

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

Agenda

Thursday, September 18, 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 – San Diego Railroad’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 – San Diego Railroad 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.

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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. PRESENTATIONS

1. Receive Presentation from Caltrans on State's Zero Emission Rail Fleet (S) (Attachment 1A)
(Lillian Doherty, Director of Planning and Development)

B. MINUTES

Approve Minutes for NCTD's Regular Board Meeting of July 17, 2025
(Suheil Rodriguez, Director of Administration/Clerk of the Board)

C. CONSENT ITEMS 2 – 10

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

2. Receive the Monthly Intergovernmental Affairs Report (S) (Attachment 2A – 2D)
(Mary Dover, Chief of Staff)
3. Receive the Monthly Transit Operations Performance Report for June and July 2025 (S)
(Attachment 3A and 3B)
(Ricky Cervantes, Senior Transit Planner)
4. Ratify Amendment No. 02 to Agreement No. 19004 with Roma Engineering & Construction for Electrical Systems Maintenance and Repair Services (S)
(Alex Denis, Chief Operating Officer)
5. Ratify Agreement No. 25067 to Domestic Rail Solutions (DRS) for Miramar Rail Replacement Construction Services (S)
(Tracey Foster, Chief Development Officer)

6. Ratify Cooperative Contracts for Maintenance, Repair and Operations (MRO) Needs (S)
(Alex Denis, Chief Operating Officer)
7. Ratify Supplemental Agreement No. 6 to Agreement No. 24066 with Countywide Mechanical Systems, LLC for System-Wide Plumbing Maintenance Services (S)
(Alex Denis, Chief Operating Officer)
8. Ratify Supplemental Agreement No. 4 to Agreement No. 25007 with Countywide Mechanical Systems, LLC for System-Wide HVAC Maintenance Services (S)
(Alex Denis, Chief Operating Officer)
9. Approve NCTD's Public Transportation Agency Safety Plan for Bus and the Combined Public Transportation Agency Safety Plan/System Safety Plan for COASTER and SPRINTER Services (S) (Attachments 9A and 9B)
(Lori A. Winfree, Deputy Chief Executive Officer and Chief General Counsel)
10. Approve Labor Agreement Between NCTD and the Teamsters Local No. 542 for BREEZE Coach Operators (S) (Attachment 10A)
(Lori A. Winfree, Deputy Chief Executive Officer and Chief General Counsel)

D. OTHER BUSINESS ITEM 11 AND 12

11. Set Public Hearing for Proposed BREEZE Weekend Standardization and COASTER Connection Service Changes (Attachment 11A)
(Shawn M. Donaghy, Chief Executive Officer)
12. Conduct Public Hearing Related to the Proposed Elimination of BREEZE Route 323 (Attachments 12A – 12D)
(Shawn M. Donaghy, Chief Executive 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:

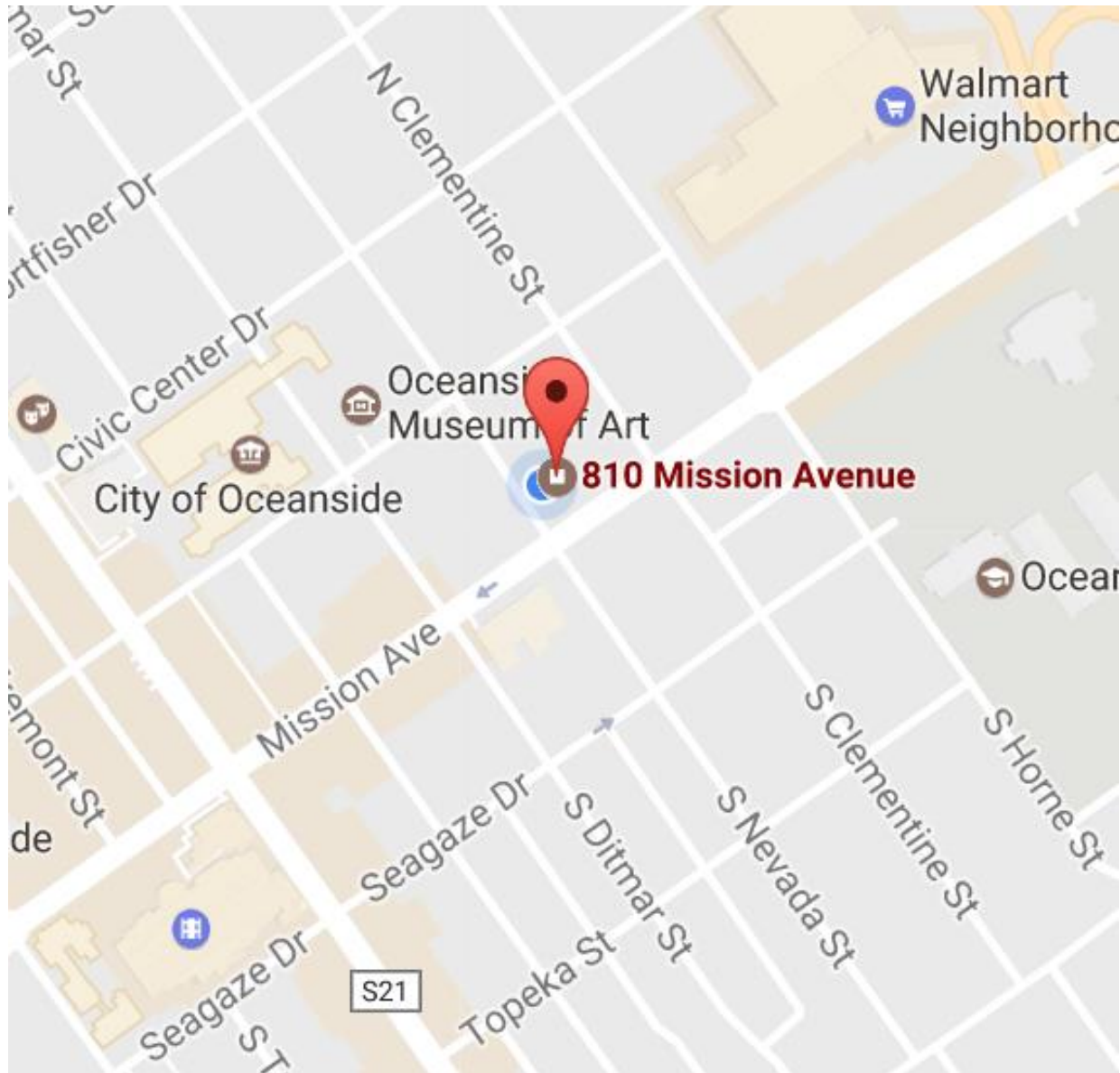
- ***Executive Committee Meeting: Monday, October 13, 2025 at 11:00 a.m.***
- ***Regular Board Meeting: Thursday, October 23, 2025 at 2:00 p.m.***

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

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

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.

NORTH COUNTY TRANSIT
SAN DIEGO RAILROAD

September 15, 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: September 18, 2025 at 2:00 p.m.

Posted At: 810 Mission Avenue, Oceanside, CA

Posted Online At: www.goNCTD.com

Date & Time of Posting: September 15, 2025 by 2:00 p.m.

Posted By: Suheil Rodriguez, Clerk of the Board

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

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.

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

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>			

STAFF REPORT | **RECEIVE PRESENTATION FROM CALTRANS ON STATE’S ZERO-EMISSION RAIL FLEET**

Time Sensitive: ☒ Consent: ☐

STAFF RECOMMENDATION: Receive an update on Caltrans’ zero-emission rail fleet and North County Transit - San Diego Railroad’s (NCTD) support in deployment of the hydrogen fuel cell trains.

BACKGROUND INFORMATION: The California Department of Transportation (Caltrans) is leading a significant push to incorporate zero-emission hydrogen fuel into its transportation systems, particularly for the intercity rail fleet, with a goal of converting all locomotives by 2035.

In October 2023, the State contracted with Stadler Rail, Inc. (Stadler) to acquire 10 hydrogen-powered, self-powered multiple-unit trains (MU) with the option to purchase 19 additional trains. This fleet would comprise the first entirely hydrogen-propelled rail fleet in North America and will be based on Stadler’s Fast Light Intercity and Regional Train (FLIRT) concept, which is known for their modular design, efficiency, and adaptability to different rail systems.

In support of the deployment of these vehicles, Caltrans has identified the San Diego Subdivision for testing and piloting, which is anticipated to occur in late 2027/early 2028, subject to manufacturing and delivery of the MUs. NCTD will act as the host railroad for testing of the vehicles.

The Board of Directors will receive an overview of Caltrans’ zero-emission rail fleet plan as well as NCTD’s involvement in support of the testing of the hydrogen fuel cell vehicles.

ATTACHMENT: 1A – Presentation from Caltrans on Zero Emission Rail Fleet

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

STAFF CONTACT: **Lillian Doherty, Director of Planning and Development**
E-mail: ldoherty@nctd.org Phone: 760-967-2803

Receive Presentation from Caltrans on Zero Emission Rail Fleet



Regular Board Meeting
September 18, 2025

COASTER SPRINTER BREEZE FLEX *LIFT* NCTD

NCTD Background

- NCTD staff received Board approval in April of 2023 to enter into a contract to evaluate propulsion technologies for NCTD rail fleets.
 - Hydrogen technology recommended as optimal for NCTD operations
 - Evaluating infrastructure improvements required to support hydrogen vehicles
 - Developing RFP for vehicle purchase
 - Seeking funding opportunities

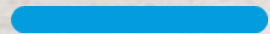
Caltrans Zero Emission Fleet

- The State is leading deployment of the first fleet of 10 hydrogen-powered multiple unit (MU) rail vehicles.
- For NCTD, this is an opportunity to demonstrate our partnership and support of the State's larger goals and objectives through supporting testing and certification of the State's MUs.
- Next Steps -
 - MOU development in process



FLIRT H2 Deployment

NCTD Board Meeting



September 18, 2025

Caltrans has purchased new FLIRT H2 trainsets to strengthen zero-emission passenger rail capabilities in California



Zero-emission multiple unit procurement

- California is investing in 10 zero-emission FLIRT H2 trainsets
- These trainsets will modernize the fleet and reduce emissions, driving the State to be an innovation leader in zero-emission mobility
- Procurement is progressing as planned
- Delivery of initial trainsets scheduled for 2027-28
- Focus must now shift to the infrastructure required to support FLIRT trainsets in operation

The FLIRT is a hydrogen/battery-powered multiple unit designed for regional and intercity travel



Key facts, final configuration still pending



Fleet size: 10 trainsets ordered, ability to exercise 19 options



Propulsion: PEM Hydrogen Fuel Cell + Battery Hybrid



Seats: 200 – 220 (with a spacious seat pitch¹) at 320 ft. vehicle length per trainset. Two trainsets can operate together.



Boarding height: ~24" (610mm)



Amenities: Vending options, bike storage





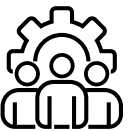

Accessibility: 2 accessible restrooms, vending access, 4 wheelchair spaces and transfer seating per trainset

(1) 35 1/2" compared to 30" commonly found on airlines



FLIRT H2 deployment corridors were evaluated. LOSSAN South identified as preferred candidate for testing and initial service

Decision/assessment framework

Constraints & Show Stoppers <i>Which corridors can the FLIRT H2 operate on?</i>	 Operations	Evaluated corridor feasibility : range, fueling logistics, supply chain, and service capacity
	 Infrastructure	Assessed infrastructure readiness : future timeline, civil compatibility, and maintenance facilities
	 Organization	Reviewed access and organizational factors : track access for testing, agency readiness, and commercial viability
Benefits <i>Which corridor benefits most from FLIRT operations?</i>	 Value-add	Measured broader impact : passenger experience, environmental benefits, and State alignment



Corridor selection

LOSSAN SOUTH

Demonstrates the optimal balance of:

- Implementation feasibility,
- Operational readiness,
- Demand growth,
- Strategic benefits, and
- Visibility opportunities with the 2028 Olympics¹

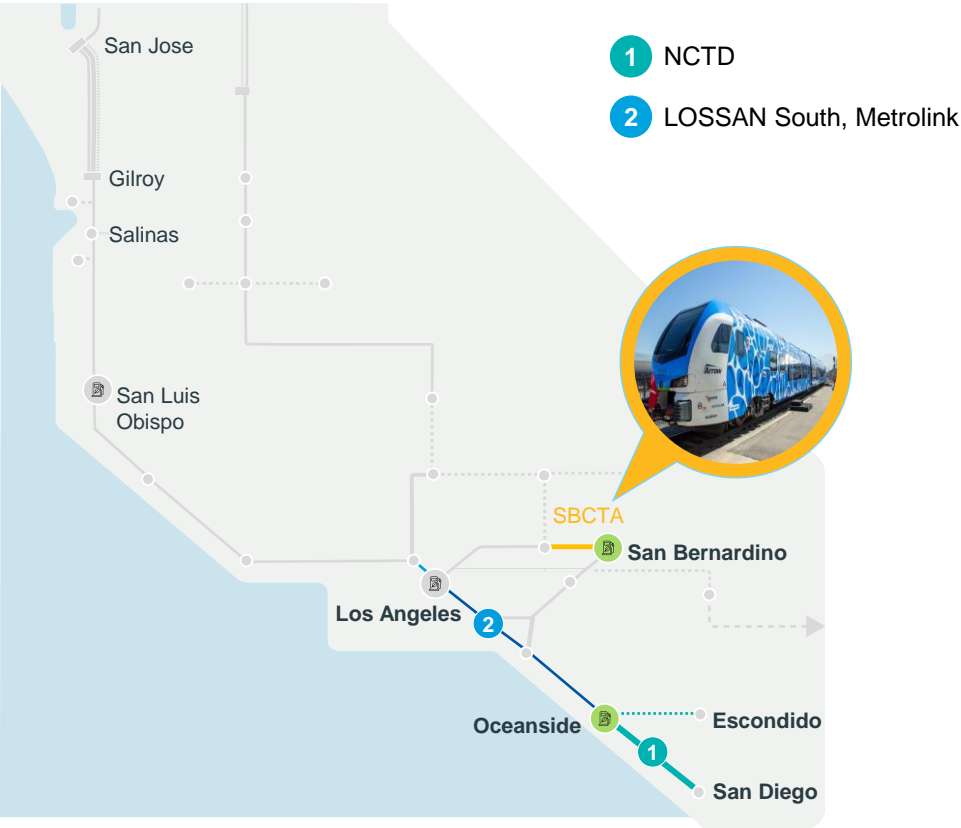
(1) Dependent on delivery and testing schedule

Testing and Piloting FLIRTs on the LOSSAN Corridor



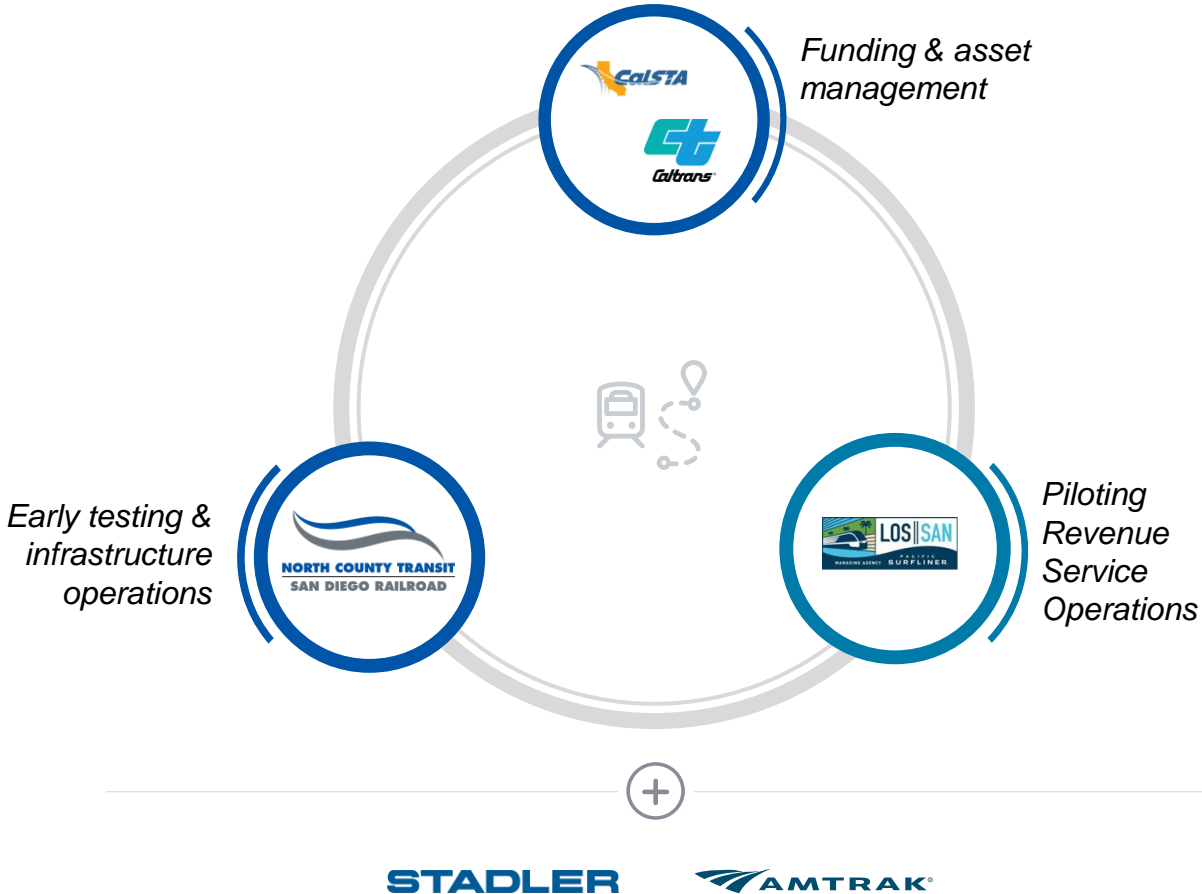
Preliminary

Potential H2 network expansion and FLIRT deployment



Time frame: ■ Existing ■ 1 Phase 1 ■ 2 Phase 2

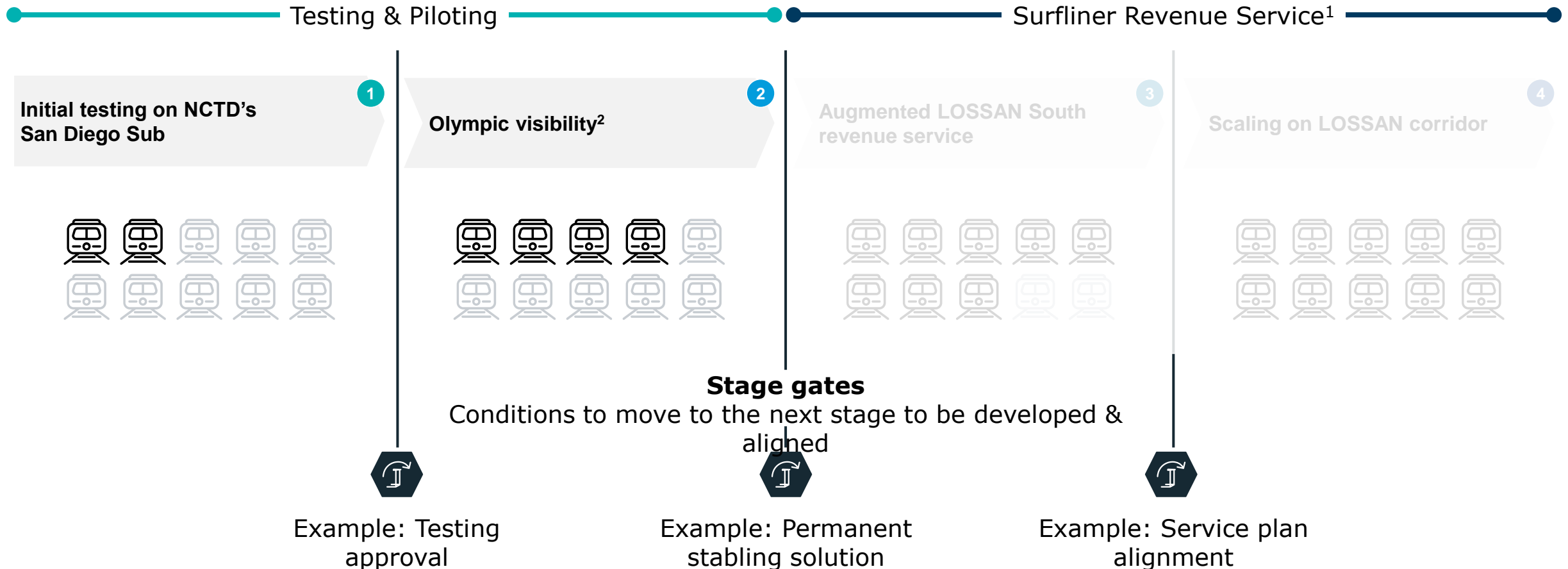
Key partners for deployment success



The FLIRT deployment would follow a phased approach, beginning with testing and Olympic visibility; future revenue service to be discussed

Preliminary

Potential deployment phasing



(1) For further discussion and alignment (2) Dependent on delivery and testing schedule

QUESTIONS?

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

MINUTES OF THE REGULAR MEETING OF THE NORTH COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS HELD ON JULY 17, 2025

REGULAR BOARD MEETING

CALL TO ORDER

Board Vice-Chair Mike Sannella called the Regular Meeting to order at 2:00 p.m.

ROLL CALL OF BOARD MEMBERS

1. Priya Bhat-Patel (City of Carlsbad) – absent
2. Mike Sannella (City of San Marcos) – departed at 2:13 p.m.
3. Tracy Martinez (City of Del Mar)
4. Jim O'Hara (City of Encinitas) – arrived at 2:02 p.m.
5. Joe Garcia (City of Escondido) – departed at 3:29 p.m.
6. Eric Joyce (City of Oceanside)
7. Jim Desmond (County of San Diego) – arrived at 2:21 p.m.
8. Jewel Edson (City of Solana Beach) – arrived at 2:05 p.m.
9. Corinna Contreras (City of Vista) – Board Alternate Melendez
10. Kent Lee (City of San Diego) – absent

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

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

SAFETY BRIEF AND EVACUATION PROCEDURES

Taylor Siwy, Deputy Clerk of the Board, reviewed emergency evacuation procedures.

CHANGES TO THE AGENDA

The attachment for Consent Item No. 3 was updated to include a contract that needs to have additional capacity processed during the time that NCTD will not have any Board meetings.

In regard to new Board Agenda Item No. 8, Government Code section 54954.2(b)(2) authorizes a legislative body to take action on items not appearing on the posted agenda upon a determination by a two-thirds vote of the members present at the meeting, or, if fewer than two-thirds are present, a unanimous vote of those present, that (1) there is a need to take immediate action, and (2) the need for action came to the attention of the local agency after the agenda was

posted. After the agenda was posted for the July 17, 2025 meeting, staff became aware of an omission from the FY2022 Classification and Compensation Schedule that requires immediate attention. Because the omission may have affected retired employees' benefits and NCTD's compliance with California Code of Regulations § 570.5, immediate action was necessary to ratify the corrected schedule and maintain regulatory compliance.

A revised agenda and errata sheet was sent to the Board, and updated on the NCTD website.

PUBLIC COMMUNICATIONS

Anita Castellanos, Vista, is very pleased with the new NCTD+ service that launched in the City of Vista. She noted the positive impact on her safety and well-being. She requested consideration of financial relief for individuals utilizing the PRONTO Senior/Disability/Medicare Card, the installation of automatic doors on buses, and the potential expansion of service boundaries further out, such as near the DMV in Vista or into the Oceanside area.

APPROVAL OF THE MINUTES OF THE JUNE 26, 2025 REGULAR BOARD MEETING

ON THE MOTION OF BOARD MEMBER O'HARA TO APPROVE THE MINUTES OF THE JUNE 26, 2025 REGULAR BOARD MEETING, SECONDED BY BOARD MEMBER MARTINEZ.

AYES: SANNELLA, MARTINEZ, GARCIA, JOYCE, O'HARA, EDSON, MELENDEZ

NOES: NONE

ABSENT: BHAT-PATEL, DESMOND

ABSTAIN: NONE

MOTION PASSES.

APPROVAL OF CONSENT ITEMS 1 – 8

1. Receive the Monthly Intergovernmental Affairs Report
2. Receive the Monthly Transit Operations Performance Report for May 2025
3. Authorize Award of Specified Agreements During the Period of July 18, 2025 through September 17, 2025
4. Adopt Resolution No. 25-05 Approving Proposed Overall Triennial Disadvantaged Business Enterprise Goal for Federal Fiscal Years 2026-2028
5. Adopt Proclamation Safety Month in September 2025
6. Authorize the Chief Executive Officer to Negotiate and Execute Change Order No. 05 to Agreement No. 22016 with Trillium USA Company, LLC. for Hydrogen Fuel Station Design-Build-Operate-Maintain at the BREEZE Operations West Facility
7. Authorize the Chief Executive Officer to Execute a Purchase and Sale Agreement for the Acquisition of 818 Mission Avenue Located in Oceanside, CA
8. Ratify Retroactive Revision to FY2022 Classification and Compensation Schedule

ON THE MOTION OF BOARD MEMBER EDSON TO APPROVE CONSENT ITEMS 1 – 8, SECONDED BY BOARD MEMBER O'HARA.

AYES: SANNELLA, MARTINEZ, GARCIA, JOYCE, O'HARA EDSON, MELENDEZ

NOES: NONE

ABSENT: BHAT-PATEL, DESMOND

ABSTAIN: NONE

MOTION PASSES.

Vice Chair Sannella departed at 2:13 p.m.; Board member Martinez chaired the remainder of the meeting.

INFORMATION ITEM NO. 9

9. Receive Presentation on SANDAG's Draft 2025 Regional Plan

Katie Persons, Director of Service Planning, accompanied by Mario Orso, Chief Executive Officer, Jennifer Williamson and Brian Lane of SANDAG presented an overview of SANDAG's Draft 2025 Regional Plan.

The Board discussed incorporating NCTD's priorities and guiding documents into the plan, noting grade separation as a key safety priority and highlighting the importance of balancing agency priorities with community input.

The discussion focused on funding and sustainability, with concern that successful pilot programs lack long-term support. Members also raised questions about advancing key projects, including the SR-78/I-15 and SR-78/I-5 connectors, Del Mar bluff stabilization, and needed roadway improvements such as Highway 76 and the Camp Pendleton I-5 interchange.

Members thanked staff for the presentation and emphasized the need for continued coordination, clear communication, and stakeholder engagement to ensure the plan reflects both regional and North County priorities.

INFORMATION ITEM NO. 10

10. Receive Update Regarding NCTD Bus and Maintenance Operations Insourcing

Shawn Donaghy, Chief Executive Officer, presented an overview of the successful bus and maintenance operations insourcing that took effect on June 29, 2025.

Board Member O'Hara noted that Encinitas City Hall is located above the Encinitas Transit Center and shared that, after speaking with some of the drivers, employee morale is reportedly at an all-time high. He extended his compliments to CEO and staff.

Board Member Edson congratulated the team, acknowledging the significant effort and long-term work involved, and expressed appreciation for everyone's contributions.

Board Member Joyce observed that while many organizations are moving toward contracting and dispersed workspaces, it is commendable that NCTD is fostering a sense of closeness and community among staff.

Board Member Martinez congratulated CEO, Shawn M. Donaghy on his leadership, noting that employees feel included and valued as part of the team, which positively impacts morale and service.

CHIEF EXECUTIVE OFFICER'S REPORT

Shawn Donaghy's reported the following:

- Thanking SANDAG and appreciation for Mario's leadership.
- Acknowledged ongoing discussions and support for future managed lanes on the 78 to put our buses on them.
- Noted that the President's budget includes increased funding for public transit and capital improvements, including upgrades to transit stations.
- Highlighted upcoming events (Comic-Con and Del Mar races) that will boost ridership; recent Padres service and Fair ridership were strong, with positive customer feedback.
- Commended staff (marketing and rail teams) for successfully managing capacity and service during major events.
- Reported progress on hydrogen bus deliveries, with most units already received; full-service deployment pending fuel infrastructure readiness.

