed-route. FLEX on-demand routes take passengers anywhere within the FLEX Zone. FLEX deviated fixed-route service has a set schedule and route but can deviate from the route up to a certain distance to pick-up or drop-off customers. FLEX point-deviated fixed-route has a set schedule and can deviate to certain points along the route. Reservations are required at least 30 minutes in advance for any on-demand service and allowable deviation.
- LIFT vehicles provide curb-to-curb service for people with disabilities who are unable to use BREEZE buses due to their disability and have been certified for eligibility. Service is available for trips within 3/4 mile of fixed bus routes. LIFT services require a reservation.

3.2 Additional Infrastructure Users

Users of the NCTD's bus systems are the following:

Greyhound Bus: Long distance bus operator Greyhound interfaces with NCTD bus and rail at the Oceanside Transit Center.

FLiXBUS: Long distance bus operator that interfaces with NCTD bus and rail at the Oceanside and Escondido Transit Centers.

3.3 Bus Fleet

BREEZE

The BREEZE bus fleet consists of approximately 146 buses which are a mix of diesel, CNG, battery electric, and fuel cell electric vehicles. NCTD began operating battery electric buses and hydrogen fuel cell electric buses in FY2025.

LIFT

The LIFT fleet consists of 35 vehicles that are a mix of Ford Transit and E450 models.

FLEX

The FLEX fleet consists of 12 Ford Transit models.

There are an additional 10 vehicles used for the NCTD+ Microtransit service.

3.4 Facilities

The General Services Division (GSD) maintains NCTD's facilities which are necessary to support the NCTD bus services including the following:

General Administrative Offices (GAO): GAO is NCTD's administrative headquarters, located at 810 Mission Avenue in Oceanside. GAO houses NCTD's administrative, financial, operations, customer experience and executive management functions.

Oceanside Transit Center (OTC): OTC is located at 195 S. Tremont Street, in Oceanside. OTC is the primary hub for all NCTD modes including BREEZE, SPRINTER, COASTER, and LIFT services. Located within OTC in Oceanside, the Security Monitoring Center (SMC) is staffed 24 hours a day, 7 days a week by Control Center Technicians who monitor the District's closed-circuit TV (CCTV) security cameras and communications throughout the District. The SMC is the central location for transportation system security, and emergency response coordination. Customer Service is also housed at OTC.

311 S. Tremont Ave.: The building at 311 S. Tremont Avenue in Oceanside, CA is home to NCTD's Development Services Divisions.

501 Mission Avenue: The Safety Department and the Service Planning Department are housed on the second floor above the CVS.

SPRINTER Operations Facility (SOF): Located at 1021 West Washington Avenue in Escondido, CA, the SOF is the principal location for SPRINTER operations and maintenance; it also houses the Operations Control Center (OCC). OCC is staffed 24 hours a day, 7 days per week and is responsible for rail and bus dispatching, emergency communications, and on platform customer service communications.

Bus Operations West (BOW): BOW is located at 303 and 305 Via Norte, Oceanside, CA, and serves as one of two bus hubs for operations and maintenance. NCTD operates and maintains approximately 65% of the bus fleet from this location.

Bus Operations East (BOE): BOE is located at 755 Norlak Avenue, Escondido, CA, and serves as one of two bus hubs for operations and maintenance. NCTD operates and maintains approximately 35% of the bus fleet from this location.

3.5 Transit Centers

The BREEZE bus system connects to all SPRINTER stations except Civic Center/Vista. Significant connections include:

- Oceanside Transit Center: listed above in Section 3.4
- Vista Transit Center: 240 N. Santa Fe Rd., Vista, CA 92083
- Escondido Transit Center: 796 W. Valley Parkway, Escondido, CA 92025

Additional BREEZE-only transit centers are:

- Plaza Camino Real Transit Center – Carlsbad (2525 El Camino Real, Carlsbad, CA 92008)
- San Luis Rey Transit Center – Oceanside (5091 North River Rd., Oceanside, CA 92057)
- Del Lago Station – Escondido (3310 Del Lago Blvd., Escondido, CA 92029)

3.6 NCTD Organizational Structure, Authority, Accountability, and Responsibility

NCTD's operations are led by the Chief Executive Officer, who reports to the Board of Directors. All NCTD employees and contractors have general safety-related tasks under the PTASP. NCTD's Organizational Structure is detailed in Appendix A.

NCTD Chief Executive Officer

As the Accountable Executive, has the following authorities, accountabilities, and responsibilities:

- Control and direction over human and capital resources needed to develop and maintain both the PTASP in accordance with 49 USC 5329 (d), and the Transit Asset Management (TAM) Plan in accordance with 49 USC 5326
- Designate a Chief Safety Officer/SMS Executive in accordance with 49 CFR 673.23(d)(2)
- Monitor safety performance of NCTD and its contractors
- Address substandard performance under the PTASP
- Maintains ultimate responsibility for carrying out NCTD's PTASP
- Execute the NCTD TAM Plan
- Establish and implement the PTASP
- Implement safety risk mitigations for the safety risk reduction program and consider other safety risk mitigations recommended by the Safety Committee and included in the PTASP per 49 CFR 673.23(d) (see also SAF-2004 – Safety Committee Policy)

Under the guidance of the Chief Executive Officer, NCTD Division Chiefs have the following authorities, accountabilities, and responsibilities:

- Allocate appropriate resources to accomplish PTASP goals and objectives
- Maintain responsibility for functional area oversight and day to day operations
- Remain compliant with programs and processes identified in the PTASP

SMS Executive

The NCTD SMS Executive is responsible for the implementation of the PTASP, is adequately trained and does not serve in any other capacity in operations or maintenance. The SMS Executive reports directly to

the CEO/Accountable Executive and the Board of Directors relative to safety matters and has the following authorities, accountabilities, and responsibilities:

- Implementation of PTASP and operation of NCTD's SMS
- Ensure action is taken to address substandard safety performance
- Advise NCTD Chief Executive Officer on safety related items
- Ensure NCTD policies are consistent with PTASP objectives

Office of Chief General Counsel

NCTD's Deputy CEO/Chief General Counsel is appointed by and reports directly to the Board of Directors. The Office of Chief General Counsel provides compliance oversight for all agency activities and divisions, including safety and security, through the Comprehensive Compliance and Oversight Program (CCOP). The Senior Legal Counsel - Regulatory Compliance, who is part of the Office of Chief General Counsel, conducts audits of the Safety Department and facilitates additional regulatory audits and inspections. The Safety Department reports to the Deputy CEO/Chief General Counsel who serves as NCTD's SMS Executive. In addition to oversight for the Safety Department, the Office of Chief General Counsel supports achievement of safety program goals and objectives through the Risk Management and Regulatory Compliance functions, as well as overall legal support and guidance on safety matters as needed.

Safety Department

The Safety Department is dedicated to maintaining the highest standard of safety for NCTD operations and facilities to ensure that NCTD's customers, employees, and the public are not exposed to an unacceptable level of risk. One primary focus of this Department is to prevent or mitigate accidents and injuries by identifying hazards, analyzing safety data to determine trends, and using trend analysis to resolve hazards. The Department also conducts internal inspections and audits to verify that the agency is compliant with federal and state regulations. The Department fosters a positive culture of safety at all levels of the organization both for employees and contractors.

Specifically, the Safety Department:

- Issues and maintains this document and NCTD's SMS
- Promotes the Culture of Safety
- Participates in the Risk Roundtable meetings
- Oversees the Hazard Management Process
- Collects and analyzes safety data
- Oversees the accident/incident notification, investigation, and reporting
- Manages the Internal Safety and Security Audit (ISSA) program
- Assures SSP/PTASP compliance/procedures review
- Conducts safety reviews/inspections
- Ensures compliance with safe and healthy work practices by employees and contractors
- Communicates with employees regarding occupational health and safety issues
- Identifies, evaluates, and corrects hazards in a timely manner
- Assists other departments in resolving hazards

- Ensures that accidents, injuries, and illnesses are investigated and that recommendations for corrective actions are developed and implemented as warranted
- Ensures compliance with local, state, and federal safety requirements

The Safety Department is comprised of the following staff:

- SMS Executive or designee
- Rail System Safety Specialist
- Field Safety Specialist
- Bus System Safety Specialist
- Management Analyst, Audit Compliance
- Management Analyst, Program Support

Bus Operations Division

The Chief Operating Officer – Bus reports directly to the Chief Executive Officer. This Division includes Bus Operations and Bus Fleet Maintenance Departments, as well as the Security Department. The Bus Operations Division oversees the operation of NCTD's bus modes (BREEZE, LIFT, FLEX, and NCTD+) which are currently outsourced to a private company. NCTD's Bus Operations staff focuses on contractual compliance and performance while supporting the Safety Department in meeting its mandate.

Security Department

The Director of Security reports to the Chief Operating Officer and is responsible for all security related events and activities throughout the NCTD system, including bus and rail. Security Department staff support achievement of safety program goals and objectives related to transit worker assaults through proactive security measures and training of staff throughout the District on the System Security Program. The Security Department also manages scheduling and coordination of NCTD Emergency Preparedness exercises.

Finance Division

The Chief Financial Officer reports directly to the Chief Executive Officer. This Division includes the Grants, Accounting, and Fare Collection Departments.

Development Services Division

NCTD's Chief Development Officer reports to the Chief Executive Officer. The Development Services Division (DSD) includes the Project Management Office, Engineering, DSD Support Services, and Real Estate Departments. DSD oversees rail projects and real estate, including right-of-way permitting.

People Division

NCTD's Chief People Officer oversees the Human Resources and the Learning and Development Departments. As part of the Human Resources Department, the Program Administrator is responsible for all Drug and Alcohol testing as well as other safety related documentation.

Office of the Chief of Staff

The NCTD Chief of Staff reports to the Chief Executive Officer. The Office of the Chief of Staff includes the Administration, Government Relations, Communications & Marketing, and Customer Experience Departments.

Rail Right-of-Way and Technology Division

The Chief Rail Right of Way and Technology Officer reports to the Chief Executive Officer. The Rail Right of Way and Technology Division is comprised of the following Departments: Maintenance of Way, Maintenance of Signals, IT Systems and IT Operations.

Contract Operations Safety Department

- Responsible for the system safety, security, and regulatory compliance of applicable employees.
- Oversees performance of employees to ensure compliance by reviewing and analyzing reports and data that measure system safety, security, and efficiency testing.
- Maintain responsibility for providing and coordinating all applicable training to other departments to ensure that the qualifications, certifications, education, and experience of employees are in compliance with all federal, state, and local regulations, rules, and laws
- Monitors and investigates incidents which disregard federal, state, and local regulations and NCTD requirements, including reporting all hazards.
- Ensure regulatory compliance with FTA, OSHA, CalOSHA, and EPA regulations.

Key Staff including supervisors and managers who directly oversee a division, department, or facility have the following authorities, accountabilities, and responsibilities:

- Accountability for maintaining the program within their area of responsibility
- Accountability for compliance with processes identified in the PTASP
- Maintaining required documentation that is identified in the PTASP
- Implementing corrective actions in a timely manner
- Verifying PTASP compliance and report deficiencies to the NCTD Safety Department

3.7 NCTD Oversight

NCTD seeks to continuously enhance a strong culture of safety within its own organization as well as any applicable third-party contracting organizations. The key to the SMS approach is the oversight of any applicable contractors by the subject training matter experts in the areas of transportation operations, equipment maintenance, and infrastructure construction along with the NCTD Safety Department staff. Communication is maintained with applicable contract managers and supervisors through regular morning conference call briefings, service management meetings, Safety Committee meetings, Risk Roundtable meetings, and regular departmental oversight and document review as determined by the functional area managers. In the performance of oversight duties, documents can be requested at any time and will be made available within a reasonable time. Any identified problems and concerns will be discussed, and an action plan developed as soon as practical. All problems and/or concerns that have not been appropriately addressed through applicable NCTD or contractor Safety Committee meetings which expose the agency to significant risk, will be elevated to the Risk Roundtable meeting. All hazards and corrective actions are documented in NCTD's safety database.

Furthermore, NCTD's Office of Chief General Counsel, through the implementation of the CCOP, provides additional compliance reviews and oversight as it relates to NCTD's operations and maintenance contractors and ensures all internal requirements and practices are executed as intended and to a satisfactory level.

NCTD has assigned the Chief Operating Officer - Bus to oversee contract operations. This includes responsibility for ensuring that safety is paramount and that employees at all levels, from front line to management, are involved in a positive safety culture and have the freedom to report safety issues without fear of reprisal.

4.0 Program Implementation

4.1 Responsibility for the PTASP

The NCTD Chief Executive Officer is the PTASP Accountable Executive and ensures that the NCTD SMS is effectively implemented throughout the transit system. The SMS Executive is responsible for the content, maintenance, and dissemination of this plan. The PTASP is a living document, available for review at all times by all NCTD employees and applicable contractors. Comments and revisions may be submitted to the SMS Executive or designee for evaluation and inclusion in the next iteration of the plan. The signed copy of the current plan will be maintained in the Records repository in Laserfiche. All SMS related documents will be maintained for a minimum of four (4) years after they are created.

4.2 Continuous Plan Evaluation

During the course of internal audit activities or the issuance of new regulations or recommended industry wide practices, the Safety Department will continuously evaluate the relevancy and applicability of this PTASP.

All revisions will be noted in the revision record at the beginning of the document. If any revision requires a change in process, a notice will be disseminated to appropriate personnel explaining

- The document change
- The reason for change
- The impact on any job functions.

NCTD employees and contractors will be notified of a substantially revised plan by an email or letter from NCTD's Chief of Safety and Risk Management.

The revised plan will be disseminated by one or more of the following methods: delivered as a hard copy and/or emailed as a soft copy to each relevant operating entity or available through request from the Safety Department.

The FTA, other federal entities, and the California Public Utilities Commission have access to review any SMS documentation maintained by NCTD upon request.

4.3 Strategic Communications and Coordination

NCTD maintains a Safety Communications Plan that is consistent with the requirements of SMS. The Safety Communications Plan supports the timely and effective notification and communication between NCTD and its key stakeholders that includes customers, contractors, and the general public.

Communications and coordination between NCTD, the service contractors, other system users, and interested parties, both internal and external, is facilitated through:

Contractor Safety Meetings: MV Transportation, Inc. conducts Safety Meetings at least quarterly. These safety meetings allow for all bus employees to learn about important safety information. Select contractor employees meet at least quarterly to address safety concerns and issues discovered through the routine operation and maintenance of the bus service systems. Multiple meetings in all divisions are

scheduled to allow all staff to attend. The meeting is led by a representative from the contractor safety team. NCTD's Safety Department staff attend and actively participate in these meetings.

NCTD and Bus Contractor Safety Committee Meetings:

NCTD holds a joint management-labor Bus Safety Committee Meeting at least quarterly. This safety Committee is responsible for the following:

- Identifying, recommending and monitoring risk-based mitigations or strategies, including those in NCTD's risk reduction program, necessary to reduce the likelihood and severity of consequences identified through NCTD's safety risk assessment
- Identifying mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended
- Identifying safety deficiencies for the purposes of continuous improvement.

Based on the Bipartisan Infrastructure Law (BIL) of 2021, the Safety Committees will also:

- Determine for bus operations if barriers or other measures would reduce assaults and injuries to transit workers
- Establish performance targets for the risk reduction program using a three-year rolling average of data submitted to the National Transit Database.

The Safety Committee will participate in the PTASP review and update process, including providing any input or recommendations for revisions.

Further information regarding the operation of the Safety Committee, including dispute resolution mechanisms, is included in NCTD Policy SAF-2004 – Safety Committee.

More information regarding hazard identification and mitigation can be found in Section 7.7. In accordance with 49 CFR 673.12(7), safety risk mitigations identified and recommended by the Safety Committee shall be included or incorporated by reference into this document.

NCTD Bus Risk Roundtable Meeting: This quarterly meeting is led by the Director of Enterprise Risk Management and includes the bus contractor and other interested departments. This group looks at higher level safety trends, specific incidents, or hazards that warrant special attention, and emphasizes any topics that require agency level risk mitigation or elimination. The Risk Register is the formal log which documents items that are deemed significant enough to warrant tracking to either mitigate or eliminate risk.

More information can be found in Section 7.7.

Chief Executive Officer and SMS Executive: The SMS Executive briefs the Chief Executive Officer on a monthly basis, at minimum, on all safety issues, concerns, and activities.

4.4 Safety Culture Assessment Surveys

In an effort to continuously improve its PTASP, NCTD has initiated an agency-wide safety culture assessment program. This program provides a means to evaluate NCTD's SMS maturity level, processes, and activities. A safety culture assessment shall be conducted once every three years. The product of the safety culture assessment will provide input to future updates of the PTASP. The latest Safety Culture Assessment Survey was conducted in 2022 and can be provided upon request. The next survey is scheduled for 2025.

In addition to evaluating the culture of safety at all levels throughout the organization, another purpose of the safety assessment is to evaluate NCTD's PTASP which incorporates the four supporting components of SMS:

- Safety Management Policy
- Safety Risk Management
- Safety Assurance
- Safety Promotion

The safety assessment reviews the safety programs for each operating mode, and other relevant safety plans developed by NCTD contractors and measures the maturity level of NCTD's Safety Culture.

4.5 Public Safety Outreach

NCTD will provide safety information to passengers and public utilizing the three "E's" of safety: Education, Engineering and Enforcement.

Educational opportunities for the customers and public will include relevant safety information in the Rider's Guide, on the NCTD website, part of newsletters and mailings, advertising, and community events.

4.6 Contractor Organization

NCTD requires the contracted service provider to be responsible for safety and security for the contract. The contractor is required to have a Deputy General Manager of Safety (DGM-S) who is responsible for implementing the NCTD PTASP under the direction of the NCTD SMS Executive.

The DGM-S is responsible for the safety of employees, facilities, equipment, operations, and services provided. The DGM-S also retains ownership of all safety programs and are responsible for coordinating the implementation and maintenance of these programs. Specifically, the DGM-S shall:

- Implement the PTASP as provided by NCTD
- Ensure employees comply with safe and healthy work practices
- Communicate with employees regarding occupational health and safety issues
- Identify, evaluate, and correct hazards in a timely manner
- Assist other contractor departments in resolving hazards
- Ensure that all accidents, injuries, and illnesses are investigated, documented, and that recommendations for corrective actions are developed and implemented as warranted

- Evaluate the potential impact of proposed modifications on the safety of all affected systems prior to implementation
- Ensure that employees have required licenses, and all required up-to-date certifications and training to perform their job safely
- Ensure that supervisors under their control train employees in the elements of the contractor's Injury and Illness Prevention Program (IIPP), employee responsibilities under the IIPP, hazards associated with the employees' work environment, job specific safety requirements, and safety-related policies, procedures, rules, and workplace practices

4.7 External Oversight Agencies

Each of the NCTD modes of operations has specific external oversight agencies responsible for auditing and reviewing the safety programs. The FTA and California Highway Patrol (CHP) provide oversight of the bus systems safety and security programs.