BOARD MEMBER REPORTS, COMMENTS, AND CORRESPONDENCE

Board Member Jewel Edson reported on the LOSSAN Executive Committee meeting held on July 8. She noted that the committee announced a major milestone of 2 million riders for the current federal fiscal year, marking the first time ridership has exceeded pre-COVID levels; an important indicator of industry recovery. In addition, May ridership totaled 69,000, and COASTER boardings for May were 15.3% above the budgeted goal, representing a significant increase compared to May 2024.

REMAINING PUBLIC COMMUNICATIONS

None

ADJOURNMENT

Tracy Martinez adjourned the meeting at 3:44 p.m. Submitted by Taylor Siwy, Deputy Clerk of the Board, for the North County Transit – San Diego Railroad.

BOARD CHAIR
North County Transit District

CERTIFICATION

I, Taylor Siwy, duly appointed and qualified, Deputy 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 July 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 September 18, 2025.

DEPUTY CLERK OF THE BOARD
North County Transit District

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STAFF REPORT

**RECEIVE THE MONTHLY INTERGOVERNMENTAL AFFAIRS
REPORT**

Time Sensitive: ☐ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Receive the Monthly Intergovernmental Affairs Report for July and August 2025.

**BACKGROUND
INFORMATION:**

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

Legislative Activity and Updates – Federal:

Appropriations Update: The House and Senate Appropriations Committees each passed Fiscal Year (FY) 2026 Transportation, Housing, Urban Development and Related Agencies (THUD) Appropriations bills during the month of July. The House spending bill proposes cuts of \$1.7 billion to public transit and reduces investment in passenger rail by \$2.6 billion compared to FY 2025 levels, including \$2.15 billion in cuts to the Capital Investment Grant (CIG) program. Separately, the Senate Appropriations Committee version of the bill increases public transit investment by \$203.3 million from FY 2025 funding levels and maintains current passenger rail funding. The House and Senate must pass their respective THUD Appropriations Bills and reconcile their differences before sending the bill to President Trump for signature.

CPF and CDS Project Selections: In July, the House and Senate Appropriations Committees announced Community Project Funding (CPF) and Congressionally Directed Spending (CDS) project selections for funding in the FY 2026 THUD Appropriations bills. The House and Senate must pass their respective THUD Appropriations bills before these projects can receive funding. Three of NCTD's project applications were selected for full and partial funding in the bills:

- **\$1.2 million** – SPRINTER Platform and Track Enhancement Project (Senator Padilla) – Full Funding
- **\$600,000** – San Diego Subdivision Positive Train Control Upgrades (Representative Levin) – Partial Funding
- **\$250,000** – Bus Stop Improvements in Escondido and San Marcos (Representative Peters) – Partial Funding

FTA Administrator Confirmed by Senate: On August 2, the Senate confirmed Marcus Molinaro to the role of Administrator of the Federal Transit Administration (FTA). In this role, Molinaro will oversee the operations of the FTA including grant administration, development of national public transportation plans, and ensuring compliance with federal mandates. Previously, Molinaro served in Congress as a Representative from New York State and served on the House Committee on Transportation & Infrastructure. Prior to Congress, Molinaro served in various positions in local and state government in New York State.

All Aboard Act Introduced by Senator Alex Padilla: Senator Alex Padilla (D-CA), along with other Senators and Representatives, introduced the *All Aboard Act*, which would dedicate \$150 billion over five years across several federal rail grant programs established or expanded in the Infrastructure Investment and Jobs Act (IIJA) of 2021. Specifically, the *All Aboard Act* would invest \$80 billion to the Federal-State Partnership for Intercity Passenger Rail (FSP) program, \$30 billion to the Consolidated Rail Infrastructure Safety Improvement (CRISI) program, \$30 billion for Amtrak, and \$10 billion for the Railroad Crossing Elimination (RCE) program. The bill would also create a dedicated rail formula program for states to perform rail planning, maintenance, operations, and capital investments, and provide \$500 million in grants under the Clean Air Act to address air pollution for railyards in frontline communities.

Legislative Activity and Updates – State:

Cap-and-Trade Update: In July, the Legislature began work to reauthorize California’s Cap-and-Trade program. This program serves as a market-based mechanism for reducing greenhouse gas emissions by setting annual caps on emissions that certain industries can release. Entities that exceed these caps must either reduce pollution levels or purchase allowances from other entities operating below their caps. Revenue generated from Cap-and-Trade auctions supports the Greenhouse Gas Reduction Fund (GGRF), which provides robust funding for climate-related initiatives – including public transit. The Assembly released a portion of reauthorization plans in August with AB 1207 (Irwin). The measure would redesign how program revenues are allocated and expand legislative oversight. The Senate’s draft framework proposes to cap existing GGRF expenditures – including to public transit – and shift discretion of new expenditures to the Legislature.

SB 79 Update: Senate Bill (SB) 79, authored by Senator Scott Wiener, received amendments before passing the Assembly Appropriations Committee on August 29. This bill would require that a housing development project within a specified distance of a transit-oriented development (TOD) stop be an allowed use as a TOD housing development on any site zoned for residential, mixed, or commercial development – if the housing development complies with applicable requirements. Recent amendments to the bill removed provisions related to “Tier 3” TOD stops and redefined a TOD stop as a major transit stop served by heavy rail transit, very high frequency commuter rail, high frequency commuter rail, light rail transit, or bus rapid transit service. Next, SB 79 will receive a floor vote in the Assembly before Governor Newsom can sign it into law.

Senate LOSSAN Subcommittee: On July 10, the Senate Transportation Subcommittee on LOSSAN Rail Corridor Resiliency held an informational hearing titled: “Transforming Passenger Rail in Southern California: Progress, Challenges and the Path Forward.” The hearing focused on strengthening the foundations of rail travel along the LOSSAN corridor, including reliability, frequency, and corridor resiliency. The Subcommittee also held an informational hearing on August 28 titled: “Getting it Right – Advancing Rail Reforms in Southern California.” Representatives from the California State Transportation Agency (CalSTA) and Caltrans provided updates on state-led initiatives to identify and prioritize capital and resiliency projects to ensure the long-term viability of the LOSSAN rail corridor. Other panelists included transit researchers and policy leaders who discussed proposals to enhance service and grow ridership, and offered strategies to help align governance and funding goals across multiple entities.

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 Replacement Project (Low or No Emission Grant Program) \$16,774,170	
Battery Electric Buses (Community Project Funding) \$500,000		SPRINTER Platform and Track Enhancement (Congressionally Directed Spending) \$1.2 million	
San Dieguito Double Track Phase 2 (SANDAG – ITIP) \$62 million		San Diego Subdivision PTC (Community Project Funding) \$600,000	
SPRINTER Double Tracking – East (RAISE) \$10.2 million		Bus Stop Improvements (Community Project Funding) \$250,000	
San Dieguito Double Track Phase 2 (SB 125) \$36.4 million			
Eastbrook to Shell Double Track and DMB5 (TIRCP) \$38.5 million			
Gender Action Plan (Caltrans) \$367,591			
Transit Signal Priority – 303 (Caltrans) \$344,521			
Total Successful: \$202,212,112		Total Pending: \$18,824,170	

ATTACHMENT: 2A – Federal Monthly Legislative Report (Holland & Knight) – July/August 2025
2B – State Monthly Legislative Report (Townsend) – July 2025
2C – State Monthly Legislative Report (Townsend) – August 2025
2D – Status of Tracked Legislation Report (Townsend) – August 2025

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

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Memorandum

Date: September 5, 2025

To: North County Transit District

From: Holland & Knight LLP

Re: Federal Update – July/August 2025

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

- FY26 Appropriations Update – House and Senate Appropriations Committees Advance Transportation-HUD Bill
- House and Senate Appropriations Committees Advance NCTD Projects
- Congressional Republicans Become Increasingly Receptive to Including Earmarks with a Long-Term CR
- Senate Confirms Marc Molinaro as FTA Administrator in Bipartisan Vote
- President Trump Nominates Ryan McCormack as DOT Undersecretary for Policy
- House T&I Ranking Member Larsen, Reps. Frost and Turner Request GAO Study on Transit Bus Costs
- President Trump Signs Executive Order to Increase Oversight on Federal Grantmaking and Award Policies
- FTA Changes Flexibilities for Low-Emission Projects

FY26 Appropriations Update – House and Senate Appropriations Committees Advance Transportation-HUD Bill

- In July, the House and Senate Appropriations Committees advanced their Fiscal Year (FY) 2026 Transportation-HUD (THUD) bills for floor consideration. The House Appropriations Committee advanced its THUD bill on July 17, and the Senate Appropriations Committee advanced its THUD bill on July 24.
- The Senate THUD bill preserves more funding for Department of Transportation (DOT) programs than the House bill, with the Senate including \$110 billion in total funding for DOT compared to the House bill that includes \$105.1 billion. A detailed breakdown of funding provided in the House and Senate THUD bills can be found in the table below:

DEPARTMENT OF TRANSPORTATION FY 2026 FEDERAL FUNDING PRIORITIES				
	FY 2025 Enacted	FY 2026 House	FY 2026 Senate	FY 2026 Final
BUILD Plus-Up <i>(previously known as RAISE, IIJA continues to provide \$1.5 billion annually in mandatory spending)</i>	\$345 million plus-up	\$0	\$250 million plus-up	
Federal Highway Administration (FHWA)	\$62,393,671,000	\$64,365,539,000	\$63,977,331,000	
FHWA Highway Formula Funding (authorized by IIJA)	\$61.314 billion	\$62,657,105,821	\$62,657,105,821	
FHWA Highway Infrastructure Grants	\$340.5 million	\$1.369 billion	\$1,136,425,000	
• Active Transportation Infrastructure Program	\$0	\$10 million	\$0	
• Stopping Threats On Pedestrians	\$0	\$5 million	<i>Directs FHWA to use existing funds</i>	
• Reconnecting Communities	\$0	\$0	\$62.2 million	
Federal Transit Administration (FTA)	\$16,603,909,000	\$14,910,000,000	\$16,890,357,000	
Transit Infrastructure Grants	\$45.569 million	\$97.266 million	\$140.857 million	
Capital Investment Grants Program	\$2.205 billion	\$53.7 million	\$1.95 billion	
Transit Infrastructure Formula Funding (authorized by IIJA)	\$14.279 billion	\$14.642 billion	\$14.642 billion	

House and Senate Appropriations Committees Advance NCTD Projects

- With the release of the House's THUD bill, appropriators included two earmark projects for NCTD. Rep. Mike Levin (D-CA), a member of the House Appropriations Committee, included the Positive Train Control Rail Safety Enhancement Project at a level of \$600,000. The Bus Stop Security and Enhancement Project was included at \$250,000 by Rep. Scott Peters (D-CA).

- Sen. Alex Padilla (D-CA) included \$1.2 million for the SPRINT Platform and Track Enhancement Project in the Senate's FY26 THUD funding bill which is a critical step in the appropriations process.
- Congress must pass the THUD bill with the projects included for NCTD to receive funding. As members continue to negotiate the details of government funding legislation, the inclusion of projects like NCTD's will be a major motivating factor for members.

Congressional Republicans Become Increasingly Receptive to Including Earmarks with a Long-Term CR

- With congressional negotiators still far from reaching a long-term spending agreement, Republican leaders and members of the House Freedom Caucus are now advocating to protect earmarks if negotiations fail on a broader package and they need to pass an extension of current government funding, known as a continuing resolution (CR).
- House Freedom Caucus Chair Andy Harris (R-MD) has specifically expressed support for the inclusion of earmarks with a CR on the condition that Congress continue to pass additional rescissions packages to claw back funding previously appropriated by Congress.
- With the 2026 midterms approaching, Speaker Mike Johnson (R-LA) and others in Republican leadership see earmarks as a tool to help vulnerable incumbents deliver district wins, signaling a shift in GOP attitudes toward the practice.

Senate Confirms Marc Molinaro as FTA Administrator in Bipartisan Vote

- On August 2, the Senate confirmed former Congressman Marc Molinaro to lead the Federal Transit Administration (FTA). The 73-21 vote comes four months after the Senate Banking, Housing, and Urban Affairs Committee approved his nomination. Since April, Molinaro has served as a senior advisor to Department of Transportation (DOT) Secretary Sean Duffy on transit issues.
- Molinaro represented New York's 19th congressional district from 2023-2025 and was the county executive for Dutchess County, New York from 2012-2023. Over the past few months, he has outlined his priorities for the FTA, notably focusing on the 11 U.S. cities that will host FIFA World Cup Games next year. He has also pledged to allow nonpartisan career staff at the FTA to oversee safety enforcement.

President Trump Nominates Ryan McCormack as DOT Undersecretary for Policy

- President Trump nominated Ryan McCormack to serve as the next DOT Undersecretary for Policy. As the current Deputy Chief of Staff to DOT Secretary Sean Duffy,

McCormack would be tasked with leading DOT policy and closely advising the Secretary on related matters.

- Prior to joining DOT, McCormack served as Chief of Staff to Rep. Scott Fitzgerald (R-WI). Additionally, McCormack worked with Secretary Duffy in several capacities when Duffy served in the House.
- McCormack's nomination will be considered by the Senate Commerce Committee, where he will require a vote by the full Senate to be confirmed.

House T&I Ranking Member Larsen, Reps. Frost, and Turner Request GAO Study on Transit Bus Costs

- On August 7, House Transportation & Infrastructure (T&I) Ranking Member Rick Larsen (D-WA), along with Reps. Maxwell Frost (D-FL) and Mike Turner (R-OH) sent a bipartisan letter to the Government Accountability Office (GAO) to request a study on the costs for local communities to procure transit buses.
- The members requested a study that specifically examines key design and construction costs for buses in the United States and how they compare to those of other countries' transit vehicles. The members also requested that the study examine the effects of manufacturing challenges on FTA-funded procurements, as well as how transit bus stakeholders have worked to reduce costs and reduce bus manufacturing times.
- A copy of the letter can be found [here](#).

President Trump Signs Executive Order to Increase Oversight on Federal Grantmaking and Award Policies

- On August 7, President Trump signed an executive order – entitled “[Improving Oversight Over Federal Grantmaking](#)” – that codifies much of the current Administration's grantmaking initiatives and processes. The EO aims to increase oversight of public tax dollars and directs every federal agency to designate a senior appointee charged with creating a review process for new funding opportunity announcements and past discretionary grants. The focus of the review process is to ensure grant opportunities align with President Trump's priorities and avoid duplicative funding announcements from multiple agencies.
- The EO also states that discretionary federal grants must not support racial discrimination, denial of biological sex, illegal immigration, or initiatives that threaten public safety or American values.
- The EO also directs agency heads to review the agency's standard grant terms within 30 days of this executive order and provide a report to the Director of the Office of Management and Budget (OMB) detailing their findings and recommendations for termination of specific grants.

- The OMB Director is also instructed to revise the Uniform Guidance and related policies to streamline application requirements for federal discretionary grants and mandate that all discretionary grants include a “termination for convenience” clause, meaning the government can terminate a grant program early if it no longer aligns with administration priorities.

FTA Changes Flexibilities for Low-Emission Projects

- On July 25, the FTA announced that it will now allow grant recipients to switch from “no emissions” to “low emissions” technology in their bus project proposals, offering more flexibility. In FTA’s statement, Secretary Duffy emphasized prioritizing reliable, cost-effective energy sources and empowering transit agencies to choose technologies that best serve commuters.
- Transit agencies seeking to revise their proposals must contact their FTA Regional Office with a written request explaining the desired changes.

MEMORANDUM

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

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

Date: August 1, 2025

Subject: July 2025 Legislative Monthly Report

STATE UPDATES

The month of July marked a key transition point in the 2025 legislative calendar. Policy committees in both chambers remained active through mid-month, advancing a high volume of measures ahead of the July 18 deadline for second-house policy committee passage. This deadline also triggered the start of the Legislature’s scheduled Summer Recess.

With lawmakers set to reconvene on August 18, the final phase of the legislative session will soon begin. Upon return, fiscal committees will have until August 29 to consider remaining legislation. Thereafter, from September 2 to 12, both houses will shift to floor-only sessions to finalize legislative action. All measures must reach the Governor by September 12, with an October 12 deadline for gubernatorial action.

Throughout July, both budget-related oversight and policy hearings continued to shape discussions across key areas, including infrastructure readiness, climate investments, housing streamlining, and Olympic planning. As attention turns to fiscal committee outcomes and final floor negotiations in August, stakeholders can expect heightened activity on high-priority legislation as the session moves toward adjournment.

Below is an overview of pertinent state actions from the month of July.

STATE BUDGET

The next round of budget trailer bills began to take shape in July, with cap-and-trade emerging as a central focus. California’s cap-and-trade program serves as a market-based mechanism for reducing greenhouse gas emissions by assigning a price to pollution, particularly carbon dioxide. The state sets annual limits—or caps—on the amount of emissions that certain industries, including oil refineries, power generators, food processors, and cement manufacturers, are permitted to release.

Companies that exceed their emission limits must either reduce pollution levels or purchase allowances from entities operating below their caps. These allowances are traded through quarterly auctions administered by the state. Revenue generated from these auctions supports

one of California's largest sources of funding for climate-related initiatives, including public transit, affordable housing near transportation hubs, and clean energy investments.

This year's cap-and-trade funding framework is expected to differ significantly from previous cycles. In the Assembly, discussions appear to be advancing quickly. While there is general agreement to continue investing in transportation, housing, and clean energy, the Assembly is exploring a shift away from continuous appropriations toward a multi-year model. Although this approach could enhance legislative oversight and allow for periodic reassessment of priorities, it may present challenges for projects that require longer timelines to implement.

Importantly, the Speaker's office has indicated that these would be true multi-year commitments, spanning three to five years, with funding secured in a protected account. This marks a departure from earlier so-called "multi-year" appropriations, which often lacked enforceable future-year commitments. In contrast, this model would aim to provide more stability and transparency.

Senate discussions are still in progress; however, cap-and-trade is expected to be a major topic when the Legislature reconvenes from Summer Recess on August 18.

July 2025 Finance Bulletin: Year-End Revenue Update

On July 24, the California Department of Finance released its [July 2025 Finance Bulletin](#), reporting that the state ended the 2024–25 fiscal year with General Fund revenues approximately \$2.7 billion above estimates included in the Governor's May Revision. While this result exceeds expectations, a closer breakdown shows that nearly half of the total stems from one-time federal reimbursements for prior-year expenses.

These temporary payments, while beneficial in easing short-term fiscal pressure, do not reflect ongoing growth in California's primary revenue sources, such as personal income taxes, sales taxes, or corporate taxes. As a result, the revenue overage does not indicate a sustained upward trend in the state's economic performance or tax base.

The State Controller's Office [reported](#), as of June 30, the General Fund held a cash balance of \$34 billion, enough to meet current obligations. In addition, the [State Treasurer's](#) most recent evaluation of the Pooled Money Investment Account, which includes funds from state and local governments, placed its market value at \$178 billion at the end of the fiscal year.

While the year-end figures offer some positive indicators, the reliance on nonrecurring funds underscores the importance of cautious budgeting and long-term planning. The coming fiscal cycle will likely require continued attention to both revenue trends and expenditure pressures.

STATE LEGISLATURE

Update on Open Meetings Legislation: Public Participation and Operational Flexibility

[SB 707 \(Durazo\)](#) seeks to expand public access and participation in local government meetings by requiring certain legislative bodies to provide remote public comment options, translated agendas, and improved accessibility measures, while balancing implementation concerns raised by local agencies. The measure passed the Assembly Local Government Committee on July 16 with a 6-2 vote.

Ahead of the hearing, local government stakeholders raised implementation concerns, many of which were addressed through amendments adopted at the author's request. During the hearing, Senator Durazo accepted the Committee's request to continue discussions with the California Special Districts Association, which remains opposed, to resolve outstanding concerns ahead of the Assembly floor vote. The amended bill language, published on July 17, reflects a collaborative effort to balance transparency and accessibility with operational flexibility for local agencies. Key amendments include:

Remote Public Comment

SB 707 continues to require eligible local legislative bodies to offer remote public comment access through either a two-way telephonic service or an interactive audiovisual platform. This provision is central to the bill's overall goal of enhancing public access and civic engagement, particularly for individuals who may face barriers to in-person attendance due to geography, disability, work schedules, or caregiving responsibilities. While the recent amendments did not modify this requirement, Senator Durazo acknowledged the concerns raised by local agencies regarding the cost, staffing, and logistical challenges associated with implementing and maintaining remote access infrastructure. Several local governments emphasized that while they support the intent of expanded access, additional resources or flexibility may be needed to meet the mandate sustainably. As a result, there was general agreement that the Legislature may need to revisit this issue in future sessions should these requirements become unmanageable, allowing for data-informed adjustments while maintaining the commitment to public participation.

Remote Participation for Individuals with Disabilities

Amendments to SB 707 expand the camera exemption for individuals with disabilities beyond its previous scope. Earlier versions of the bill limited this exemption to members of non-decision-making advisory bodies. However, the amended language now allows any member of a legislative body, regardless of whether the body is advisory or decision-making, to participate in meetings using audio only, if the individual has a disability that prevents them from appearing on camera. This change aligns with the federal Americans with Disabilities Act and ensures broader accessibility for individuals with disabilities participating in public meetings.

Posting of Translated Agendas

To address concerns about potential legal exposure, the recent amendments to SB 707 include provisions that shield local agencies from liability related to the content, accuracy, or posting of translated agendas. Specifically, the amendments clarify that agencies cannot be held legally responsible for errors in translated materials they post or facilitate, nor can they be sued for translations posted by members of the public. This liability protection is intended to encourage broader language access without creating an undue legal burden for local governments. In addition, the amendments provide greater flexibility in how translated agendas may be made available, allowing agencies to fulfill posting requirements through electronic kiosks or online platforms, rather than relying solely on traditional physical postings. These changes aim to support implementation while promoting transparency and accessibility in multilingual communities.

Subsidiary Body Presentations and Reporting

Earlier versions of SB 707 required all advisory bodies to present their annual reports in person to their parent legislative bodies, regardless of size or structure. In response to stakeholder

feedback, the recent amendments have revised this provision to offer greater flexibility. Under the new provisions, advisory bodies are now permitted to request the opportunity to present their reports, rather than being required to do so. Importantly, the bill maintains a transparency safeguard by prohibiting these reports from being placed on consent calendars. This ensures that when reports are presented, they remain visible to the public and receive appropriate attention during open meetings. The changes aim to strike a balance between accountability and administrative feasibility, especially for jurisdictions with limited staffing or advisory bodies operating in a volunteer capacity.

Looking Forward

SB 707 (Durazo) is pending a hearing date in the Assembly Appropriations Committee.

SB 79 (Wiener): Transit-Oriented Development

On July 16, [SB 79 \(Wiener\)](#) was amended and passed out of the Assembly Local Government Committee on a 6-0 vote. SB 79 proposes a zoning framework for transit-oriented development (TOD) near major transit stops, with the intent of supporting increased housing capacity in proximity to public transit. The latest amendments continue to refine definitions, governance processes, and compliance pathways in response to feedback from local governments, transit agencies, and other stakeholders. The updated language is intended to improve implementation clarity, provide additional flexibility for local jurisdictions, and address issues related to affordability, transparency, and consistency with state planning objectives. Key amendments include:

Definitions and Implementation Timing

- An “urban transit county” is now defined as a county with more than 15 passenger rail stations.
- TOD housing projects are explicitly allowed on land zoned for residential, commercial, or mixed-use residential uses.
- Implementation of SB 79’s zoning standards is delayed until July 1, 2026, unless a local agency adopts a compliant ordinance earlier. Enhanced HAA penalties for high-resource areas begin January 1, 2027.

Transit Agency Zoning Authority (Section 65912.158)

Transit agencies are authorized to adopt TOD zoning standards on agency-owned land with the following constraints:

- At least 50% of the total floor area must be residential.
- A minimum of 20% of residential units must be affordable to lower-income households:
 - 55-year affordability for rental units.
 - 45-year affordability for ownership units.
- Projects must be located on infill sites and may not involve properties acquired by eminent domain after July 1, 2025.
- Sites must be adjacent to a TOD stop, or at least 75% within a half-mile prior to January 1, 2026.
- Agency zoning may not authorize more than 200% of the density allowed under the default TOD standards.

Governance, Procedures, and Local Coordination

- Transit agencies must conduct public hearings and consult with local governments, infrastructure providers, and communities of concern before adopting TOD zoning.
- These zoning standards must undergo CEQA review, with the transit agency acting as the lead agency.
- Where there is a direct conflict, the transit agency's TOD zoning standards supersede local zoning, design review, or general plan standards—unless those conflicts remain unresolved, in which case the general plan prevails.
- TOD projects are subject to both the Density Bonus Law and Housing Accountability Act.

Local Government Implementation and Compliance

- Cities and counties must amend their zoning ordinances to conform with TOD zoning standards within two years of adoption.
- Local governments may deny projects that exceed SB 79's height standards.
- For mixed-use projects, 25% of the required affordable units must be built for every 25% of nonresidential floor area constructed.
- All agency-led TOD projects must comply with anti-displacement protections under the Housing Crisis Act.

Oversight and Review by HCD

- The Department of Housing and Community Development (HCD) must release capacity accounting standards by January 1, 2026.
- If HCD finds that a local ordinance is noncompliant, it must issue written findings and allow the local government 30 days to respond. If no findings are issued within that time, the ordinance is deemed compliant.

Geographic and Physical Access-Based Exemptions

- A local agency may exempt specific parcels within a half-mile of a TOD stop if it demonstrates there is no walkable path shorter than one mile from the site to the stop.

Mapping and Tier 3 TOD Zones

- Metropolitan planning organizations (MPOs) are required to develop official maps of TOD zones, which carry a rebuttable presumption of validity.
- A new "Tier 3 TOD stop" designation is introduced for:
 - Stops outside urban transit counties.
 - Locations served by commuter rail or ferry, or locally designated stops, excluding those served solely by buses.

Transit-Oriented Development Alternative Plans

SB 79 allows cities and counties to adopt their own transit-oriented development (TOD) alternative plan instead of using the default zoning standards set by the bill. However, the alternative plan must meet certain minimum requirements:

- It must preserve at least the same total housing capacity (in both units and residential floor area) across all TOD zones.
- Capacity in any individual TOD zone cannot be reduced by more than 50%.
- Density on any single parcel may not fall more than 50% below the baseline allowed by SB 79.
- The overall zoned capacity in the plan cannot exceed 200% of what SB 79 would otherwise permit.
- The plan may be built using existing local tools, such as overlay zones, specific plans, or incentive-based zoning programs, provided they apply consistently to all residential properties within TOD areas.

Local governments may adopt a TOD alternative plan in one of two ways:

1. The plan is submitted as a component of the jurisdiction's housing element, accompanied by an analysis showing it provides housing capacity equivalent to or greater than SB 79's standards. If HCD certifies the housing element, the alternative TOD plan is approved and enforced under housing element law.
2. The plan can be submitted independently to HCD for approval under Section 65912.160. Once approved, the jurisdiction is exempt from SB 79's default TOD zoning standards through the end of the applicable housing element cycle.

Transition Period for Pre-Seventh RHNA Cycle

- Prior to the seventh housing element cycle, parcels are exempt from SB 79 requirements if they already allow at least 50% of the required TOD density, or if they are part of an adopted TOD plan that covers a substantial portion of the TOD zone.

Looking Forward

SB 79 (Wiener) is pending a hearing date in the Assembly Appropriations Committee.

State Water Board Advances Bay-Delta Plan Update with Focus on Voluntary Agreements and Habitat Restoration

On July 24, the California State Water Resources Control Board [released](#) a proposed update to the Bay-Delta Water Quality Control Plan aimed at improving water quality and restoring ecosystem conditions in the Sacramento River, Delta, and surrounding tributaries. The draft plan identifies the Healthy Rivers and Landscapes (HRL) Program, developed with input from state, local, and federal partners, as a primary implementation pathway. The HRL framework emphasizes voluntary agreements with local agencies, agricultural stakeholders, and other water users, integrating both flow and habitat restoration strategies. An alternative flow-only compliance option is also included. The proposal seeks to modernize water quality management by applying updated scientific data and balancing ecological and water supply needs.

The plan will now move into a public comment period ahead of final consideration by the State Water Board. In parallel, the Administration has introduced a legislative proposal to streamline environmental review by exempting certain water quality control plans from the California Environmental Quality Act (CEQA), while maintaining opportunities for public engagement. If adopted, the Bay-Delta Plan update would replace a framework that has remained largely unchanged since 1995. The final plan is expected to shape how restoration and water supply projects are structured throughout the state, with long-term implications for environmental management, regulatory efficiency, and regional water resilience.

California's Role in the 2028 Olympic and Paralympic Games

On July 10, the Senate Special Committee on International Sporting Events held an informational hearing on preparations for the LA28 Olympic and Paralympic Games. With three years remaining, the hearing provided an overview of planning efforts, anticipated challenges, and statewide opportunities tied to the Games. This marked the first in a series of legislative oversight hearings.

The LA28 Games are projected to host over 15,000 athletes and introduce new Olympic and Paralympic sports, including cricket, flag football, lacrosse, and para climbing. The event is expected to generate \$18 billion in economic output and \$2 billion in tax revenue.

Visit California highlighted the Games' global tourism potential, noting challenges related to international travel demand and the need for workforce readiness in the hospitality sector. LA28 organizers reiterated that the Games are privately funded through sponsorships and ticket sales, with no public funds. However, the City and State have each committed up to \$270 million in backstop guarantees, authorized by AB 132 (2017).

City of Los Angeles officials emphasized the city's role in permitting, infrastructure, and interagency coordination, while Los Angeles County leaders raised equity and resource concerns, particularly for underserved communities. Both jurisdictions underscored the need for early investment in public safety, code enforcement, and community access strategies.

Transportation emerged as a key planning challenge. With the Games designated a National Special Security Event, federal, state, and local agencies are coordinating through the Games Mobility Executives group to implement the Games Enhanced Transit System (GETS), including dedicated lanes and expanded bus service. Officials also flagged permitting and enforcement issues requiring state support.

The Committee raised concerns about equitable access, community legacy, and small business inclusion. Panelists shared updates on youth sports initiatives, local hiring plans, and procurement platforms such as RAMP LA and Compete for LA. Human trafficking prevention and emergency planning were also discussed.

Committee Members called for a centralized planning document to track needs and suggested convening an interagency roundtable in August. They reaffirmed a commitment to ongoing oversight to ensure transparency, equity, and statewide benefit. Future hearings will focus on transportation, venue readiness, and long-term infrastructure investments. Despite strong momentum, Members noted unresolved issues around enforcement, permitting, and inclusive access across the broader region.

LOSSAN Rail Corridor Resiliency

On July 10, the Senate Transportation Subcommittee held an informational hearing on the LOSSAN Rail Corridor, focusing on service reliability, capital needs, and long-term funding. The hearing focused on how to strengthen the foundations of rail travel, such as reliability, service frequency, and resiliency. Topics discussed included plans to grow ridership, funding for capital projects, and financial planning. Panelists included Paul Hubler from Metrolink, Dawn Vettese from the San Diego Association of Governments (SANDAG), and Frank Jimenez from the Legislative Analyst's Office (LAO).

Metrolink's Paul Hubler discussed the agency's October 2024 service expansion, which increased weekday trains by 32 and boosted service by 22.5%. He projected significant ridership growth if capital projects move forward but noted challenges due to depleted federal relief funds and limited state support since SB 125. Metrolink continues to seek funding, including through federal programs like CRISI.

SANDAG's Dawn Vettese highlighted regional projects to improve reliability, reduce emissions, and strengthen coastal resiliency through track elevation, double-tracking, and curve-straightening. Frank Jimenez from the LAO emphasized the corridor's value to the state's transportation system and outlined funding options, including both one-time and ongoing support.

Lawmakers voiced interest in continued investment to improve the corridor's performance and long-term viability.

EXECUTIVE BRANCH

Temporarily Limited SB 9 Development in LA Burn Areas

On July 30, Governor Newsom issued an [executive order](#) responding to concerns that SB 9-driven redevelopment in fire-damaged neighborhoods could increase wildfire vulnerability and compromise evacuation routes. The order grants Los Angeles County jurisdictions temporary authority to restrict or suspend SB 9 development in very high fire hazard severity zones within burn-scar areas. This action reflects broader efforts by the Newsom Administration to prioritize public safety in post-fire recovery, alongside initiatives such as expedited project approvals, vegetation management, protections against speculative land activity, and a \$2.5 billion wildfire relief package aimed at reducing reliance on delayed federal aid.

Building on this state-level authority, Los Angeles Mayor Karen Bass issued an [emergency executive order](#) on the same day prohibiting the acceptance of SB 9 development applications within the Palisades Fire burn area. Mayor Bass's directive applies to specific high-risk neighborhoods, including Pacific Palisades, Castellammare, and portions of Brentwood and Topanga, where officials have expressed concerns that new residential density could hinder future evacuations. The emergency executive order, effective immediately, will remain in place while city departments conduct further analysis and determine appropriate land use and safety measures for these areas.

Together, the state and local executive orders temporarily restore decision-making power to local jurisdictions, allowing them to assess and adjust land use in ways that align with evacuation planning, infrastructure capacity, and climate risk. While SB 9 continues to serve as a statewide housing tool, these actions establish a carve-out to support safe, deliberate rebuilding in communities with elevated fire risk.

Executive Order for Youth Suicide Prevention

On July 30, Governor Newsom issued an [executive order](#) directing state agencies to take coordinated action in response to rising suicide rates, increased social isolation, and declining workforce participation among young men and boys in California. The order calls for a data-informed approach to improve mental health outcomes and strengthens pathways to education, employment, and community engagement.

Key directives include identifying service gaps through enhanced data analysis, expanding access to behavioral health supports, and increasing participation in apprenticeship programs, school-based mental health services, and public service career pipelines. The order also emphasizes the importance of mentorship, encouraging strategies to recruit more male teachers and counselors across California's education systems.

While the executive order is statewide in scope, it may create new alignment opportunities for local jurisdictions across youth-focused services, workforce initiatives, and education-based partnerships. The order does not allocate new funding but aims to leverage and realign existing state resources to support implementation.

California's Redistricting Proposal

In response to Texas's proposal to redraw Congressional districts before the midterm elections, creating five new Republican-leaning districts, Governor Newsom warned that California could follow suit. The Governor has floated the idea of calling a special election in November to begin the process of redrawing the State's congressional maps in response to Texas' proposal. This week, UCLA unveiled a ["theoretical map"](#) that could shift the number of competitive or Republican-leaning districts from 16 to 5. California is viewed as the best opportunity to pick up seats through gerrymandering, but California is one of 15 states where the redistricting process is done via an independent redistricting commission that was given the power to draw Congressional districts back in 2010. This means it may require voter approval to suspend the Commission and transfer redistricting powers back to the State Legislature and Governor. If voters did approve the gerrymandering proposal, the maps would be in effect for the 2026, 2028, and 2030 election cycles before reverting back to the control of the State Citizens Redistricting Commission.

However, the UCLA researchers also released a [paper](#) suggesting that although the State Constitution explicitly requires the State Citizens Redistricting Commission to draw new maps after every decennial census, it does not take away the ability of the Legislature to conduct redistricting. While the legal process of redistricting California's Congressional districts mid-decade remains unclear, Governor Newsom certainly expects this proposal to be taken seriously by the Legislature, hence his repeated vocal advocacy for a public vote in November.

Governor's Housing and Homelessness Reorganization Plan Moves Forward

On July 11, Governor Newsom [announced](#) a proposal to restructure parts of California's state government to strengthen efforts related to housing, homelessness, and consumer protection. The plan includes the creation of two new state entities: the California Housing and Homelessness Agency (CHHA) and the Business and Consumer Services Agency (BCSA).

CHHA is expected to lead housing development and homelessness prevention programs and protect Californians' Civil Rights, while BCSA will focus on strengthening oversight of regulated industries. CHHA brings together several departments, including Housing and Community Development, California Housing Finance Agency, California Interagency Council on Homelessness, Housing Development and Finance Committee, and the Civil Rights Department, to better coordinate housing production and homelessness services. BCSA will oversee functions related to business regulation and consumer affairs, consolidating responsibilities such as occupational licensing, real estate oversight, and alcohol and cannabis regulation.

For local agencies, the reorganization is intended to streamline access to state programs, reduce administrative burdens, and improve policy coordination across departments. However, the

transition could also affect how housing and homelessness resources are administered, particularly around grant oversight, compliance, and funding allocations.

The Governor's 2025 Reorganization Plan officially entered legislative consideration on May 13, following the release of the Little Hoover Commission's [report](#). Under state law, the Legislature had 60 days to approve, amend, or reject the proposal. However, with no formal action taken by the July 4 deadline, the plan automatically took effect on July 5. The new California Housing and Homelessness Agency and the Business Consumer Services Agency will become effective July 1, 2026, at which time the current Business Consumer Services and Housing Agency will be dissolved.

MEMORANDUM

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

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

Date: September 3, 2025

Subject: August 2025 Legislative Monthly Report

STATE UPDATES

The Legislature continued their Summer Recess in the first half of August, with no formal activity taking place during that period. However, the pace picked up significantly in the second half of the month as lawmakers reconvened on August 18 to begin the final phase of the 2025 legislative session.

Upon returning, both houses shifted focus to second-house fiscal committees, which had until the August 29 deadline to consider remaining legislation. This period included the highly anticipated Suspense File Hearings in both the Assembly and Senate Appropriations Committees. The Suspense File hearings, held on August 29, determined the fate of bills with significant fiscal impacts, typically those exceeding \$50,000 in cost to the state's General Fund. During these fast-paced sessions, dozens of bills were either advanced to the floor for final consideration or held in committee, effectively halting their progress for the year.

Throughout the final weeks of August, fiscal committees held extended hearings to accommodate the compressed timeline. Several high-profile bills saw amendments or consolidations to improve their chances of passage. Simultaneously, behind-the-scenes negotiations intensified between legislative leadership and the Governor's office to finalize legislative priorities ahead of the session deadlines.

In addition to regular committee activity, the *Election Rigging Response Act* legislative package moved swiftly through the Legislature after being unveiled upon the Legislature's return. Both houses adopted special rules to allow the measures to proceed on an expedited timeline. Constitutional amendments must be approved by August 22 to qualify for the November 2025 ballot, and the package advanced through policy and fiscal committees in the first half of the week, followed by floor votes in both chambers on Thursday. The measures passed out of the Legislature and were signed by Governor Newsom on August 21.

Looking ahead, starting September 2, the Legislature will enter floor-only sessions, with both chambers focused solely on final votes before the September 12 deadline to send measures to the Governor. Governor Newsom will then have until October 12 to sign or veto legislation that reaches his desk.

Below is an overview of pertinent state actions from the month of August.

The Election Rigging Response Act

When the Legislature returned from Summer Recess, the focus quickly centered on the Governor's proposal to allow mid-decade congressional redistricting. On August 18, the proposal was introduced as a three-bill package known as the *Election Rigging Response Act*, which gives California voters the option of adopting interim congressional districts before the normally scheduled timeline following the 2030 census.

The package included three measures: [AB 604](#) (Aguiar-Curry/Gonzalez), which sets forth congressional district boundaries that would only take effect if voters approve ACA 8 at the November 2025 special election; [SB 280](#) (Cervantes/Pellerin), which formally calls the special statewide election and provides procedures and funding for its administration; and [ACA 8](#) (Rivas/McGuire), a proposed constitutional amendment, if approved by voters, would temporarily authorize the Legislature to adopt congressional maps mid-decade under certain conditions until the Citizens Redistricting Commission resumes its work after the 2030 census. Both AB 604 and SB 280 contain urgency clauses and take effect immediately.

After rule waivers were approved on the floor to move the package forward on an expedited schedule, the measures were heard in the Assembly and Senate Elections Committees. Testimony and debate in those hearings were lengthy and, at times, contentious, as members of the public and legislators raised concerns about the need for mid-decade redistricting, the speed of the process, the source of the maps, and the broader national political context. The committees advanced the bills on party-line votes. On August 20, the Appropriations Committees in both houses considered the fiscal impacts of the measures and also advanced them, again largely along party lines. Additionally, the California Supreme Court rejected a Republican petition seeking to halt legislative action on the grounds that the 30-day public review period for newly introduced bills had not been met. With that challenge denied, the legal framework is now in place for the special election. However, additional lawsuits challenging the substance of the redistricting plan are expected in the months ahead, including potential claims under the Voting Rights Act and disputes over community representation.

On August 21, the Assembly and Senate Floor sessions both involved extended debate and repeated procedural motions, but ultimately the measures were approved with the two-thirds majorities needed. The Assembly passed the bills on a 57–20 vote, and the Senate followed with a 30–8 vote. Shortly after legislative passage, Governor Newsom signed the *Election Rigging Response Act* into law, immediately enacting its urgency provisions and officially setting the November 4, 2025, special election for voter consideration of the proposed amendment and redrawn maps.

The Legislature's action concluded the state's role in advancing the mid-decade redistricting proposal. Attention will now shift to the campaign ahead of the November special election, as well as to ongoing litigation that may shape how the proposal ultimately moves forward.

Assembly and Senate Appropriations Committee Suspense File Hearings

On August 29, the Assembly and Senate Appropriations Committees considered their Suspense Files, which are comprised of bills in each house that have a fiscal impact to the State.

Of the **261** bills considered during the Assembly Appropriations Committee's Suspense File hearing, **190** passed, and **71** were held and deemed inactive for the remainder of the Session. Similarly, the Senate Appropriations Committee's Suspense File Agenda featured **425** total bills **309** of which were passed, and 116 were held and deemed inactive.

In total, there were **686** bills in the Suspense Files between both Committees; **499** passed to their House Floors, with **187** measures held in committee, for about a **27%** hold rate.

Measures that passed with amendments are anticipated to have the amendments available in early September.

Below is a list of pertinent measures from the Suspense File Hearings, separated by subject.

Homelessness

- [**SB 606 \(Becker\)**](#) requires an applicant for the Homeless Housing, Assistance, and Prevention (HHAP) Grant Program to report additional information to the Department of Housing and Community Development (HCD), including an assessment of how to achieve both "functional zero" and "functional zero unsheltered," as defined by this bill, and other information regarding implementation of local homeless housing incentives.
This measure was held in the Assembly Appropriations Committee and will remain inactive.

Housing

- [**AB 670 \(Quirk-Silva\)**](#) requires local agencies, starting with annual progress reports (APRs) due April 1, 2027, to report additional details on housing demolitions and replacements. AB 670 would also allow jurisdictions to count unrestricted multifamily units converted to deed-restricted affordable housing toward their regional housing need in those reports.
This measure passed to the Senate Floor with amendments.

Land Use

- [**AB 6 \(Ward\)**](#) requires the Department of Housing and Community Development (HCD) to convene a working group with specified stakeholders to research and consider recommendations for amendments to state building standards to allow residential developments of three to 10 units to be built under the California Residential Code, and to provide a report of its findings to the Legislature by December 31, 2028. AB 6 also requires HCD to perform a review of residential cost pressures as a result of new or existing building standards requirements and report its findings in its annual report to the Legislature, as specified.
This measure was held in the Senate Appropriations Committee and will remain inactive.
- [**AB 1033 \(Lackey\)**](#) increases the maximum amount a public entity must offer to pay for the reasonable cost of an independent property appraisal when a property is under threat of eminent domain from \$5,000 to \$8,000.
This measure was held in the Senate Appropriations Committee and will remain inactive.

- [**SB 79 \(Wiener\)**](#) requires a housing development project near a transit-oriented development (TOD) stop be an allowable use on a site zoned for residential, mixed, or commercial development, if the housing development meets certain requirements. SB 79 also allows a transit agency to adopt TOD zoning standards for district-owned land located in a TOD zone, which establishes minimum zoning requirements for an agency TOD project. This measure requires an affected city or county to adopt a local zoning ordinance that conforms to the transit agency's zoning standards within two years.
This measure passed to the Assembly Floor with amendments.

Open Meetings

- [**SB 707 \(Durazo\)**](#) makes numerous changes to the rules governing local agency public meetings pursuant to the Ralph M. Brown Act (Brown Act) to, among other things, increase public access and extend teleconferencing flexibilities.
This measure passed to the Assembly Floor with amendments.

Public Safety

- [**AB 400 \(Pacheco\)**](#) requires a law enforcement agency with a canine unit to maintain a policy for use of police canines by the agency that, at a minimum, complies with standards established by the Commission on Peace Officer Standards and Training (POST).
This measure passed to the Senate Floor with amendments.
- [**SB 35 \(Umberg\)**](#) requires the Department of Health Care Services (DHCS) conduct a site visit, or allow a county to conduct a site visit, of a licensed recovery or treatment facility (RTF) and certified alcohol and other drug (AOD) program, if an affiliated recovery residence (RR) is providing services it is not licensed to provide. The bill also requires every licensed recovery or treatment facility (RTF) and certified AOD program report annually to DHCS any money transfers between the RTF or program and an RR.
This measure was held in the Assembly Appropriations Committee and will remain inactive.
- [**SB 701 \(Wahab\)**](#) creates three crimes related to the manufacturing, sales, and operation of a device that intentionally blocks, jams, or interferes with authorized radio transmissions ("signal jammer").
This measure passed to the Assembly Floor.
- [**SB 759 \(Archuleta\)**](#) requires a supervising agency to petition the court to modify, revoke, or terminate post-release community supervision (PRCS) if a person on PRCS has violated the terms of their release for a third time and has committed a new felony or misdemeanor.
This measure was held in the Assembly Appropriations Committee and will remain inactive.

Regional Housing Needs Assessment (RHNA) Reform

- [**AB 650 \(Papan\)**](#) requires the Department of Housing and Community Development (HCD), if it finds a local agency's draft or adopted housing element is not in substantial compliance, to identify and explain specific deficiencies and to provide the specific analysis or text to the local agency that would bring the housing element into compliance.

The measure also extends various timelines in the process for determining and allocating regional housing needs, as specified.

This measure passed to the Senate Floor with amendments.

Transportation

- [**AB 394 \(Wilson\)**](#) expands the crime of battery against a public transportation provider or their employees and contractors.
This measure passed to the Senate Floor.
- [**AB 620 \(Jackson\)**](#) requires the California Air Resources Board (CARB) to consider certain factors regarding the impacts and benefits of rental medium- and heavy-duty zero-emission vehicles in any regulation regarding their procurement.
This measure passed to the Senate Floor.
- [**SB 63 \(Wiener\)**](#) creates a process by which certain Bay Area counties may approve, by approval of voters of those counties, the temporary imposition of a transaction and use tax (TUT) on all retail transactions within those counties, the proceeds of which must be dedicated primarily to transit operation expenses within those counties.
This measure passed to the Assembly Floor with amendments which add an urgency clause.
- [**SB 720 \(Ashby\)**](#) authorizes a local government to use cameras and similar equipment, referred to as an “automated traffic enforcement system” (ATE system) to automatically detect and record violations of traffic control signal requirements, such as running a red light, and subjects such a violation detected and recorded by an ATE system a civil penalty. This differs from current law, which authorizes a local government to use an ATE system for the same purpose, but makes a violation subject to criminal penalty.
This measure passed to the Assembly Floor with amendments.

Water

- [**SB 317 \(Hurtado\)**](#) codifies the California Surveillance of Wastewaters network (Cal-SuWers), which is a network of monitoring programs to test for pathogens, toxins, and other public health indicators in wastewater.
This measure passed to the Assembly Floor with amendments.
- [**SB 454 \(McNerney\)**](#) creates the PFAS (perfluoroalkyl and polyfluoroalkyl substances) Mitigation Fund (Fund) and authorizes, upon appropriation, moneys deposited into the Fund be available for the State Water Resources Control Board (State Water Board) to expend for the treatment of PFAS in drinking water, wastewater, and recycled water.
This measure passed to the Assembly Floor.
- [**SB 682 \(Allen\)**](#) prohibits a person from distributing, selling, or offering for sale in the state a cleaning product, cookware, dental floss, juvenile product, food packaging, or ski wax that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS) and requires the Department of Toxic Substances Control (DTSC) to enforce these prohibitions using its existing authority.
This measure passed to the Assembly Floor with amendments.

Wildfire Resilience

- [AB 1 \(Connolly\)](#) requires the California Department of Insurance (CDI) to consider updating the Safer from Wildfires regulations (SWRs) to include additional building hardening measures for property-level mitigation efforts and communitywide wildfire mitigation programs, as specified.
This measure passed to the Senate Floor.
- [AB 1089 \(Carrillo\)](#) authorizes the California Department of Fish and Wildlife (CDFW) to enter into an agreement with any city to delegate to the city the taking of a western Joshua tree associated with commercial and industrial projects in certain conditions.
This measure passed to the Senate Floor.
- [SB 254 \(Becker\)](#) makes broad changes to the regulation of electric and gas utilities, including: (1) creating funds to support utility reimbursements and finance transmission projects; (2) revising wildfire risk mitigation and clean energy permitting requirements; (3) imposing new rules on utility spending, financing, and rate increases; and (4) updating how California Climate Credit revenues are distributed to ratepayers.
This measure passed to the Assembly Floor.
- [SB 256 \(Pérez\)](#) makes several, distinct requirements of electrical utilities related to management of their infrastructure, and their efforts to prevent that infrastructure from igniting fires.
This measure was held in the Assembly Appropriations Committee and will remain inactive.
- [SB 616 \(Rubio\)](#) establishes the Community Hardening Commission (CHC), chaired by the Insurance Commissioner (IC), to develop new wildfire community hardening standards to reduce fire risk and improve access to fire insurance.
This measure passed to the Assembly Floor.
- [SB 653 \(Cortese\)](#) requires a state public entity, for a grant program that funds an environmentally sensitive vegetation management project, as defined, to consider incorporating into its funding guidelines specified criteria intended to maintain ecological health and strengthen biodiversity while mitigating wildfire risk.
This measure passed to the Assembly Floor.

With the Assembly and Senate Appropriations Suspense File hearings now concluded, advancing measures will proceed to their respective Floor sessions for final consideration. Measures that have been recently amended will be sent back to their House of Origin for a concurrence vote on amendments taken in the opposite house prior to transmittal to the Governor's Desk.

Cap and Trade Program Reauthorization

In advance of the expiration of the state's Cap and Trade program in 2030, Governor Newsom announced in April his commitment to permanently extending the program during this legislative year. The Cap and Trade program generates revenue through the auction of greenhouse gas emission allowances, which is deposited into the GGRF and generally allocated to climate-related programs. Most funding from the GGRF is allocated to specific programs, such as the Affordable Housing and Sustainable Communities Program, Low Carbon Transit Operations Program, and

High-Speed Rail Project, and the remaining revenue is available for appropriation by the Legislature for discretionary spending programs through the annual budget process.

The enacted budget approved the newly dubbed “Cap and Invest” [May Revision Finance Letter](#) (which amended and eliminated various budget items to be determined later), adjusted the GGRF allocation to CAL FIRE down to \$500 million, and adopted intent language regarding shifts in out years from GGRF to CAL FIRE. For High-Speed Rail, the conversation on a \$1 billion annual appropriation was also deferred to the broader reauthorization movement. Due to deferred conversations in the adopted budget, legislators are expected to have a larger voice in shaping how GGRF funding is allocated in the future.

Following the Legislature’s return from Summer Recess, the Assembly released a portion of reauthorization plans within the policy vehicle AB 1207 (Irwin). Beyond the program’s extension, the measure would redesign how program revenues are allocated and expand legislative oversight. Investor-owned utilities would continue to provide bill credits to customers. Still, a portion of allowance revenues would be redirected into dedicated funds for transmission infrastructure and grid reliability. In contrast, future Greenhouse Gas Reduction Fund revenues would be steered toward sector-specific sub-funds guided by multi-year spending plans.

At the same time, the Legislature would assume a stronger role in monitoring the program. The Air Resources Board would be required to present and justify any major regulatory changes, transmit economic analyses, and provide annual updates on allowance use, offset protocols, and market performance. Independent review bodies such as the Offsets Protocol Task Force and the Emissions Market Advisory Committee would also be extended through 2046. Collectively, these changes reflect a shift toward tighter legislative oversight, greater transparency, and a reorientation of expenditures toward long-term infrastructure and climate priorities, while preserving direct benefits for ratepayers.

The Senate’s draft framework, however, reflects a somewhat different set of priorities. It also proposes extending the program to 2045 but places heavier emphasis on reducing free allowance allocations, introducing a border carbon adjustment to protect in-state industries, and tightening or replacing offsets with direct investments in natural and working lands. Consumer cost protections would continue, but the Senate underscores direct regulation of on-site emissions through permanent expansion and funding of the AB 617 community air program, ensuring benefits flow directly to disadvantaged communities. On revenues, the Senate framework proposes capping baseline GGRF expenditures and channeling new revenues generated from reauthorization into Legislative priorities, thereby shifting more discretion over expenditures to the Legislature itself.

Regional Energy Market: The Pathways Initiative

As the Legislature enters the final stretch of the 2025 session, one of the most closely watched measures in the energy and environmental space is [SB 540](#), known as the Pathways Initiative. The bill reflects a long-debated but reconfigured push toward regional energy market integration, seeking to balance the economic and reliability benefits of a broader footprint with California’s strong commitment to clean energy policies and state-level control.

SB 540 authorizes the California Independent System Operator (CAISO) and participating transmission owners to join voluntary wholesale energy markets overseen by an independent regional organization (RO), provided that a set of conditions and governance guardrails are met. Unlike previous efforts to fully regionalize CAISO, this bill stops short of transferring all CAISO

functions to an RTO. Instead, it limits the independent entity's authority to energy market operations while ensuring that CAISO retains core responsibilities such as balancing authority, transmission planning, and reliability compliance.

The bill also establishes a Regional Energy Market Oversight Council (REMOC), composed of California's top energy policymakers and legislative leaders, to approve or withdraw California's participation if the independent RO strays from state priorities. Additional requirements aim to safeguard California's Renewable Portfolio Standard (RPS) and ensure voluntary withdrawal rights for utilities and load-serving entities.

Supporters – including labor unions, utilities, environmental groups, and major tech companies – frame SB 540 as an incremental and pragmatic approach compared to prior regionalization proposals that faltered under concerns about federal preemption and erosion of California's climate authority. Proponents argue the bill unlocks efficiency gains, lowers consumer costs, reduces reliance on natural gas, and strengthens reliability, particularly in the face of extreme weather events. Studies commissioned by the CEC and academic researchers suggest that a larger, more diverse market footprint could yield hundreds of millions in annual consumer savings and significant emissions reductions, provided enough participants join.

Opponents – including TURN, environmental justice coalitions, and local climate groups – warn that the proposal risks exposing California's policies to FERC intervention and federal legal challenges, especially under a Trump administration that has already signaled a preference for coal and hostility toward state climate laws. Critics argue that the guardrails are insufficient to ensure protection if federal authorities attempt to weaken state clean energy rules, and they urge stronger withdrawal triggers tied to court rulings or federal policy shifts.

Politically, SB 540 has demonstrated broad bipartisan appeal so far, passing key Senate committees with near-unanimous support. Its coalition of backers spans utilities, labor, and environmental organizations – a rare alignment in California energy policy. Yet the opposition from consumer advocates and grassroots climate organizations remains vocal, ensuring contentious debate as the bill approaches second house policy committee and floor consideration. The inclusion of REMOC and incremental scope compared to past proposals is widely viewed as an attempt to bridge the divide between advancing regional efficiencies and preserving California's autonomy over its clean energy future.

Its incremental structure, oversight mechanisms, and broad coalition suggest real momentum, but lingering skepticism about federal interference and consumer protections will shape the debate in the final weeks of session.

Highway Patrol Crime Suppression Teams Expanded

As a part of the Governor's statewide public safety initiatives, CHP Crime Suppression Teams were launched in San Diego, the Inland Empire, Los Angeles, the Central Valley, Sacramento, and the San Francisco Bay Area in late August. This new phase will assist local law enforcement target high-crime areas, disrupt organized crime, and provide additional visibility and enforcement capacity.