5.0 Emergency Management Program

Natural and manmade events can impact transit operations at any time and place. Life safety is and will always be the top priority during emergency response efforts. This section reviews the key elements of NCTD emergency preparedness. Full details on the Emergency Response Program (ERP) can be found in NCTD's ERP.

5.1 Infectious Diseases

NCTD follows regulatory guidance from the Centers for Disease Control and Prevention (CDC), FTA, the California Department of Public Health (CDPH), and the County of San Diego Health and Human Services Agency (HHSA) as applicable to minimize exposure to infectious diseases. Specific details related to a pandemic prevention program can be found in Appendix C of the NCTD IIPP or a contractor's IIPP, as applicable.

5.2 Meetings with External Agencies

All on-scene emergency response activities will utilize the Incident Command System (ICS). ICS is a component of the National Incident Management System (NIMS), which is a framework that enhances coordination between responders and resources from various entities (state, local, nongovernmental agencies, and volunteers).

NCTD participates in the following meetings and provides training with external first responder agencies:

- Emergency preparedness symposiums - Coordinated by various jurisdictions within San Diego County and attended periodically by NCTD representatives
- Unified Disaster Council - Coordinated by San Diego County and attended periodically by NCTD representatives
- Large-scale exercise planning and execution - Coordinated by NCTD with local first responders

5.3 Planning Responsibilities

NCTD and contractors may be valuable resources for assisting first responders at the incident scene or managing resources for the emergency by sharing their subject matter expertise and problem-solving skills. Their understanding of incident response and coordination with first responders is critical for managing transit incidents while keeping life safety as the top priority.

The Security Department develops NCTD's ERP. The NCTD ERP provides guidance for employees and emergency personnel to execute a well-organized, informed, and efficient response to critical incidents, should one occur, in order to reduce or mitigate resulting impacts. In addition, the ERP outlines how NCTD will coordinate with federal, state, regional and local officials when responding to emergencies within NCTD service area.

5.4 Evaluation of Emergency Preparedness

NCTD emergency preparedness is evaluated through plan reviews, training sessions, and exercises. Emergency response training may be provided as workshops, table-top scenarios, drills, tactical

exercises, and large-scale drills. A large-scale drill will be conducted at least once every two (2) years for BREEZE and will include external response agencies.

Every calendar year, at least one of the following types of training relevant to NCTD bus operations emergency response scenarios will be conducted:

- Table-top exercise
- Emergency planning workshops
- Emergency simulations
- Emergency drills

5.5 After Action Reports

Hands-on or scenario-based training will be evaluated to identify strengths and areas for improvement through the completion of an After-Action Report (AAR). Likewise, an AAR may be developed for an actual, noteworthy accident/incident to identify lessons learned and areas for improvement. Any major lessons learned may require the development of corrective actions to address areas for improvement. Corrective actions resulting from an exercise or actual event will be entered into and tracked through NCTD's Safety database.

5.6 Revision and Distribution of Emergency Response Plans

NCTD's Security Department is responsible for managing and distributing the NCTD ERP. The NCTD ERP is a living document, available for review at all times to all NCTD staff and contractors. Comments and revisions may be submitted to the Security Department or the Operations – Support Services Division as applicable, for evaluation and inclusion in the next iteration of the plan. The plan will be updated as needed and reviewed at least annually.

5.7 Familiarization Training for Public Safety Organizations

NCTD encourages emergency response agencies to reach out and request coordinating activities during tactical exercises and drills. NCTD will make every effort to provide resources for training and practice of emergency response activities. NCTD is also available to provide classroom training for public safety organizations upon request. Requests may be made through the Security Department. Additional details may be found in NCTD SOP 3000.13 – Recommended Practice for Emergency Responder Familiarization of Transit Systems.

5.8 Responsibilities

NCTD Bus Contractors

For emergency management, contractors shall:

- Participate in the planning, enactment, debriefing, and evaluation of required emergency drills and table-top exercises
- Participate in after action activities and any related corrective actions as assigned. Conduct all initial and recurrent ERP training for bus operators and mechanical staff. Training shall be documented for regulatory compliance.
- Develop facility emergency plans
- Practice facility emergency/evacuation plans in the form of drills at least once annually

NCTD

The Security Department shall:

- Manage, revise, publish and distribute the NCTD ERP
- Coordinate and supervise emergency simulations, exercises, and drills including preparatory meetings with external agencies and as-needed follow-up meetings
- Coordinate after action reports and assign corrective actions, if necessary

6.0 Safety Performance Measures and Targets

NCTD's safety performance measures and targets are based on the measures established under the National Public Transportation Safety Plan. NCTD's safety performance targets seek to mitigate identified safety risks to a point that is as low as reasonably practicable. By identifying targets that are specific, measurable, attainable, relevant, and time-bound (SMART), NCTD will ensure safety data is evaluated against these performance measures and targets.

Performance Measure	Target 2025
Vehicle Revenue Miles Total, BREEZE, LIFT, FLEX	6,316,912
Measure 1a – Major Events	2
Measure 1b – Major Event Rate	.03
Collisions	1
Measure 1.1 – Collision Rate	.02
Pedestrian Collision	0
Measure 1.1.1 – Pedestrian Collision Rate	0
Vehicular Collision	1
Measure 1.1.2 – Vehicular Collision Rate	.02
Measure 2a – Fatalities	0
Measure 2b – Fatality Rate	0
Measure 2.1 Transit Worker Fatality Rate	0
Measure 3a – Injuries	15
Measure 3b – Injury Rate	.24
Transit Worker Injuries	2
Measure 3.1 – Transit Worker Injury Rate	.03
Measure 4a – Assaults on Transit Workers	20
Measure 4b – Rate of Assaults on Transit Workers	.32
Measure 5 – System Reliability BREEZE	14,000
Measure 5 – System Reliability LIFT	37,000
Measure 5 – System Reliability FLEX	50,000

NCTD's safety performance measures and targets are made available to the state and the San Diego Association of Governments (SANDAG), NCTD's Metropolitan Planning Organization (MPO). NCTD has representation on the SANDAG Transportation Committee, which advises the SANDAG Board of Directors on major policy-level matters related to transportation. This membership supports regional transportation planning as well as NCTD PTASP's safety goals and objectives. Board membership also permits NCTD to coordinate with SANDAG in the selection of their safety performance targets.

7.0 Safety Risk Management

Safety risk management is one of the key components of SMS. This process is used to identify hazards, evaluate them, and implement actions to eliminate, mitigate or accept the hazard. A hazard is any real or potential condition that can cause injury, illness, or death; damage to or loss of a system, equipment, or property; or damage to the environment.

NCTD's hazard identification and resolution process has been implemented to ensure potential hazards are systematically identified, evaluated, and resolved during design, construction, and revenue operations. Through this process, NCTD seeks to minimize and eliminate injuries to passengers, employees, and the general public, and to prevent service delays and damage to property, equipment, and the environment.

Goals for the risk-based hazard management program are detailed this document. Performance against those goals is reviewed quarterly, at a minimum, and updates are provided to staff, contractors and the NCTD Board of Directors.

As the SMS Executive, the Deputy CEO/Chief General Counsel is responsible for administering the risk-based hazard management program.

7.1 Purpose

This section outlines NCTD's formal process used to identify, evaluate, and mitigate potential hazards associated with transit operations and maintenance. Hazards identified are analyzed for potential impact and resolved by design, procedure, warning device, or other method so that identified hazards are at a point that is ALARP. Hazard management consists of:

- Hazard identification
- Hazard investigation, evaluation, and analysis
- Hazard mitigation, control, and elimination
- Hazard tracking

7.2 Hazard Identification

The physical and functional characteristics of the system to be analyzed are NCTD operations, maintenance, facilities, procedures, employee practices, and general contract oversight. Knowledge of how the individual system elements interface with each other is essential to the hazard identification effort. Hazards may be identified through:

- Daily tasks and routine activities conducted by NCTD staff and contractors
- Inspections and observations conducted by NCTD Safety Department
- Internal audits and records reviews
- External audits conducted by regulatory agencies
- Design reviews where representatives of Safety and Risk Management as well as Operations Divisions participate

- Hazard analyses and special reports prepared by consultants, NCTD employees, contractors, and suppliers
- Hazards that develop as a result of accidents/incidents
- Information from other transit systems
- Data and information provided by an oversight authority, including but not limited to FTA, the State, or as applicable, the State Safety Oversight Agency having jurisdiction
- Data and information regarding exposure to infectious disease provided by the CDC or a State health authority
- Safety concerns identified through Safety Assurance Activities carried out under 49 CFR 673.27

7.3 Hazard Investigation, Evaluation, and Analysis

Employees are encouraged to immediately address hazards that may be easily resolved, such as a trip hazard that may be easily moved. Hazards that require more extensive measures for resolution should be elevated to managers or the safety committee for corrective action. Managers and safety committees are encouraged to conduct appropriate investigations to determine the potential risk as evaluated through examining the severity and probability of the hazard.

Hazard severity is the measure of the consequence the hazard presents. The greater the potential hazard consequence, the more severe the hazard. Below is a chart describing the Hazard Severity Categories:

Hazard Severity Categories

CATEGORY NAME	LEVEL	CHARACTERISTICS
Catastrophic	1	Fatality or multiple severe injuries, severe environmental damage, total system loss, extreme financial loss to NCTD
Critical	2	Severe injury or occupational illness, significant environmental, system or equipment damage, major service disruptions, significant financial loss to NCTD
Marginal	3	Minor injury or occupational illness, minor environmental, system, or equipment damage, minor service disruption
Negligible	4	Less than minor injury or occupational illness, less than minor environmental, system or equipment damage. Insignificant service disruption.

The likelihood that a consequence associated with a given hazard will occur can be described in potential occurrences per unit of time, events, population items or activity. The hazard consequence occurrence likelihood, or frequency of occurrence, represents a qualitative judgment of the relative likelihood of occurrence of an accident caused by an uncorrected or uncontrolled hazard as a result of a particular event or series of events. All identified hazards are assigned one of five likelihood levels, as provided in the Hazard Frequency Categories chart below:

Hazard Frequency Categories

CATEGORY NAME	LEVEL	SPECIFIC INDIVIDUAL ITEM OR LOCATION	FLEET, INVENTORY OR SYSTEMWIDE
Highly Probable	A	Likely to occur with high frequency	Continuously experienced
Probable	B	Will occur many times in the life of an item or at a specific location	Will occur frequently
Possible	C	Likely to occur one or more times in the life of an item or at a specific location	Will occur several times during the life of system
Unlikely	D	Unlikely but possible to occur in the life of an item or at a specific location	Can reasonably be expected to occur during the life of system
Highly Unlikely	E	So unlikely, it can be assumed occurrence will not be experienced at a specific location	Not expected to occur during the life of system

A qualitative hazard probability will be derived from research, analysis, and evaluation of safety data from the operating experience of NCTD or other similar transit authorities. For example, a bus vehicle accident may be due to one or several events (e.g., road construction, vehicle over speed, poor visibility). The term fleet or inventory in the table refers to the number of units or size of a system elements as an aggregate in the NCTD system (e.g., the number of a specific make of vehicle in the fleet, collectively). Therefore, the table provides a qualitative probability category for a particular event occurring within the entire inventory of buses, or a single bus, for example.

Risk assessment determines the acceptability of assuming a risk associated with a hazard, the necessity of implementing corrective measures to eliminate or reduce the hazard, or a combination of both. Hazard risk assessment involves categorization of hazard severity and probability of occurrence. The guidelines for determining hazard risk are presented in the tables below:

Hazard Risk Assessment Table

Hazard Risk Levels					
Hazard Severity	Hazard Likelihood				
	A - Highly Probable	B - Probable	C - Possible	D - Unlikely	E - Highly Unlikely
1 - Catastrophic	H	H	H	M	L
2 - Critical	H	H	M	M	L
3 - Marginal	H	M	M	L	VL
4 - Negligible	L	L	L	VL	VL

Hazard Risk Index	Risk Level Definitions
H	High – Unacceptable
M	Moderate – Undesirable, Decision Required
L	Low – Acceptable with Review
VL	Very Low – Acceptable without Review

Unacceptable means the hazard cannot remain as is and must be mitigated.

Undesirable means that the hazard should be mitigated, if at all possible, within fiscal constraints. Fiscal constraints are determined by the Chief Financial Officer in conjunction with the Chief Operating Officer – Bus and the SMS Executive or designee.

Acceptable with review means that NCTD management determines that the risk associated with the hazard is acceptable with proposed mitigations.

Acceptable without review means that the hazard can remain.

Hazard risk assessment is initially conducted by the reporting party in the Safety Database. Corrective actions also require the completion of an initial risk assessment by the investigator. The NCTD Safety Department reviews all hazard assessments monthly and recommends mitigation strategies. Hazards that require executive management attention for mitigation are forwarded to the applicable NCTD Risk Roundtable as discussed in Section 7.7 below.

7.4 Hazard/Risk Mitigation

All corrective actions for hazard and risk mitigation will be completed by the assigned department/division. The responsible party for the corrective action will analyze the hazard and develop recommendations for mitigation or elimination of the hazard. Interim measures may be implemented until the corrective action is completed. Recommendations may include the following protective measures or controls to mitigate the hazard including:

- Avoidance/Elimination
- Substitution
- Engineering
- Administrative (including training, procedures, warnings, and awareness)
- Personal Protective Equipment

For serious hazards that represent immediate danger to life and health, employees and contractors shall take immediate action to mitigate the hazard and report to the OCC as detailed in NCTD SOP 3000.15 – Accident/Incident Investigation. If the hazard can't be immediately mitigated or eliminated, all employees, contractors and customers are to be removed from the affected area until safety can be assured.

The below are considered as a source for safety risk mitigation in accordance with 49 CFR 673.25(d):

- Guidance provided by an oversight authority, if applicable, and FTA
- Guidelines to prevent or control exposure to infectious diseases provided by the CDC or a State health authority

7.5 Regulatory Accident/Incident Reporting Thresholds

All accident and incident reporting must be completed by NCTD or its contractor, as applicable.

7.6 Hazards and Corrective Actions Tracking

Hazards needing correction are entered and tracked in the NCTD safety database. Corrective actions will have:

- 1) Original finding information
- 2) A suggested corrective action
- 3) The responsible parties assigned
- 4) A due date identified
- 5) An initial risk assessment.

The NCTD safety database is designed to provide notification of the corrective action to responsible parties as well as alert them of upcoming due dates and overdue corrective actions. Individuals assigning a corrective action and those responsible for the corrective action are expected to work together to effectively mitigate and/or eliminate the issue. All corrective actions are reviewed by the NCTD Safety Department on a monthly basis.

7.7 Hazards Communications and Reporting

Employee Safety Reporting Program/Employee Hazard Reporting

NCTD employees and contractors are encouraged to report hazards to their supervisor/manager at any time, including but not limited to assaults on transit workers, near-misses, and unsafe acts and conditions. Hazards may also be reported directly to the OCC for entry into the NCTD Safety database. Additionally, NCTD has provided a Safety Hazard Form that is available in an electronic format through the NCTD intranet site, Link, or via a QR code. For specific details, the Safety Hazard form is located in Appendix B of this document.

This form may be used by all employees and contractors to report hazards throughout the system. Once submitted, a member of the Safety Department will investigate the matter with the appropriate department and determine if a true safety hazard exists (in the case of personnel issues or other non-safety related items, the Safety investigator will forward the information to the most relevant manager). If a safety hazard exists, the Safety investigator will enter that information into the NCTD Safety database and determine a risk assessment using the predetermined hazard assessment table. Once the hazard has been assigned a risk level, a corrective action must be assigned to all hazards. A resolution must be achieved prior to any close out.

NCTD's Safety Department is ultimately responsible for ensuring all corrective actions are addressed and closed out in a timely fashion. If the hazard requires additional resources beyond those assigned responsibility, the Safety Department may assign the hazard to the Risk Register.

Employees are notified by the Safety Department once a hazard has been received and once again when it has been mitigated or eliminated either through direct communication or posting the information through safety committee minutes action, in the event of an anonymous report.

Whistleblower Hotline

NCTD is an organization with strong values of responsibility and integrity. It has developed policies and procedures to provide employees and contractors with clear direction and guidance to ensure that NCTD's business is carried out with fairness, efficiency, impartiality, and integrity. NCTD has created avenues to report suspected violations without fear of retaliation. NCTD is committed to an environment where open, honest communication is the expectation, not the exception. If an employee or contractor believes ethical misconduct, and acts of fraud, waste and abuse have occurred, NCTD employees and contractors are encouraged to report the suspected violation via the anonymous Whistleblower Hotline managed by third-party vendor, at www.nctd.ethicspoint.com or by calling 855-877-6048.

FTA Identified Hazards

Information provided by FTA can be a source for hazard identification activities. The NCTD Safety Department will receive and assess the information provided by FTA and report back any activities or analysis performed as requested.

FTA Risk Reduction Program

The Bipartisan Infrastructure Law of 2021 requires transit agencies to develop a risk reduction program to improve safety by reducing the number and rates of accidents, injuries, and assaults on transit workers based on data submitted to the National Transit Database (NTD).

NCTD's safety performance measures and targets are based on the measures established under the National Public Transportation Safety Plan. A detailed list of these safety performance measures, and performance targets are found in Section 6.0.

A risk-based hazard analysis is performed at the Risk Roundtable meetings and documented in a formal document called the Risk Register. The Risk Register details specific hazards based on analysis to determine the resulting risks related to: operating rules and practices, infrastructure, equipment, employee levels and schedules, management structure, employee training, new technology, or any other aspect that has an impact to operator safety not covered by safety regulations or other federal regulations. This document also details the hazards' probability and severity, impacts, and proposed methods that will be used to mitigate or eliminate the hazard and resulting risks. Additional details about the Risk Roundtable and Risk Register are found below.

To reduce the number of accidents, injuries, and assaults on transit workers, NCTD mitigation efforts may include deployment of infrastructure and technology on buses including barriers to restrict the unwanted entry of individuals and objects into the workstations of operators, if the safety committee determines that such barriers or other measures would reduce assaults on transit workers and injuries to transit workers.

To reduce the number of vehicular and pedestrian accidents involving buses posing visibility impairments for bus operators, NCTD will incorporate an assessment during project review to determine impacts to operator visibility impairments during the retrofit of buses in revenue service or future procurements of

new vehicles. Any potential impairment can be reviewed by the Safety Committee or elevated to the applicable NCTD Risk Roundtable meeting.

NCTD/Contractor Safety Committee Meeting

Applicable employees meet at least quarterly to address safety concerns and issues discovered through the routine operation and maintenance of the bus service systems.

The meetings are chaired by two co-chairs: the SMS Executive or designee and a frontline committee member chosen by other frontline committee members.

Hazards or items that are unresolved may be forwarded to the applicable Risk Roundtable meeting for resolution as appropriate. Additional information about the NCTD Safety Committee may be found in NCTD Policy SAF-2004 – Safety Committee.

Risk Roundtable

The Risk Roundtable chaired by the Director of Enterprise Risk Management or designee, will meet at least quarterly and includes safety representatives and management. This group looks at higher level safety trends, specific incidents, or hazards that warrant special attention, and emphasizes any topics that require agency level risk mitigation or elimination. The Risk Register is the formal log which documents items that are deemed significant enough to warrant tracking to either mitigate or eliminate risk.

The standing agenda includes any issues not resolved at the safety committee meetings. NCTD employees that comprise the Risk Roundtable include the: Deputy CEO/Chief General Counsel, Chief Operating Officer, Chief Development Officer, Director of Security, or their designees, and other key staff whose duties are critical to the specific mode of operations. SMS Executive or designee. The Risk Roundtable members may:

- Assign a subcommittee to research resolution scenarios or alternatives and work with department management to implement
- Develop a specific action plan for elimination or mitigation of the hazard, and recommend a responsible party to implement the plan
- Close the hazard on the Risk Register upon resolution

The Risk Roundtable post-meeting report notes are maintained in the NCTD document management system and are also provided in an email to attending participants, copying the Chief Executive Officer.

Quarterly Safety Reports to the Board of Directors

The Safety Department provides a quarterly report to the Board of Directors covering NCTD's compliance with the PTASP and adherence to program goals.

7.8 Hazard Management Responsibilities

NCTD and its contractors are required to coordinate and collaborate to support the effective management of the hazard management process.

NCTD Bus Contractor

- Train contracted employees on the hazard management process based on employee job duties and responsibilities
- Conduct daily safety meetings/job briefings before employees begin duty
- Conduct and participate in quarterly safety meetings
- Perform root cause analysis of accidents and incidents
- Track accident and incident trends
- Address corrective actions as assigned
- Participate in safety meetings

Safety Department

- Train select NCTD employees and contractors on the hazard management process
- Conduct ongoing inspection activities to identify hazards
- Perform root cause analysis of incidents and risks
- Track safety trends to identify developing issues
- Ensure the hazard management process is effective
- Evaluate system changes for hazards
- Assist with hazard resolution at all levels of reporting
- Address hazards that are discussed at the Risk Roundtable meeting or placed on the Risk Register
- Ensure that assigned corrective actions include the following:
 - Initial finding
 - Recommended corrective action
 - Responsible parties
 - Due date
 - Risk assessment
- Coordinate with responsible parties for the completion of corrective actions
- Review initial risk assessments on corrective actions
- Participate in and/or lead Safety Committee meetings
- Host Risk Roundtable meetings
- Maintain a comprehensive Safety database and provide training to other divisions and contractors on its proper use

All other NCTD divisions and departments shall:

- Identify, address, report, and document hazards if able and/or notify supervisory staff or the NCTD Safety Department of hazards
- Enter accurate data into the Safety database
- Assist with the completion of corrective actions when requested
- Track corrective actions to completion
- Participate in safety meetings

7.9 Employee Behaviors and Disciplinary Action

Certain employee behaviors such as willful negligence, drug or alcohol usage prohibitions, or the use of cell phones or electronic devices may result in disciplinary action. For additional details, NCTD's employee discipline policy is in the NCTD Employee Handbook. Contractor discipline policies are located in their respective Employee Handbooks.

7.10 Procurement Activities

This section covers practices for the procurement of materials, equipment, and supplies, the evaluation of such for quality, application, and potential hazards. This section applies to the purchasing processes provided by NCTD transit operations and maintenance contractors and to NCTD capital purchases for the NCTD transit system service. For details on NCTD procurement activities, please refer to the NCTD Procurement and Contract Administration (PCA) Department Policies and Procedures Procurement Manual.

7.11 Procurement Controls

For procurement of parts, components, supplies, and materials, NCTD requires the bus operations and maintenance contractors to maintain procurement quality assurance procedures. For capital purchases that NCTD is responsible for acquiring, NCTD will ensure equipment and materials are in accordance with the technical specifications and requirements set forth by the project's manager or team.

7.12 Procurement Responsibilities

NCTD Bus Contractors

The applicable bus operations and maintenance contractor(s) shall procure all components and materials required for the operation and maintenance of the BREEZE/FLEX/LIFT/ NCTD+ services. On at least an annual basis, the contractors will identify safety related capital items necessary for the following years and/or in accordance with their contractual obligations.

NCTD

- The NCTD PCA Department is responsible for system capital purchases, fuel, and other services that require procurement in accordance with specifications set forth by the project manager.
- When safety issues are identified that require capital purchases, the Safety Department will coordinate with the PCA Department for the timely acquisition of the items or resources necessary to implement the resolution to the concern.

8.0 Safety Assurance

Safety Assurance is one of the key components of SMS. It includes the systematic and ongoing monitoring and recording of safety performance, as well as an evaluation of SMS processes and practices. Safety Assurance ensures compliance with SMS requirements and utilizes the Safety Performance Targets (Section 6) to help measure these activities while providing opportunities for improving safety and minimizing risk.

NCTD ensures that Safety Assurance is maintained through efforts in three core areas:

- Safety Performance Monitoring and Measurement
- Management of Change
- Continuous Improvement

NCTD conducts Safety Performance Monitoring and Measurement through a variety of inspection/audit activities and processes including:

- Internal Safety Audits
- Facilities Inspections
- Maintenance Inspections
- Notification, Investigation and Reporting
- Safety Data Acquisition and Analysis
- Drug and Alcohol Compliance

Management of Change is conducted through the following activities:

- Configuration/Change Management Process
- System Modification and Review
- Safety and Security Certification

Continuous improvement is conducted through the following list of activities:

- Corrective Action Plans (CAPs)
- Lessons Learned
- Procedure Updates
- Employee Training

NCTD has multiple processes to facilitate continuous improvement including Modal Contractor safety meetings, Risk Roundtable meetings and Internal Safety Audits.

Should any established annual safety performance target set by the Safety Committee under 49 CFR 673.19(d)(2) for the safety risk reduction program not be met, the District shall follow the procedures outlined under 49 CFR 673.27(d)(3).

8.1 Internal Safety Audits (ISA)

This section outlines NCTD's internal safety audit process instituted to self-evaluate the safety program and the PTASP. This section summarizes additional inspection and review activities performed by the Safety Department that augment this program.

8.2 ISA Departments and Functions Subject to Review

The following groups are subject to internal safety audits and reviews:

- Safety Department
- Bus Operations Division
- Development Services Division
- Security Department
- Facilities Department
- Bus contractor(s)

8.3 ISA Review Scheduling

NCTD's Safety Department performs scheduled internal safety and security audits annually to evaluate compliance and measure the effectiveness of this PTASP. NCTD's Safety Department prepares the audit schedule at least 30 calendar days prior to the beginning of any scheduled audits. NCTD documents the internal safety and security audits performed during each calendar year within the Safety database and in an annual report.

Audits are scheduled by the Safety Department and are conducted in accordance with written checklists by personnel qualified to verify compliance and judge the effectiveness of the PTASP activity. Auditors will be independent from the first line of supervision responsible for performance of the activity being audited.

Audits performed on the Safety Department are conducted by the Chief Operating Officers – Bus and Rail.

The following table explains the elements and responsible parties involved in internal safety reviews. This total scope is completely covered by internal safety and security audits conducted within a three-year or triennial period, and every three-year period thereafter.

<u>Audit</u>	<u>Auditing Department</u>	<u>Audited Department</u>	<u>Performed in Conjunction with Rail?</u>
NCTD Safety Plan Analysis and Review	Chief Operating Officers, Bus & Rail	Safety Department	Yes
Vehicle Maintenance Inspections	Safety	Bus Operations	No
SSEPP ISA Process	Safety	Security / Safety Departments	Yes
Hours of Service	Safety	Bus Operations	No
System Modification Review and Approval	Safety	Bus Operations	Yes
SSEPP Policies, Goals, and Objectives	Safety	Security Department	Yes
Emergency Management Program	Chief Operating Officers, Bus & Rail	Safety & Security Departments	Yes
Notification, Investigation, and Reporting	Safety	Bus Operations	No
Configuration Management and Safety in Procurement	Safety	Bus Operations/PCA	Yes
Rules and Procedures Review	Safety	Bus Operations	No
SSEPP Security of Passengers and Employees	Safety	Security Department	Yes
Hazard Management Process	Chief Operating Officers, Bus & Rail	Safety Department	Yes
Training and Certification Review	Safety	Bus Operations	No
Safety Data Collection and Analysis	Chief Operating Officers, Bus & Rail	Safety Department	Yes
Drug and Alcohol Program	Safety	People Division/MV	No
SSEPP Managing Threats and Vulnerabilities	Safety	Security Department	Yes
Hazardous Material Program	Safety	Bus Operations/Facilities	No
SSEPP Investigation and Reporting Process	Safety	Security Department	Yes

SSEPP Review and Approval Process	Safety	Security Department	Yes
Passenger Bus Emergency Systems	Safety	Bus Operations	No
Facility Inspection - Bus	Safety	Facilities	No

Scheduled Inspections

NCTD audits each of the safety program elements over a three-year period. NCTD's internal safety reviews entail an annual review of one-third of the system safety program elements contained in this Plan, executed each year, for three years. At the end of the three-year cycle, after all safety program elements have been reviewed, the process is completed, and the cycle begins anew the following year. Formal internal safety review schedules are created by the Safety Department and the actual review dates are coordinated with the entity under review.

Unscheduled Inspections

The Safety Department performs reviews, audits and inspections of the following programs and facilities throughout the year at their discretion:

- Maintenance facilities and activities
- Bus facilities
- Service operations
- Construction activities
- Employee health and safety

8.4 ISA Review Process

Development of Checklists

All internal safety audit checklists, scheduled inspection checklists, and unscheduled inspections checklists are maintained and recorded in the safety database where findings from these audits and inspections are recorded and tracked until closure.

Issuing of Findings

Findings may be rated in the following four manners:

- NA - Not applicable
- 1 - Compliance Verified, No Deficiencies Observed
- 2 - Substantial Compliance with Exception or Comment
- 3 - Compliance Deficiency, Corrective Action Required

All findings marked as a "3" require an explanation of the finding and the development of a recommended corrective action, assigned to select responsible parties with a due date. The safety database automatically alerts responsible parties when corrective actions due dates are approaching, or corrective actions are overdue. The person assigning the corrective action is responsible to follow up and verify closure and completion of corrective actions.

8.5 ISA Reporting Requirements

The annual internal safety audit report states the results of each internal audit in terms of the adequacy and effectiveness of this PTASP and includes the status of any subsequent findings and corrective actions. The SMS Executive or designee submits this report the NCTD Chief Executive Officer by January 15 of each year for internal safety audits performed during the preceding calendar year. The report is accompanied by a memorandum of certification signed by the NCTD SMS Executive indicating that NCTD is in compliance with the PTASP. If NCTD is not in compliance, the memorandum identifies the activities NCTD will take to achieve compliance.

The annual report will be distributed internally to applicable departments, divisions, and contractors with appropriate follow-up activities for any open items.

8.6 ISA Responsibilities

NCTD Bus Contractor

- All contractors will cooperate with audit, inspection, and review activities conducted by NCTD, including the review of practices and documents.
- Any findings resulting from internal or other audit/inspection activities will be assigned a corrective action, and contractors are expected to address assigned corrective actions effectively in a timely manner.

NCTD

- Safety Department staff in concert with the NCTD Compliance Officer will conduct ongoing audits for the areas assigned in the table provided in Section 8.3 and in accordance with the annual audit schedule.
- Safety Department staff will perform scheduled internal safety audits on NCTD bus operations, facilities, and engineering groups to ensure their oversight works in conjunction with the practices outlined in this PTASP.
- Safety staff will conduct ongoing audits and internal safety audits to provide oversight.
- The NCTD Compliance Officer will oversee the annual internal safety audits for activities led by the Safety Department.
- NCTD Division Chiefs are responsible for assigning and ensuring cooperation and coordination of Division staff with internal safety audit activities and scheduled and non-scheduled inspection activities.

8.7 Facilities Inspections

Facility inspections enhance safety through consistent and thorough documented reviews of facilities to verify that hazards are resolved through routine mitigation efforts as outlined in the hazard management process.

Facilities and Transit Centers are subject to reviews and inspection by the Facilities Department and the Safety Department and are listed in Section 3.4 and 3.5.

Periodic Inspections

Passenger and maintenance facilities shall receive regular inspections by the Facilities Department, Safety Department, and facilities maintenance contractor(s).

8.8 Facility Inspection Techniques

To verify that facilities are well maintained and free of serious hazards, activities performed by the Facilities Department and Safety Department will consist of a combination of some or all of the following:

- Field inspections
- Records reviews
- Internal audits
- Observations
- Evaluations

8.9 Facility Inspections- Tracking Corrective Actions to Conclusion

Findings discovered during the course of inspections are addressed through documentation and assignment of corrective actions through the safety database. Any findings that may be corrected immediately should be addressed and noted in the database and entered as a Facilities Request as detailed in NCTD SOP 3000.88 – Facilities Work Request Procedure.

8.10 Facility Inspection Responsibilities

NCTD Bus Contractor

The NCTD Bus Contractor

- Maintain facilities keeping safety a top priority
- Cooperate with all inspections, audits, or reviews performed by NCTD or other oversight entities
- Address all corrective actions as assigned
- Provide facility condition reports as outlined in contracts and other agreements

NCTD

The Facilities Department shall:

- Perform inspections to oversee the facilities contractor(s)
- Assign corrective actions for non-compliant items that need to be addressed
- Identify abnormal or unsafe trends
- Correct or address trends through investigation and solution activities

The Safety Department shall:

- Perform separate facility audits focused on facility safety and emergency preparedness items. These inspection audits purposely overlap with facility compliance oversight primarily performed by the Facilities Department.
- Perform internal safety audits based on the triennial audit schedule focused on facility inspections to ensure the NCTD Facilities Department is providing proper oversight of this contract component.

- Perform quarterly OSHA inspections at all major transit facilities and report findings to the Facilities Department.
- Communicate any findings to the Facilities Department for review and proper assignment either through a corrective action or Facilities Request

Response to Discrepancies and Unsafe Conditions

Discrepancies, potential hazards, or unsafe conditions discovered through inspections or by any other means should be resolved promptly through mitigation or maintenance action by the party responsible. OCC staff will immediately notify the appropriate NCTD manager(s) and/or safety staff of any reported hazards for investigation and follow-up.

NCTD Facilities

A discrepancy or condition related to an NCTD facility, whether administrative, fleet maintenance, transit center or maintenance and operations facility that does not present an immediate hazard or unsafe condition must be reported to the NCTD Facilities Department who will forward to the appropriate contractor or NCTD department for resolution.

8.11 Maintenance Inspections

Maintenance inspections are used to verify that effective maintenance activities are being performed. This practice applies to all parties performing inspections, maintenance, and repairs to all NCTD transit and supporting vehicles. Inspections, tests, maintenance, and repairs of items subject to this section are performed in compliance with standards set by FTA, OEM, and Occupational Safety and Health Administration (OSHA), American Public Transportation Association (APTA) and with NCTD maintenance policies, practices, and guidelines.

8.12 Maintenance Inspections – Infrastructure and Equipment

Equipment and infrastructure that must be maintained for safe transit operations includes:

- BREEZE buses
- LIFT/FLEX vehicles
- Dispatching system

8.13 Maintenance Standards

Comprehensive inspection, servicing, maintaining, and repairing of all bus transit vehicles is in accordance with standards established by the vehicle manufacturer and NCTD's contract with the operations and maintenance contractor. Inspection procedures are performed in compliance with applicable FTA regulations and APTA standards for transit vehicle inspections, maintenance, repairs, and regulatory documentation.

Dispatching and infrastructure systems maintenance inspections and related activities are performed in compliance with applicable federal regulations.

Non-routine or special maintenance activities shall be either subject to the hazard management process and/or examined during the applicable NCTD Risk Roundtable meeting.

8.14 Maintenance Inspections – Documentation

Documentation of maintenance inspections performed by NCTD to oversee activities of the contractor will be maintained in the safety database. Contractors are expected to make related maintenance records available for NCTD to review upon request.

8.15 Maintenance Inspections – Tracking Corrective Actions to Conclusion

Corrective actions identified through NCTD inspections are entered into the safety database and tracked until completion. Hazards discovered through the contractor's inspection and maintenance process are corrected or removed through normal maintenance procedures.

If, for any reason, a hazard is determined unacceptable and cannot be resolved through the normal maintenance process, the equipment or structure cannot be returned to service, or its service is restricted to the limits of a lower level of compliance until repairs are completed. Under no circumstance is any equipment or structure not in compliance with applicable federal or state regulations allowed to remain in service.

8.16 Maintenance Inspections – Responsibilities

NCTD Bus Contractor

- Tracking and documenting vehicle maintenance activities, and training and certification of qualified persons performing service activities.

NCTD Bus Operations and Development Services Divisions

- Perform inspections to oversee the maintenance contractor(s), as applicable
- Assign corrective actions for non-compliance items that need to be addressed
- Analyze inspection data for safe, abnormal, or unsafe trends
- Correct or address trends through investigation and resolution activities

NCTD Safety Department

- Perform field inspection audits and construction site inspections that include some elements which overlap with maintenance inspections oversight primarily performed by the Operations Divisions.
- Perform NCTD compliance oversight inspections to observe NCTD operations and maintenance quality control staff perform inspection duties
- Perform an annual internal safety audit focused on maintenance inspections to ensure the NCTD Operations Divisions are providing proper oversight of this component relevant to the contract
- Communicate any findings to the Operations Divisions for review and proper assignment for correction

8.17 Notification, Investigation and Reporting

This section describes NCTD's process for performing accident notification, investigation, and reporting. Accidents and emergencies shall be subject to a formal and objective investigation. Incidents shall be investigated at the discretion of the NCTD Bus Operations and/or Safety Departments.

In the event investigators from National Transportation Safety Board (NTSB) should observe an internal investigation or conduct their own investigation of an incident, all parties involved shall cooperate fully with the needs and requests of these agencies.

8.18 Notification, Investigation and Reporting Responsibilities

Bus Contractor

As soon as practicable following any event involving injury or death to any person or damage to equipment, all information must be obtained, secured, and retained for further investigation.

The bus contractor shall notify the OCC of the following incidents:

- Collision
- Employee injury
- Passenger/third-party injury
- Assault
- Facility/property damage
- Sleeping children
- Any other significant incident

NCTD SMS Executive or designee

The NCTD Chief of Safety and Risk Management shall:

- Manages the accident investigation process, regulatory agency reporting, corrective action plan(s), and document control
- Functions as the primary point of contact with external agencies and regulatory bodies such as NTSB, FTA, CHP

San Diego County Sheriff's or Local Law Enforcement

These entities investigate (as applicable):

- Traffic collisions and incidents
- Death of any person onboard a bus vehicle when related to the movement of a vehicle
- Grade crossing collisions involving buses

The San Diego County Sheriff's Department investigates:

- Any fatal incident across all modes or on NCTD property
- Unusual criminal activity

The Sheriff's Department reports of the investigation and conclusions are usually issued within 30-days of the occurrence.