Operations in Bakersfield, Oakland, and San Bernardino already underway have yielded over 9,000 arrests, recovery of nearly 5,800 stolen vehicles, and seizure of more than 400 firearms. Bakersfield reported a 57% drop in homicides and 60% fewer shootings, Oakland saw a 34%

overall crime reduction year-over-year, and San Bernardino recorded significant declines in violent crime and property theft, according to the Department of Justice.

Recent statewide data underscores the effectiveness of these efforts. Nearly every major crime category declined in 2024, including homicides, which fell by 12%. In the first half of 2025, violent crime is down 12.5% across California's largest cities, with notable decreases in Oakland (30%) and San Francisco (22%). The state's homicide rate is now among the lowest in the nation, well below many other states.

At the local level, these operations could bring operational and fiscal support. Since 2019, California has invested \$1.7 billion in public safety, including resources to expand local police staffing, combat organized retail crime, and strengthen community-level enforcement. In addition, \$267 million in state grants distributed last year enables 55 communities to fund police hiring, expand proactive enforcement, and increase felony prosecutions related to retail theft and property crimes. The Governor's latest move supports sustained emphasis on state-local collaboration to maintain momentum in driving crime rates down.

Governor Newsom Issues Executive Order to Accelerate Clean Energy

On August 29, Governor Newsom issued an [Executive Order](#) to accelerate clean energy development in California, considering shortened federal timelines for accessing renewable energy tax credits. The order is intended to help projects meet federal deadlines requiring most facilities above 1.5 MW to begin construction by July 2026 and be operational by December 2027. The order directs the Energy Working Group within the Infrastructure Strike Team to identify qualifying projects at risk of losing tax credit eligibility and coordinate across state agencies to expedite permitting, approvals, construction, and interconnection. A progress report and recommendations are due to the Governor's Office within 90 days.

Key provisions include:

- **CPUC:** Prioritize interconnection of near-term generation and storage projects, coordinate with CAISO and utilities on transmission development, and use recent streamlined permitting processes.
- **CAISO:** Focus on connecting commercially ready resources to existing transmission infrastructure to support grid reliability.
- **CEC:** Review pending siting projects for tax credit eligibility and assess additional streamlining opportunities.
- **Natural Resources, CalEPA, and CalSTA:** Review permitting procedures to identify ways to expedite qualifying projects.
- **GO-Biz:** Work with local governments through the Clean Energy Permitting Initiative to help accelerate large-scale project approvals.

The order builds on earlier state actions to streamline energy permitting and transmission development and supports California's near-term reliability and long-term climate goals of achieving 90% clean electricity by 2035 and 100% by 2045.

Governor Newsom Announces SAFE Task Force

On August 29, Governor Newsom [announced](#) the formation of the SAFE Task Force (State Action for Facilitation on Encampments), a coordinated effort to address homeless encampments along state rights-of-way in California's ten largest cities. The initiative follows a recent U.S. Supreme

Court ruling that expanded state and local authority to clear encampments, and it builds on the Governor's earlier [executive order](#) and model ordinance for local jurisdictions.

The Task Force brings together multiple state agencies, including Caltrans, CalOES, CHP, the Business, Consumer Services and Housing Agency, and Health and Human Services to accelerate encampment removals while connecting individuals to housing, shelter, mental health, and substance use treatment. Within 30 days, the group will begin targeting the most unsafe and highly visible encampments for removal, coupled with outreach and care coordination.

Caltrans has already cleared more than 18,000 encampments since July 2024, and recent joint operations with San Francisco demonstrate the model of pairing removals with immediate service referrals. Statewide data also show early declines in unsheltered homelessness across several counties. The Governor emphasized that the effort is intended both to restore safe public spaces and to transition people into longer-term care and housing solutions.



North County Transit District
2025-26 Legislative Report

AB 76

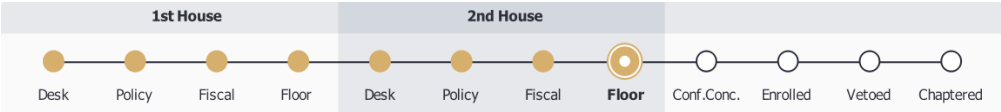
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Surplus land: exempt surplus land: sectional planning area.

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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: 07/17/2025 - Read second time and amended. Ordered to third reading.

Calendar: 09/03/25 #131 S-ASSEMBLY BILLS - THIRD READING FILE

Summary: Current law prescribes requirements for the disposal of surplus land by a local agency and defines terms for these purposes, including, among others, "surplus land" to mean land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use. Current law defines "exempt surplus land" to mean land that is subject to a sectional planning area document, as described, and meets specified requirements, including that the land identified in the adopted sectional planning area document was dedicated prior to January 1, 2019, at least 25% of the units are dedicated to lower income households, as specified, and that the land 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, or 500 units, whichever is greater, 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 07/17/2025 text)

Location: 07/17/2025 - Senate THIRD
READING

Current Text: 07/17/2025 - Amended
Last Amend: 07/17/2025

AB 339

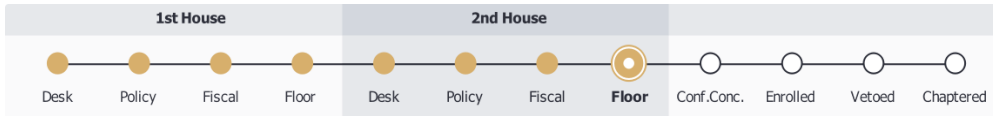
Ortega, D

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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: 09/02/2025 - Read second time. Ordered to third reading.

Calendar: [09/03/25 #351 S-ASSEMBLY BILLS - THIRD READING 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 45 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, subject to certain exceptions. The bill would require the notice to include specified information, including the anticipated duration of the contract. (Based on 08/29/2025 text)

Location: 09/02/2025 - Senate THIRD
READING

Current Text: 08/29/2025 - Amended
Last Amend: 08/29/2025

AB 394

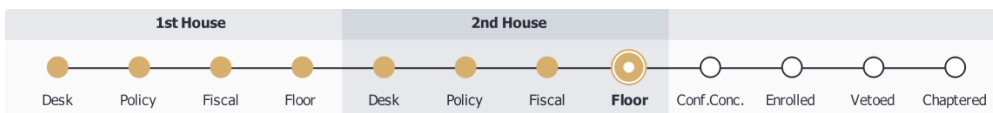
Wilson, D

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Public transportation providers.

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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:	08/29/2025 - From committee: Do pass. (Ayes 7. Noes 0.) (August 29). Read second time. Ordered to third reading.		
Calendar:	09/03/25 #249 S-ASSEMBLY BILLS - THIRD READING FILE		
Summary:	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 07/17/2025 text)		
Location:	08/29/2025 - Senate THIRD READING	Current Text:	07/17/2025 - Amended
		Last Amend:	07/17/2025

AB 417

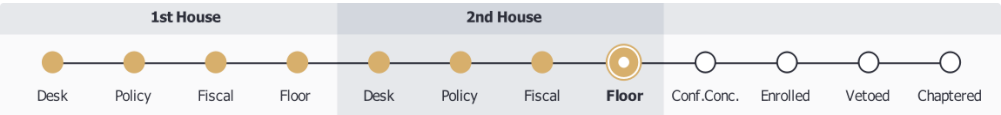
Carrillo, D

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Local finance: enhanced infrastructure financing districts: community revitalization and investment authorities.

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Notes

Notes 1

Neutral

Anticipated impact - grants lead project agencies a waiver from local third party approvals for sustainable transportation projects, and creates an optional project delivery process in the process of developing a sustainable transportation project. A "lead agency" is defined as the public agency which has the principal responsibility for carrying out or approving a project. "Lead agency" also includes other parties whose services are procured by the lead agency, including, but not limited to, a private contractor or consultant. A "third party" is defined as a local agency (any public agency other than a state agency) or utility, including, but not limited to, an electrical corporation, public utility, or private telecommunications provider. Sustainable transportation projects include transit priority facilities, bus service, bus rapid transit, and passenger rail.

Bill information

Status:	06/19/2025 - Read second time. Ordered to third reading.
Calendar:	09/03/25 #70 S-ASSEMBLY BILLS - THIRD READING FILE (Floor Mgr.- Durazo)
Summary:	Current law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district to finance public capital facilities or other specified projects, including acquisition, construction, or repair of commercial structures by the small business occupant of such structures, if such acquisition, construction, or

repair is for purposes of fostering economic recovery from the COVID-19 pandemic, as specified, with a governing body referred to as the public financing authority, by adopting a resolution of intention to establish the proposed district. This bill would revise these provisions to instead authorize the designation of a proposed enhanced infrastructure financing district to finance capital facilities or other specified projects for the acquisition, construction, or repair of commercial structures by the small business occupant of such structures, as described above, if such acquisition, construction, or repair is for purposes of fostering economic recovery of a community, as specified. (Based on 03/27/2025 text)

Location: 06/19/2025 - Senate THIRD
READING

Current Text: 03/27/2025 - Amended
Last Amend: 03/27/2025

AB 476

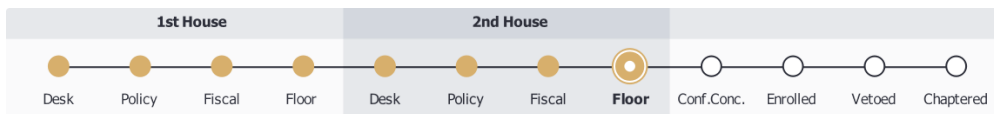
González, Mark, D

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Metal theft.

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Notes

Notes 1

Anticipated impact - intends to minimize metal theft by enhancing reporting requirements for junk dealers and recyclers, modernizing restrictions on the possession of scrap metal from critical public infrastructure, and revises penalties to better reflect the true cost of damages to the public.

Bill information

Status: 09/02/2025 - Read second time. Ordered to third reading.

Calendar: [09/03/25 #368 S-ASSEMBLY BILLS - THIRD READING FILE](#)

Summary: Current law governs the business of buying, selling, and dealing in secondhand and used machinery and all ferrous and nonferrous scrap metals and alloys, also known as “junk.” Current law requires junk dealers and recyclers to keep a written record of all sales and purchases made in the course of their business, including the place and date of each sale or purchase of junk and a description of the item or items, as specified. Current law requires the written record to include a statement indicating either that the seller of the junk is the owner of it, or the name of the person they obtained the junk from, as shown on a signed transfer document. This bill would require junk dealers and recyclers to include additional information in the written record, including the time and amount paid for each sale or purchase of junk made, and the name of the employee handling the transaction. The bill would revise the type of information required to be included in the description of the item or items of junk purchased or sold, as specified. The bill would require the statement referenced above indicating ownership or the name of the person from whom the seller obtained the junk from to be signed and would require the statement to include specified information, including the legal name, date of birth, and place of residence of the seller. (Based on 08/29/2025 text)

Location: 09/02/2025 - Senate THIRD
READING

Current Text: 08/29/2025 - Amended
Last Amend: 08/29/2025

AB 1207

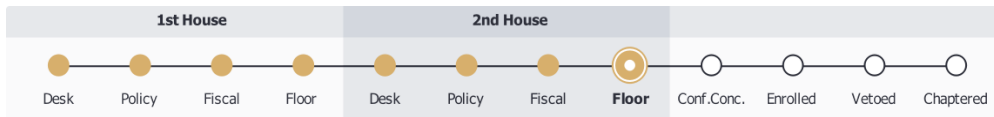
Irwin, D

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Climate change: market-based compliance mechanism: price ceiling.

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Notes

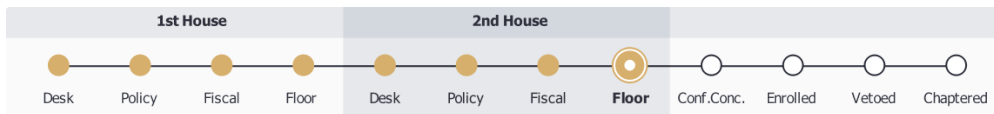
Bill information

Status:	08/20/2025 - Read second time. Ordered to third reading.		
Calendar:	09/03/25 #170 S-ASSEMBLY BILLS - THIRD READING FILE		
Summary:	The California Global Warming Solutions Act of 2006, until January 1, 2031, authorizes the State Air Resources Board to adopt a regulation establishing a system of market-based declining aggregate emissions limits for sources or categories of sources that emit greenhouse gases (market-based compliance mechanism) that meets certain requirements. Current law requires the state board, in adopting the regulation to, among other things, establish a price ceiling for emission allowances sold by the state board. Current law requires the state board, in establishing the price ceiling, to consider specified factors, including the full social cost associated with emitting a metric ton of greenhouse gases. This bill would require the state board to instead consider the full social cost associated with emitting a metric ton of greenhouse gases, as determined by the United States Environmental Protection Agency in November 2023. (Based on 03/17/2025 text)		
Location:	08/20/2025 - Senate THIRD READING	Current Text:	03/17/2025 - Amended
		Last Amend:	03/17/2025

[AB 1250](#)[Papan, D](#)[HTML](#)[PDF](#)

Transit operators: paratransit: recertification of eligibility.

Progress bar



Notes

Notes 1

Neutral

Anticipated impact - would prohibit the district from requiring a person who is eligible to receive paratransit services (that has a condition that is not reasonably expected to improve) to recertify their eligibility.

Bill information

Status:	08/27/2025 - Read second time. Ordered to third reading.		
Calendar:	09/03/25 #202 S-ASSEMBLY BILLS - THIRD READING FILE (Floor Mgr.- Strickland)		
Summary:	Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4 percent sales tax in each county are, among other things, available for allocation by the transportation planning agency to transit operators and for community transit services. Current law requires a transit operator that receives funds through the Mills-Alquist-Deddeh Act and that provides dial-a-ride or paratransit service to provide those services consistent with certain requirements. This bill would require, on or before January 1, 2027, transit operators, as defined, to establish a streamlined recertification process for eligible persons, as specified. The bill would require, on and after June 1, 2027, transit operators to only use the streamlined recertification process for eligible persons unless certain conditions apply. The bill would define "eligible persons" as persons who receive, or who are eligible to receive, paratransit services based on a disability and whose disability cannot reasonably be expected to improve over time, as		

determined by the person's qualified licensed medical professional, and whose ability to access the fixed route system cannot reasonably be expected to improve over time, as determined by the transit operator. (Based on 08/26/2025 text)

Location: 08/27/2025 - Senate THIRD
READING

Current Text: 08/26/2025 - Amended
Last Amend: 08/26/2025

[AB 1331](#)

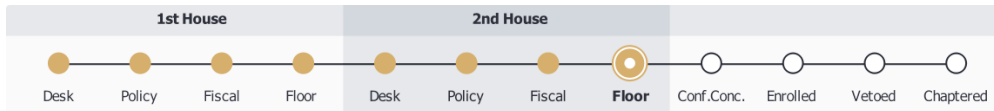
[Elhawary, D](#)

[HTML](#)

[PDF](#)

Workplace surveillance.

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Notes

Notes 1

Neutral

Anticipated impact - prohibits employers from using workplace surveillance tools in certain off-duty areas.

Bill information

Status: 09/02/2025 - Read second time. Ordered to third reading.

Calendar: [09/03/25 #440 S-ASSEMBLY BILLS - THIRD READING FILE](#)

Summary: Existing law establishes the Division of Labor Standards Enforcement within the Department of Industrial Relations. Existing law authorizes the division, which is headed by the Labor Commissioner, to enforce the Labor Code and all labor laws of the state the enforcement of which is not specifically vested in any other officer, board or commission. This bill would limit the use of workplace surveillance tools, as defined, by employers, including by prohibiting an employer from monitoring or surveilling workers in employee-only, employer-designated areas, as specified. The bill would provide workers with the right to leave behind workplace surveillance tools that are on their person or in their possession when entering certain employee-only areas and public bathrooms and during off-duty hours, as specified. The bill would prohibit a worker from removing or physically tampering with any component of a workplace surveillance tool that is part of or embedded in employer equipment or vehicles. (Based on 08/29/2025 text)

Location: 09/02/2025 - Senate THIRD
READING

Current Text: 08/29/2025 - Amended
Last Amend: 08/29/2025

[ACA 1](#)

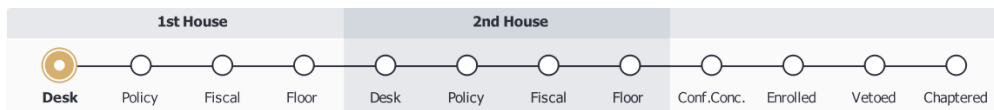
[Valencia, D](#)

[HTML](#)

[PDF](#)

Public finance.

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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

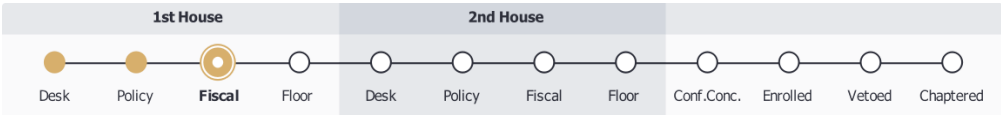
Jackson, D

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Homelessness and affordable housing.

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Notes

Notes 1

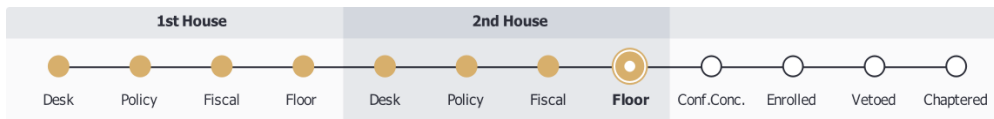
Anticipated impact - could fund affordable housing projects that may lead to the development of housing near transit corridors, however, would earmark 5% of the state's General Fund for housing, which would reduce flexibility in the state budget to allocate funding to other areas, including transportation.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

Bill information

Status: 05/23/2025 - Coauthors revised. In committee: Hearing postponed by committee.

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 Made Equal (HOME) 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 05/05/2025 text)

Location: 05/14/2025 - Assembly APPR. SUSPENSE FILE **Current Text:** 05/05/2025 - Amended
Last Amend: 05/05/2025

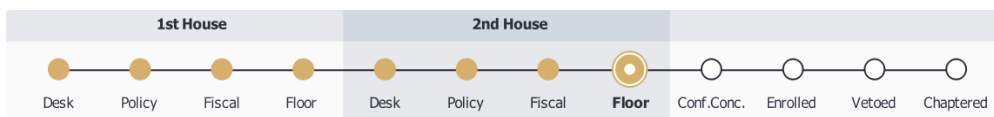
Diesel-powered on-track equipment: decommissioning: resale and transfer restrictions.**Progress bar****Notes****Notes 1**

Negative

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

Bill information**Status:** 08/21/2025 - Read second time. Ordered to third reading.**Calendar:** 09/03/25 #185 A-THIRD READING FILE - SENATE BILLS (Floor Mgr.- Wilson)

Summary: Would prohibit a public entity that owns diesel-powered on-track equipment from selling, donating, or otherwise transferring ownership of that equipment for continued use after the public entity decommissions the equipment. The bill would exempt the sale, donation, or transfer of the ownership of that equipment from the prohibition if the equipment is deemed to be in one of specified categories of emissions standards designated by the federal government for locomotives, the equipment produces emissions equivalent to any equipment within any of those federal categories, or the diesel engine is removed from the equipment, as specified. (Based on 07/16/2025 text)

Location: 08/21/2025 - Assembly THIRD READING**Current Text:** 07/16/2025 - Amended**Last Amend:** 07/16/2025**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:** 09/02/2025 - From committee: Do pass as amended. (Ayes 11. Noes 4.) (August 29). (Amended text released 9/2/2025)**Calendar:** 09/03/25 #100 A-SECOND READING FILE -- SENATE BILLS

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. After allocations are made for various administrative expenses, the bill would require an unspecified portion of the proceeds of the tax to be allocated by the commission to initiatives included in a specified commission plan and to the Alameda-Contra Costa Transit District, the Peninsula Corridor Joint Powers Board, commonly known as Caltrain, the San Francisco Bay Area Rapid Transit District, the San Francisco Municipal Transportation Agency, and other specified transit agencies for operating expenses, and would require the remaining proceeds to be subvended directly to the counties comprising the district for public transportation expenses, as prescribed. (Based on 09/03/2025 text)

Location: 09/02/2025 - Assembly
SECOND READING

Current Text: 09/03/2025 - Amended
Last Amend: 09/03/2025

SB 71

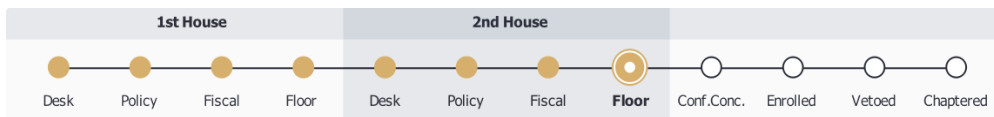
Wiener, D

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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: 09/02/2025 - Read second time and amended. Ordered to second reading.

Calendar: [09/03/25 #14 A-SECOND READING FILE -- SENATE BILLS](#)

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. 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 09/02/2025 text)

Location: 08/20/2025 - Assembly
SECOND READING

Current Text: 09/02/2025 - Amended
Last Amend: 09/02/2025

SB 79

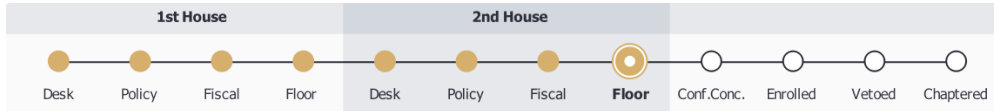
Wiener, D

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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. The bill is intended to make it easier to develop housing near major public transportation stops.

Bill information

Status: 09/02/2025 - Read second time and amended. Ordered to second reading.

Calendar: [09/03/25 #15 A-SECOND READING FILE -- SENATE BILLS](#)

Summary: The Housing Accountability Act requires a local agency that proposes to disapprove a housing development project, as defined, or to impose a condition that the project be developed at a lower density to base its decision on written findings supported by a preponderance of the evidence that specified conditions exist if that project complies with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time that the application was deemed complete. The act authorizes the applicant, a person who would be eligible to apply for residency in the housing development project or emergency shelter, or a housing organization to bring an action to enforce the act's provisions, as provided, and provides for penalties if the court finds that the local agency is in violation of specified provisions of the act. This bill would require that a housing development project, as defined, within a specified distance of a transit-oriented development (TOD) stop, as defined, be an allowed use as a transit-oriented housing development on any site zoned for residential, mixed, or commercial development, if the development complies with applicable requirements, as specified. Among these requirements, the bill would require a project to include at least 5 dwelling units and establish requirements concerning height limits, density, and floor area ratio in accordance with a development's proximity to specified tiers of TOD stops, as provided. The bill would provide that, for the purposes of the Housing Accountability Act, a proposed development consistent with the applicable standards of these provisions as well as applicable local objective general plan and zoning standards shall be deemed consistent, compliant, and in conformity with prescribed requirements, as specified. The bill would provide that a local government that denies a project meeting the requirements of these provisions located in a high-resource area, as defined, would be presumed in violation of the Housing Accountability Act, as specified, and immediately liable for penalties, beginning on January 1, 2027, as provided. These provisions would not apply to a local agency until July 1, 2026, except as specified. The bill would specify that a development proposed pursuant to these provisions is eligible for streamlined, ministerial approval pursuant to specified law, except that the bill would exempt a project under these provisions from specified requirements, and would specify that the project is required to comply with certain affordability requirements, under that law. (Based on 09/02/2025 text)

Location: 08/20/2025 - Assembly
SECOND READING

Current Text: 09/02/2025 - Amended
Last Amend: 09/02/2025

SB 86

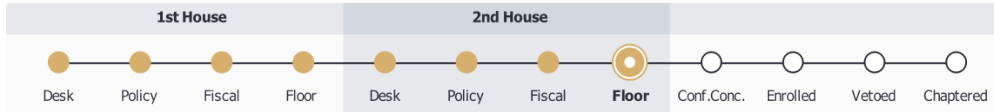
McNerney, D

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

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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: 09/02/2025 - Read second time and amended. Ordered to second reading.

Calendar: [09/03/25 #16 A-SECOND READING FILE -- SENATE BILLS \(Floor Mgr.- Wilson\)](#)

Summary: Current sales and use tax laws impose taxes 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 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, the reduction of greenhouse gases, or a reduction in air and water pollution or energy consumption. 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 to January 1, 2028, the authorization to provide financial assistance in the form of a sales and use tax exclusion for projects approved by the authority. (Based on 09/02/2025 text)

Location: 08/20/2025 - Assembly
SECOND READING

Current Text: 09/02/2025 - Amended
Last Amend: 09/02/2025

SB 274

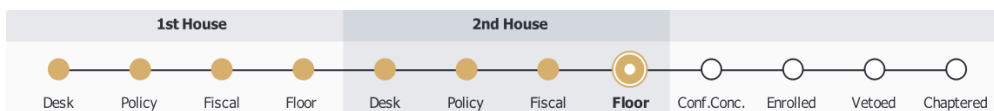
Cervantes, D

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Automated license plate recognition systems.

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Notes

Notes 1

Anticipated impact: could apply to NCTD's bus system that uses front facing cameras.

Bill information

Status: 09/02/2025 - Read second time. Ordered to third reading.

Calendar: [09/03/25 #239 A-THIRD READING FILE - SENATE BILLS](#)

Summary: Current law prohibits a public agency, which includes the state, a city, a county, a city and county, or any agency or political subdivision of the state, a city, a county, or a city and county, including, but not limited to, a law enforcement agency, from selling, sharing, or transferring automated license plate recognition (ALPR) information, except to another public agency, and only as otherwise permitted by law. Current law defines ALPR information as information or data collected through the use of an ALPR system. This bill would provide that "public agency" does not include a transportation agency, as specified. The bill would authorize a law enforcement agency to use ALPR information only for purposes of locating vehicles or persons when either are reasonably suspected of being involved in the commission of a public offense. The bill would prohibit a public agency from retaining ALPR information for more than 60 days after the date of collection if it does not match information on an authorized hot list, as defined. (Based on 07/17/2025 text)

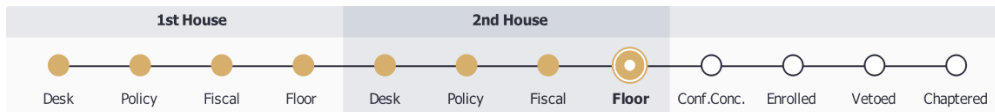
Location: 09/02/2025 - Assembly THIRD
READING

Current Text: 07/17/2025 - Amended
Last Amend: 07/17/2025

[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: 09/02/2025 - Read second time. Ordered to third reading.

Calendar: [09/03/25 #248 A-THIRD READING FILE - SENATE BILLS](#)

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. (Based on 06/26/2025 text)

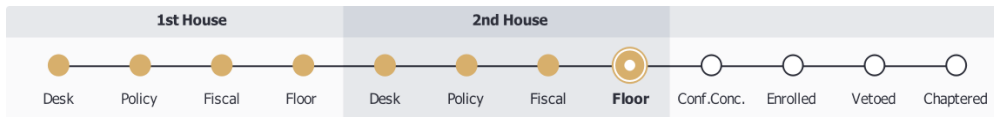
Location: 09/02/2025 - Assembly THIRD
READING

Current Text: 06/26/2025 - Amended
Last Amend: 06/26/2025

[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: 09/02/2025 - Read second time and amended. Ordered to second reading.
Calendar: [09/03/25 #43 A-SECOND READING FILE -- SENATE BILLS \(Floor Mgr.- Gipson\)](#)
Summary: Would, on and after July 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, as defined. (Based on 09/02/2025 text)

Location: 08/20/2025 - Assembly
SECOND READING

Current Text: 09/02/2025 - Amended
Last Amend: 09/02/2025

[SB 544](#)

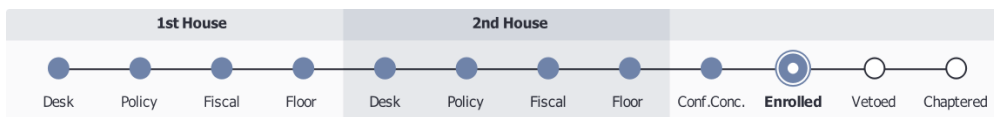
[Laird, D](#)

[HTML](#)

[PDF](#)

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: 09/02/2025 - Assembly amendments concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling.