Additionally, the Sheriff's Department will coordinate with other law enforcement agencies as necessary for multi-jurisdictional investigations and incidents.

8.19 Notification Thresholds

All external regulatory agency notification for will be performed by the Director of the OCC, or their designee as detailed in the NCTD SOP 3000.15 – Accident/Incident Investigation.

The NCTD bus contractor will provide the following information as part of the initial notification:

- The time and date of the incident
- The location of the incident, including CPUC grade crossing number if applicable
- The number of fatalities or injuries
- The transit vehicles involved in the incident if any
- The factor that makes the incident immediately reportable
- Narrative description of the accident, known at the time of reporting
- The emergency response organizations at the scene of the incident

Federal Transit Administration (FTA) Accident/Incident Reporting Thresholds

- NCTD will notify FTA within two hours of any required incident.
- The report to the FTA shall include all required information and also include the primary and secondary event types (e.g., collision, fire, etc.).

8.20 Accident Investigation References

The following documents and topics are references to assist with the development of accident/incident investigation and reporting procedures:

- NCTD SOP 3000.15 - Accident/Incident Investigation

8.21 Accident Investigation and Reporting

BREEZE/LIFT/FLEX Contractor

The bus contractor performs and assists in the formal investigations of:

- Bus and/or paratransit vehicle collisions
- Passenger injuries
- Incidents that result in damage to NCTD equipment, structures, or property
- Employee injuries and occupational illnesses

The Bus Operations Division shall:

- Verify that the contractor conducts the proper notifications and investigation, as applicable
- Enter all corrective actions identified in the corrective action plan into safety data base for assignment and completion

NCTD, at its discretion, may elect to perform an independent investigation of accidents involving transit vehicles, regardless of the parties involved. In the event NCTD elects to do so, this will not relieve other parties required by this document or other contractual obligations from performing their accident investigation duties.

When necessary, a Safety Review meeting shall be conducted following unusual and/or significant incidents. Causes and contributory factors identified through the debriefing shall be analyzed, and any recurring or continuing hazards, unsafe conditions, or unsafe practices discovered shall be classified in accordance with the hazard classification procedures. The reviewing body will then issue written recommendations to address or mitigate any such conditions or practices. Recommendations will be tracked until completed or closed.

8.22 Corrective Actions Resulting from Investigations

NCTD develops corrective action plans based on the results of the investigation. Causal and contributing factors will be assessed, and any areas identified as in need of improvement may be included in a corrective action plan. All corrective actions will be input and tracked in the NCTD safety database. If the NTSB investigates an accident involving NCTD, NCTD will meet to address NTSB's findings and determine the appropriate corrective actions to be taken based on those findings and other information available about the incident.

8.23 Coordination with NTSB

When investigating accidents NCTD shall:

- Notify NTSB staff when any additional investigation beyond the initial on-scene investigation is conducted by a team or panel, such as performing interviews, questioning witnesses, reenacting accidents, or conducting inspections, measurements, examinations, or tests
- Provide for NTSB and San Diego County Sheriff Department staff's participation to the fullest extent possible, and make all information related to the accident investigation, including data from event recorders, available to staff for review
- Document in a written report each item investigated (except where protected by the attorney-client privilege/work product), the investigation findings, the most probable root cause of the accident, contributing causes, and recommendations for corrective action to prevent a recurrence of the accident
- Prepare a corrective action plan as a part of the investigation report or in a separate document
- Submit its final investigation report within 30 calendar days after the last day of the month in which the accident occurred, and provide an interim status update every 30 days thereafter if necessary

8.24 Safety Data Acquisition and Analysis

The objectives of safety data acquisition and analysis are to:

- Monitor overall safety performance of BREEZE/FLEX/LIFT services
- Identify potentially hazardous or unsafe trends and take action before they cause, or contribute to the cause of, injuries, accidents, or damage
- Establish performance metrics and goals
- Document organizational efforts to improve safety and the results thereof

8.25 Safety Data Collection

The activities of this section complement and are supported by Section 7.3, Hazard Investigation, Evaluation and Analysis. Safety statistics and data are gathered through field inspections, incidents, observations, compliance audits, and records reviews. Data is recorded in a comprehensive database, which is used for tracking both safety-related data and contract oversight activities.

8.26 Safety Performance Metrics and Targets

The Safety Department provides employees and contractors with detailed performance metrics that are utilized by all NCTD Divisions. NCTD uses statistics garnered from an internal safety database, which collects safety and security information to compare historical data and predictively measure future performance and mitigate potential risk. NCTD's Safety Performance Metrics and Targets are based on the measures established in the National Public Transportation Safety Plan and are located in Section 6.

8.27 Safety Data Analysis

The safety database offers reporting features to allow users to run comparison and trending reports. Monthly, quarterly, annual, and ad-hoc reports are run by the Safety Department to examine data trends in comparison with previous time periods. The Safety Department examines reports in the following areas:

- Inspection activities including internal, external, and regulatory inspections and audits
- Corrective action status
- Accidents and incidents for all modes
- Any factors that reveal unsafe trends are addressed through corrective action measures.

8.28 Safety Data Reporting and Distribution

NCTD Safety Staff use results of trending and data analysis to develop various reports. A report is provided on a quarterly basis to the Chief Executive Officer and presented to the NCTD Board of Directors at a public meeting to highlight key safety performance indicators.

8.29 Safety Data Acquisition and Analysis- Responsibilities

NCTD Bus Contractors

- Provide to NCTD Safety Department reports on incidents, accidents and identified hazards as delineated in the contract or in NCTD SOPs
- Report identified trends or concerns to the NCTD Safety Department
- Coordinate with the NCTD Safety Department on the investigation and corrective actions addressing abnormal trends involving safety concerns
- Conduct regular efficiency testing of operating and maintenance employees with the NCTD Safety Department observing to monitor the safety awareness of the front-line employees. Properly use the safety database, as assigned, to support the integrity of the data and information and addressing safety and other non-compliance issues.

NCTD

The Safety Department shall:

- Observe efficiency testing of operating and maintenance employees with modal contracting testing officers to monitor the safety awareness of the front-line employees
- Directly investigate or assign an investigation of potential risks discovered through monthly and other reporting activities
- Submit quarterly safety report to the NCTD Board of Directors
- Report abnormal trends and issues at each applicable Risk Roundtable meeting

NCTD Bus Operations and Other NCTD Departments shall:

- Regularly review and examine compliance and oversight activities
- Input compliance data related to contract oversight into the Safety database
- Analyze safety issues resulting from data trends
- Cooperate with the Safety Department and the Compliance Officer during regular audits or an investigation

8.30 Drug and Alcohol Program

NCTD is committed to maintaining an alcohol and drug-free workplace, provide a safe and productive work environment, and retain the public's trust and confidence in its transportation services. This section provides instruction to prevent accidents, incidents, and losses resulting from alcohol and drug use.

8.31 Drug and Alcohol Program Applicability

This section applies to all employees and contractors connected with the BREEZE/FLEX/LIFT services. NCTD shall require the bus operations and maintenance contractor to submit to a comprehensive drug and alcohol policy (including appropriate training) that conforms to FTA's requirements in 49 CFR Parts 40 and 655.

Third-party contractors employing safety-sensitive employees are required to submit a compliant Drug and Alcohol Plan to NCTD prior to conducting any work or services on NCTD property.

8.32 Drug and Alcohol Program- Responsibilities

NCTD Bus Contractor

Contractor shall:

- Adhere to drug and alcohol programs as outlined in contracts and as required by FTA
- Cooperate with all inspections, audits, or reviews performed by NCTD or other oversight entities
- Address all corrective actions as assigned
- Provide documentation as required in contracts and other agreements with NCTD

NCTD

The People Division shall:

- Adhere to drug and alcohol programs as outlined in contracts and as required by FTA
- Cooperate with all inspections, audits, or reviews performed by the NCTD Safety Department or other oversight entities

- Address all corrective actions as assigned
- Coordinate two annual drug and alcohol program audits on contractor's operations and vehicle maintenance
- Assign corrective actions for non-compliant items
- Analyze inspection data for abnormal or unsafe trends
- Correct and/or address trends through investigation and resolution activities

The Safety Department shall:

- Conduct applicable internal safety audits of drug and alcohol programs
- Verify the BREEZE/LIFT/FLEX contractor is compliant with the requirements of 49 CFR Part 40 and 655
- Ensure that NCTD Operations Division staff members are providing proper oversight of this contract component

8.33 Configuration and Change Management

Configuration Management (CM) details the process used to make configuration changes to the transit system. Change Management is the process and procedure used to manage significant operational changes that will have a direct impact on system safety.

CM refers to a discipline for evaluating, coordinating, approving, or disapproving, and implementing changes in a transit system. The CM process ensures there is a process to document changes from the initial concept through development, implementation, and on-going evaluation of results. Successful CM requires a well-defined and institutionalized set of policies and procedures to ensure that all NCTD Divisions as well as contractor staff that are affected by the configuration changes are formally notified and approve of the change.

For specific details on CM, please refer to the NCTD/SANDAG Configuration Management Plan, Engineering and Construction Projects, NCTD Corridor Projects.

Bus Operations and Development Services Divisions

The Bus Operations and Development Services Divisions are responsible for configuration management activities related to managing and documenting significant changes and/or modifications to NCTD's transportation system, and for verifying that new system elements and modifications in development are reviewed by key stakeholders at appropriate intervals for input and/or approval.

For these types of modifications to mission-critical equipment, facilities, infrastructure, and/or procedures, the Bus Operations and Development Services Divisions will ensure that:

- A comprehensive review is conducted, and approvals/signoffs are secured from key stakeholders before such changes are made
- Primary and secondary safety and functional impacts of a proposed change are identified, evaluated, and addressed early in a project's design phase
- The completed modifications are properly incorporated into the existing system

- Projects will be managed through the use of Microsoft Project and implemented as directed in NCTD's Project Delivery Manual (PDM).

Safety Department

The Safety Department shall:

- Perform an internal safety audit focused on configuration management to ensure the NCTD Operations and/or Development Services Divisions are providing proper oversight of this component relevant to this PTASP and the various operating and maintenance contracts.
- Communicate any findings to the responsible Operations and/or Development Services Division for review and proper assignment of corrective actions.

8.34 System Modification Review, Approval, and Implementation

The system modification review process negates or minimizes the risk involved in acquiring new, or modifying existing systems, equipment, procedures, and service. NCTD is responsible for ensuring all projects implemented will either enhance or maintain BREEZE, FLEX/LIFT safety and are implemented in a safe manner. Where a formal Safety and Security Certification program is not required, this section shall apply for system modifications. The overall safety impact, feasibility, cost, and benefit of implementing this system modification are evaluated during the review.

8.35 System Modifications Purpose

Project plans for system modifications to transit operations, maintenance, or infrastructure will include a safety element that addresses the project's overall impact to employees and passengers' safety, as well as a safety plan to be followed during the construction/implementation of the project. The system modification review process will identify and analyze current or new technologies, systems or processes that will mitigate or eliminate hazards and resulting risks identified by a risk-based hazard analysis. These risks can be recorded and tracked in any Risk Roundtable meeting.

8.36 System Modifications Review, Approval, and Implementation- Responsibilities NCTD

The Division Chief or designee initiating the proposed change will convene an Ad Hoc System Modification Review Committee Meeting. The agenda will include a review of the project and draft risk-based hazard analysis as proposed by the Division. The Ad Hoc committee will include at least one representative of the following areas of NCTD:

- Safety
- Risk Management
- Office of Chief General Counsel
- Engineering
- Bus Operations
- Facilities
- Customer Service
- Security

Other departments may be included as needed.

The Ad Hoc committee will review the Risk Based Hazard Analysis (RBHA) and provide suggestions and comments. The final RBHA must be approved by a majority of attendees. If the RBHA is not approved unanimously by the Ad Hoc Committee, the final document must include documentation of unmitigated risks that a committee member bases their vote on. The CEO will be the final signatory on the RBHA.

The Ad Hoc committee will be reconvened throughout the life of the project as determined by the committee during the RBHA review. The follow up meetings will provide updates to the Ad Hoc Committee and present the status of any ongoing mitigations and any new risks that were not previously identified.

NCTD also has additional processes which provide for review of the project throughout the life cycle, including Right of Entry permits and Construction Design Reviews, where technical SMEs provide feedback on various aspects of the project including risk and safety information. Inputs from these processes will be shared with the Ad Hoc Committee as indicated.

All activities of the Ad Hoc committee will be documented in accordance with NCTD *Administrative Policy and Procedure GM-001 Communicating Critical Business Decisions*.

8.37 Evaluation of System Modifications

After system modifications have been implemented, an on-going evaluation must be performed to ensure changes to the system don't pose a safety impact or affect safety performance. This is performed by completing the project post-inspection activities and correcting any identified deficiencies. Once these deficiencies are corrected, the Ad Hoc committee will be notified and closed out. Additionally, ongoing inspection activities and evaluation by the responsible Division and by the NCTD Safety Department will assess changes and monitor for new hazards. If new hazards are identified, they will be tracked through the Hazard Management process.

8.38 Safety and Security Certification

NCTD/SANDAG will prepare a specific Safety and Security Certification Plan (SSCP) according to applicable FTA guidelines for each of its major projects that may impact safety or security.

NCTD/SANDAG verifies that all entities involved in design, construction, operation, and maintenance of all responsible projects comply with the requirements of the safety certification process. Additional details can be found in the NCTD/SANDAG Configuration Management Plan, Engineering and Construction Projects, NCTD Corridor Projects.

8.39 Safety and Security Certification Process

Project-specific SSCPs address safety/security certification management for major projects. Each project SSCP identifies the process used to verify and document conformance with safety and security requirements during design, construction, testing, and operational readiness. The SSCP includes the following:

- The hazard management process to conduct safety hazard analyses and safety hazard resolution.
- A list of all safety and security design criteria that will be used in the planning, design, and construction of the project
- A list of certifiable elements and sub-elements
- A description of safety certification audits conducted in accordance with written checklists to verify compliance
- The format and list of safety certification checklists as they become available
- A list of safety certification schedule milestones
- Procedure for updates

8.40 Safety and Security Certification Responsibilities

SANDAG and Development Services Division are responsible for ensuring:

- The SSCP shall address safety certification management including organizational authority and responsibilities, safety certification activities, processes and procedures, documentation requirements and responsibilities, and reporting requirements.
- SSCP Plan will identify process used to verify and document conformance with safety and security requirements during design, construction, testing, and operational readiness.
- NCTD Safety as well as other NCTD Divisions are responsible for supporting safety certification through appropriate planning, reviews, testing, and validations.

8.41 Continuous Improvement

NCTD has multiple processes to facilitate continuous improvement throughout the NCTD transit system. These include Safety Committee meetings, Risk Roundtable meetings and Internal Safety Audits. Safety Committee Meetings allow front line contract employees the opportunity to discuss safety issues and recommend improvements. This process is described in Section 7.7.

For issues that are unable to be resolved at the Modal Contractor Safety Review Meetings, those items are referred to the NCTD Risk Roundtable for a detailed risk assessment and mitigation plan. The Risk Roundtable is described in Section 7.7.

The Internal Safety Audit program enables NCTD to self-evaluate the safety program and provide opportunities for improvement for both Agency and contract processes and procedures. This program is described in Section 8.1.

Based on the processes above, NCTD is able to carry out a plan to address any identified safety deficiency and reevaluate the process of improvement through the SMS program.

9.0 Safety Promotion

Safety promotion is accomplished through NCTD's Safety Training and Certification Review, Rules and Procedures Review, Hazardous Materials Program and Roadway Worker Protection. These programs promote and communicate safety and safety performance to employees, both Agency and contractor. NCTD encourages open communication with all employees to promote a healthy culture of safety across the organization. The following processes ensure that hazards can be identified and understood so employees know what risks they may encounter, and what NCTD is doing to help mitigate or eliminate the risk.

9.1 Training and Certification Review

Training and certification are critical to ensure employees have the necessary knowledge, skills, and abilities to work safely and effectively.

9.2 Safety Training

NCTD requires all employees and contractors working with the transit system to be properly trained and qualified to perform the duties to which they have been assigned prior to performing those duties. Persons performing the following job functions are expected to have adequate training, qualifications, and/or certifications to complete their duties in a safe and effective manner:

- Operating managers
- Bus vehicle maintenance employees
- Facility maintenance employees
- Transit vehicle operators

9.3 Safety Training Programs

NCTD has developed a Corporate Training Plan that outlines the requirements set forth by NCTD, the FAST Act, MAP-21, and other regulatory agencies. This plan sets the minimum training requirements for NCTD employees, which includes mandatory, refresher and optional in-house and external training. NCTD employees that work in the OCC have training requirements detailed in the NCTD OCC Training Plan. The District's goal is to achieve a high level of staff competency while meeting all regulatory requirements. The Corporate Training Plan outlines each Division's responsibilities and lists the course requirements based on the employee's role at NCTD.

Bus Operations and facility maintenance training requirements are detailed in the contract agreement as well as applicable regulations. These requirements in conjunction with NCTD training programs are developed so that employees have the necessary knowledge, skills, and abilities to work safely and effectively, and verify that:

- Operating managers and supervisors are trained in and qualified on the operating and safety rules applicable to their positions, other applicable regulations, and the standard operating procedures applicable to the various aspects of the operation of the BREEZE system, including the operation of vehicles and buses.

- Bus, including BREEZE, LIFT and FLEX vehicle maintenance employees are trained and qualified on the vehicle maintenance policies and procedures. Fleet maintenance employees also receive specialized training on the specific maintenance recommendations of the OEM.
- Facility maintenance employees are trained and qualified on the building and transit center maintenance policies and procedures. Facility maintenance employees also receive specialized training on the specific maintenance recommendations of the OEM for major systems such as HVAC, CNG servicing stations, and compressors.
- BREEZE/FLEX/LIFT operators receive initial and recurring training focused on safe work practices. Initial training includes, but is not limited to basics of safety, drug and alcohol abuse, defensive driving, pre-trip inspections, emergency management and blood borne pathogens. Drivers are also trained on the unique characteristics of each vehicle type and providing excellent customer service.
- NCTD Safety, bus operations and maintenance personnel receive de-escalation training biennially as required in the Bipartisan Infrastructure Law (BIL) of 2021. Completed training is documented in the NCTD Safety Database.

9.4 Employee and Contractor Training Records

Detailed training programs are necessary to ensure policies, procedures, and programs are followed accordingly. Formal training programs entailing in class activities, curriculums, training manuals, lesson plans, field exercises, drills, computer-based training, written and video communications, and testing, have been established for vehicle operators, maintenance personnel, and front-line employees. Additionally, training programs have been developed to address safety topics and concerns, which may be faced by NCTD employees during the performance of their daily duties. Examples of training programs include, but are not limited to:

- State or federally mandated training
- Vehicle operator training
- Maintenance training for various job classifications
- Equipment operation training
- ADA Laws and Regulations Compliance
- Injury and illness prevention training
- Customer relations training
- Emergency preparedness and response training including NIMS/ICS training
- System safety training
- NCTD's alcohol and drug abuse policy
- Blood borne pathogens training
- Hazard identification and resolution training

The training programs received by an employee are dependent on their job classification and the responsibilities of their position. The training programs may also include on-the-job training that is monitored by a supervisor or mentor. Training efforts are first started at the initial stages of employment and are continued periodically throughout an employee's career as necessary to maintain certifications and to ensure the employee is capable of performing their duties in a safe and efficient manner.

The following employees will complete and maintain training requirements as outlined in Public Transportation Safety Certification Training Program, 49 CFR Part 672 as applicable:

- All NCTD Safety Department employees, (bus curriculum as applicable)
- All contractors are responsible for maintaining up-to-date employee training records and are to be made available upon NCTD's request. NCTD employee training records are maintained in individual employee files and the NCTD Training database.

9.5 Training and Certification Compliance

Verifications of such qualification are conducted through internal audits of training programs and documentation. NCTD verifies that initial and recurrent training is conducted, as appropriate, for employees and contractors of the transit agency. The operational and maintenance rules and procedures may vary depending on the mode and location. Those that affect safety are listed below:

- California Commercial Driver's License with passenger endorsement
- Bus environment safety for facilities maintenance
- Transit safety and security procedures
- Emergency response procedures

NCTD verifies that a training program is implemented for new employees on the BREEZE/FLEX/LIFT system operating rules, and a re-certification course is conducted on the rules at least every two years, as applicable. When certifications are issued, NCTD requires a certification review and audit process to verify that all required certifications are always up to date.

NCTD verifies that periodical operational evaluations and inspections are conducted to determine the extent of compliance with operating rules, timetables, and special instructions. The results and records of these evaluations and inspections are maintained for four years and are available to NCTD and regulatory agency oversight staff.

9.6 Training and Certification- Responsibilities

NCTD Bus Contractor

- Ensure employees are properly trained as outlined in contracts and/or required by state and federal regulations
- Ensure employees are properly trained as detailed in industry standards and OEM training programs
- Update training programs and testing as needed
- Cooperate with all inspections, audits, and reviews performed by the NCTD Safety Department or other oversight entities
- Address all corrective actions as assigned
- Provide training reports as outlined in contracts and other agreements with NCTD
- Document all training as required

NCTD

The Bus Operations and Development Services Division shall:

- Perform inspections to oversee the training programs of applicable BREEZE/FLEX/LIFT contractor(s)
- Perform inspections of contractor safety and operating practices
- Determine root cause of safety issues
- Analyze inspection data for safe, abnormal, or unsafe trends
- Assign corrective actions for non-compliant items and monitor the results
- Address trends promptly through investigation and resolution activities

Any observations or concerns discovered by the NCTD Safety Department with regards to BREEZE/FLEX/LIFT- related training will be communicated to the applicable Division for review and proper assignment of corrections.

The Safety Department shall:

- Perform safety field inspection that include some elements of safe operations which overlap with operations oversight inspections
- Perform an internal safety audit focused on training, certification, and qualifications to ensure that NCTD bus operations staff are providing proper oversight of this component, as it is a critical element of safe operations
- Communicate any findings to the applicable Division for review and proper assignment of corrections
- NCTD Safety Department and Operations staff are responsible for supporting safety certification through appropriate planning, reviews, testing, and validations

9.7 Rules and Procedures Review

NCTD coordinates and promotes bus operational safety through multiple initiatives including, but not limited to:

- Development of SOPs. A detailed list of all NCTD SOPs is included in Appendix C.
- Implementation of zero-tolerance on the improper use of cell phones and electronic devices by safety sensitive personnel. Details can be found in NCTD SOP 3000.66 – Personal Electronic Devices.
- Review of preventative maintenance (PM) schedules and inspections
- Review of the California Highway Patrol (CHP) Basic Inspection of Terminals (BIT) Program

Development of SOPs

NCTD has developed a series of SOPs which provide detail, standardization, and uniformity when conducting certain procedures. This series of SOPs allow all NCTD employees and contractors to have a standard framework and language to effectively work as a team across all modes while conducting service management, emergency management, or operational and maintenance functions. A detailed list of all NCTD SOPs is included in Appendix C.

Review of Preventative Maintenance Schedules and Inspections

Preventative maintenance (PM) schedules and maintenance of NCTD inspection requirements will help ensure revenue vehicles are operating in a safe and reliable manner. The NCTD Bus Operations Division and bus contractor will ensure adherence to approved PM and inspection schedules to provide safe and properly maintained transit vehicles for all employees, contractors and public at large. Additionally, preventative maintenance schedules are reviewed at the modal Risk Roundtable meetings.

Review of the CHP BIT Program

The BIT program determines whether the transportation provider's selected maintenance schedules are adequate to prevent collisions or mechanical breakdowns involving the vehicles, and all required maintenance and driver records are prepared and retained as required by law. The Bus Operations Division and the Safety Department will review the results of the CHP BIT Program to ensure compliance with all state and local regulations.

9.8 Rules and Procedures Review- Responsibilities

Bus Operations Division

- Verify the contractor is in compliance with the contract (to include compliance with applicable federal and state regulatory requirements along with industry standards and recommended practices)
- Verify the contractor is in compliance with any internal rules and procedure compliance program
- Participate in efficiency testing for BREEZE/LIFT/FLEX and review results including supervisory oversight and follow-up
- Correct or address trends through investigation and resolution activities
- Perform field inspection safety and operating practices audits that include rules and procedures compliance

Safety Department

- Perform internal safety audits focused on employee training on rules and procedures reviews to ensure that NCTD bus operations is providing proper oversight of this component relevant to the contract
- Conduct root cause analysis as required
- Analyze records and data for abnormal or unsafe trends
- Assign corrective actions for non-compliant items that need to be addressed
- Perform field inspection safety and operating practices audits that include rules and procedures compliance
- Communicate any findings to the applicable Division for review and proper assignment of corrective action

NCTD Bus Contractor

- Train and/or certify personnel and enforce operating rules and specific instructions, policies, and procedures relating to or governing operations and maintenance activities. Recommend operating rules and Special Instruction additions, changes, modifications and/or deletions

- Issue and enforce additional workplace safety rules, hazardous materials handling and storage rules, and other rules as necessary to administrative, facility maintenance, mechanical, and operating employees
- Enforce compliance with all applicable federal regulatory requirements
- Take appropriate remedial action for non-compliance
- Transit operators are subject to all traffic laws and law enforcement direction
- Transit operators are to operate vehicles in a safe manner at all times

9.9 Operating and Maintenance Rules

NCTD requires the operations and maintenance contractors to develop and monitor compliance with safety rules for their own employees. The NCTD Bus Contractors must also comply with NCTD rules and contract language, as well as applicable state and federal regulations

9.10 Rules and Compliance Documentation

The NCTD safety database will be the primary location of records related to NCTD activities that oversee contracts and rules and compliance programs. All records are maintained in accordance with the NCTD Board Policy No. 15 – Records Retention Policy and Schedule, and are available for review by regulatory agencies upon request. Additional policies and procedures referenced in the PTASP are maintained in the NCTD document management system.

9.11 Hazardous Material Program

The hazardous material program is maintained to ensure that adequate safeguards are in place to prevent exposure to hazardous materials for employees, contractors, passengers, and the general public and to minimize environmental damage as a result of NCTD transit operations.

NCTD makes every reasonable effort to protect people and the environment from potentially harmful effects of hazardous materials and waste. All persons subject to this section will comply with applicable local, state, and federal laws pertaining to environmental protection, and to the use, handling, storage, and transportation of hazardous materials. Areas of responsibilities include:

- Spill response, cleanup, and investigation
- Environmental compliance audits at NCTD facilities
- Storm Water Management
- Capital program review and advisement
- Regulatory review and interpretation
- Authority policy review and implementation
- Technical advisor and expertise

9.12 Hazardous Materials – Responsibilities

The following responsibilities detail how NCTD, and contract staff maintain compliance with the hazardous materials program:

NCTD Bus Operations Division and NCTD Bus Contractor responsibilities include:

- Policies and procedures: NCTD and its contractors will institute policies for the safety and protection of the environment and persons who may come into contact with hazardous materials used in Bus West and East Yard maintenance for bus operations as well as all modal transit operations throughout the NCTD service area. These practices shall be approved by NCTD.
- Training: Employees whose job duties expose them to hazardous materials shall receive initial training and periodic refresher training in hazardous materials identification, safety data sheets (SDS), PPE, the Storm Water Pollution Prevention Plan (SWPPP), proper handling and disposing of hazardous materials, and emergency procedures in response to hazardous material spills.
- Environmental Compliance: NCTD will conduct monthly environmental compliance audits as detailed in the NCTD SOP 3000.92 – California Environmental Quality Act (CEQA) Compliance, to ensure NCTD contractors and employees are compliant with all applicable local, state, and federal environmental regulations. This includes assigning corrective actions and conducting annual training requirements. A copy of the Environmental Assessment Report will be forwarded to the contractor's Safety Managers and NCTD Facilities/Project Management Department to verify issues and concerns are noted and remedied.
- Safety Data Sheets (SDS): The contractor will maintain the SDS and chemical lists for all products that contain or produce exposure to hazardous chemicals in accordance with the requirements of OSHA regulations in 29 CFR Part 1910.
- Emergency response: The OCC initiates an emergency response to any hazardous materials incident involving NCTD operations. Incidents are immediately reported to the OCC, who in turn initiate the emergency response notification process, specified in the NCTD ERP.

The Office of Chief General Counsel shall:

- Coordinate with the PCA Department to verify each contractor is compliant with the established contract language
- Conduct environmental compliance audits at facilities to ensure contractors are following all applicable local, state, and federal environmental regulations related to hazardous materials management, spill prevention, storm water compliance and ambient air quality standards
- Coordinate with Development Services Division to ensure contractors are following all applicable local, state, and federal environmental regulations
- Cooperate with all internal oversight and inspection activities
- The Safety Department shall:
- Perform audits focused on high-level facility safety and emergency preparedness items. These audits purposely overlap with facility compliance oversight primarily performed by the Facilities Department
- Perform internal safety audits based on the triennial audit schedule focused on facility inspections to ensure the NCTD Facilities Department is providing proper oversight of this contract component

- Communicate any findings to the NCTD Facilities Department for review and proper assignment for correction

The Bus Operations Division shall:

- Perform routine inspections and provide oversight for the Bus Contractor
- Ensure that the Bus Contractor has a Hazard Materials Management Program and is contractually compliant with that program

10.0 List of Definitions and Acronyms Used

Accident – An event that happens unexpectedly which may result in an undesirable or unfortunate happening causing harm, injury, damage, or loss. When used within this document, the term Accident is synonymous with the term Safety Event as defined below.

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

American Disabilities Act (ADA) – The ADA became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else.

American Public Transportation Association (APTA) – APTA is a nonprofit international association of more than 1,500 public and private sector member organizations that represents all modes of public transportation, including bus, paratransit, light rail, commuter rail, subways, waterborne services, and intercity and high-speed passenger rail. NCTD is an APTA member.

California Highway Patrol (CHP) – enforce traffic laws and manage traffic and emergency incidents in California

California Public Utilities Commission (CPUC) – State regulatory agency that oversees and regulates railroad and rail fixed guideway safety in the State of California.

Certifiable Elements List – A list that contains all facilities, systems, and other items that are subject to safety certification due to their safety functions.

Chief Safety Officer – An 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. A Chief Safety Officer may not serve in other operational or maintenance capacities.

COASTER – Commuter rail service provided by NCTD that operates over the San Diego Subdivision between Oceanside and San Diego.

Contractor – A third party operating or maintenance provider that performs tasks required on behalf NCTD.

Corrective Actions (CAs) or Corrective Action Plan (CAP) – Actions or a plan of actions developed by NCTD that describes the tasks or measures implemented to minimize, mitigate, control, correct, or eliminate hazard, and the schedule for implementing those actions.

Emergency – An unexpected serious event or situation which requires immediate response to the urgent needs of the situation, or to maintain the security and/or integrity of the system, including, but not limited to, any of the following:

- a) Any accident that meets reporting criteria for a regulatory agency
- b) Any injury or illness requiring immediate medical attention, or fatality, involving persons on board a revenue vehicle
- c) Threatened, attempted, or successful suicides
- d) Serious threat to the security or safety of passengers and/or employees
- e) Any unplanned event causing a significant disruption of service which may require the arrangement of alternative transportation for NCTD system passengers

Employees – When used in this document, all executives, management, staff, labor, consultants, and contractors (and their sub-contractors) of NCTD.

Event - Any Accident, Incident, or Occurrence.

Federal Transit Administration (FTA) – Agency of the U.S. Department of Transportation charged with the funding of transit capital and via formula, operations in the United States.

Grade Crossing – A designated location approved by the CPUC where a public or private roadway or pedestrian thoroughfare is authorized to cross active railroad tracks at grade. Public grade crossings are part of a public thoroughfare and are required to be equipped with approved passive signage and/or active warning devices. Private grade crossings are not intended for general public use but are for private thoroughfares with limited access which must cross the tracks.

Hazard – Any real or potential condition (as defined in NCTD's hazard management process) that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Hazard Analysis – Any analysis performed to identify hazards for the purpose of their elimination, mitigation, or control.

Incident – An event that involves any of the following:

- a) A personal injury that is not a serious injury;
- b) One or more injuries requiring medical transport; or
- c) Damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Investigation – The process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of prevent recurrence and mitigating risk.

Safety Committee – The NCTD Safety Committee is chaired by the NCTD Chief of Safety and Risk Management consisting of staff, labor, and management to address safety concerns and issues discovered through the routine operation and maintenance. Issues that exceed this committee's ability to resolve are referred to the higher-level Risk Register meeting for review. Additional details may be found in NCTD Policy SAF-2004 – Safety Committee. The NCTD bus contractor Safety Committee meeting is chaired by the contractor Deputy General Manager for Safety and Training and consists of staff, labor, and management to address safety hazards and concerns discovered during the operation of all three (3) bus modes: BREEZE, FLEX, and LIFT. Additional details may be found in the MV Transportation Safety Committee Plan.

Major Projects (Projects) – The acquisition and integration of new vehicles and safety critical technologies into existing service, or major safety critical redesign projects, excluding functionally and technologically similar replacements with a total project cost as defined by the Federal Transit Administration.

National Public Transportation Safety Plan (NPTSP) – The plan to improve the safety of all public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53.

North County Transit District (NCTD) – The transit district that is responsible for providing BREEZE, LIFT, FLEX bus services and the COASTER and SPRINTER rail services. NCTD is the owner of the rolling stock, infrastructure, and the San Diego and Escondido Subdivisions.

Occurrence - An Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Operations Control Center (OCC) – Located at the SOF in Escondido, the OCC dispatches and supervises all train, light rail and bus movements on the San Diego and Escondido Subdivisions and throughout the NCTD service area. Additionally, emergency management and service management functions are led from the OCC under the Director of the OCC.

Original Equipment Manufacturer (OEM) – A term that refers to the vendor or firm that produces transit vehicles and/or major subcomponents.

Passenger – A person who is on board, boarding, or alighting from an NCTD vehicle for the purpose of travel.

Performance Measure – An expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Performance Target – A quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.

Personal Electronic Device (PED) – Any device that makes or receives phone calls, leaves messages, sends, or receives text messages, accesses the internet, receives, or sends a global positioning system (GPS) signal, allows for uploads or downloads of data, text, or images, or requires any user action to operate. These include but are not limited to cell phones, smart phones, two-way pagers, personal digital assistants (PDA), GPS, games, iPods, iPads, portable computers, MP3 players, Bluetooth devices, any headphones or earbuds, televisions, radios, video players, as well as any similar or future devices known by different names, whether or not the device is company issued.

Public Transportation Agency Safety Plan (PTASP) – The comprehensive agency safety plan for RTAs that is required by 49 CFR 673 and based on Safety Management System.

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

Risk Mitigation - A method or methods to eliminate or reduce the effects of hazards.

Risk Roundtable Meetings – A committee composed of various NCTD and contractor representatives convening monthly or as required to assure compliance with the requirements of this PTASP and address high level safety concerns with a discussion of risk based on severity and probability.

Safety – Freedom from harm resulting from unintentional acts or circumstances.

Safety Assurance - Processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety Certification – The series of acts or processes that collectively verify the safety readiness of a project for public use.

Safety Event – an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Safety and Security Certification Plan (SSCP) – A project-specific document developed by NCTD, which verifies that elements critical to safety are planned, designed, constructed, analyzed, tested, inspected, and implemented, and that employees are trained and follow rules and procedures, in compliance with NCTD and regulatory safety requirements.

Safety Database – The database utilized for recording and tracking safety and security activities, including inspections, corrective actions, and accidents/incidents. NCTD currently utilizes Vector Solutions for its Safety database.

Safety Management Policy – A transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.

Safety Management Systems (SMS) – A comprehensive, collaborative approach that brings management and labor together to build on the transit industry's existing safety foundation to control risk better, detect and correct safety problems earlier, share and analyze safety data more effectively, and measure safety performance more carefully.

Safety Promotion - A combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety Risk Assessment - The formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

Safety Risk Management - A process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

Safety Sensitive Personnel – An individual employed by a transit agency who operates or maintains transit vehicles.

Security – Freedom from harm resulting from intentional acts or circumstances.

Serious Injury – Any injury which: (1) requires hospitalization for more than 48 hours, commencing within seven days from the date of the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes or nose); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second or third-degree burns, or any burns affecting more than five percent of the body surface.

Storm Water Pollution Prevention Plan (SWPPP) – NCTD's program for preventing pollution caused by storm water run-off.

System Safety – A principle of safety management, developed by the U.S. Military, which recognizes that all organizational plans, programs, policies, practices, and procedures impact the safety of the system as a whole. It requires that these be developed and implemented through a review process that provides for integration of individual departmental needs with the hierarchical needs of the entire system and/or organization.

System Security and Emergency Preparedness Plan (SSEPP) – A document that details NCTD's procedure for maintaining system security as well as its procedure to lead and manage any emergency on the transit system.