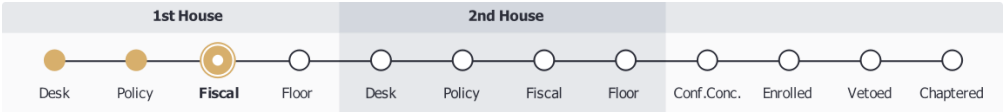
Summary: The Public Utilities Commission has the exclusive power to determine and prescribe the manner and the terms of installation, operation, maintenance, use, and protection of railroad crossings. Current law prohibits the construction of a public road, highway, or street across the track of any railroad corporation at grade and other specified actions with regard to railroad crossings without the permission of the commission. This bill would require an application for a railroad crossing to include, at a minimum, certain information concerning the proposed railroad crossing. The bill would require the commission to adopt an expedited review and approval process for ratesetting proceedings for an exempt railroad crossing application, as defined. The bill also would require the commission, upon initiating a ratesetting proceeding, to determine whether the proceeding is for an exempt railroad crossing application, and if so, to issue a proposed resolution pursuant to the expedited review and approval process. (Based on 07/14/2025 text)

Location: 09/02/2025 - Senate
ENROLLMENT

Current Text: 09/02/2025 - Enrollment
Last Amend: 07/14/2025

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:	05/23/2025 - May 23 hearing: Held in committee and under submission.		
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:	05/19/2025 - Senate APPR. SUSPENSE FILE	Current Text:	02/21/2025 - Introduced

STAFF REPORT

**RECEIVE THE MONTHLY TRANSIT OPERATIONS PERFORMANCE
REPORT FOR JUNE AND JULY 2025**

Time Sensitive: ☐ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Receive the Monthly Transit Operations Report for June and July 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 were established as part of prior contract processes.

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, preventable accidents, passenger complaints, mechanical failures, 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

June 2025

June 2025 systemwide ridership was 659,186, which was 5.1% below the budgeted goal but 4.7% above the June 2024 ridership of 629,338. June 2025 was also at 80% of FY19 pre-pandemic levels.

July 2025

July 2025 systemwide ridership was 676,643, which was 3% below the budgeted goal but 1.4% above the July 2024 ridership of 667,482. July 2025 was also at 81.6% of FY19 pre-pandemic levels.

BREEZE Performance

June 2025

BREEZE boardings for June totaled 395,338, below the budgeted goal of 411,703 by 4.0% but a 4.2% increase compared to June 2024. June 2025 was also 80.5% of FY19 pre-pandemic levels. BREEZE on-time performance (OTP) was 86.7% for the month, below the minimum performance standard of 88%.

July 2025

BREEZE boardings for July totaled 401,630, below the budgeted goal of 410,957 by 2.3% but a 0.8% increase compared to July 2024. July 2025 was also 84.3% of FY19 pre-pandemic levels. BREEZE on-time performance (OTP) was 87.6% for the month, below the minimum performance standard of 88%.

SPRINTER Performance

June 2025

SPRINTER boardings for June totaled 137,882, below the budgeted goal of 156,977 by 12.2% and a 5.7% decrease compared to June 2024. June 2025 was also 73.6% of FY19 pre-pandemic levels. SPRINTER on-time performance (OTP) was 95.1% for the month, above the minimum performance standard of 95%.

July 2025

SPRINTER boardings for July totaled 131,171, below the budgeted goal of 161,352 by 18.7% and a 15.5% decrease compared to July 2024. July 2025 was also 72.5% of FY19 pre-pandemic levels. SPRINTER on-time performance (OTP) was 93% for the month, below the minimum performance standard of 95%.

COASTER Performance

June 2025

COASTER boardings for June totaled 103,938, below the budgeted goal of 104,253 by 0.3% but a 15.9% increase compared to June 2024. June 2025 was also 79.9% of FY19 pre-pandemic levels. COASTER on-time performance (OTP) was 93.2% for the month, below the minimum performance standard of 95%.

July 2025

COASTER boardings for July totaled 121,785, above the budgeted goal of 99,889 by 21.9% and a 25.7% increase compared to July 2024. July 2025 was also 78.9% of FY19 pre-pandemic levels. COASTER on-time performance (OTP) was 92% for the month, below the minimum performance standard of 95%.

FLEX Performance

June 2025

FLEX boardings for June totaled 9,943, above the budgeted goal of 5,860 by 69.7% and a 79.7% increase compared to June 2024. June 2025 was also 352.3% of FY19 pre-pandemic levels. FLEX on-time performance (OTP) was 86.9% for the month, below the minimum performance standard of 88%.

July 2025

FLEX boardings for July totaled 9,307, below the budgeted goal of 9,816 by 5.2% but a 22.6% increase compared to July 2024. July 2025 was also 345.7% of FY19 pre-pandemic levels. FLEX on-time performance (OTP) was 88.1% for the month, above the minimum performance standard of 88%.

LIFT Performance

June 2025

LIFT boardings for June totaled 8,613, below the budgeted goal of 10,128 by 15% but a 2.8% increase compared to June 2024. June 2025 was also 68.8% of FY19 pre-pandemic levels. LIFT on-time performance (OTP) was 86.7% for the month, below the minimum performance standard of 88%. LIFT productivity, measured by passengers transported per revenue hour, was 2.0 for the month, which is above the minimum performance standard of 1.80 passengers per revenue hour.

July 2025

LIFT boardings for July totaled 9,335, below the budgeted goal of 9,462 by 1.3% but a 1.4% increase compared to July 2024. July 2025 was also 61.1% of FY19 pre-pandemic levels. LIFT on-time performance (OTP) was 88.1% for the month, above the minimum performance standard of 88%. LIFT productivity, measured by passengers transported per revenue hour, was 2.41 for the month, which is above the minimum performance standard of 1.80 passengers per revenue hour.

NCTD+ Performance

June 2025

NCTD+ boardings for June totaled 3,472, below the budgeted goal of 5,670 by 38.8% but a 2278.1% increase compared to the first month of partial service in June 2024. NCTD+ OTP was 84.7% for the month, below the minimum standard of 92%.

July 2025

NCTD+ boardings for July totaled 3,415, below the budgeted goal of 6,255 by 45.4% but a 1183.8% increase compared to July 2024. NCTD+ OTP was 91.7% for the month, below the minimum standard of 92%.

Youth Opportunity Pass (YOP) Performance

June 2025

Youth pass usage for June totaled 60,679, a 3% decrease compared to June 2024.

July 2025

Youth pass usage for July totaled 48,262, a 6% decrease compared to July 2024.

ATTACHMENT: 3A – Monthly Transit Operations Performance Report, June 2025
3B – Monthly Transit Operations Performance Report, July 2025

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

STAFF CONTACT: **Ricky Cervantes, Senior Transit Planner**
E-mail: jcervantes@nctd.org Phone: 760-967-2886

Transit Performance Report - June 2025

SYSTEM Performance (All Modes)	Goals/Standards ¹	June 2025	Actual vs Goal	June 2024	Actual vs Prior
Total Boardings	694,591	659,186	-5.1%	629,338	4.7%
Average Weekday Boardings	26,734	25,472	-4.7%	23,952	6.3%
Average Saturday Boardings	18,481	18,081	-2.2%	16,950	6.7%
Average Sunday Boardings	11,852	15,438	30.3%	13,111	17.7%
BREEZE Performance	Goals/Standards ¹	June 2025	Variance from Goal	June 2024	Variance from Prior Year
Total Boardings	411,703	395,338	-4.0%	379,375	4.2%
Average Weekday Boardings	16,103	15,850	-1.6%	14,691	7.9%
Average Saturday Boardings	10,486	10,196	-2.8%	9,514	7.2%
Average Sunday Boardings	6,321	9,387	48.5%	7,597	23.6%
Boardings per Revenue Hour	11.2	12.0	7.0%	11.1	7.6%
On-Time Performance	88.0%	86.7%	-1.4%	84.0%	3.3%
SPRINTER Performance	Goals/Standards ¹	June 2025	Variance from Goal	June 2024	Variance from Prior Year
Total Boardings	156,977	137,882	-12.2%	146,210	-5.7%
Average Weekday Boardings	6,107	5,151	-15.7%	5,583	-7.7%
Average Saturday Boardings	3,742	3,638	-2.8%	3,749	-3.0%
Average Sunday Boardings	2,751	3,033	10.3%	3,161	-4.0%
Boardings per Revenue Hour	81.2	73.7	-9.3%	76.9	-4.2%
On-Time Performance	95.0%	95.1%	0.1%	97.2%	-2.2%
COASTER Performance	Goals/Standards ¹	June 2025	Variance from Goal	June 2024	Variance from Prior Year
Total Boardings	104,253	103,938	-0.3%	89,695	15.9%
Average Weekday Boardings	3,653	3,589	-1.8%	3,108	15.5%
Average Saturday Boardings	3,805	3,830	0.7%	3,392	12.9%
Average Sunday Boardings	2,463	2,650	7.6%	2,173	21.9%
Boardings per Revenue Hour	53.9	100.3	86.1%	86.6	15.9%
On-Time Performance	95.0%	93.2%	-1.9%	93.2%	0.0%
FLEX Performance	Goals/Standards ¹	June 2025	Variance from Goal	June 2024	Variance from Prior Year
Total Boardings	5,860	9,943	69.7%	5,533	79.7%
Average Weekday Boardings	232	373	60.9%	215	73.6%
Average Saturday Boardings	153	247	61.4%	135	83.3%
Average Sunday Boardings	77	223	189.9%	96	133.0%
Boardings per Revenue Hour	2.9	4.6	57.9%	2.5	79.8%
On-time Performance	88.0%	86.9%	-1.2%	86.9%	0.0%
LIFT Performance	Goals/Standards ¹	June 2025	Variance from Goal	June 2024	Variance from Prior Year
Total Boardings	10,128	8,613	-15.0%	8,379	2.8%
Average Weekday Boardings	450	369	-18.0%	350	5.6%
Average Saturday Boardings	106	111	4.7%	156	-29.0%
Average Sunday Boardings	51	84	64.7%	83	1.4%
Boardings per Revenue Hour	1.8	2.0	12.2%	1.7	20.7%
On-Time Performance	92.0%	86.7%	-5.8%	93.8%	-7.6%
NCTD+ Performance	Goals/Standards ¹	June 2025	Variance from Goal	June 2024	Variance from Prior Year
Total Boardings	5,670	3,472	-38.8%	146	2278.1%
Average Weekday Boardings	189	140	-25.9%	6	2233.3%
Average Saturday Boardings	189	59	-68.8%	4	1375.0%
Average Sunday Boardings	189	61	-67.7%	2	2950.0%
Boardings per Revenue Hour	1.8	3.7	105.8%	1.3	186.8%
On-Time Performance	92.0%	84.7%	-7.9%	92.2%	-8.1%
Median Wait Time (minutes)	20	11.20	-44.0%	7.37	52.0%

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 - July 2025

SYSTEM Performance (All Modes)	Goals/Standards ¹	July 2025	Variance from Goal	July 2024	Variance from Prior Year
Total Boardings	697,731	676,643	-3.0%	667,482	1.4%
Average Weekday Boardings	25,077	24,121	-3.8%	24,008	0.5%
Average Saturday Boardings	17,364	17,565	1.2%	16,650	5.5%
Average Sunday Boardings	14,803	14,465	-2.3%	14,015	3.2%
BREEZE Performance	Goals/Standards ¹	July 2025	Variance from Goal	July 2024	Variance from Prior Year
Total Boardings	410,957	401,630	-2.3%	398,292	0.8%
Average Weekday Boardings	14,901	14,525	-2.5%	14,473	0.4%
Average Saturday Boardings	9,815	9,803	-0.1%	9,459	3.6%
Average Sunday Boardings	8,516	8,267	-2.9%	8,147	1.5%
Boardings per Revenue Hour	11.34	11.08	-2.3%	10.87	2.0%
On-Time Performance	88.0%	87.6%	-0.4%	84.4%	3.8%
SPRINTER Performance	Goals/Standards ¹	July 2025	Variance from Goal	July 2024	Variance from Prior Year
Total Boardings	161,352	131,171	-18.7%	155,231	-15.5%
Average Weekday Boardings	5,905	4,872	-17.5%	5,668	-14.1%
Average Saturday Boardings	3,648	2,605	-28.6%	3,564	-26.9%
Average Sunday Boardings	3,299	2,743	-16.8%	3,178	-13.7%
Boardings per Revenue Hour	80.72	65.9	-18.3%	78.2	-15.8%
On-Time Performance	95.0%	93.0%	-2.1%	97.5%	-4.6%
COASTER Performance	Goals/Standards ¹	July 2025	Variance from Goal	July 2024	Variance from Prior Year
Total Boardings	99,889	121,785	21.9%	96,894	25.7%
Average Weekday Boardings	3,300	3,877	17.5%	3,176	22.1%
Average Saturday Boardings	3,427	4,787	39.7%	3,393	41.1%
Average Sunday Boardings	2,537	3,136	23.6%	2,512	24.9%
Boardings per Revenue Hour	49.97	112.56	125.2%	90.22	24.8%
On-Time Performance	95.0%	92.0%	-3.1%	94.4%	-2.5%
FLEX Performance	Goals/Standards ¹	July 2025	Variance from Goal	July 2024	Variance from Prior Year
Total Boardings	9,816	9,307	-5.2%	7,594	22.6%
Average Weekday Boardings	395	357	-9.7%	297	20.1%
Average Saturday Boardings	144	157	9.0%	137	14.4%
Average Sunday Boardings	100	169	69.3%	94	80.5%
Boardings per Revenue Hour	4.31	4.09	-5.2%	3.33	22.8%
On-time Performance	88.0%	88.1%	0.1%	86.7%	1.6%
LIFT Performance	Goals/Standards ¹	July 2025	Variance from Goal	July 2024	Variance from Prior Year
Total Boardings	9,462	9,335	-1.3%	9,205	1.4%
Average Weekday Boardings	394	368	-6.7%	383	-4.0%
Average Saturday Boardings	93	128	37.6%	91	41.0%
Average Sunday Boardings	84	91	8.6%	82	12.0%
Boardings per Revenue Hour	1.80	2.41	33.8%	4.04	-40.3%
On-Time Performance	92.0%	88.1%	-4.3%	93.3%	-5.6%
NCTD+ Performance	Goals/Standards ¹	July 2025	Variance from Goal	July 2024	Variance from Prior Year
Total Boardings	6,255	3,415	-45.4%	266	1183.8%
Average Weekday Boardings	182	123	-32.4%	10	1130.0%
Average Saturday Boardings	237	85	-64.1%	6	1316.7%
Average Sunday Boardings	267	59	-77.9%	4	1375.0%
Boardings per Revenue Hour	1.80	3.06	70.1%	0.01	42092.8%
On-Time Performance	92.0%	91.7%	-0.3%	92.9%	-1.3%
Median Wait Time (minutes)	20	10.82	-45.9%	7.37	46.8%

¹ Budgeted goals are developed every fiscal year within budget documents and are based upon ridership projections and past performance while minimum performance standards were generally established in past contracts.

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

**Agenda
Item #
4**

STAFF REPORT

RATIFY AMENDMENT NO. 02 TO AGREEMENT NO. 19004 WITH ROMA ENGINEERING & CONSTRUCTION FOR ELECTRICAL SYSTEMS MAINTENANCE AND REPAIR SERVICES

Time Sensitive: ☐ Consent: ☒

**STAFF
RECOMMENDATION:**

Ratify Amendment No. 02 to Agreement No. 19004 with Roma Engineering & Construction in the amount of \$710,738.

**BACKGROUND
INFORMATION:**

On July 19, 2018, the North County Transit – San Diego Railroad (NCTD) Board of Directors (Board) awarded Agreement No. 19004 to Roma Engineering & Construction (Roma) for Electrical Systems Maintenance and Repair Services in an amount not-to-exceed \$2,787,900.

On December 30, 2022, NCTD executed Amendment No. 01 in the amount of \$227,484 with Roma. This amendment was required to cover additional base and reactive services, including but not limited to a Wayside power assessment, parking lot pole replacements, and parking lot light bulb maintenance. Amendment No. 01 was processed in accordance with the approval authority granted under Board Policy No. 19 (*Delegation of Authority to the Chief Executive Officer*).

On July 17, 2025, the Board approved specified agreements for certain business transactions occurring between July 18, 2025, and September 17, 2025, to ensure significant business transactions are timely advanced in between Board meetings, including this contract modification (Agenda Item No. 3). NCTD executed Amendment No. 02 on August 18, 2025, in the amount of \$710,738. The amendment extends the term of the Agreement and increases the not-to-exceed value to accommodate base and reactive maintenance expenses. With the insourcing of bus operations, NCTD has experienced an increased demand for electrical work. Services will continue for the next 10 months under the same terms and conditions as the original agreement, which was determined at the time of award to be fair and reasonable. This extension allows NCTD to address immediate operational needs while evaluating requirements associated with bus operations and developing a comprehensive scope of work for future public solicitation.

The total not-to-exceed amount for Agreement No. 19004 inclusive of Amendment 01 and 02 is \$3,726,122.

ATTACHMENT:

None

FISCAL IMPACT:

The fiscal impact of Amendment No. 02 is \$710,738. Reactive and preventive maintenance expenses for this Agreement are budgeted in accounts 220.50331x.201 and 220.5033x.202. The total combined FY2026 budget under these accounts is \$4,451,187. Future years expenditures will be budgeted through the annual operating budget process.

COMMITTEE REVIEW:

None

STAFF CONTACT:

Alex Denis, Chief Operating Officer – General Services
E-mail: adenis@nctd.org Phone: 760-966-6537

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

**Agenda
Item #
5**

STAFF REPORT

RATIFY AGREEMENT NO. 25067 TO DOMESTIC RAIL SOLUTIONS (DRS) FOR MIRAMAR RAIL REPLACEMENT CONSTRUCTION SERVICES

Time Sensitive: ☐ **Consent:** ☒

STAFF RECOMMENDATION:

Ratify Agreement No. 25067 to Domestic Rail Solutions (DRS) for Miramar Rail Replacement Construction Services in an amount not-to-exceed \$1,642,299.

BACKGROUND INFORMATION:

The North County Transit – San Diego Railroad (NCTD) offers services that are a vital part of San Diego's regional transportation network. In order to keep the railroad within compliance with Federal Railroad Administration (FRA) regulations, NCTD conducts regular inspections of its rail assets to develop a maintenance program to maintain the rail corridor within a state of good repair. These inspections identified the need to replace 9,880 linear feet of rails on the Miramar Hill between Mile Post (MP) 251.1 and MP 252.3. The Miramar Rail Replacement project will replace the existing rail with a new 136-pound rail to maintain a state of good repair.

On June 13, 2025, NCTD issued Invitation for Bid (IFB) No. 35527 for Miramar Rail Replacement Services. Notices were published in two newspapers of general circulation and four trade journals and posted on PlanetBids. Four responsive and responsible bids were received by the July 14, 2025, deadline. A summary of the responsive and responsible bids is as follows:

Bidder Name	Grand Total Bid (Base Year)
DRS	\$1,642,299
Railworks	\$1,870,560
Balfour Beatty	\$1,898,240
Stacey & Witbeck	\$2,333,205

Following the bid analysis, it was determined that DRS provided the lowest, responsive and responsible bid. DRS's bid was approximately 35% under the independent cost estimate (ICE) prepared by staff. The variance between the ICE and the bid was primarily due to the ICE being based on unit costs from a smaller rail replacement project, which had higher costs per track foot. Following review, staff determined the bid to be fair and reasonable.

On July 17, 2025, the Board approved specified agreements for certain business transactions occurring between July 18, 2025, and September 17, 2025, to include these modifications (Agenda Item No. 3), to which the Miramar Rail Replacement Construction Services was included and awarded on September 4, 2025.

Based on the foregoing, staff recommends that the Board ratify Agreement No. 25067 to DRS for Miramar Rail Replacement Construction Services in an amount not-to-exceed \$1,642,299.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this proposed contract action is \$1,642,299, which is funded by Federal Transit Administration (FTA) and matching State Transit Assistance (STA) funds programmed in Project No. 426001, which has a total budget of \$2,610,000. If the Board approves the execution of this Purchase Order, the budget available in Project No. 426001 will be reduced to \$967,701.

COMMITTEE REVIEW: None

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

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

Agenda Item # 6

STAFF REPORT

RATIFY COOPERATIVE CONTRACTS FOR MAINTENANCE, REPAIR AND OPERATIONS (MRO) NEEDS

Time Sensitive: ☐ **Consent:** ☒

STAFF RECOMMENDATION:

Ratify the increase to the purchase order agreements with Home Depot in the amount of \$500,000, W.W. Grainger, Inc. (Grainger) in the amount of \$750,000, the purchase order agreement with Fastenal in the amount of \$500,000, and the purchase order agreement with National Automotive Parts Association (NAPA) in the amount of \$750,000.

BACKGROUND INFORMATION:

The North County Transit – San Diego Railroad (NCTD) utilizes cooperative agreements for the purchase of maintenance, repair and operational (MRO) items needed for business operations. A cooperative agreement is a publicly solicited contract that allows multiple public entities to acquire goods and services at discounted rates due to the aggregated purchasing power.

On October 20, 2022, the NCTD Board of Directors (Board) approved purchase orders to be issued to Home Depot in the amount of \$650,000, and Grainger in the amount of \$1,050,000. On November 21, 2024, the Board approved an increase to the purchase order with Grainger in the amount of \$750,000 annually.

Pursuant to the approval authority granted under Board Policy No. 19 – *Delegation of Authority to the Chief Executive Officer*, NCTD awarded purchase orders to Fastenal in the amount of \$499,999 on July 21, 2024, and to NAPA in the amount of \$340,808 on March 4, 2024.

With the insourcing of bus operations, the spending authority for these agreements needs to be increased.

On July 17, 2025, the Board approved specified agreements for certain business transactions occurring between July 18, 2025, and September 17, 2025, to include these modifications (Agenda Item No. 3). NCTD has increased the not-to-exceed value of the Home Depot, Grainger, Fastenal, and NAPA agreements. With this approval, the total not-to-exceed amounts of purchase orders will be increased for Home Depot to \$1,150,000, for Grainger to \$2,550,000, for Fastenal to \$999,999, and for NAPA to \$1,090,808.

ATTACHMENT:

None

FISCAL IMPACT:

Expenses under these cooperative agreements are funded with local operating funds budgeted among multiple departments. Annual drawdowns from the master agreements are based on budgeted amounts. Annual expenses are budgeted through the annual operating budget process.

COMMITTEE REVIEW:

None

STAFF CONTACT:

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STAFF REPORT

RATIFY SUPPLEMENTAL AGREEMENT NO. 6 TO AGREEMENT NO. 24066 WITH COUNTYWIDE MECHANICAL SYSTEMS, LLC FOR SYSTEM-WIDE PLUMBING MAINTENANCE SERVICES

Time Sensitive: ☐ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Approve Supplemental Agreement No. 6 to Agreement No. 24066 (previously Agreement No. 19027) with Countywide Mechanical Systems, LLC for system-wide plumbing maintenance services in an amount not-to-exceed \$500,000.

**BACKGROUND
INFORMATION:**

At the December 20, 2018, Regular Board Meeting, the North County Transit – San Diego Railroad (NCTD) Board of Directors (Board) approved Agreement No. 19027 with Countywide Mechanical Systems, LLC to provide plumbing maintenance services for NCTD facilities in the amount of \$1,290,840 for a base period of five years, with one optional 2-year extension.

On November 21, 2019, the Board approved Supplemental Agreement No. 1 in the amount of \$329,000 to increase the contract capacity to address additional needed work.

On August 10, 2022, Supplemental Agreement No. 3 was issued, pursuant to the authority granted by Board Policy No. 19 (*Delegation of Authority to Chief Executive Officer*), to add \$92,000 to increase the contract capacity to address additional needed work.

Supplemental Agreement Nos. 2, 4, and 5 were issued for non-financial administrative matters.

Supplemental Agreement No. 6 is necessary to increase the contract capacity to meet ongoing needs. Plumbing requirements can vary significantly from year to year and are inherently difficult to forecast. To ensure continuity of facility operations and maintain the ability to promptly address plumbing issues, an increase in contract capacity is required. This increase does not affect the billing rates established through the solicitation. All billing rates will remain as awarded, which were found at the time of award to be fair and reasonable.

Based on the foregoing, staff recommends that the Board approve Supplemental Agreement No. 6 to Agreement No. 24066 with Countywide Mechanical Systems, LLC to increase the contract capacity in the amount of \$500,000 through the remaining term of the Agreement. With this amendment, the aggregate not-to-exceed value of the Agreement will be \$2,211,840.

ATTACHMENT:

None

FISCAL IMPACT:

The FY2026 fiscal impact of this proposed contract action is \$500,000, which is funded with Federal Transit Administration (FTA) and matching local operating funds programmed in accounts 220.50331x.201 and 220.50331x.202, which collectively have an FY2026 budget of \$4,451,187. Future years expenditures will be budgeted through the operating budget process.

COMMITTEE REVIEW: | None

STAFF CONTACT: | **Alex Denis, Chief Operating Officer – General Services**
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STAFF REPORT

RATIFY SUPPLEMENTAL AGREEMENT NO. 4 TO AGREEMENT NO. 25007 WITH COUNTYWIDE MECHANICAL SYSTEMS, LLC FOR SYSTEM-WIDE HVAC MAINTENANCE SERVICES

Time Sensitive: ☐ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Approve Supplemental Agreement No. 4 to Agreement No. 25007 (previously Agreement No. 22014) with Countywide Mechanical Systems, LLC for HVAC maintenance services in an amount not-to-exceed \$400,000.

**BACKGROUND
INFORMATION:**

At the September 16, 2021, Regular Board Meeting, the North County Transit – San Diego Railroad (NCTD) Board of Directors (Board) approved Agreement No. 22014 with Countywide Mechanical Systems, LLC to provide HVAC maintenance services for NCTD facilities in the amount of \$837,204 for a base period of five years, with one optional 2-year extension.

On July 21, 2022, the Board approved Supplemental Agreement No. 1 in the amount of \$455,000 to increase the contract capacity for needed work.

On September 13, 2024, Amendment No. 3 was approved, pursuant to the authority granted by Board Policy No. 19 (*Delegation of Authority to Chief Executive Officer*), to increase the contract capacity by \$245,000 for needed work.

Supplemental Agreement No. 4 is necessary to increase the contract capacity to meet ongoing needs. HVAC maintenance needs can vary significantly from year to year and are inherently difficult to forecast. To ensure continuity of facility operations and maintain the ability to promptly address HVAC issues, an increase in contract capacity is required. This increase does not affect the billing rates established through the solicitation. All billing rates will remain as awarded, which were found at the time of award to be fair and reasonable.

Based on the foregoing, staff recommends that the Board approve Supplemental Agreement No. 4 to Agreement No. 25007 with Countywide Mechanical Systems, LLC to increase the contract capacity in the amount of \$400,000 through the remaining term of the Agreement. With this amendment, the aggregate not-to-exceed value of the Agreement will be \$1,937,204.

ATTACHMENT:

None

FISCAL IMPACT:

The FY2026 fiscal impact of this proposed contract action is \$400,000, which is funded with Federal Transit Administration (FTA) and matching local operating funds programmed in accounts 220.50331x.201 and 220.50331x.202, which collectively have an FY2026 budget of \$4,451,187. Future years expenditures will be budgeted through the operating budget process.

COMMITTEE REVIEW:

None

STAFF CONTACT:

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STAFF REPORT

APPROVE NCTD'S 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:**

Approve North County Transit – San Diego Railroad's (NCTD) Public Transportation Agency Safety Plan for Bus and the Combined Public Transportation Agency Safety Plan/System Safety Plan for the COASTER and SPRINTER Services for compliance with 49 CFR Part 673 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. 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 (Board). Lastly, both regulations require ongoing engagement with local union membership relative to update and revision.

The bus services PTASP and the combined rail services SSP/PTASP were approved by the Board at its meeting on May 15, 2025. Due to the transition to direct operation by NCTD of Bus Operations and Maintenance functions effective June 29, 2025, updates to the Bus PTASP are necessary to reflect the current operating structure and environment.

NCTD met with the Bus Safety Committee on August 20, 2025, at which time the Committee members approved the proposed changes to the plan document. Relative to the Rail PTASP/SSP, the California Public Utilities Commission (CPUC) has since issued changes to reporting requirements for safety events, and further minor updates are needed to reflect additional organizational changes relative to Rail Operations and Maintenance. NCTD met with the Rail Safety Committee on August 22, 2025, at which time the Committee members approved the proposed changes to the plan document.

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 NCTD's Public Transportation Agency Safety Plan for Bus and the Combined Public Transportation Agency Safety Plan/System Safety Plan for COASTER and SPRINTER Services in compliance with 49 CFR Part 673 and 49 CFR Part 270.

ATTACHMENT: 9A– NCTD Combined FRA System Safety Program and FTA Public Transportation Agency Safety Plan for NCTD's Rail Services
9B – NCTD Bus Services Public Transportation Agency Safety Plan

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

STAFF CONTACT: **Lori A. Winfree, Deputy Chief Executive Officer/Chief General Counsel**
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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**

September 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.
September 18, 2025	Revision 7	All	Updated to new CPUC requirements and general organizational changes.

1.0 System Safety Program Policy Statement

Safety is a core value and the North County Transit District, operating as North County Transit – San Diego Railroad (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 proactively 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, daily 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 A. Winfree
Deputy Chief Executive Officer and Chief General Counsel
SMS Executive, Safety Committee Co-Chair
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 Appendix A.

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 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. 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 approximately 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, safety 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.

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 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, facilitates 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 track and signal and 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.

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, Payroll 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, Real Estate, and Information Technology 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. The Technical Manager – Train Control Systems, including Positive Train Control (PTC), also reports within this Division. 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.

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 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 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, SMS Executive 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 process that is consistent with the requirements of SMS. The process 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, which include various OSHA elements, to ensure the NCTD Facilities Department is providing proper oversight of employees and contractors
- 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 SPRINT. 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 49 CFR Part 655) 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, 30 CPUC-approved public grade crossings, including two private grade crossings, and three station pedestrian grade crossings exist on the San Diego Subdivision mainline. The Escondido Subdivision has 60 CPUC approved public grade crossings, 20 station pedestrian grade crossings, and three 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.

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) Department 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

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 required knowledge and skills to fulfill their responsibilities under the program. For applicable NCTD employees, the training will be provided during new-hire orientation for incoming employees and will be conducted annually for refresher training. Training will be conducted by the a member of the Safety Department, or other individual designated by the SMS Executive.

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 process 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. 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 System Safety 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 required knowledge and skills to fulfill their responsibilities under the program. Training for contractors will be conducted by a member of the Safety Department, or other individual designated by the SMS Executive.

8.3 Employee 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
- Signal Maintenance Manual
- Emergency response procedures

8.5 Safety Training Programs

NCTD has a comprehensive safety training program for all employees directly responsible for safety. NCTD Learning and Development is responsible for maintaining the NCTD Learning Management System that has details of 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 maintained in the LMS 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, as applicable per craft. 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 (HHSA) 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 years for COASTER and SPRINTER and will include external response agencies.

Every calendar year, at least one 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 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, in coordination with the Rail Safety Committee. 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. NCTD participates in the C3RS program. 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, 49 CFR Part 671, and in CPUC GO 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 a member of the Safety Department, or other individual designated by the SMS Executive. 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 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. The 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, in coordination with Safety, Rail Operations and Security Departments.

Suicide Prevention Signs

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

Code Compliance Inspectors

Code Compliance Inspectors work throughout 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 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 24 hours of an incident. A comprehensive written report with all supporting data shall be submitted within 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 hours of any incident involving railroad equipment or any incident occurring on NCTD railroad-controlled property, where one 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 or more persons
- A train accident that results in serious injury to two 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 adheres to reporting thresholds and timelines to the CPUC/FTA/FRA as detailed in CPUC General Order 164-F, Section 7. This document can be found in Laserfiche at SHARED/Forms & Templates/Safety. Safety events requiring reporting per these thresholds shall be submitted utilizing the CPUC webform tool located at: [Rail Transit Accident Form](#)

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 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.

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 compliance personnel 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 Department 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 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 support the purchasing division and the PCA Department as needed 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 to the CPUC either monthly at the NCTD/CPUC Monthly Meetings or within 2 hours via the Webform as indicated by each respective item. ..

- Near miss collision of train with trespasser or vehicle on the rail right of way (MONTHLY)
- Near miss collision of train, hi-rail equipment, or on rail work equipment with employee, contractor, or another train (2 HOURS)
- Reports received by NCTD through the Hazard Reporting Form (MONTHLY)
- Any significant malfunction or failure of the signaling system/signal system components (2 HOURS)
- Any switch that has been run through by a rail vehicle on main line track (2 HOURS)
- Any main line authority violation defined as a de-certifiable event in the Code of Federal Regulations as outlined in 49 CFR part 240 and part 242 (2 HOURS)



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 Safety Committee meetings and documented in the safety database. Risks which cannot be mitigated through the Safety Committee process, may be elevated to the Risk Roundtable for review.

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 appointed 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 Enterprise Risk Manager 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/SMS Executive, Chief Operating Officer(s), Chief Development Officer, Director of Security, or their designees, and other key staff whose duties are critical to the specific mode of operations. 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

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 review 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 various aspects of NCTD operations, and are separate from 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 maintains a Technology Analysis and Implementation Plan as part of its Combined System Safety Program (SSP) and Public Transportation Agency Safety Plan (PTASP). This plan establishes a structured process to identify, evaluate, implement, and monitor current or emerging technologies that mitigate hazards documented in the Risk Register.

Consistent with 49 CFR Part 673 (PTASP) and 49 CFR Part 270 (SSP), all rail transportation technology evaluations will:

- Be initiated through NCTD's Safety Risk Management (SRM) process.
- Assess safety impacts, feasibility, lifecycle costs, and cost-benefit tradeoffs.
- Consider compliance with FRA requirements (e.g., §236.1007 configuration management) and applicable industry standards (AREMA, IEEE, AAR, CPUC GO-88B).
- Be reviewed, approved, and monitored through the System Modification Review process described in Section 18.
- Undergo ongoing monitoring through Safety Assurance activities, including audits, inspections, performance target tracking, and post-implementation evaluations.

This plan is updated in conjunction with the PTASP/SSP review cycle and revised as needed to reflect changes in hazards, industry practices, funding, and regulatory requirements..

17.1 Identification of Technology to Mitigate Hazards

Hazards are identified through NCTD's Safety Risk Management process, including employee reporting, Risk Roundtable meetings, inspections and audits, and analysis of useful life in the Transit Asset Management (TAM) Plan.

Where new technology is recommended as a mitigation, the responsible Division will initiate the System Modification Review process under Section 18. This includes preparation of a Risk-Based Hazard Analysis (RBHA) and review by an Ad Hoc Committee.

For Positive Train Control (PTC)-related technologies or modifications, NCTD's PTC Configuration Control Board (PTC CCB), as established by the Configuration & Change Management Plan (CCMP), shall serve as the designated Ad Hoc System Modification Review Committee. The PTC CCB evaluates proposed modifications for alignment with regulatory requirements, the introduction and mitigation of risks and hazards, and adherence to configuration and change management principles.

If the recommended technology needs to be procured, , the responsible Division, working with the NCTD Procurement, Contracts, and Agreements (PCA) team, is responsible for evaluating the feasibility, cost, and scope of the proposed procurement or project. This division of responsibility ensures that all PTC-related projects are assessed holistically across safety, regulatory, financial, and technical dimensions.

All PTC-related changes must also be reviewed for consistency with NCTD's FRA-approved PTC Safety Plan (PTC SP). The PTC SP provides the governing safety case under 49 CFR Part 236 Subpart I. Any modification must demonstrate alignment with the PTC SP, and where applicable, updates will be submitted as Request For Amendment (RFA) to FRA in accordance with regulatory requirements.

Potential technologies that may be considered include, but are not limited to:

Potential technologies that will be considered include the following:

- Positive Train Control (PTC) systems and evolutions (e.g., PTC 2.0)
- Electronically-controlled pneumatic brakes
- Rail integrity inspection and warning systems
- Switch position monitors and indicators
- Trespasser prevention technology
- Highway-rail grade crossing and warning technology
- Onboard event recorders and inward/outward-facing camera systems
- Data analytics and condition-based maintenance platforms

17.2 Recommended Project List

The following projects are under consideration for implementation over the next ten years. Each project has been assessed to improve NCTD's State of Good Repair, mitigate an existing hazard, and improve the quality and reliability of rail service. Each is subject to funding availability, prioritization through Safety Risk Management process, and review under Section 18. For PTC-related projects, review and documentation will occur through the PTC CCB in accordance with the CCMP and PTC SP. For all proposed projects, feasibility, cost, and scope reviewed by PCA and the initiating Project Manager.

Priority	Project	Timing	Project Status	Funding Status	Description
1	Signal Optimization – San Diego Sub	2021	Construction	Partially 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	Planning	Partially 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.
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	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.
7	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.

17.3 Monitoring and Continuous Improvement

All approved technology projects will undergo post-implementation review and ongoing monitoring to ensure effectiveness:

- For non-PTC projects, monitoring will occur through the Ad Hoc Committee process under Section 18.
- For PTC projects, post-implementation monitoring, configuration documentation, and Safety Assurance evaluations will be recorded through the PTC CCB in accordance with the CCMP and the PTC SP.
- Cost, feasibility, and scope compliance will continue to be tracked by the PCA team and the responsible Project Manager through established NCTD procurement and project delivery processes.
- Safety Assurance activities will include post-inspection, deficiency correction, performance monitoring, and entry of new hazards into the Hazard Management process.

Results will be integrated into the Risk Register and considered in future technology evaluations.

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 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 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 and Development Services Divisions

The Rail Operations and Development Services Divisions are the 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 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
- 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 SPRINTER 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 years. The product of the Safety Culture Assessment will provide input to future updates of this document.

19.2 Safety Culture Assessment Surveys

The primary source of data for conducting the Safety Culture Assessment is an online employee survey.

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 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
- General Services Division
- Development Services Division
- People Division
- Security 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 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/or 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 District employees.

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, NCTD+ 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 representatives convening quarterly or as required to assure compliance with the requirements of this SSP/PTASP 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

Hilary Konczal
Chief of Safety, Security, and Compliance Officer
2704 N. Garey Avenue
Pomona, CA 91767

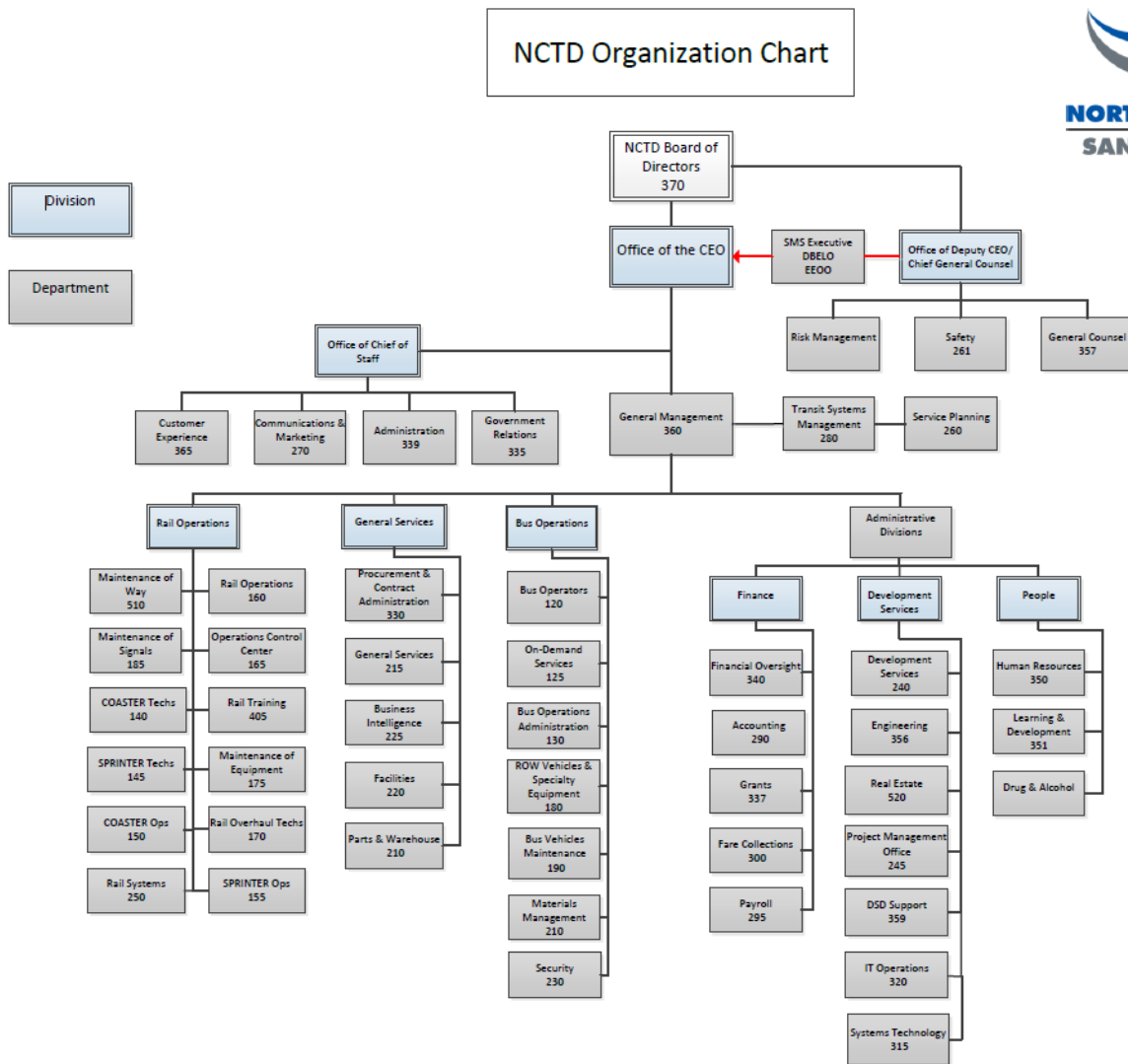
BNSF Railway

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



Effective Date: 9/2025

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
3000.89	All	Environmental Compliance
3000.90	All	Stormwater Management Plan

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*
YYYY-MM-DD hh:mm:ss A

Location of the Safety Concern, Unsafe Condition or Hazardous Work Practice/Near Miss: (*)

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.

Submit

Appendix F – Post Meeting Report from Safety Committee Approving SSP/PTASP



NORTH COUNTY TRANSIT **SAN DIEGO RAILROAD** **Post-Meeting Report Form**

Distribution List

Lori Winfree, Alex Denis, Jeff Johnson, Francisco Perez, Robert Lawrence, Herman Guzman, Casey Klein, Maria Rogers, Porschia Wong, Wayne Sanders, Brigitte Ponce, Chris Carrillo, Jose Vargas, Brian Helms, Adrian Bueno, Gabe Puente, Rodney Adger, Elizabeth Wolf, Jaime Valadez, Karen Tucholski, Justin Richardson, Patrick Cola, Devin Wormington, Daniel Midani, Misty Calder, Tina McDermott, Marq Webb, Erina Androvich, Tommy Stewart

Meeting Topic/Title

NCTD Rail Safety Committee Meeting

Meeting Date

August 22, 2025, 10:00 AM

Meeting Location

311 S Tremont Street, Oceanside.

Meeting Participants

Casey Klein, Wayne Sanders, Brigitte Ponce, Chris Carrillo, Jose Vargas, Brian Helms, Karen Tucholski, Patrick Cola, Misty Calder, Tina McDermott, Marq Webb, Fernando Rocha, Alex Denis, Tommy Stewart (Teamsters), Jeff Johnson (SMART), Robert Lawrence (Carpenters), Herman Guzman (SMART)
Teams: Michael Warren, CPUC

Summary of Discussion

1. Housekeeping

- a. Safety Briefing: Wayne Sanders
- b. Sign-In/Roll Call: Brigitte Ponce- Alternates: Patrick Cola (Rail Ops), Erina Androvich (OCC), Tommy Stewart (SPRINTER MOE), Adan Renteria (Main for Facilities) and Mike Farrell (Facilities alt.)

2. Safety Culture

- a. YTD PTASP/SSP Goal Tracking: Metrics reviewed. Emphasis from FTA on continuing to refine safety efforts and set realistic targets. SPRINTER waiver and FRA governance discussed.

3. Plan Updates

- a. PTASP: No findings during the FTA Triennial. Updates include CPUC reporting threshold refinements; cleanup of location/crossing references; general organizational updates; C3RS language updated to 'participate' due to union status; near-miss review cadence with CPUC to monthly. Risk Roundtable to be handled district-wide rather than segregated. Committee approved changes. The PTASP/SSP will go to the NCTD Board in September for requested approval.
- b. SOPs: Removing obsolete contractor-oversight sections and reassigning tasks; comprehensive refresh with retraining to follow.

4. Follow-up / Discussion Items

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

- a. Transit Worker Assaults: Three incidents occurred in Q2; involved InterCon Security; decreasing trend noted.
- b. SPRINTER A/C: Performance generally good; MOE exploring redirecting two of four supply lines to improve cab cooling- closed.
- c. SPRINTER plug-in at OTC: Current configuration presents hazards and logistical challenges. Evaluate redesign/re-engineering of plug boxes; assess potential deadhead to Oceanside, hydrogen train needs considered- open.
- d. CSUSM Platform Lighting: Adequate- closed.
- e. COASTER Cab Car Seats: New manufacturer and spares obtained- closed.
- f. Cab Car Ditch Lights: Manufacturer redesign and new bulbs provided- closed.
- g. OPS ↔ MOE Feedback Mechanism: Standardize write-up flow (three-sheet process) and coordination; Patrick Cola and Casey Klein to return with an update- open.
- h. AED Placement (Security Offices): Units needed at OTC and new Escondido office; individual facility tickets to be submitted by Chris Carrillo- open.
- i. MC Access/Egress: Window-bar solutions part of DSD renovation project; schedule TBD- open.

5. Hazard Reporting:

- a. Spot cab signs project targeting September start; equipment on hand- open.
- b. Ditch lights on cab car 2302 and 2304- closed.

6. New Items for Discussion

- a. Safety Concerns
 - i. COASTER: Cab car brake-pipe concerns on 2306/2308- closed.
 - ii. Blue-flag protection: New signs/lights installed; new derails/flags- closed.
 - iii. SMMF bottled water request following power outage- open.
 - iv. SPRINTER: Two debris strikes (bikes) near encampments; continue twice-weekly inspections and reporting to Sheriffs-open.
 - v. Evaluate added Transit Security coverage on evening SPRINTERS with no TA- open.
 - vi. MOW/MOS: No issues.
 - vii. OCC: Single-egress concern; Facilities and Safety to inspect and provide update; annual fire inspections in place- open.
 - viii. Facilities: Narcan training request; to coordinate with Daniel Midani- open.

Open Forum

- C3RS: Reactivation requires new union agreement; request to issue a formal notice for employees that C3RS is currently inactive.
- Short Line Safety Institute will conduct the Safety Culture Assessment in late September; anonymous pre-survey to be distributed; on-site observations and interviews planned. Committee asked to heavily promote front line employee participation.
- RSC will receive Hazard Risk Analysis training to support Hazard Matrix ratings at next meeting; all members and alternates will be requested to attend.
- OCC relocation to OTC as part of station redevelopment may be under consideration; must follow FTA/FRA safety analysis/configuration management processes before major moves.

Action Items/Next Steps (for NCTD Staff)

- Patrick Cola & Casey Klein: Propose standardized OPS↔MOE feedback mechanism; report back next meeting.
- MOE: Assess redirecting two A/C lines to cabs for improved cooling.
- Rail Ops: Evaluate redesign of OTC plug-in boxes; assess deadhead-to-Oceanside option

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

for overnight power; explore hydrogen fleet needs.

- Chris Carrillo: Submit tickets for AEDs (legacy Security Office and new Escondido office).
- Facilities/DSD: Provide schedule/update on MC egress improvements as part of renovation.
- Fernando Rocha: Inspect OCC for secondary egress concerns and report back.
- Facilities/Operations: Prepare for Spot Cab Signs project start in September.
- Risk Management: Coordinate Narcan training proposal with Daniel Midani.
- Safety: Distribute CPUC Reporting updates via Laserfiche after CPUC guidance finalization.
- Safety: Issue formal staff notice on current C3RS status (inactive pending new union agreement).



North County Transit District
Bus Services
Public Transportation Agency
Safety Plan

September 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
September 18, 2025	Revision 7	Various	Updates based on bus in-house transition

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, NCTD+). It is based on the four 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 daily 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 - San Diego Railroad	

Shawn M. Donaghy	Date
Chief Executive Officer	
North County Transit - San Diego Railroad	

Lori A. Winfree	Date
Deputy Chief Executive Officer/Chief General Counsel	
SMS Executive and Safety Committee Co-Chair	
North County Transit - San Diego Railroad	

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 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/NCTD+ 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 no later than the fourth quarter of the calendar year for any updates and revisions, however, reviews may be conducted more frequently if needed. The PTASP review will incorporate updates recommended by NCTD Divisions/Departments including Safety, Development Services and Bus Operations, as well as the Bus Safety Committee. The PTASP is approved by the NCTD Bus Safety Committee, followed by the Chief Executive Officer, Deputy Chief Executive Officer/Chief General Counsel/SMS Executive 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/NCTD+ 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, LIFT ADA-certified paratransit, NCTD+ micro transit, COASTER commuter rail, and SPRINTER hybrid rail modes of transportation.

NCTD provides BREEZE fixed-route service, FLEX on-demand service, LIFT paratransit service and NCTD+ micro transit 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 facilities located in Oceanside and Escondido support BREEZE, LIFT, FLEX and NCTD+ micro transit 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, LIFT, or NCTD+ services in the NCTD system, including but not limited to NCTD employees 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 member of each of the city councils of the cities of Carlsbad, Del Mar, Encinitas, Escondido, Oceanside, Solana Beach, San Marcos, and Vista, one member from the San Diego County Board of Supervisors, and one non-voting member from the City Council of the City of San Diego.

NCTD directly manages bus operations and maintenance functions.

- BREEZE consists of 30 fixed bus routes serviced by a fleet of 152 buses. NCTD is the owner of the bus transit vehicles and associated supporting facilities.
- FLEX is an on-demand service (reservations required) with three routes in parts of Ramona and Camp Pendleton where BREEZE service is not available, as well as via the Sorrento Valley COASTER Connector service. 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.
- NCTD+ is an on-demand transit service that provides shared rides within a service zone. The service is available to all riders and uses ADA accessible vans that can seat up to eight passengers.

3.2 Additional Infrastructure Users

Users of the NCTD's bus systems are the following:

San Diego MTS – San Diego transit operator interfaces with NCTD Bus and Rail at the Escondido Transit Center via Rapid Ride bus route services.

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 152 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 30 vehicles that are a mix of Ford Transit and E450 models.

FLEX

The FLEX fleet consists of 19 vehicles and is a mixture of 35' New Flyer CNG buses and Ford cut-away buses.

NCTD+

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, FLEX, and LIFT services. Located within OTC in Oceanside, the Security Monitoring Center (MC) 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 MC is the central location for transportation system security, and emergency response coordination. Customer Experience 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 Division.

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). The 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 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 daily 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, facilitates coordination for 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+)..

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, Payroll, 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, Real Estate and Information Technology Departments. DSD oversees rail projects and real estate, including right-of-way permitting, as well as technology resources for the District.

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.

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. The key to the SMS approach is the oversight in the areas of transportation operations, equipment maintenance, and infrastructure construction via coordination with the NCTD Safety Department staff. Communication is maintained with managers and supervisors through regular morning conference call briefings, 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 Safety Committee meetings which expose the agency to significant risk, may 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 activities and ensures all internal requirements and practices are executed as intended and to a satisfactory level.

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. 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 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 will be notified of a substantially revised plan by an email.

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 department 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, other system users, and interested parties, both internal and external, is facilitated through:

Safety Meetings: Bus Operations conducts Safety Meetings on a regular basis. Currently, meetings are bi-monthly but are subject to future revision based on operational needs. These safety meetings allow for all bus employees to learn about important safety information. Multiple meetings in both divisions are scheduled to allow all staff to attend. NCTD's Safety Department staff attend and actively participate in these meetings.

NCTD Bus Safety Committee Meeting:

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 Risk Roundtable Meeting: This quarterly meeting is led by the Risk Management team within the Office of Chief General Counsel and includes bus and rail staff as well as and other stakeholder 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.

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 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.

4.7 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 the NCTD IIPP

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 staff 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 in coordination with internal stakeholder departments and staff. 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 annually 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 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

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
- 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 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 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, external workers, 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.

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. The Bus Safety Committee will receive updates on submitted hazards and will review and concur in the risk assessment and corrective action 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. This document 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 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 Enterprise Risk Manager 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/SMS Executive, Chief Operating Officer(s), Chief Development Officer, Director of Security, or their designees, and other key staff whose duties are critical to the specific mode of operations. 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 staff must support the effective management of the hazard management process, which includes collaboration with internal stakeholders throughout the District.

Safety Department

- Train select NCTD employees 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
- Maintain a comprehensive Safety database and provide training to other divisions 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 for non-represented employees is in the NCTD Employee Handbook. Represented employees will have discipline policies in their respective Collective Bargaining Agreement.

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 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

NCTD is responsible for purchasing all parts, components, supplies and materials, including capital purchases, to support bus operations. NCTD will ensure equipment and materials are in accordance with the technical specifications and requirements set forth by the project manager or team.

7.12 Procurement Responsibilities

The NCTD PCA Department is responsible for system capital purchases, fuel, parts, supplies, materials, 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 support the purchasing division and the PCA Department as needed 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 safety meetings, Risk Roundtable meetings and Internal Safety Audits.

In any instance where the District does not meet an established 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

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.

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 Officer(s) – Bus and/or 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	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.

8.6 ISA Responsibilities

NCTD

- Safety Department staff in concert with key stakeholder staff 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 Chief Operating Officer(s) for Bus and/or 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.

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, including 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 and the Safety Department.

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

The Facilities Department shall:

- Perform inspections
- 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 function.
- Perform quarterly inspections at all major transit facilities, which include various OSHA elements, 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/NCTD+ 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. 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 are maintained in the safety database.

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.

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 Operations Division

- Complete maintenance activities and perform inspections
- Tracking and documenting vehicle maintenance activities, and training and certification of qualified persons performing service 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

NCTD General Services Division

- Complete facility maintenance activities and perform inspections

- 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 Operations Personnel

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.

Bus operations personnel 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 Deputy CEO/Chief General Counsel/SMS Executive shall:

- Manage the accident investigation process, regulatory agency reporting, corrective action plan(s), and document control

- Function 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 Transit Enforcement Services Unit (TESU) investigates:

- Any fatal incident on NCTD rail modes
- Unusual criminal activity
- The Sheriff's Department TESU reports of the investigation are usually issued within 30-days of the occurrence.
- Additionally, the Sheriff's Department TESU 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.

NCTD Bus Operations staff 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/NCTD+

The Bus Operations Division, in coordination with the Safety Department, shall perform 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
- Enter all corrective actions identified in the corrective action plan into safety data base for assignment and completion

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/NCTD+ 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 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 Operations

- 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

- Analyze safety issues resulting from data trends
- Cooperate with the Safety Department and the Office of Chief General Counsel during regular audits or an investigation
- 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

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/NCTD+ services. NCTD shall maintain 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 Operations Staff and Contractors

Direct and Contractor Staff 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 bus operations and maintenance program compliance
- 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/NCTD+ 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 the primary divisions 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/NCTD+ 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 Experience
- 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.