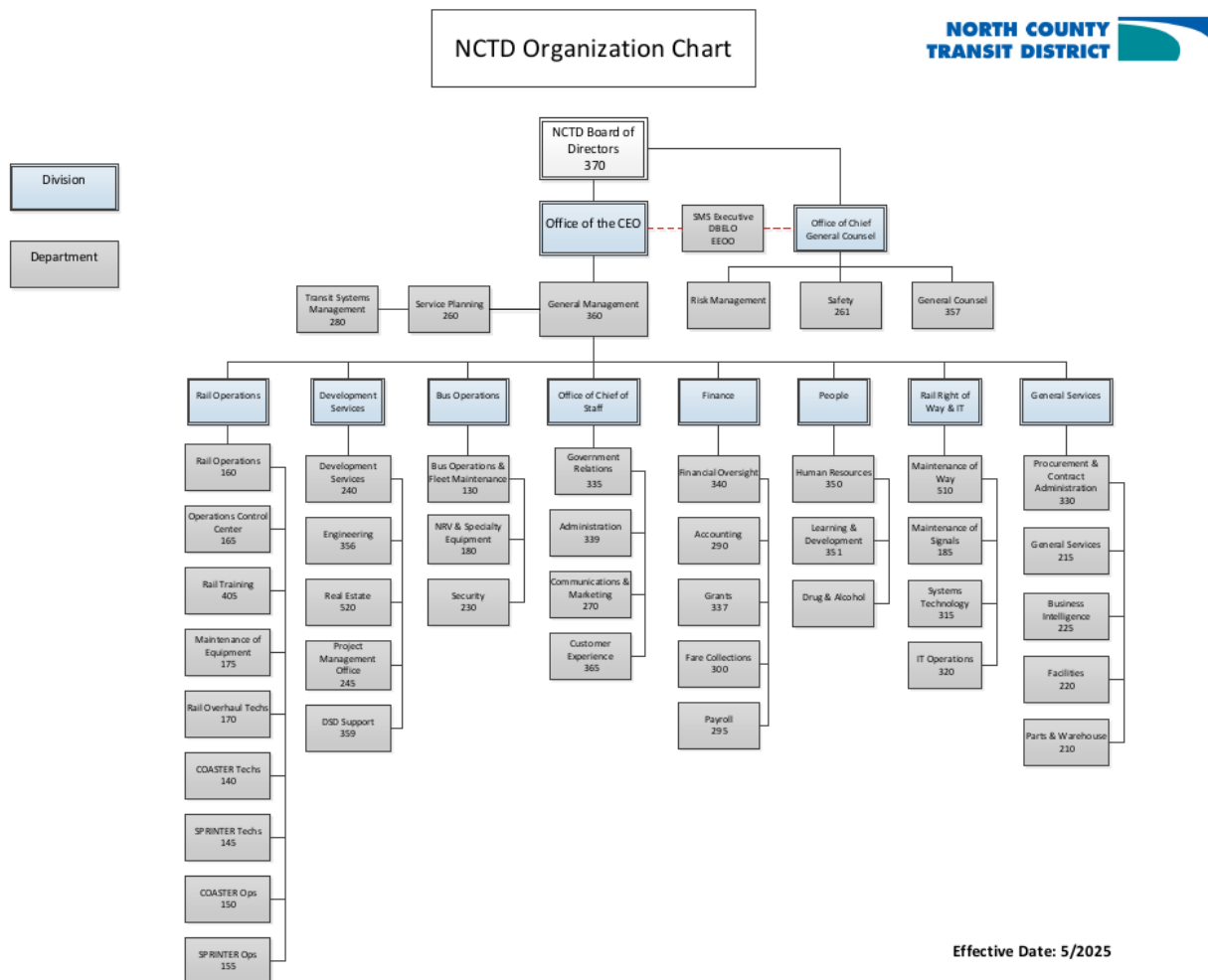
Unusual Occurrence – A non-emergency event that is related to safety, the environment, health, security, or operations, which requires appropriate notification and documentation.

11.0 List of Appendices

The following documents are attached as appendices to this document:

- A. NCTD Organization Chart
- B. Electronic Hazard Reporting Form
- C. List of NCTD Standard Operating Procedures (SOPs)
- D. Post Meeting Report of NCTD Safety Committee Approval of this PTASP

Appendix A – NCTD Organization Chart



Appendix B – Electronic Hazard Reporting Form

**NORTH COUNTY
TRANSIT DISTRICT**

Hazard Reporting Form

BEFORE FILLING OUT THIS FORM:

**IF THIS IS AN EMERGENCY OR IMMEDIATE ACTION IS NEEDED,
CALL (760) 966-6700 INSTEAD.**

General/Contact Info

Be as specific/detailed as possible in your descriptions, especially if submitting anonymously.
If you do not enter your name or contact phone, the form is automatically submitted anonymously.

Name (Optional)	Phone Number (Optional)	Date

Date will be captured on form submission

Witnesses (if any)

Safety Concern Details

Date / Time Situation Observed *

Location of the Safety Concern, Unsafe Condition or Hazardous Work Practice/Near Miss: (7) *

Vehicle/Equipment (if applicable)

Description of the Safety Concern, Unsafe Condition, Hazardous Work Practice/Near Miss: *

Suggestion for improving Safety Concern, Unsafe Condition, or Hazardous Work Practice/Near Miss:

Upload Photos (if Available)

Drag and drop up to 10 files here to upload or
Choose files

This form will now forward to the NCTD Safety & Risk Management Division for next steps.

Appendix C – List of NCTD Standard Operating Procedures (SOPs)

Number	Division/Department	Title
3000.01	Safety	Use of On-Track Equipment by Third Party Contractors
3000.02	Operations	Medical Incidents/Emergencies
3000.03	Operations	Track Irregularities
3000.04	Security Department	Natural Disaster Response
3000.05	Operations	Sheltering Vehicles
3000.06	Operations	Bus Pre-Trip Inspections
3000.07	Operations	Evacuation of NCTD Facilities
3000.08	Operations	Responding to and Reporting on Derailments
3000.09	Operations	Bus Radio Communications and Reports to Dispatch
3000.10	Operations	Reporting for Work for NCTD Operations Contractors
3000.11	Operations	Hours of Service (HOS) for Contractor Employees
3000.12	Security Department	Trespassers and Intrusions into ROW
3000.13	All	Recommended Practice for Emerg. Responder Fam. of Transit Systems
3000.14	Operations	Making Train Stops
3000.15	Safety	Accident/Incident Investigation
3000.16	Operations	Bicycles onboard NCTD Vehicles
3000.17	Operations	Bus In-Service Stops
3000.18	Security Department	Chem/Bio/Radio/Nuclear/Explosive Incidents
3000.20	All	Customer Relations
3000.21	Operations	Emergency Communications - Rail
3000.22	Safety	NCTD Fire Safety Inspections
3000.23	Operations	Fitness for Duty for NCTD Operations Contractors
3000.24	Safety	General Housekeeping and Safety
3000.25	Operations	Shared Use Rail Crossing
3000.26	Safety	PPE
3000.27	Operations	Roadway Worker Protection Program
3000.28	Safety	Safety and Security Meetings
3000.29	All	Security Incidents
3000.30	Operations	Signals and Grade Crossing Issues
3000.31	All	Special Event Service
3000.32	Operations	SPRINTER Operations Facility Emergency Intercom
3000.34	Operations	Train Evacuations
3000.35	Operations	Transit Operating Supervisor Program Requirements
3000.36	Operations	Station Stop Announcements - Bus
3000.37	Safety	Development and Management of SOPs
3000.38	Operations	Elevator Out of Service
3000.39	Development Services	Precision Measuring Equipment Calibration and Inspection
3000.40	Safety	Bridge Worker Safety
3000.41	Development Services	Access and Use of Restrooms at NCTD Transit Centers
3000.42	Development Services	Lockout/Tagout of Equipment
3000.43	All	Active Shooter Incidents
3000.44	Safety	Data Collection and Analysis
3000.45	Safety	Blood-Borne Pathogens
3000.46	Security Department	Security Awareness Training
3000.47	Operations	Trespasser Strike Response
3000.48	Security Department	Threat Condition Levels

3000.49	Security Department	Threat and Vulnerability Assessment
3000.50	Operations	Bus Evacuations
3000.51	Security Department	Bombs and Threats
3000.52	Development Services	Water Conservation
3000.53	Operations	Coupling and Uncoupling for SPRINTER Vehicles
3000.54	Operations	Power and System Outages
3000.55	Operations	Road Call Procedures
3000.56	Operations	Rail Vehicle Pull-In
3000.57	Operations	Bus Bridges
3000.58	Security Department	Proof of Payment (POP) Enforcement Procedures
3000.59	Operations	Pull-In and Securing Buses
3000.60	Operations	Bus Fire Safety Shutdown
3000.61	Operations	Earthquake Response
3000.62	Operations	Transporting and Securing Mobility Devices
3000.63	Operations	Service Disruption and Recovery
3000.64	Operations	Blue Signal Protection
3000.65	Operations	East Loop Bridge Evacuation
3000.66	Operations	Personal Electronic Device
3000.67	Operations	Operations Control Center
3000.68	Safety	Emergency Information Book
3000.69	Operations	Rail Signal Contract Compliance
3000.71	Operations	PA System for Passenger Info/Station Announcements
3000.72	Operations	Troubleshooting and Inspection of Disabled Trains
3000.73	Operations	Rail Radio Communications and Reports to Dispatch
3000.74	Operations	Reports of Unsafe Conditions at Highway - Rail Grade Crossings
3000.75	Operations	MOW Contract Compliance
3000.76	Operations	COASTER Pre-Trip Inspection
3000.77	Operations	SPRINTER Pre-Trip Inspection
3000.78	Operations	Fast Act Speed Reduction Requirements
3000.79	Bus Operations	Zonar Oversight Procedures
3000.80	Operations	NCTD Bus Radio Monitoring and Reporting
3000.81	Operations	Rail Vehicle Operations Cabinet Securement
3000.82	Security Department	Closed Circuit Television Monitoring Procedures
3000.83	Safety	Use of Off-Track Equipment by CFR 214 Exempt Contractors, Subcontractors, and Third-Party Employees
3000.84	Operations	Contractor Reporting for Service Requirements to the OCC
3000.85	Security Department	Badge Issuance
3000.86	Operations	LIFT/ADA Paratransit Operations
3000.87	Operations	LIFT/ADA Paratransit Transfers
3000.88	All	Facilities Work Request Procedure
3000.91	Bus Operations	LIFT Subscription Scheduling
3000.92	General Counsel	California Environmental Quality Act (CEQA) Compliance
3000.93	Security Department	Abandoned Property and Encampments
3000.94	Safety	NCTD Familiarization for Contract Employees
3000.95	Operations	Post Incident Inspection Form
3000.96	Security Department	Refusal of Service
3000.97	Safety	Employee Health Screening
3000.98	Operations	Bus Mechanical Failure

Appendix D – Post Meeting Report of NCTD Safety Committee Approval of this PTASP



Post-Meeting Report Form

Distribution List

NCTD

Lori Winfree, Chris G. Carrillo, Derrick Wojcik-Damers, Karen Harris, Karen Tucholski, Lilia Montoya, Marq Webb, Porschia Wong, Brigitte Ponce, Scott Lloyd, Tyler Brett, Esther Rivers

MV

Duane Koslicki, Edward Jimenez, Lawana Porter, Freddy Jimenez, Jennifer Lara, Troy Simon, Juan Rendon, LaTara Welch-Davis, Meghan Michel, Robert Silk, Sergio Lopez, Stephen Dunham, Robert Harris, Jennie Vasquez

Teamsters

Don Mack

Meeting Topic/Title

NCTD Bus Safety Committee Meeting

Meeting Date

April 24, 2025, at 1:00pm

Meeting Location

TEAMS

Meeting Participants

NCTD

Lori Winfree, Derrick Wojcik-Damers, Karen Tucholski, Porschia Wong, Esther Rivers, Karen Harris, Jorge Cordova, Misty Calder, Lilia Montoya, Jeffrey Hiott, Jennifer Lara

MV

Jennifer Lara, Sonya Fisher, Lawana Porter, Troy Simon, Timothy Jackson, LaTara Davis, Robert Harris, Jennie Vasquez

Teamsters

Don Mack, Meghan Michel

Summary of Discussion

Agenda Item Responsible Party

1. Housekeeping

- a. Safety Reorganization – Lori Winfree gave an overview of the safety department reorganization.
- b. Sign In/Roll Call – Porschia Wong took roll call for the Committee.

Members present:

Jennie Vasquez, Robert Harris, Troy Simon, Sonya Fisher, Meghan Michel, Don Mack, Karen Tucholski, Karen Harris, Derrick Wojcik-Damers, Lawana Porter, Jennifer Lara, Esther Rivers

2. Safety Committee Policy



- a. Karen Tucholski reviewed the updates to the Safety Committee Policy SAF-2004.
 - b. The safety committee agreed to the changes.
3. PTASP Related Activities
- a. Karen Tucholski reviewed the updates to the PTASP.
 - b. The safety committee agreed to the changes.

Action Items/Next Steps (for NCTD Staff)

- The Safety Committee Policy SAF-2004 and PTASP will be sent out jointly to the members following Board of Directors approval of the PTASP in May.



Post-Meeting Report Form

Distribution List

NCTD

Lori Winfree, Chris G. Carrillo, Derrick Wojcik-Damers, Karen Harris, Karen Tucholski, Lilia Montoya, Marq Webb, Porschia Wong, Brigitte Ponce, Scott Lloyd, Tyler Brett, Esther Rivers

MV

Duane Koslicki, Edward Jimenez, Lawana Porter, Freddy Jimenez, Jennifer Lara, Troy Simon, Juan Rendon, LaTara Welch-Davis, Meghan Michel, Robert Silk, Sergio Lopez, Stephen Dunham, Robert Harris, Jennie Vasquez

Teamsters

Don Mack

Meeting Topic/Title

NCTD Bus Safety Committee Meeting

Meeting Date

May 7, 2025, at 1:00pm

Meeting Location

TEAMS

Meeting Participants

NCTD

Tyler Brett, Derrick Wojcik-Damers, Karen Tucholski, Porschia Wong, Esther Rivers, Jorge Cordova, Misty Calder, Jeffrey Hiott, Brigitte Ponce

MV

Sonya Fisher, Lawana Porter, Troy Simon, LaTara Davis, Robert Harris, Jennie Vasquez, Juan Rendon, Robert Silk, Stephen Dunham

Teamsters

Don Mack

Summary of Discussion

Agenda Item Responsible Party

1. Housekeeping

- a. Sign In/Roll Call – Porschia Wong took roll call for the Committee.

Members present:

Jennie Vasquez, Robert Harris, Troy Simon, Juan Rendon, Sonya Fisher, Meghan Michel, Don Mack, Tyler Brett, Misty Calder, Derrick Wojcik-Damers, Lawana Porter, LaTara Davis, Esther Rivers

3. PTASP Related Activities

- a. Karen Tucholski reviewed additional updates to the PTASP.
- b. The safety committee agreed to the changes.



Action Items/Next Steps (for NCTD Staff)

- The Safety Committee Policy SAF-2004 and PTASP will be sent out jointly to the members following Board of Directors approval of the PTASP in May.

**STAFF REPORT****ADOPT RESOLUTION NO. 25-03 AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS, ASSURANCES, AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM FOR THE PURCHASE OF ZERO EMISSION HYDROGEN REPLACEMENT BUSES**Time Sensitive: ☐ Consent: ☒**STAFF
RECOMMENDATION:**

Adopt Resolution No. 25-03 authorizing the execution of the Certifications, Assurances and Authorized Agent Forms for the FY2024-2025 Low Carbon Transit Operations Program allocation cycle for the purchase of zero emission hydrogen replacement buses.

**BACKGROUND
INFORMATION:**

The Low Carbon Transit Operations Program (LCTOP) was established by the California Legislature in 2014 by Senate Bill 862. The LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on service to disadvantaged communities. Senate Bill 862 established the LCTOP as a formulaic program instead of a state-level competitive program.

The California Innovative Clean Transit (ICT) regulation became effective on October 1, 2019 and requires all public transit agencies to gradually transition their bus fleets to zero-emission technologies. The ICT regulation requires gradual increases in the percentage of new bus purchases to be zero emission buses (ZEBs). The ZEB purchase requirements began in 2023 for large transit agencies as 25% of all buses purchased must be ZEBs. Starting in 2029, 100% of all transit agencies' new bus purchases must be ZEBs, with a goal of complete transition to ZEBs (all buses in each transit agency's fleet to be ZEBs) by 2040. The North County Transit District (NCTD) is designated as a large transit agency under the ICT regulation.

On June 26, 2023, NCTD was awarded \$29,330,243 under the Low- and No-Emission and Grants for Buses and Bus Facilities Program – 5339(c) (Low-No) by the Federal Transit Administration for the purchase of 23 Hydrogen Fuel Cell Electric Buses (FCEBs) and a workforce development program in partnership with Palomar College. NCTD is required to contribute \$6,773,330 as a match towards \$27,093,319 of Low-No FTA funds programmed for the purchase of the 23 FCEBs (total capital budget of \$33,866,649).

On September 21, 2023, NCTD's Board approved Resolution No. 23-05, which allocated \$2,900,141 of FY2022-2023 LCTOP funds as a match towards the purchase of the 23 FCEBs. On May 16, 2024, NCTD's Board approved Resolution No. 24-03, which allocated an additional \$3,147,289 of FY2023-2024 LCTOP funds as a match towards the purchase of the 23 FCEBs. Proposed Resolution No. 25-03 is for the third year of three years of rollover LCTOP funding towards the purchase of the 23 FCEBs, extended warranties, line inspections, and onboard equipment. Resolution No. 25-03 will replace Resolution No. 25-01, which previously allocated FY2024-FY2025 LCTOP funds for hydrogen fuel. The LCTOP program has not yet developed the quantification model and emission factors for hydrogen fuel consumption and LCTOP funds currently cannot be used for hydrogen fuel.

Staff recommends that the Board adopt Resolution No. 25-03 authorizing the execution of the Certifications and Assurances and Authorized Agent Forms for the FY2024-2025 LCTOP allocation cycle.

ATTACHMENT: 7A –Resolution No. 25-03

FISCAL IMPACT: There is no direct fiscal impact with adoption of this Board resolution; however, Board adoption of this resolution is required to receive funding under the LCTOP Program.

COMMITTEE REVIEW: None

STAFF CONTACT: **Eun Park-Lynch, Chief Financial Officer**
E-mail: eparklynch@nctd.org Phone: 760-967-2858



RESOLUTION NO. 25-03

**AUTHORIZATION FOR THE EXECUTION OF THE
CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS
FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)
FOR THE PURCHASE OF ZERO EMISSION HYDROGEN REPLACEMENT BUSES
(\$3,062,333)**

WHEREAS, the North County Transit District (NCTD) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, NCTD wishes to delegate authorization to execute these documents and any amendments thereto to Shawn M. Donaghy, Chief Executive Officer, and his designees;

WHEREAS, Resolution 25-03 will replace Resolution 25-01 and NCTD wishes to instead implement the LCTOP project listed above,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the NCTD that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that Shawn M. Donaghy, Chief Executive Officer, be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

NOW THEREFORE, BE IT FURTHER RESOLVED that Shawn M. Donaghy, Chief Executive Officer, has designated the following positions as NCTD Authorized Agents for the LCTOP program and any Amendments thereto with the California Department of Transportation:

Eun Park-Lynch, Chief Financial Officer
Pete Kovacevic, Accounting Manager – Projects & Grants
Lauren Williams, Grants Administrator

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of NCTD that it hereby authorizes the submittal of the following project nomination and allocation request to the Department in FY 2024-25 LCTOP funds:

Project Name: Purchase of Zero Emission Hydrogen Replacement Buses

Amount of FY 2024-25 LCTOP funds requested: \$3,062,333

Description of Project: The project will purchase 23 hydrogen fuel cell electric buses.