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. In accordance with 49 CFR 673.29, persons directly responsible for safety, including but not limited to the following job functions, must have adequate training, qualifications, and/or certifications to complete their duties in a safe and effective manner:

- Operating supervisors and managers
- Bus vehicle maintenance employees
- Facility maintenance employees
- Transit vehicle operators
- Dispatchers

9.3 Safety Training Programs

NCTD ensures that all training plans meet requirements set forth by NCTD, the FAST Act, MAP-21, and other regulatory agencies. These plans set the minimum training requirements for NCTD employees, which includes mandatory, refresher and optional in-house and external training. The District's goal is to achieve a high level of staff competency while meeting all regulatory requirements. Training requirements for respective departments and positions are maintained in the NCTD Learning Management System, which include:

- 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, FLEX and NCTD+ 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/NCTD+ 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 safety concern identification and reporting training, de-escalation training upon hire and biennially thereafter.

9.4 Employee 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)
- NCTD employee training records are maintained in 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/NCTD+ 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 Operations and Training Departments

- 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
- Perform inspections to oversee the training programs of applicable contractor(s)
- 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

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

Any observations or concerns discovered by the NCTD Safety Department with regards to BREEZE/FLEX/LIFT/NCTD+- related training will be communicated to the applicable Division for review and proper assignment of corrections.

9.7 Rules and Procedures Review

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

- Development of SOPs and various Operating Manuals. 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 and Operating Manuals

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 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. In addition to SOP's various departments have Operating Manuals that provide details on requirements for performing specific job responsibilities. All manuals are compliant with any applicable regulations.

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 will ensure adherence to approved PM and inspection schedules to provide safe and properly maintained transit vehicles for all employees and public at large.

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

- 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.
- Verify any contractor(s) are in compliance with the contract (to include compliance with applicable federal and state regulatory requirements along with industry standards and recommended practices)
- Verify any contractor(s) are in compliance with any internal rules and procedure compliance program
- Participate in efficiency testing for BREEZE/LIFT/FLEX/NCTD+ 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

9.9 Operating and Maintenance Rules

The NCTD Bus Operations personnel must 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 staff maintain compliance with the hazardous materials program:

NCTD Bus Operations Division responsibilities include:

- Policies and procedures: NCTD 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.

- Safety Data Sheets (SDS): Maintain the SDS and an up-to-date list of all hazardous chemicals present in the workplace in accordance with the requirements of OSHA's Hazard Communication Standard (29 CFR 1910.1200).
- 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 any applicable contractor is compliant with the established contract language
- Coordinate with Development Services Division to ensure applicable 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

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 consists 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

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, NCTD+ 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 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.

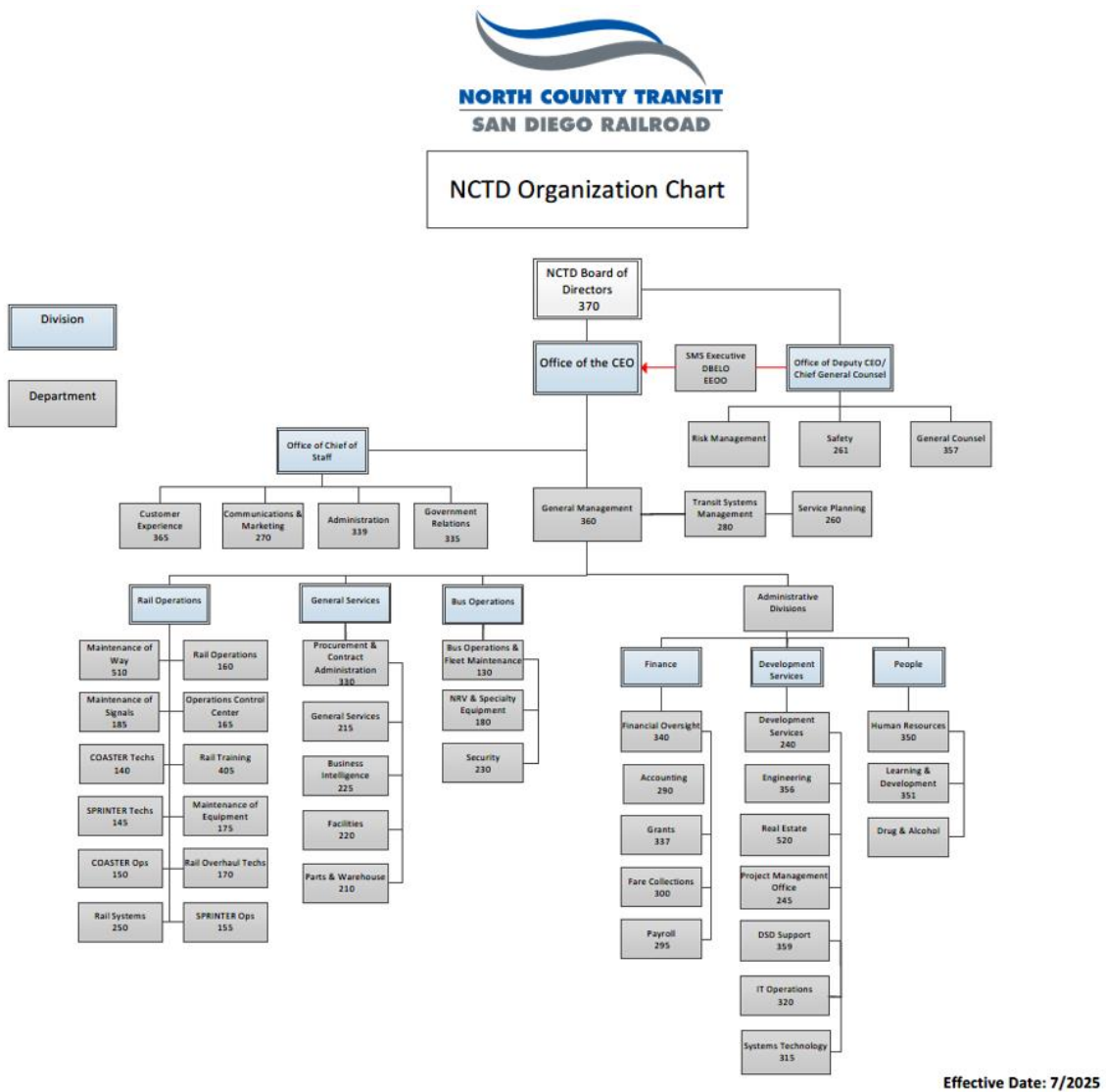
11.0 List of Appendices

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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
3000.15	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
3000.36	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
3000.68	Safety	Emergency Information Book
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
3000.76	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
3000.89	All	Environmental Compliance
3000.90	All	Stormwater Management Plan
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
3000.95	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 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 Tucholski, Lilia Montoya, Marq Webb, Porschia Wong, Brigitte Ponce, Tyler Brett, Esther Rivers, Duane Koslicki, Lawana Porter, Freddy Jimenez, Jennifer Lara, Troy Simon, Juan Rendon, La Tara Welch-Davis, Sergio Lopez, Robert Harris, Jennie Griffin, Daniel Midani, Gilbert Castillo, Monica Tapia, Sonya-Lynn Fisher, Jeffrey Hiott, Misty Calder, Arlett Rincon, Meghan Michel, Leslee Mack, Ron Prevost, Daphanie Grimsley, Rosendo Paleo

Teamsters

Don Mack, Dwayne Garrett

Meeting Topic/Title

NCTD Bus Safety Committee Meeting

Meeting Date

August 20, 2025, at 1:00pm

Meeting Location

GAO/TEAMS

Meeting Participants

NCTD

Derrick Wojcik-Damers, Karen Tucholski, Porschia Wong, Esther Rivers, Misty Calder, Lilia Montoya, Jeffrey Hiott, Jennifer Lara, Sonya-Lynn Fisher, Lawana Porter, Troy Simon, Timothy Jackson, La Tara Davis, Robert Harris, Jennie Griffin, Freddy Jimenez, Gabriel Puente, Arlett Rincon, Monica Tapia, Katie Persons, Brigitte Ponce, Chris Carrillo, Marq Webb, Tyler Brett, Meghan Michel

Teamsters

Don Mack

Summary of Discussion

Agenda Item Responsible Party

1. Housekeeping

- a. Safety Briefing – Tyler Brett gave a safety briefing.
- b. Sign In/Roll Call – Porschia Wong took roll call for the Committee.
- c. Membership Roster Review and Update – Porschia Wong reviewed with the safety committee the membership Roster. Gilbert Castillo replaced Juan Rendon as a primary representative. Daniel Midani is the primary representative and Misty Calder is the alternate. Esther Rivers is the alternate to Lawana Porter. Derrick Wojcik-Damers is the primary representative and the alternate is TBD. Arlett Rincon is the primary representative and Abraham

Sandoval is the alternate. La Tara Davis is the alternate to Jennifer Lara. Jeffrey Hiott is the primary representative and Lilia Montoya is the alternate.

Members present:

Jennie Griffin, Robert Harris, Troy Simon, Sonya-Lynn Fisher, Meghan Michel, Don Mack, Tyler Brett, Misty Calder, Derrick Wojcik-Damers, Lilia Montoya, Lawana Porter, Jennifer Lara, Esther Rivers, Arlett Rincon, Jeffrey Hiott, La Tara Davis

2. PTASP Related Activities

- a. Karen Tucholski reviewed the draft PTASP changes which reflect the transition from contracted to directly operated services. The Committee approved the proposed changes. The PTASP will go to the board for approval in September. The executed PTASP will be sent out. Bus operators stated they do not have an NCTD email. Once finalized, paper copies will be given out for those who need the PTASP.
- b. Karen Tucholski reviewed the Safety Performance Targets for year to date. Don Mack would like to be notified when there are safety/security incidents that involve the bus operators. Don Mack will meet with Chris Carrillo to discuss what incidents should be reported to him. Brigitte Ponce reviewed NTD reported incidents. Derrick Wojcik-Damers believes the data may be incorrect for system reliability for BREEZE, LIFT, and FLEX. Derrick will follow up with Adele Duffy to discuss the reported data.

3. Hazard Report Updates – Tyler Brett reviewed the open hazard reports.

- a. Hazard Report #97721 – Verified complete. All agreed to close this item.
- b. Hazard Report #109612 – Verified complete. All agreed to close this item.
- c. Hazard Report #97769/96115 – Planning will meet with the tribe to see what options there are for routing. Katie Persons reported that they have a routing concept they will present to the tribe. Bus Operations will assist Planning in meeting with the Tribe. Safety Committee assessed this hazard as a 2C. This hazard will stay open.
- d. Hazard Report #109846 – This route is up for elimination. This will be on the board's agenda in September. Katie Persons confirmed that the route is underperforming. Katie is looking for options for this route if it gets eliminated, which could include NCTD+, but it depends on the available funding. Safety Committee assessed this hazard as a 2B. This hazard will stay open.
- e. Hazard Report #111251 – Katie Persons will follow up for a possible reroute. Safety Committee assessed this hazard as a 3B. This hazard will stay open.

4. Refresher Training on Hazard/Risk Analysis

- a. The next safety committee meeting will have a refresher training. Karen Tucholski requested that the next meeting have all primary and alternate safety committee members if possible.

5. Transit Employee Assault Follow-Up – Chris Carrillo reviewed the incident. Chris reported that CCIs are scheduled until 8pm instead of 3pm.

- a. Incident #FY25-30394 – Chris Carrillo reviewed the incident. Chris encouraged bus operators report all incidents. Chris or Marq Webb follow up with the employees within 24 hours of reported incidents.
6. Open Forum
 - a. People are not trained on AED. Arlett Rincon will follow up with Maisha Williams to schedule CPR/First Aid class for employees.

Action Items/Next Steps

- Don Mack will meet with Chris Carrillo to discuss what incidents should be reported to him.
- Derrick will follow up with Adele Duffy to discuss the reported data for system reliability.
- Planning/Bus Operations will meet with the tribe to see what options there are for routing.
- Katie Persons will follow up for a possible reroute for 308.
- Arlett Rincon will follow up with Maisha Williams to schedule CPR/First Aid class for employees.

STAFF REPORT

APPROVE LABOR AGREEMENT BETWEEN THE NORTH COUNTY TRANSIT DISTRICT AND THE TEAMSTERS LOCAL NO. 542 FOR BREEZE COACH OPERATORS

Time Sensitive: ☒ **Consent:** ☒

**STAFF
RECOMMENDATION:**

Approve the Labor Agreement (Agreement) between the North County Transit District and the Teamsters Local No. 542 ("Teamsters" or "the Union") for BREEZE Coach Operators.

**BACKGROUND
INFORMATION:**

California Government Code section 3500, et seq., commonly known as the Meyers Miliias-Brown Act, and the North County Transit District, operating as North County Transit – San Diego Railroad's ("NCTD" or "the District"), enabling legislation at Public Utilities Code section 125500, et. seq., provide that public employees have a right to organize and bargain collectively with local government public employers over wages, hours, and other terms and conditions of employment.

At the time of the bus transition from contracted operations to insourcing as direct employees of NCTD, BREEZE Coach Operators were represented by the Teamsters Union, Local No. 542. With the pending transition, NCTD and the Teamsters entered into a Memorandum of Understanding (MOU) to extend the basic terms of the existing Union Agreement between MV Transportation and the Teamsters Union through September 30, 2025. Minor modifications to the existing Union Agreement were included as part of the MOU, including but not limited to, transition to the CalPERS pension and medical insurance programs. At this same time, NCTD and the Teamsters entered into collective bargaining negotiations for a new agreement for BREEZE Coach Operators.

The District's designated labor representatives met with the Teamsters Union's negotiating team on multiple occasions following transition and negotiations were completed during several sessions through September 8, 2025. A draft proposed Agreement encompassing the negotiated provisions related to wages, hours, and general terms and conditions of employment that apply to the bargaining unit employees was developed. The proposed Agreement between NCTD and Teamsters for BREEZE Coach Operators would be effective October 1, 2025 through June 30, 2030. The proposed draft Agreement offers:

- Hourly starting rate of pay at \$25.30 for Coach Operators, with general wage increases through FY2030 based on longevity of service (hours and/or years)
- Eligible employees receive legacy pay based on years of service, ranging from \$0.50/hour after 10 years to \$2.00/hour after 25 years to address recruitment and retention challenges, and acknowledge employee tenure
- Employees will be enrolled in CalPERS for pension and medical benefits

- Standard benefits and employment policies and procedures generally applicable to NCTD staff remain effective in the new proposed Agreement, unless otherwise expressly provided therein

Based on the foregoing, staff recommends the Board approve the Agreement between the North County Transit District and the Teamsters Local No. 542 for BREEZE Coach Operators

ATTACHMENT: 10A – *Proposed* Labor Agreement between the North County Transit District and the Teamsters Local No. 542 for BREEZE Coach Operators

FISCAL IMPACT: The proposed Agreement establishes specific wage rates for Teamsters Union-represented District employees on an annual fiscal year basis. FY 2026 budgeted resources for salaries and benefits are sufficient to fund the proposed agreement. Future years wages and benefits will be budgeted through the annual operating budget process.

COMMITTEE REVIEW: None

STAFF CONTACT: **Adrienne Johnson, Director of Human Resources**
E-mail: ajohnson@nctd.org Phone: 760-966-6776

Labor Agreement

NORTH COUNTY TRANSIT **SAN DIEGO RAILROAD**

&



Coach Operators

Effective October 1, 2025, through September 30, 2030

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ARTICLE 1 - PREAMBLE

This Labor Agreement ("Agreement") is made and entered into by and between the North County Transit District, operating as North County Transit – San Diego Railroad (hereinafter referred to as "NCTD" or "District") and Teamsters Local Union No. 542 (hereinafter referred to as the "Union"), representing the Coach Operators employed by NCTD in its BREEZE fixed route transit services.

It is the purpose of this Agreement to promote and provide for harmonious labor-management relations, to establish equitable conditions of employment, to ensure the delivery of safe and reliable transit service to the public, and to set forth the full and complete understanding of the parties regarding wages, hours, and terms and conditions of employment.

The parties further commit to fostering a respectful, inclusive, and safe work environment that values employee input and recognizes the critical role of Coach Operators in providing essential public transit service.

ARTICLE 2 - RECOGNITION

NCTD recognizes the Union as the sole and exclusive bargaining representative for all full-time and part-time Coach Operators employed by NCTD in its BREEZE fixed route service.

This Agreement shall cover any newly created classifications whose primary duties involve the operation or supervision of all Coach Operators employed by NCTD in its BREEZE fixed-route service, regardless of job title, provided such classifications are not otherwise excluded under applicable law.

Excluded from the bargaining unit are all other NCTD employees, including but not limited to supervisors, managers, confidential employees, dispatchers, reservationists, maintenance personnel, and security guards.

ARTICLE 3 - RESERVED

ARTICLE 4 – MISCELLANEOUS PROVISIONS

SECTION 1: Full Negotiations & Complete Agreement

NCTD and the Union acknowledge that during negotiations which resulted in this Agreement, each party had the unlimited right and opportunity to make demands and proposals with respect to any subject or matter not removed from law from the area of collective bargaining and that the understandings and agreements arrived at by the parties after the exercise of their respective rights and opportunities are fully and completely set

forth in this existing Agreement. Furthermore, there are no understandings or agreements by the parties which are not expressly set forth in this Agreement.

SECTION 2: Waiver of Bargaining During Term

NCTD and the Union, for the term of this Agreement, each voluntarily and unqualifiedly waives the right, and each agrees that the other shall not be obligated, to bargain collectively with respect to any subject, matter or practice not specifically referred to or covered by this Agreement.

SECTION 3: Savings Clause

If any part of this Agreement is rendered or declared invalid by reason of any existing or subsequently enacted legislation, government regulation or order, or decree of court, the invalidation of such part of this Agreement shall not render invalid the remaining parts thereof.

It is further provided that in the event any provision or provisions to this Agreement are so declared to be in conflict with such Federal or State law, rule or regulation, both parties shall meet within 30 days for the purpose of re-negotiating the provision or provisions so invalidated.

SECTION 4: Benefits

No privileges or benefits except those specifically set forth in this Agreement are required to be granted to Coach Operators.

SECTION 5: Meaning of Certain Words

The parties agree that the term "Coach Operator" wherever used in this Agreement, whether singular or plural, mean and implies only those Coach Operators of NCTD included within this bargaining unit as defined in Article 2 of this Agreement, and that this Agreement shall be limited only to said Coach Operators.

Unless specifically stated otherwise within this Agreement, the term "days" shall mean days and hours consistent with that of NCTD's Administrative Office location at 810 Mission Ave. Oceanside, CA 92054.

A work week is defined as beginning 0000 hours on Sunday and ending at 2359 hours on the following Saturday.

SECTION 6: Job Description and Qualifications

NCTD shall furnish to the Union a copy of the job descriptions or qualifications for the Coach Operators. The Union shall have an advisory and consult role in the revision to these job descriptions and qualifications.

SECTION 7: Modifications

After the effective date of this Agreement no modifications of this Agreement will be binding on either party unless in writing and signed by the authorized representative of the parties to this Agreement.

SECTION 8: Assignability Clause

- A. This Agreement shall be binding upon the Employer herein and its successors and assigns and no provision herein contained shall be nullified or affected in any manner as a result of any merger, transfer, assignment, or any other disposition of the Employer herein, or by any change geographical or otherwise, in the location of the Employer herein. The Employer agrees that it will not conclude any of the above-described transactions unless an agreement has been entered into as a result of which this Agreement shall continue to be binding on the person or persons or any business organization continuing the business. It is the intent of the parties that this Agreement shall remain in effect for the full terms hereof regardless of any change of any kind in management, location, form of business organization or ownership.
- B. In the event of a consolidation, merger, sale or takeover, the Coach Operators covered by this Agreement shall be guaranteed geographical seniority.

ARTICLE 5 – UNION SECURITY

SECTION 1: Membership and Dues Deduction

- A. Obligation to Remain Dues Paying Member:
Any employee who is a dues-paying member of Teamsters Local Union No. 542 in good standing upon the effective date of this Memorandum of Understanding and any employee who thereafter becomes a dues-paying member, shall remain a dues-paying member of Teamsters Local Union No. 542, except as provided for below:
 - 1. If a dues-paying member of Teamsters Local Union No. 542 does not terminate his/her payment of dues, said member shall continue as a dues-paying member for the term of this Memorandum of Understanding.
- B. Termination of Membership – First Time:
Within 20 working days immediately following the effective date of this Memorandum of Understanding, any employee who is a dues-paying member of Teamsters Local Union No. 542 shall have the right to terminate his/her payment of dues to Teamsters Local Union No. 542 upon written notice to the Teamsters Local Union No. 542.
- C. Termination of Membership – On-Going:
Within 10 working days immediately following the termination date of this Memorandum of Agreement or within 10 working days immediately following yearly anniversary date

of any year of this Memorandum of Agreement, any dues-paying member of Teamsters Local Union No. 542 may terminate his/her payment of dues to Teamsters Local Union No. 542 upon written notice to Teamsters Local Union No. 542. Teamsters Local Union No. 542 shall post notices in all Union represented buildings, as determined by this MOU, 10 working days prior to the termination of date of this MOU or 10 working days prior to the yearly anniversary date of any year, of the right of each dues-paying member of Teamsters Local Union No. 542 to terminate his/her payment of dues under this section.

D. Authorization to Deduct Dues:

During the term of this Memorandum of Agreement, NCTD shall deduct from the first monthly paycheck of each member of Teamsters Local Union No. 542 covered under this Memorandum of Agreement, who has signed an appropriate authorization of dues deduction form, as outlined by Teamsters Local Union No. 542, in accordance with Teamsters Local Union No. 542 by-laws and constitution. Teamsters Local Union No. 542 shall notify, in writing, NCTD of the dues amount to be deducted, as outlined by California State Bill 285. Teamsters Local Union No. 542 shall also give written notice to NCTD of any change in dues amount at least 30 days prior to the effective date of said change. All amounts deducted by NCTD under this article shall be remitted to Teamsters Local Union No. 542. NCTD shall also furnish to Teamsters Local Union No. 542 a list showing the name of each employee whose dues are included in the remittance and amount thereof.

SECTION 2: Delinquency

- A. The Union shall notify the General Manager or designee in writing of the names of Coach Operators who have failed to comply with this Article.
- B. If an employee fails to apply for membership or fails to maintain their membership in good standing or fails to pay fees, the Union may give the designated NCTD representative written notice of this fact. The thirty-day remedial period after the notification by the Union that an employee has not complied with this provision is to bring the employee into compliance and after the 30-day remedial period NCTD shall terminate the employment of the employee if they have not complied with this provision. This includes any employee seeking objector status and only paying fees.

SECTION 3: Hold Harmless Provision

The Union agrees to furnish any information requested by NCTD to fulfill the provisions of the Article. The Union agrees to reimburse NCTD for all legal fees and legal costs incurred in defending against any court action and/or administrative action challenging the legality or constitutionality of the agency fee provisions of this Agreement or their implementation and to indemnify NCTD from any claims, demands, damages, or other liability arising out of or as a result of implementation of these provisions.

ARTICLE 6 - UNION REPRESENTATION

SECTION 1: Access to NCTD Premises

A duly authorized non-Coach Operator representative of the Union shall be permitted to enter the division facilities during normal business hours of NCTD in order to transact business in connection with the administration of this Agreement subject to the following conditions:

1. That the business of such representative be transacted during a Coach Operator's scheduled break and meal periods whenever possible and providing that there is no interruption of NCTD's business or service and no undue interference with the work of any Coach Operator.
2. That such representative notifies the Dispatcher on duty or designee immediately upon entering and leaving any Bus Operations facility.
3. That such representative will observe all safety and other rules of NCTD while on the premises.

SECTION 2: Stewards

- A. The employer agrees to recognize Stewards as appointed by the Union. The Union will make every effort to appoint three Stewards and one Alternate per division at any one time during the life of this Agreement.
- B. NCTD will, upon the Union's request, permit any Steward to leave his or her work (on his/her own time) during working hours to perform any duties in connection with any grievance or dispute involving the Union, provided that timely request is given and if a replacement is available to cover work assignments. It is understood and agreed that the Shop Steward has regular productive work to perform and that they not leave their work during work hours, except as provided above. The Stewards may assist in the investigation, presentation and settling of grievances. Stewards shall not be discriminated against in discharging duties assigned to them by the Union.

If NCTD requires a steward to leave his or her work during working hours to attend to a grievance hearing, disciplinary hearing, or other Company-required meeting, the steward shall not lose his or her forty-hour guarantee. If NCTD requires the steward to attend to a meeting outside of his or her division (East or West) to attend to such hearings/meetings, the steward will not lose his or her hourly guarantee.

- C. Shop Stewards have no authority to take strike action or any other work stoppage interrupting the Employer's business.

- D. Time lost by Union Stewards/Officers for attending to grievance hearings, disciplinary hearings, and other Company-required meetings will not be counted against the calculation of hours to qualify for fringe benefits under the Agreement.

SECTION 3: Union Business and Meetings

NCTD shall grant unpaid union business leave to any union shop steward or executive board member, whenever possible, upon advance request from the Union Business Agent or other union officer.

SECTION 4: Bulletin Boards – Material

- A. NCTD has furnished one glass enclosed bulletin board at the East Division Driver's Room and one for the West Division Driver's Room for the use of the Union. Once installed, locks, keys, and maintenance of the bulletin boards shall be the responsibility of the Union. Each bulletin board shall be no less than 3 feet x 3 feet in size.
- B. Only official Union representatives, or Stewards, shall be permitted to post bulletins or notices on the board. Posting by the Union on such bulletin boards shall be confined to official union business.
- C. The Union will not post on bulletin boards any controversial, offensive, or derogatory materials.

SECTION 5: Access to Training Classes

Two Stewards from each division shall be given the ability to address the trainees in each training class with a minimum of 60 minutes per training class. This will be at a mutually agreed upon time between NCTD and Union.

ARTICLE 7 - NO STRIKE – NO LOCKOUT

It is recognized that NCTD and its employees are obligated to perform an essential public service, and that this service must be continuously performed to the fullest extent. If, for any reason, performance of duties involves undue difficulty, members of the Union will not cease work but will immediately address the matter in an orderly way as provided in this Agreement.

During the term of this Agreement, the Grievance Procedure of this Agreement and the administrative and judicial remedies for remedying unfair labor practices shall be the sole and exclusive means for settling any dispute between the employees, the Union and the Company. Accordingly, neither the Union nor the employees will instigate, promote, sponsor, engage in, or condone any strike, including a sympathy strike, slowdown, refusal to cross a picket line, stoppage of work, refusal to perform assigned work, or any other intentional interruption of service or production, regardless of the reason for so doing.

NCTD will take appropriate action to ensure the safety of employees who encounter a picket line in the course of performing their duties for the Company.

The Union recognizes that in the event of a work action, as described above, the Union has an obligation and a duty to urge any and all employees who may be involved in such activity to cease such activity and to immediately return to work. No employee who is a Union Officer or Steward shall participate in such prohibited action.

An employee who has been determined by NCTD to have violated paragraph A-C of this Article may be disciplined up to and including discharge. Such discipline shall not be subject to the Grievance and Arbitration provisions of this Agreement, however, the issue of whether the employee actually engaged in such prohibited conduct may be grieved.

Picket Lines - It shall not be a violation of this Agreement and it shall not be cause for discharge or disciplinary action in the event a Coach Operator refuses to enter upon any property involved in a lawful labor dispute or refuses to go through or work behind a primary lawful picket line, provided said picket line has been sanctioned by Teamsters Joint Council 42, provided, further, that at least 72 notice of such sanction must be given to the Manager of Operations.

NCTD shall institute no lockout of employees during the term of this Agreement.

ARTICLE 8 - MANAGERS' RIGHTS

Except as otherwise specifically limited by this Agreement, NCTD retains all rights to fully control all matters concerning the management and conduct of its business. The exercise of any such rights or functions shall not be subject to the grievance provisions of this Agreement, unless in violation of an express provision of this Agreement or Handbook.