Benefit to Priority Populations: This project will provide access to zero-emission vehicles, decreasing exposure to pollutants for individuals riding the bus and the communities where the buses travel.

Contributing Sponsors: SANDAG

PASSED, APPROVED, AND ADOPTED at the regular meeting of the Board of Directors of the North County Transit District this 15th day of May 2025.

BOARD CHAIR
North County Transit District

CERTIFICATION

I, Suheil Rodriguez, duly appointed and qualified, Clerk of the Board of the North County Transit District, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Directors of the North County Transit District adopted at a legally convened meeting of the Board of Directors of the North County Transit District held on the 15th day of May 2025.

CLERK OF THE BOARD
North County Transit District

RESOLUTION NO. 25-03

**AUTHORIZATION FOR THE EXECUTION OF THE
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(\$3,062,333)**

Exhibit A

Certifications and Assurances

FY 2024-2025 LCTOP Certifications and Assurances

Lead Agency: North County Transit District

Project Title: Purchase of Zero Emission Hydrogen Replacement Buses

Prepared by: North County Transit District

The California Department of Transportation (Caltrans) has adopted the following Certifications and Assurances for the Low Carbon Transit Operations Program (LCTOP). As a condition of the receipt of LCTOP funds, Lead Agency must comply with these terms and conditions.

A. General

1. The Lead Agency agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
2. The Lead Agency must submit to Caltrans a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

1. The Lead Agency certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The Lead Agency assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
2. The Lead Agency certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
3. The Lead Agency certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
4. The Lead Agency certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
5. The Lead Agency certifies that they will notify Caltrans of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
6. The Lead Agency must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
7. Any interest the Lead Agency earns on LCTOP funds must be used only on approved LCTOP projects.

8. The Lead Agency must notify Caltrans of any changes to the approved project with a Corrective Action Plan (CAP).
9. Under extraordinary circumstances, a Lead Agency may terminate a project prior to completion. In the event the Lead Agency terminates a project prior to completion, the Lead Agency must (1) contact Caltrans in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.

C. Reporting

1. The Lead Agency must submit the following LCTOP reports:
 - a. Annual Project Activity Reports October 30th each year.
 - b. A Close Out Report within six months of project completion.
 - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to Caltrans within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
 - d. Project Outcome Reporting as defined by CARB Funding Guidelines.
 - e. Jobs Reporting as defined by CARB Funding Guidelines.
2. Other Reporting Requirements: CARB develops and revises Funding Guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with CARB's Funding Guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

D. Cost Principles

1. The Lead Agency agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
2. The Lead Agency agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
 - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and

- b. Those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
3. Any project cost for which the Lead Agency has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 2 CFR, Part 200, are subject to repayment by the Lead Agency to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the Lead Agency to the State. Should the Lead Agency fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the Lead Agency from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

A. Record Retention

1. The Lead Agency agrees and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the Lead Agency, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP) and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the Lead Agency, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the "Project Closeout" report or final Phase 2 report is submitted (per CARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the Lead Agency, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Lead Agency pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the Lead Agency's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
2. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the Lead Agency's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and

other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the Lead Agency shall furnish copies thereof if requested.

3. The Lead Agency, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the Civil Rights Department, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

Caltrans may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at Caltrans' discretion at any time prior to the completion of the LCTOP.

I certify all these conditions will be met.

Shawn M. Donaghy

(Print Authorized Agent)

Chief Executive Officer

(Title)

(Signature)

(Date)

RESOLUTION NO. 25-03

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CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS
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(\$3,062,333)**

Exhibit B

Authorized Agent Form

**FY 2024-2025 LCTOP
Authorized Agent**

AS THE **Chief Executive Officer**
(Chief Executive Officer/Director/President/Secretary)

OF THE **North County Transit District**
(Name of County/City/Transit Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program (LCTOP) funds provided by the California Department of Transportation, Division of Local Assistance. I understand that if there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself. I understand the Board must provide a resolution approving the Authorized Agent. The Board Resolution appointing the Authorized Agent is attached.

Eun Park-Lynch, Chief Financial Officer
(Name and Title of Authorized Agent) OR

Pete Kovacevic, Accounting Manager - Projects and Grants
(Name and Title of Authorized Agent) OR

Lauren Williams, Grants Administrator
(Name and Title of Authorized Agent) OR

<u>Shawn M. Donaghy</u> (Print Name)	<u>Chief Executive Officer</u> (Title)
 (Signature)	

Approved this 15 day of May , 2025

STAFF REPORT

**RECEIVE AN UPDATE REGARDING DEVELOPMENT OF THE
PROPOSED FY2026 OPERATING BUDGET AND FY2026-FY2030
CAPITAL IMPROVEMENT PROGRAM**

Time Sensitive: ☒ **Consent:** ☐

**STAFF
RECOMMENDATION:**

Receive an update regarding the development of the Proposed FY2026 Operating Budget and FY2026-FY2030 Capital Improvement Program, and provide policy feedback or direction, if desired.

**BACKGROUND
INFORMATION:**

The North County Transit District (NCTD) Board of Directors (Board) at its March 20, 2025 meeting (Agenda Item No. 15), waived the provisions of Board Policy No. 3 – *Committees and External Appointments* and Board Policy No. 17 – *Budget Development*, that require that the Performance, Administration and Finance (PAF) Committee to review and advance the annual budget to the full Board. On April 17, 2025, the Board set a public hearing date for June 26, 2025, for consideration of adoption of the proposed FY2026 Operating Budget and ratification of the FY2026-FY2030 Capital Improvement Plan. Further, the Board also acted to authorize staff to publish a public notice no later than May 26, 2025, related to the consideration and adoption of the capital and operating budget, and to release the budget documents for public review and comment no later than June 10, 2025.

Through this agenda item, staff will provide an update on the development of the FY2026 Operating Budget and FY2026-FY2030 Capital Improvement Program for review and input, and present the final proposed operating budget to the full Board at the June 26, 2025 meeting for consideration of adoption.

On January 23, 2025 (Agenda Item No. 13), the Board approved the proposed FY2026-FY2030 Capital Improvement Program (CIP) based on estimated federal and non-federal funding levels at that time. Due to revised revenue estimates, funding availability, re-evaluation of project readiness, and operating needs, the proposed FY2026-FY2030 CIP has been revised and is included in this staff report.

Financial Outlook

Each year, the San Diego Association of Governments (SANDAG) provides funding estimates for Transportation Development Act (TDA), Federal Transit Administration (FTA), and TransNet funds for the upcoming fiscal year as well as a projection for the next four fiscal years to allow transit and local agencies to plan for capital projects and determine operating subsidies.

After experiencing extraordinary growth in the three years following the onset of the COVID-19 public health emergency (FY2021-FY2023), sales tax revenue recorded negative growth in FY2024. SANDAG initially anticipated the dip in FY2024 to be a one-time occurrence; however, sales tax data in the first half of FY2025 point to another year of negative growth and SANDAG has lowered its FY2026 projections. FY2026 sales tax revenue is anticipated to grow by 0.3% from FY2025 levels. After FY2026, sales tax revenue is forecast to gain

momentum and converge on a long-term growth average that is slightly above 3% by FY2029.

Funding from formula federal and state funding is assumed to remain flat.

FY2026 Revenues Major Assumptions

NCTD is required to adopt an annual balanced operating budget where total revenues are equal to or exceed total expenses to support service, operations, and capital decisions. NCTD is also required to propose a 5-Year constrained Capital Improvement (CIP) program, which is incorporated in the Regional Transportation Improvement Program (RTIP) and, subsequently, in the State of California Transportation Improvement Plan.

Following is a high-level summary of the significant revenue assumptions and primary drivers of the FY2026 Operating Budget:

- Formula-based federal grants are derived from the Federal Transit Administration's (FTA) published apportionment tables. FTA formula funding under Section 5307, 5337, and 5339 apportioned to the San Diego region for transit agencies are allocated 30% to NCTD and 70% to MTS. Funding from Section 5307, 5337, and 5339 can only be used for capital and maintenance expenses. FTA funding under Section 5311 for Rural Areas is funded through Caltrans.
- The Transportation Development Act (TDA) has two major funding sources, the Local Transportation Fund (LTF) and the State Transit Assistance (STA). LTF is derived from a 1/4-cent general sales tax and STA is derived from sales tax on diesel fuel. Pursuant to state statute, the County of San Diego Auditor and Controller has the responsibility for providing the LTF apportionment for the upcoming fiscal year in consultation with SANDAG staff based on actual sales tax receipts and projections. NCTD will receive 29% of San Diego County's apportionment for LTF based on population estimates.
- STA funds are appropriated by the legislature to the State Controller's Office (SCO). The SCO then allocates the tax revenue, by formula, to planning agencies and other selected agencies. Statute requires that 50% of STA funds be allocated according to population (Public Utilities Code (PUC) 99313) and 50% be allocated according to transit operator revenues from the prior fiscal year (PUC 99314). STA payments may be revised upward or downward depending on the actual stream of revenues funding the program. STA funds had been allocated in prior years to match Federal funds for capital projects and operating expenses; however, due to a shortage of operating funds in FY2026, all STA funds will be programmed for operations in FY2026 and \$6 million of TDA capital reserves from prior years will be programmed as a match for capital projects.
- The State of Good Repair (SGR) Program is a formula-based program included under Senate Bill 1: *The Road Repair and Accountability Act of 2017* (SB1). SB1 funds are deposited into the STA account and then distributed to regional transportation agencies using the STA Program formula. SGR funds can only be used for for capital and maintenance expenses.
- *TransNet* revenue is forecasted by SANDAG before the start of the new fiscal year based on the growth rate in taxable sales in San Diego County.

The most recent estimates were approved by SANDAG's Board at its February 14, 2025 meeting. The distribution to NCTD is based on the January 2023 population; NCTD will receive 29% of San Diego County's allocation.

- The *TransNet* Extension Ordinance requires that 8.1% of all *TransNet* revenue be used to fund transit operations for 10 specified projects, which includes COASTER frequency enhancements.
- In July 2023, the State of California passed Senate Bill 125 (SB125), which served as a trailer bill to the State's FY2023-2024 budget. SB125 created approximately \$5.1 billion statewide, of new one-time source funding to help address transit providers' operating and capital needs. The funding is distributed through two programs, the Transit and Intercity Rail Capital Program (TIRCP) and the Zero Emission Transit Capital Program (ZETCP), over a two-year and four-year period, respectively. Eligible projects for SB125 and ZETCP funds are published by the California State Transportation Agency. NCTD has programmed SB125 for capital and maintenance expenses and ZETCP funds for zero-emission expenses.
- Customer fares revenue is based on the FY2026 Service Implementation Plan (SIP) ridership forecasts and historical average fares by mode.
- SANDAG provides funding to NCTD for the Youth Opportunity Pass (YOP) program, which allows youth riders age 18 and under to ride free on NCTD services (except LIFT). In FY2026, SANDAG is providing NCTD with federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds for YOP, but these funds are restricted to capital projects. No funding has been identified for YOP beyond FY2026.
- Revenue projections for operations, use, maintenance fees, and dispatching (auxiliary revenues) from BNSF, Amtrak, and Metrolink are based on the terms specified in shared use/operating agreements.
- Projections for other operating revenues such as permits, leases, administrative fees, and advertising are based on FY2025 levels.

Attachment A summarizes the Sources and Uses of Revenues for FY2026 and projected revenues from FY2027 through FY2030.

FY2026 Expenses Major Assumptions

- The bus operations and maintenance contract with MV Transportation (MV) under Agreement No. 17033 ended on June 30, 2025. FY2026 budgeted expenditures associated with bus operations and maintenance are included in various line items (salaries and benefits, professional services, materials, and miscellaneous expenses).
- The budget for salaries, wages, and benefits assumes full staffing of 877 full-time equivalent (FTE), of which 471 FTEs are associated with the insourcing of bus operations and maintenance. 14.75 FTEs were reduced compared to the FY2025 budget as result of organizational restructuring.
- The fuel budget consumption is based on the FY2026 SIP. The fuel budget assumes that the Brent Crude oil price will average \$90/barrel in FY2026 (Brent Crude is a major benchmark price for purchases of oil worldwide). The Brent crude oil price averaged \$82/barrel in calendar years 2023 and 2024. Compressed Natural Gas (CNG) costs are budgeted at \$0.447 per therm based on recent prices trend and projections from the U.S. Energy Information Administration. Increased

fuel costs for bus services associated with hydrogen fuel are being partially offset with savings on SPRINTER service as NCTD is planning to strategically right-size singles and doubles Diesel Multiple Units (DMUs) based on peak-times ridership.

- Purchased transportation includes \$1.5 million for contracted taxi for paratransit services.
- A contingency of \$0.5 million has been established for unforeseen circumstances or emergencies.
- The FY2026 minimum required pension unfunded accrued liability payment of \$4.2 million and SPRINTER debt principal payment of \$1.45 million will be paid from net assets and are not included in the FY2026 Operating Budget.

Attachment B provides the balanced Proposed FY2026 Operating Budget Summary, which shows total operating expenses of \$178,805,577.

FY2026-FY2030 Capital Improvement Program Revision

Per federal requirements, in order to receive funding, a list of capital projects must be submitted to SANDAG for approval and incorporation into the Regional Transportation Improvement Program (RTIP) and, subsequently, in the State of California Transportation Improvement Plan. To meet regional deadlines for the 2025 RTIP, NCTD submitted its proposed FY2026-FY2030 CIP to SANDAG following NCTD's Board approval on January 23, 2025.

Due to revised revenue estimates, funding availability, re-evaluation of projects readiness, and operating needs, the proposed FY2026 CIP has been revised. Attachment D summarizes the proposed changes to the FY2026 CIP. Projects that have demonstrated project readiness will be programmed in the grant award applications upon adoption of the FY2026 Operating and Capital Budget scheduled for Board approval on June 26, 2025. Projects that achieve project readiness at a future date will be funded with unallocated FTA funds, prior years reserve capital TDA, and/or savings from other projects.

Next Steps

Based on Board feedback, over the next few weeks, staff will be completing the full draft budget and narrative along with the following additional documents that are required for public review on June 10, 2025 and final Board approval on June 26, 2025:

- Classification and Compensation Schedule
- Cost Recovery Fee Schedule
- Service Implementation Plan

ATTACHMENT: 8A - Sources and Uses of Revenues
8B - FY2026 Proposed Operating Budget Summary
8C - FY2026 Revised CIP

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: Marketing, Service Planning, and Business Development Committee
Date: March 24, 2025

STAFF CONTACT: **Eun Park-Lynch, Chief Financial Officer**
E-mail: eparklynch@nctd.org Phone: 760-967-2858

**NORTH COUNTY TRANSIT DISTRICT
SOURCES AND USES OF REVENUES
FY2026 - FY2030**

Revenue Source	Capital and Maintenance	Restricted Use by Grant	Operations	FY2026	FY2027	FY2028	FY2029	FY2030	5-Year Total
Passenger Fares and U-Pass			\$ 12,492,298	\$ 12,492,298	\$ 12,726,285	\$ 12,866,914	\$ 13,007,612	\$ 13,486,689	\$ 64,579,798
Non-Transportation and Auxiliary Revenues			16,059,067	16,059,067	15,368,050	15,756,392	16,161,230	16,582,572	79,927,311
Federal Transit Administration (FTA) Section 5307	27,935,334			27,935,334	27,935,334	27,935,334	27,935,334	27,935,334	139,676,670
Federal Transit Administration (FTA) Section 5337	20,340,722			20,340,722	20,340,722	20,340,722	20,340,722	20,340,722	101,703,610
Federal Transit Administration (FTA) Section 5339	1,830,702			1,830,702	1,830,702	1,830,702	1,830,702	1,830,702	9,153,510
Federal Transit Administration (FTA) Section 5311		641,568		641,568	641,568	641,568	641,568	641,568	3,207,840
U.S. Department of Transportation - Rebuilding American Infrastructure with Sustainability and Equity (RAISE)	10,208,556			10,208,556	-	-	-	-	10,208,556
Federal Transit Administration (FTA) Low No (carryover)		307,390		307,390	-	-	-	-	307,390
Federal Highway Administration - Congestion Mitigation and Air Quality Improvement (CMAQ) Program	1,233,240			1,233,240	-	-	-	-	1,233,240
Transportation Development Act (TDA) 4.0			49,733,819	49,733,819	50,240,000	51,285,000	52,706,000	54,207,000	258,171,819
Transportation Development Act (TDA) 4.5			2,608,917	2,608,917	2,635,000	2,690,000	2,765,000	2,844,000	13,542,917
TDA 4.0 (SANDAG Reimbursement)			221,043	221,043	223,330	228,027	234,288	240,811	1,147,499
State Transit Assistance (STA)			12,042,825	12,042,825	12,042,825	12,042,825	12,042,825	12,042,825	60,214,125
STA State of Good Repair	2,088,577			2,088,577	2,088,577	2,088,577	2,088,577	2,088,577	10,442,885
Caltrans Planning Grant		820,000		820,000	-	-	-	-	820,000
State Rail Assistance (SRA)			3,900,000	3,900,000	3,900,000	3,900,000	3,900,000	3,900,000	19,500,000
SB 125 Transit and Intercity Rail Capital Program (TIRCP)	48,333,791			48,333,791	-	-	-	-	48,333,791
Zero-Emission Transit Capital Program (ZETCP)	590,000	2,877,415		3,467,415	3,467,415	3,467,415	-	-	10,402,245
TransNet - Transit Services (Senior and Disabled)			484,000	484,000	491,000	503,000	520,000	538,000	2,536,000
TransNet - Transit Services (Operations and Capital)			18,247,000	18,247,000	18,504,000	18,981,000	19,603,000	20,279,000	95,614,000
TransNet - New Major Corridor Transit Operations			8,178,851	8,178,851	8,424,216	8,676,943	8,937,251	9,205,369	43,422,630
Low Carbon Transit Operations Program (LCTOP)	3,062,333			3,062,333	3,062,333	3,062,333	3,062,333	3,062,333	15,311,665
California Department of Housing and Community Development - Affordable Housing and Sustainable Communities (AHSC)	12,900,000			12,900,000	-	-	-	-	12,900,000
Total Revenue	\$128,523,255	\$ 4,646,373	\$123,967,820	\$257,137,448	\$183,921,357	\$186,296,752	\$185,776,442	\$189,225,502	\$1,002,357,501

PROPOSED FY2026 OPERATING BUDGET SUMMARY

	FY2024 Actual	FY2025 Budget	FY2026 Proposed Budget	Increase/ (Decrease) from FY2025 Budget (#)	Increase/ (Decrease) from FY2025 Budget (%)
Operating Revenues					
Passenger Fares	\$ 10,732,805	\$ 10,201,124	\$ 12,492,298	\$ 2,291,174	22.46%
Non-Transportation Revenues	7,725,055	4,528,000	4,731,200	203,200	4.49%
Auxiliary Revenues	12,373,406	11,623,114	11,199,184	(423,930)	-3.65%
Federal Grants	46,058,066	53,721,004	37,254,595	(16,466,409)	-30.65%
State Grants	10,056,331	23,579,635	33,654,670	10,075,035	42.73%
Local Grants	75,862,156	84,505,896	79,473,630	(5,032,266)	-5.95%
	162,807,819	188,158,773	178,805,577	(9,353,196)	-4.97%
Operating Expenditures *					
Salaries, Wages, and Benefits	\$ 44,068,840	\$ 52,890,110	\$ 91,536,800	\$ 38,646,690	73.07%
Professional Services	36,046,520	48,191,849	46,562,913	(1,628,936)	-3.38%
Materials and Supplies	11,577,426	17,534,936	19,727,957	2,193,021	12.51%
Utilities	3,263,759	3,632,614	3,867,188	234,574	6.46%
Casualty and Liability	6,763,295	8,651,736	10,039,267	1,387,531	16.04%
Taxes	1,124,064	1,507,413	1,270,553	(236,860)	-15.71%
Purchased Transportation	50,607,442	50,971,878	1,533,000	(49,438,878)	-96.99%
Miscellaneous Expenses	1,216,972	2,157,881	1,947,204	(210,677)	-9.76%
Debt-Related Expense	622,260	737,200	674,300	(62,900)	-8.53%
Leases and Rentals	1,103,279	1,383,156	1,146,395	(236,761)	-17.12%
Contingency	-	500,000	500,000	-	0.00%
	156,393,857	188,158,773	178,805,577	(9,353,196)	-4.97%
	\$ 6,413,962	\$ -	\$ -	\$ -	

* Excludes GASB 68, GASB 75, GASB 87, and GASB 96 non-cash adjustments and the Unfunded Accrued Liability (UAL) pension contribution

FY2026 CAPITAL IMPROVEMENT PROGRAM REVISIONS

Scope and Project Name	FY2026 CIP Approved in January 2025	Additions	Funds No Longer Needed	Funded with Other Projects Savings	Revised FY2026 CIP	Project Has Dedicated Funding	Project Ready for Funds Programming	Project will be Funded Upon Readiness
111 Bus Rolling Stock								
Two (2) Battery Electric Buses		2,754,023			2,754,023	2,754,023		
One (1) Battery Electric Bus		1,541,550			1,541,550	1,541,550		
113 Bus Stations, Stops, and Terminals								
Bus Stops Improvements Phase II (Construction)	850,000				850,000			850,000
Bus Stop Improvement Phase III (Construction)	625,000				625,000	625,000		
Sorrento Valley Bus Parking (Design)	110,000				110,000			110,000
114 Bus Support Equipment and Facilities								
Non-Revenue Vehicles	965,000				965,000			965,000
HVAC Various Replacements	885,000				885,000			885,000
Trapeze Enterprise Asset Management	685,000	65,000			750,000		750,000	
HASTUS Scheduling Software	600,000		(450,000)		150,000		150,000	
BREEZE Overhead Cranes		590,000			590,000	590,000		
Fire Alarm System (Construction)	550,000			(550,000)	-			
Battery Electric and Fuel Cell Electric Buses On-Board Equipment	540,000			(540,000)	-			
BREEZE Operations West Unleaded Dispensers	275,000				275,000			275,000
BREEZE Operations East Conference Room	250,000				250,000			250,000
Network Upgrades	175,000				175,000			175,000
BREEZE Operations West Employee Parking (Design)	150,000				150,000			150,000
BREEZE Hydrogen Sensors (Construction)	120,000				120,000			120,000
PRONTO Enhancements	100,000			(100,000)	-			
BREEZE Operations East Offices Remodel	100,000				100,000			100,000
BREEZE Operations West Hydrogen Fueling Station (Design)	85,000				85,000		85,000	
Server Upgrades	72,000				72,000			72,000
BREEZE Operations East and West Gate System	70,000				70,000			70,000
BREEZE Operations East and West Signage	52,000				52,000			52,000
Hydro Enhance Elevator Upgrade	50,500				50,500			50,500
116 Bus Signals and Communication Equipment								
RTMS Battery Replacement	45,000		(45,000)		-			
121 Rail Rolling Stock								
COASTER Image Recorders (Construction)	750,000				750,000			750,000
SPRINTER WiTronix System	380,000			(380,000)	-			
COASTER Wheelset Refurbishment	280,000			(280,000)	-			

Scope and Project Name	FY2026 CIP Approved in January 2025	Additions	Funds No Longer Needed	Funded with Other Projects Savings	Revised FY2026 CIP	Project Has Dedicated Funding	Project Ready for Funds Programming	Project will be Funded Upon Readiness
122 Rail Transitways and Lines								
SPRINTER Corridor Service Improvement (Environmental and Design)	12,760,695				12,760,695	12,760,695		
Miramar Rail Replacement	2,610,000				2,610,000		2,610,000	
Bridge 257.2 (Construction)	2,157,120		(2,157,120)		-			
Bridge 209.9 (Construction)	900,000			(900,000)	-			
Carlsbad Grade Crossing Safety Improvements	750,000				750,000			750,000
123 Rail Stations, Stops and Terminals								
San Dieguito Lagoon Double-Track and Fairgrounds Station	36,396,621				36,396,621	36,396,621		
Oceanside Transit Center Pedestrian Crossing	795,000			(795,000)	-			
Platform Improvements	500,000				500,000	500,000		
Drought Tolerant Landscaping	200,000				200,000	200,000		
Oceanside Transit Center Platform Stormwater Improvements	200,000				200,000	200,000		
124 Rail Support Equipment and Facilities								
Non-Revenue Vehicles	810,000				810,000			810,000
Maintenance-of-Way Building Improvements (Construction)	540,000				540,000			540,000
PRONTO Fare Collection Equipment (Convention Center)	500,000				500,000	100,000		400,000
COASTER Train Wash (Construction)	500,000				500,000			500,000
SPRINTER Fuel Dispenser	205,000				205,000			205,000
COASTER Fuel Dispensing System (Design)	150,000				150,000		150,000	
COASTER Turntables (Design)	100,000				100,000		100,000	
COASTER Waste Rigs Carts	60,500				60,500			60,500
Waste Pumping Carts	41,000				41,000			41,000
126 Rail Signals and Communications Equipment								
Escondido Signal Modernization - Phase 8	5,675,000				5,675,000	5,675,000		
Escondido Signal Modernization - Phase 9	4,900,000				4,900,000	4,900,000		
Positive Train Control Disaster Recovery	130,000				130,000			130,000
129 Fixed Guideway Associated Transit Improvements								
Wayfinding Master Plan	800,000				800,000	800,000		
	\$ 80,445,436	\$ 4,950,573	\$ (2,652,120)	\$ (3,545,000)	\$ 79,198,889	\$ 67,042,889	\$ 3,845,000	\$ 8,311,000

Update of Proposed FY2026 Operating Budget

Regular Board Meeting
May 15, 2025

COASTER SPRINTER BREEZE FLEX *LIFT* NCTD⁺

Background

- On January 23, 2025 (Agenda Item No. 13), the Board approved the proposed FY2026-FY2030 Capital Improvement Program (CIP) based on estimated federal and non-federal funding levels at that time
- On March 20, 2025 (Agenda Item No. 15), the Board waived the provisions of Board Policy No. 3 – *Committees and External Appointments* and Board Policy No. 17 – *Budget Development*, that require that the Performance, Administration and Finance (PAF) Committee to review and advance the annual budget to the full Board
- On March 24, 2025, the Marketing, Service Planning, and Business Development (MSPBD) Committee received the FY2026 Service Implementation Plan (SIP) key assumptions

Background

- On April 17, 2025, the Board authorized staff to publish a public notice no later than May 26, 2025, related to the consideration and adoption of the capital and operating budget, and to release the budget documents for public review and comment no later than June 10, 2025
- On April 17, 2025, the Board set a public hearing for June 26, 2025, to consider adoption of the FY2026 Operating Budget and FY2026-FY2030 Capital Improvement Program

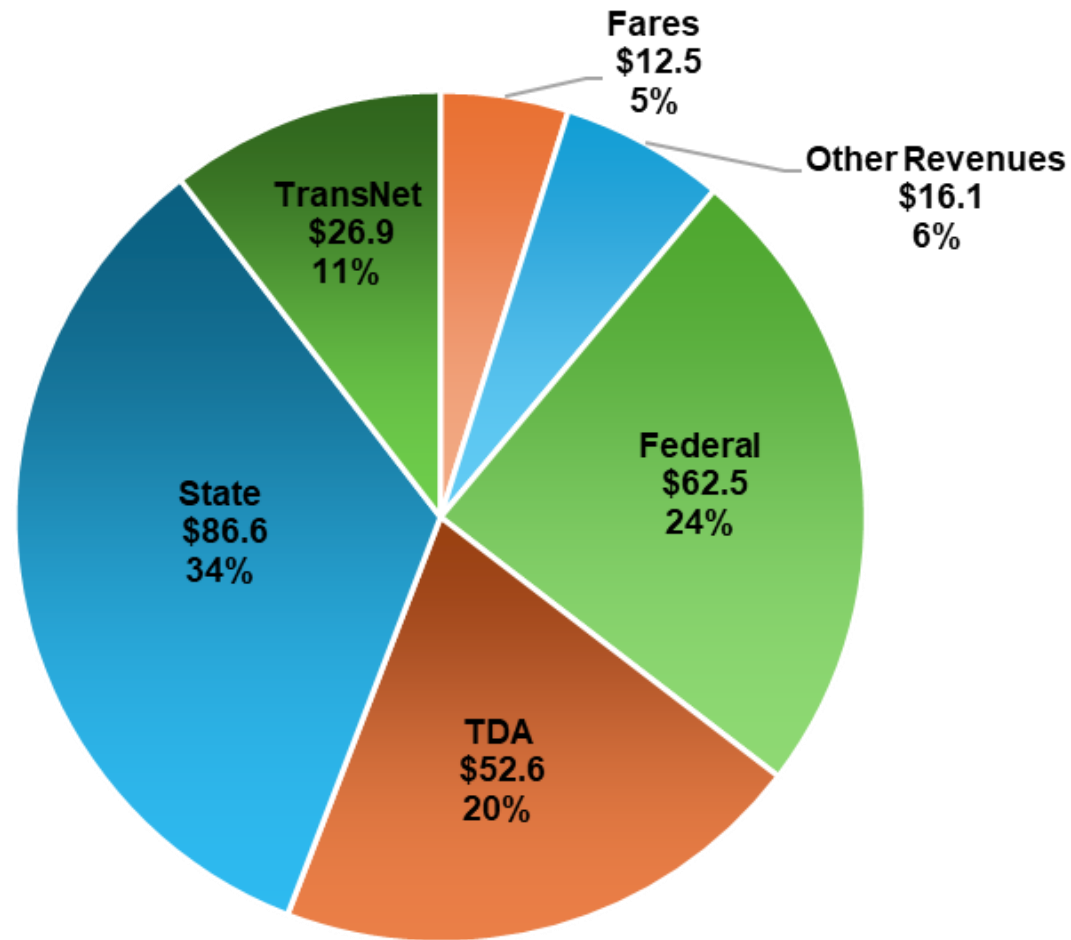
Board Policy No. 17

- NCTD must adopt an annual balanced budget where total revenues are equal to or exceed total expenses
- Funds should be programmed first to cover operating expenses (unless grant specific requirements that restrict funding for capital projects). Any remaining unallocated funds can then be programmed for the Capital Improvement Program.
- Revenue and expenses projections are based on a series of assumptions. Revenues should be estimated conservatively.
- One-time revenues generally should be used for one-time expenses or capital investments

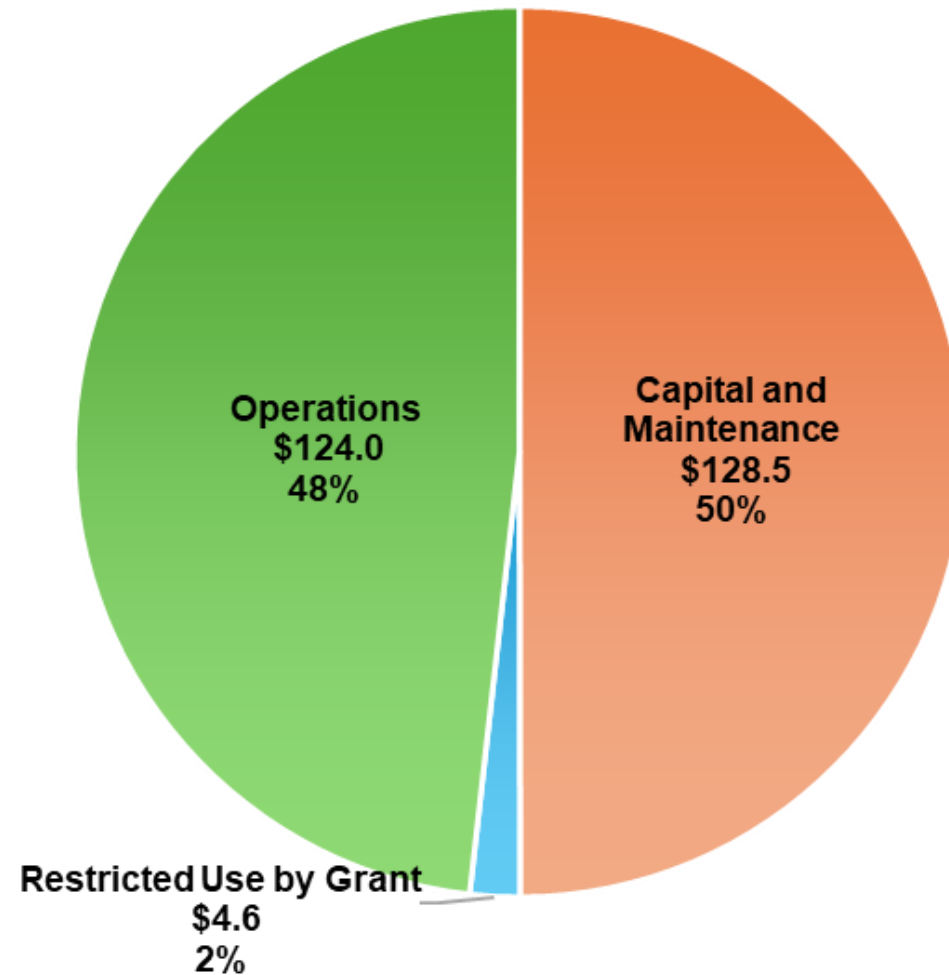
Financial Outlook

- The San Diego Association of Governments (SANDAG) provides funding estimates for Transportation Development Act (TDA), Federal Transit Administration (FTA), and TransNet funds for the upcoming fiscal year as well as a projection for the next four fiscal years
- Sales tax revenue recorded negative growth in FY2024 and sales tax data in the first half of FY2025 point to another year of negative growth. FY2026 sales tax revenue is anticipated to grow by 0.3% from FY2025 levels.
- Funding from formula federal and state funding is assumed to remain flat

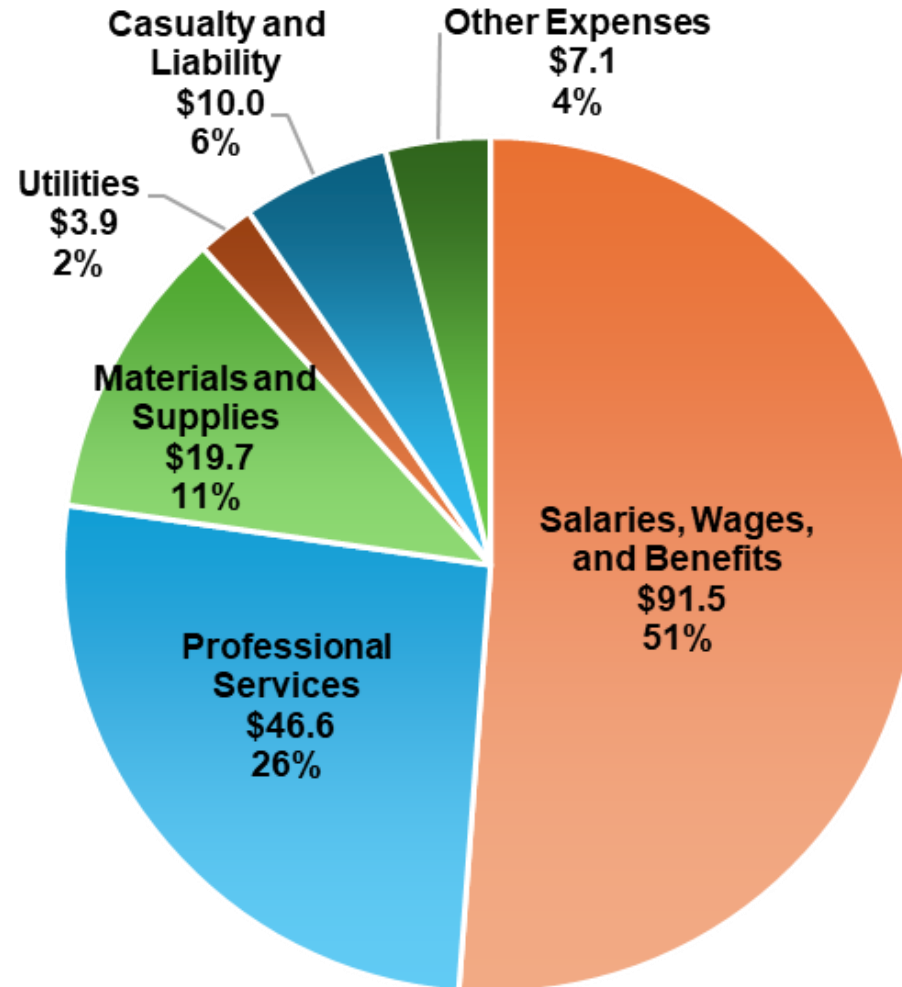
FY2026 Sources of Revenues (in millions)



FY2026 Uses of Revenues (in millions)



FY2026 Operating Expenses (in millions)



FY2026 Operating Budget Summary

	FY2024	FY2025	FY2026	Increase/ (Decrease) from	Increase/ (Decrease) from
	Actual	Budget	Proposed Budget	FY2025 Budget (#)	FY2025 Budget (%)
Operating Revenues					
Passenger Fares	\$ 10,732,805	\$ 10,201,124	\$ 12,492,298	\$ 2,291,174	22.46%
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	\$ 6,413,962	\$ -	\$ -	\$ -	

* Excludes GASB 68, GASB 75, GASB 87, and GASB 96 non-cash adjustments and the Unfunded Accrued Liability (UAL) pension contribution

Next Steps

- **June 10, 2025 – Release of Documents for Public Review and Comment**
 - FY2026 Operating Budget and FY2026-FY2030 Capital Improvement Plan
 - Classification and Compensation Schedule
 - Right-of-Way Cost Recovery Fee Schedule
 - Service Implementation Plan
- **June 26, 2025 – Public Hearing**
 - Adoption of the FY2026 Operating and Capital Budget and related documents

Questions?