NCTD's failure to exercise any function or right hereby reserved to it, or its exercise of any function or right in any particular way shall not be deemed a waiver of its right to exercise such function or right, nor preclude NCTD from exercising the same in some other way not in conflict with the express provisions of this Agreement.

NCTD may implement and enforce reasonable rules and regulations or may modify or eliminate such rules or regulations, including its employee handbook, at any time so long as such rules or regulations are not in conflict with any specific provision of this Agreement. Before implementation of any new or revised work rule, NCTD will discuss the change with the Union.

The relevant portions of the Agreement between NCTD and its client under which an employee of NCTD performs work shall be incorporated by reference into this Agreement, to the extent only that such provisions impose terms, conditions or requirements upon NCTD and/or its employees that are not required under the terms of this Agreement. In a situation in which a provision of this Agreement is in conflict with any of the provisions of

said Agreement or the directives of the customer, the relevant portions of said Agreement or the customer directives shall prevail for all purposes. Nothing in this Section shall be construed as subjecting any of the terms of NCTD's Agreement to the Grievance and Arbitration provisions of this Agreement, nor shall anything in this Section be construed as granting any rights or authority to the union to negotiate any of the terms of said Agreement, this being the sole and exclusive right of NCTD.

All employees of NCTD are employed subject to the consent of NCTD's Client. Should the client's consent be denied or withdrawn, the employee must be discharged. Such discharge shall be subject to the grievance and arbitration provision. Should the employee, if then qualified to perform another job within the bargaining unit and should an opening exist at that time, the employee may be placed in that position if the client does not specify otherwise.

ARTICLE 9 - DISCIPLINE AND NCTD RULES

SECTION 1: Handbook

- A. Employees will be provided with a copy of NCTD Employee Handbook. This book provides policies and procedures to all employees. In addition, this manual provides management guidelines for determining appropriate discipline when warranted.
- B. NCTD maintains its management rights set forth in Article 8: Manager's Rights, including its right to implement, enforce, revise or modify NCTD policies. NCTD agrees to provide the Union with written copies of new or modified Company-administered policies. NCTD will provide the Union with advanced notice of new or modified policies.
- C. NCTD shall not discipline an employee without just cause. However, nothing shall prevent NCTD from removing an employee from work while it conducts an investigation. All investigations will be pursuant to Section 2 and Section 3 below. After NCTD has issued discipline, the employee must serve all discipline including suspension, within 30 calendar days of the date of the disciplinary notice. Suspensions will be served at a date/time that is mutually agreed by Employee and NCTD.
- D. NCTD recognizes the general concept of progressive discipline, including the following steps: documented counseling, written warnings, suspension, and discharge. It is understood that such steps will be applied on a case-by-case basis as determined by NCTD based on the seriousness and severity of the violation. However, NCTD and Union recognize that some infractions, including but not limited to dishonesty, fighting or assault in the workplace or while on duty, insubordination, violation of NCTD's Drug and Alcohol policy, failure to report an accident, incident, or moving violation, or harassment of any kind, and certain safety infractions as stated in NCTD Employee

Handbook, are of such a serious nature that they may be addressed by discharge on the first offense.

E. The affected employees will be provided a copy of all written discipline promptly.

F. It is mutually agreed that rules and regulations made by NCTD will not be in conflict with the provisions of this Agreement and the Agreement shall supersede the Employee Handbook where a conflict exists.

SECTION 2: Non-Accident Investigations

The parties understand the importance of fully investigating any incidents prior to issuing any discipline. NCTD will make every attempt to complete its investigation into any non-accident-related incidents in a timely manner. NCTD shall have ten (10) calendar days from the time NCTD is made aware of the incident to investigate a non-accident-related incident and/or issue any discipline. If the employee is put out on an administrative leave during the investigation, he or she shall be paid at the end of the investigation, if the employee is not suspended or terminated as a result of the investigation. The time limits to conclude the investigation and issue the discipline may be extended by mutual agreement between the Deputy Chief of Bus Operations, or designee and the Union Business Agent. Such agreement to extend the time limits shall not be unreasonably withheld.

SECTION 3: Accident-Related Investigations

The parties understand the importance of fully investigating any accidents prior to issuing any discipline. NCTD will make every attempt to complete its investigation into an accident in a timely manner. NCTD shall have twenty (20) calendar days to investigate an accident from the time NCTD is made aware of the accident. If the driver is placed on administrative leave during the investigation they shall be on a paid status until the conclusion of the investigation. The facts related to the accident will be scheduled for review at the next Accident Review Committee (ARC) following conclusion of the investigation, if requested by the operator. Discipline shall be issued within five (5) calendar days from the Supervisor's receipt of the official notification of the decision of the ARC, unless the employee files an appeal of the ARC decision as provided in Section 8: Accident Review Committee (ARC) below. The time limits expressed in this Section may be extended by mutual agreement between the Department Manager and the Union Business Agent. Such agreement to extend the time limits shall not be unreasonably withheld.

SECTION 4: Attendance Discipline

Employees shall be required to notify NCTD of any absence or tardiness no less than 30 minutes prior to their scheduled start time. Notification shall be made by telephone directly to a supervisor or designated call-in line. Text messages or emails may be used to supplement the phone call but shall not substitute for direct verbal communication.

In the event of an emergency, sudden illness, or other unforeseen circumstance that prevents timely notification, the employee shall contact NCTD as soon as reasonably possible. No employee shall be disciplined for failure to meet the thirty (30) minute notification requirement if they can demonstrate good cause or circumstances beyond their control.

For the purpose of attendance tracking and progressive discipline, up to five consecutive work days of absence for a medical condition shall be considered a single occurrence, provided the employee complies with notification procedures and supplies reasonable verification upon request. If the employee has a non-medical situation requiring multiple days off, the employee can reach out to Human Resources for permissible exceptions.

Absences protected by law, including but not limited to leave under the FMLA, CFRA, PDL, or other legally protected or contractually approved leaves, shall not be counted toward any disciplinary attendance threshold. However, employees must continue to comply with reasonable call-in or certification procedures associated with such leaves.

NCTD shall not impose discipline, including warnings, suspensions, or termination, for absences or tardiness unless it is clearly established that the employee failed to comply with this Article without good cause.

SECTION 5: Safety Point Discipline

NCTD Employee Handbook will continue to govern all Safety Point Discipline events with the following exceptions*:

- Preventable incidents resulting in property damage of five thousand dollars (\$5,000.00) or less will be considered a minor safety incident resulting in one safety points.
- Preventable accident resulting in no property damage will result in one safety point.

*Exceptions do not apply to preventable incidents involving a pedestrian, cyclist, etc.

SECTION 6: Union Representation

NCTD will afford an employee his or her Weingarten rights as required.

SECTION 7: Onboard GPS/Video Camera System

The Union recognizes the legitimate business purpose of the GPS, Video and other technological equipment onboard buses. The Union and NCTD understand that this equipment is not to be used for surveillance and will not be reviewed without legitimate business purpose.

SECTION 8: Accident Review Committee (ARC)

- A. NCTD will make the initial determination of accident preventability. A driver may choose to appeal NCTD's determination that an accident was preventable to the Accident Review Committee. The appeal must be filed within five calendar days of determination and written notification to the Employee/Union. NCTD will provide the employee with a notice to move to the ARC at the time of determination.
- B. The Accident Review Committee shall decide preventability issues only and shall not determine discipline questions. Discipline rendered as a result of a decision that an accident was preventable is subject to the Grievance & Arbitration Procedure of this labor agreement, however, the determination of the Accident Review Committee may not be appealed.
- C. The Accident Review Committee will be made up of equal numbers of bargaining unit members and non-bargaining unit members, and one neutral party, who will be selected by NCTD and the Union. The neutral party will not be associated with NCTD or the Union. The neutral party shall be chosen from California State Mediation Conciliation Service, unless otherwise agreed to by the parties. The Accident Review Committee will consist of four persons. NCTD or Union representative who participated in the preventability investigation and issuing of preventability will not be allowed to participate in the voting process. The Union shall have the right to select the bargaining unit members. An Accident Review Committee member (NCTD and Union) who has incurred a preventable accident within the prior 12 months will not be eligible to serve on the Accident Review Committee, and an alternate must be selected. NCTD and Union may each elect to have an observer present during the proceedings.
- D. The ARC is scheduled to meet as needed at the West Division Operations Building.

ARTICLE 10 - DISPUTES, GRIEVANCES AND ARBITRATION

For the purpose of this Agreement, a grievance is defined as a dispute between the parties concerning the meaning, interpretation, application or alleged violation by NCTD of the express terms of this Agreement.

Step 1 – Prior to filing a grievance at Step 2, the Union and/or the Employee shall meet formally with an Operations Manager to define the issue in question and to share information and joint fact-finding to resolve the issue. The maximum period allowed for the joint fact-finding is 10 calendar days after the occurrence giving rise to the grievance. If this matter remains unresolved at the end of the 10 calendar days fact-finding period, a Step 2 grievance may be filed.

Step 2 – Any grievance or dispute shall be reduced to writing setting forth the nature and circumstances of the grievance, the article and section of the Agreement alleged to be violated and the remedy sought. The Union (either on employee's behalf or the entire unit) or employee shall submit the grievance to the Director of Operations within 10 calendar days of the Step 1 meeting between the Operations Manager and the Union and/or Employee. The Director of Operations, or designee, shall convene a meeting within 10 calendar days of receipt of the written grievance. The parties agree to make every effort to settle the grievance promptly at this level. The Director of Operations, or designee, shall respond to the grievance, in writing, within 10 calendar days of such meeting to the employee and the Union.

Step 3 – If no satisfactory settlement is reached in Step 2, the grievance may be presented to the Chief Operating Officer or Deputy Chief within 10 calendar days of receipt of the written decision set forth in Step 2 above. The Chief Operating officer or Deputy Chief, or designee, shall convene a meeting within 10 calendar days. Thereafter, the Union, shall meet with the Chief Operating Officer or Deputy Chief, or designee, for the purpose of resolving the grievance. NCTD or the Union may call on other appropriate personnel to provide information which would assist in resolving the grievance. The meeting shall be held on a mutually agreeable date after receipt of the request for the meeting. The Chief Operating Officer or Deputy Chief, or designee, shall respond to the grievance, in writing, within 10 calendar days of such meeting to the employee and the Union.

Step 4 – Termination of employment: In cases of termination, the grievance immediately goes to Step 4. The grievance must be presented to the Chief People Officer or designee, within 10 calendar days of alleged grievance. A meeting shall be held on a mutually agreeable date between the Chief People Officer, or designee, other designated agency officials, the aggrieved employee and the Union.

Step 5 – For any grievance not settled in Step 3 or 4, the decision to request arbitration of the grievance must be made by the Union. The request for arbitration must be submitted in writing to the Chief Executive Officer or Deputy Chief Executive Officer, or designee, within 30 calendar days after the decision set forth in Step 3 or 4 is received. The arbitration shall be limited to consideration of those issues presented in the grievance or discussed during the first step of the grievance procedure. The Union will make a good faith effort to provide NCTD with 48-hours' advance notice of a list of the employees scheduled by the Union to

attend arbitration. The parties will work together to minimize the amount of time employees acting as witnesses will spend away from the job.

After a demand for arbitration has been made, within 10 calendar days the Union shall submit a request to the State Mediation and Conciliation Service (SMCS) for a list of seven names of impartial Arbitrators in the region nearest to NCTD's premises. NCTD and the Union shall, as soon as reasonably practical following receipt of the list of Arbitrators from SMCS, alternately strike names from the list until only one name remains, and the Union shall strike first. The remaining Arbitrator shall act as the impartial Arbitrator who shall hear and decide the issue.

It is understood that the Arbitrator shall be without authority or jurisdiction to add to, remove from, alter, or otherwise amend in any way any provision of this Agreement. The jurisdiction and authority of the Arbitrator shall be for the determination of such grievance, expressly limited to the interpretation, application and compliance with the provisions of this Agreement.

The fees and all expenses of the Arbitration (arbitrator's fees, hearing room if applicable, court reporter fees, etc.) shall be shared equally between NCTD and Union. Unless otherwise specifically agreed in advance, each party shall be responsible for costs it incurs and for the expenses of presenting its case.

The Arbitrator's decision shall be in writing and served on NCTD and Union. The decision of the Arbitrator shall be final and binding upon NCTD and the Union.

Under no circumstances shall an employee be made more than whole. Employees that are discharged and returned to work as a result of this procedure shall have interim earnings deducted from all back pay awards.

All grievances that are settled through the grievance procedure must be reduced to writing and signed or agreed to electronically by the parties. Once the grievance is considered settled, if there is a payment owed to the grievant, such payment will be made within 10 calendar days from the date of formal settlement. If the grievant is not paid within 10 calendar days, a penalty in the amount of four hours straight time for every 10 calendar days that occur after the date of the settlement will occur until the grievant is paid in accordance with the settlement terms.

It is the intent of the parties that all parties shall strictly adhere to the time limits provided. Exceptions to the foregoing time limits shall be made only upon mutual written agreement of the parties, which agreement shall not be unreasonably withheld by either party. In the absence of such mutual agreement to extend any of the foregoing time limits, the failure of the Union to process a grievance within the above time limits shall constitute a waiver of that particular grievance, and it shall be processed no further. Likewise, in the absence of such mutual agreement to extend any of the foregoing time limits, the failure of NCTD to

respond to a grievance within the above time limits shall constitute resolution of the grievance in the Union's favor and NCTD shall implement the requested resolution accordingly.

ARTICLE 11 - PAID TIME

SECTION 1: Overtime

All job-related work performed in excess of eight or 10 hours of actual work and/or training time in one day (based on type of shift bid) shall be compensated at one and one-half times the regular hourly rate of pay for all coach operators represented in this bargaining unit, regardless of classification. NCTD agrees to be in full compliance with the applicable law of the State of California.

Employees working a five day schedule will be paid one and one-half times the employee's regular rate of pay for all hours worked in excess of eight hours up to and including 12 hours in any workday, and for the first eight hours worked on the seventh consecutive day of work in a workweek; and

Double the employee's regular rate of pay for all hours worked in excess of 12 hours in any workday and for all hours worked in excess of eight on the seventh consecutive day of work in a workweek. Employees working a four-day schedule will be paid one and one-half times the employee's regular rate of pay for all hours worked in excess of 10 hours in any workday, along with the other overtime rules stated above.

SECTION 2: Minimum Guarantee

All regular full-time Coach Operators shall be guaranteed a minimum of 40 hours of work time each week.

SECTION 3: Extra Work (Voluntary Call Back (VCB))

- A. Coach Operators may remove themselves from VCB for a particular day by notifying dispatch in person or by phone no less than 12 hours prior to the mark up for that date. This action must be done in writing at the time of the notice or no later than the Operator's next scheduled work day if done by phone.
- B. Coach Operators must call in sick by noon prior to mark-up on the day prior to their assigned run or be subject to the Attendance Policy.
- C. Coach Operators on VCB shall have a minimum of eight hours between the completion of a run on one day and the start of a run the following day.

- D. Coach Operators who volunteer for VCB on their regularly scheduled day off will have the option to decline any work that is less than five hours of total pay. Dispatch will not assign work that is less than five hours to a VCB volunteer without confirmation.
- E. A two-hour minimum call-in pay applies to job related training and indoctrination sessions. Such call-in pay applies when the Coach Operator is required to attend training if the employee is required to report to the facility outside of the employee's regular working hours. It shall not apply when the training is voluntary.
- F. In the event training is required of all Coach Operators covered by this Agreement due to a system-wide introduction of new technology, equipment or fixed bus route changes of more than 25% of existing routes, the two hour minimum call-in pay shall not apply. NCTD shall inform the Union of such introduction prior to scheduling of the required training.

SECTION 4: Cross Utilization of Breeze, Lift/Flex Drivers

NCTD may cross-utilize employees when operational demand exceeds available staffing. Operators shall possess all qualifications required for assignment to perform work outside their normal assignment. Qualifications shall be determined by the Company.

Operators will be eligible for assignment as follows:

- A. In the event that the voluntary call back (VCB) list has been exhausted for Fixed Route or Paratransit operations, qualified Operators will be permitted to sign up for extra work on a Joint VCB.
- B. Drivers from this Joint VCB will be eligible for work on the service for which the extra work exists.
- C. Assignment of work for Operators who sign up for extra work will be made on the basis of seniority amongst the qualified Operators who sign up on a rotational basis.
- D. Sign up for extra work on the Joint VCB shall be on a voluntary basis.
- E. Coach Operators may remove themselves from VCB for a particular day by notifying dispatch in person or by phone no less than 12 hours prior to the mark up for that date. This action must be done in writing at the time of the notice or no later than the Operator's next scheduled work day if done by phone.
- F. Coach Operators must call in sick by noon prior to mark-up on the day prior to their assigned run or be subject to the Attendance Policy.
- G. Coach Operators on VCB shall have a minimum of eight hours between the completion of a run on one day and the start of a run the following day.

H. Coach Operators who volunteer for VCB on their regularly scheduled day off will have the option to decline any work that is less than five hours of total pay. Dispatch will not assign work that is less than five hours to a VCB volunteer without confirmation.

Drivers shall be compensated at the applicable wage rate, for their years of seniority, in the CBA for the service for which the work is being performed, plus any overtime when performing work on another service.

If any employee "more senior" to those who are performing the work wish to exercise their seniority to volunteer on the "Joint VCB" list NCTD agrees to expedite the required training for those individuals in seniority order.

SECTION 5: Payroll Mistakes

In the event of a payroll error of \$40.00 or more, NCTD shall correct the error and pay the operator (if it is determined the error results that the employee is short pay). Payment will be made via direct deposit (on the next paycheck) or hard check (within three business days) once the mistake has been brought to the attention of management and payment type decided by Coach Operator. Should an error be deemed significant, resulting in fees / surcharges to the employee they can file a request to have those reimbursed pending approval from Payroll/HR.

SECTION 6: DMV Errors

Loss of work time due to DMV error: Upon receipt by NCTD of a "Pull Notice" regarding an invalid license/VTT, NCTD will attempt to notify the Coach Operator before they are to report for duty to allow the Coach Operator sufficient time to visit the DMV office so he/she can correct the problem. A change of assignment for the day will be offered if it is available, or the Operator will be allowed to use accumulated PTO for the day. In the case that it is NCTD error the Coach Operator will suffer no loss of wages until the problem is corrected.

ARTICLE 12 - PAID TIME OFF (PTO)

SECTION 1: PTO Accrual and Eligibility

A. Accrual Rate

All permanent full-time Coach Operators shall be authorized and granted paid time off (PTO) on their annual anniversary date.

Years of Service

Annual PTO Allotment

Awarded at start of service	40
Awarded after completion of 12 months of service	80
Awarded after completion of 24 months of service	120
Awarded after completion of 60 months of service	184
Awarded after completion of 96 months of service	224
Awarded after completion of 120 months of service	240
Employees currently at will be grandfathered	264

B. PTO Eligibility

If an employee does not reach the threshold of 1700 compensable hours, the prorated amount is based on 2080 hours for the next year's PTO.

The PTO year shall be structured on a calendar year basis from January through December. When an employee accrues additional PTO, hours based on his or her years of service (subject to the table above), the employee will be eligible to bid a PTO schedule for the additional accrued hours relative to the employee's anniversary date. The employee must bid the PTO hours in the December prior to the PTO year subject to Section 2 of this Article. For example, if an employee's anniversary date is April 15th and he or she will have completed 4 years of service on that date, in the December bid the employee may bid up to 120 hours of PTO time prior to April 15th, and 56 hours after April 15th through December of the next year, or may bid the entire 176 hours from April 15th through December.

Furthermore, all employees that are scheduled to receive additional PTO time on their anniversary date based on years of service will receive the additional PTO time on their anniversary date.

SECTION 2: Scheduling PTO

A minimum of 10 PTO slots shall be assigned each week from September to May and 12 slots from June to August by the Company. PTO slots will be posted and bid in classification seniority order during the first 2 weeks of December of each year for the following year. The Annual PTO bid results will remain posted and updated throughout the year.

December 2025 employees will be allowed to bid their full allotment for the 2026 calendar year. They will be allowed to bid their full allotment with the understanding that half will be paid and the other half unpaid (the Operator will decide which is to be paid at the time they submit their bid).

All-Full time Coach Operators with less than four years of service must bid and take at least one week consisting of consecutive days' PTO per year. Any operator who has been out sick, injured or on a personal leave of absence for more than 30 consecutive days is exempt from the one-week requirement.

All Full-Time Coach Operators with more than four years of service must bid and take at least two weeks of consecutive days' PTO per year.

A member of management and a member of the Union in each division shall conduct the PTO bidding process. After the annual system wide PTO bid is complete, Coach Operators may submit a bid of up to one week of PTO time in smaller increments of less than one week. Bids will be awarded based on seniority up to the maximum available open slots.

- A. Any Coach Operator who is off duty because of sickness for a period of 30 days or more and whose scheduled PTO falls during the time of their absence may either take their PTO pay as scheduled in lieu of PTO or may reschedule their PTO for a mutually agreeable time.

SECTION 3: One Day PTO

- A. There will be five single-day slots available per day for PTO requests. Two of these daily slots will be available to be bid during the PTO bid held in December. The remaining three slots will be open to single day requests for use throughout the year. Single-day PTO slots may be requested up to 60 days in advance, but no less than 24 hours in advance. Operators may sign up for daily PTO "below the line" (the 5th slot) which may be considered for approval at the sole discretion of management based on operational needs no request will be unreasonably denied.
- B. A Coach Operator may be allowed to take one full PTO day off at a time (minimum of eight hours) upon approval of the dispatcher, provided the minimum number of hours is maintained for bid PTO slots as stated above.
- C. A Coach Operator must submit a time off request for a one day PTO at least 24) hours prior to the requested day off. It is understood it is the responsibility of the Coach Operator to obtain written approval from a dispatcher prior to taking the day off. These requests will be awarded based on operational needs and Classification seniority.

SECTION 4: PTO Cancellations/Opening

- A. At any time during the year a Coach Operator with management approval, can cancel their PTO provided that two weeks' notice is given. Management's approval will be dependent upon the circumstances surrounding the request, the current staffing situation and any other factors that affect NCTD's operation.
- B. Operators who are approved to cancel their PTO dates shall be permitted to bump back into their work.
- C. Open and vacated PTO slots will be posted by each appropriate division, at least 30 days prior to the beginning of the subject PTO period. Any Coach Operator in that department with PTO time on the books may bid a posted PTO slot. Requests must be in writing and submitted to the dispatcher, no later than midnight, three business days

from posting. (E.g., slots posted at any time on Sunday must be requested by midnight on Wednesday). In cases where there are more requests than slots, seniority will prevail.

SECTION 5: Holiday During PTO

In the event that one of the paid holidays stated in Article 13 should occur while a Coach Operator is on PTO, the Coach Operator shall receive eight hours holiday paid at the straight time rate.

SECTION 6: Sick During PTO

Any Coach Operator who falls sick with a serious health condition prior to going on a scheduled PTO period that extends into their PTO may cancel their PTO.

SECTION 7: PTO Cash Out

All unused PTO will be cashed out annually prior to the award of new PTO hours.

SECTION 8: PTO Pay

PTO pay will be paid at the current rate of pay of the operator at the time of the or buy back. In calculating hours worked for determination of overtime PTO hours are not included.

SECTION 9: PTO Relief Bid

- A. A separate PTO relief bid will be held during each shake-up bid to cover work vacancies due to bid/approved PTO leave.
- B. All regular Extra Board operators will be eligible to bid on PTO relief work.
- C. Once all PTO slots have been covered, all remaining Extra Board operators will be assigned extra board coverage during the hours of their bided Extra Board assignment.
- D. The final PTO slot coverage schedule will be posted
- E. An operator who cancels their approved PTO at least two weeks prior to the start of the PTO leave shall be permitted to bump back into their bided work.
- F. An operator who cancels their approved PTO with less than two weeks' notice prior to the start of their PTO leave shall be placed on extra board for the week.
- G. PTO relief operators who are bumped by operators cancelling their PTO will be assigned an extra board shift with the same days off and start times as the previously bided PTO relief bid.

ARTICLE 13 – HOLIDAYS

SECTION 1: Holidays

A. Seven Paid Holidays

New Year's Day

Independence Day

Memorial Day

Labor Day

Veterans Day

Thanksgiving Day

Christmas

- B. It is understood that to be eligible for any of the above holidays, the Coach Operator must have worked their regular scheduled work day preceding the holiday, and the regular scheduled work day following the holiday, unless the Coach Operator obtains permission from NCTD which will necessitate their working the preceding *or* following scheduled work day, or if the Coach Operator was absent due to illness or injury, as certified by a doctor. NCTD may, at its option, elect not to require such proof. If the employee has been previously granted intermittent FMLA, use of such allotted time will be considered certified by a doctor for the purpose of this section as long as falls within the parameters of their FMLA leave.
- C. Those who work on above listed Holidays will be paid the appropriate rate of pay in addition to the eight hours of Holiday pay as set out in subsection B. above. The principle of no pyramiding will govern all payments under this Article. However, the operator will be paid the hours worked or spread provisions, whichever is greater.
- D. Coach Operators who are scheduled to work a holiday and who call in sick shall be eligible for PTO on that day but will not be eligible for holiday pay.
- E. Holiday pay for those Coach Operators working a four day 10 hour schedule shall be calculated as follows:
1. When a holiday falls on the Coach Operator's regularly scheduled day of work, and they are not required to work on that day, and their regularly scheduled work consists of four 10 hour days, they shall be paid as holiday pay, 10 hours pay on that day, such hours are included in the guaranteed hours.

2. When a holiday falls on a Coach Operator's regularly scheduled day of work and the Coach Operator works on that day, they shall be paid as holiday pay; eight hours pay for that day.
3. When a holiday falls on a day other than a Coach Operator's regularly scheduled day of work, and they do not work, they shall receive holiday pay of eight hours. In such event, the Coach Operator may be paid up to 48 hours of straight-time for the week.

SECTION 3: Holiday Pay Rate

Holiday pay will be paid at the current rate of pay of the operator at the time of the holiday. In calculating hours worked for determination of overtime holiday hours are not included.

ARTICLE 14 – DEMOCRATIC REPUBLICAN INDEPENDENT VOTERS EDUCATION (D.R.I.V.E)

Authorization and Deduction:

NCTD agrees to deduct from the paycheck of all employees covered by this Agreement voluntary contributions to D.R.I.V.E. D.R.I.V.E. shall notify NCTD of the amounts designated by each contributing Employee that are to be deducted from his/her paycheck on a weekly basis for all weeks worked. The phrase "weeks worked" excludes any week other than a week in which the employee earned a wage. NCTD shall transmit to D.R.I.V.E. Joint Council of Teamsters No. 42, on a monthly basis, in one check, the amount deducted, along with the name of each employee on whose behalf a deduction is made, the employee's social security number and the amount deducted from the employee's check.

ARTICLE 15 - JURY DUTY AND COURT APPEARANCES

SECTION 1:

Coach Operators who are called for jury duty shall notify and present the summons to Dispatch as soon as possible. Dispatch will remove the operator from his or her scheduled work until released by the court. NCTD shall compensate the operator up to 40 hours maximum per year for the service of-jury duty. An employee must fill out a time-off request form and provide court approved paperwork that has been verified via time stamp in order to be approved for jury duty pay.

SECTION 2:

Any Operator required to appear in court by NCTD during off-duty hours will be paid the appropriate hourly rate for the hours spent in court, and reasonable expense accrued for travel to and from court.

ARTICLE 16 - PHYSICAL EXAMINATIONS

NCTD shall pay for all DOT physical examinations performed by NCTD's chosen medical professional. All initial physical exams must be performed by NCTD's chosen medical professional. Renewal physicals may be performed by the employee's personal DOT certified medical professional, provided all expenses are paid by the employee and NCTD receives proof of DOT exam certification. The employee shall pay the cost of all referrals.

Any time an employee is required to perform any DOT required testing (i.e., Sleep Apnea, blood pressure, vision etc...) will not result in the issuing of attendance points. The employee must provide documentation from a certified medical professional.

ARTICLE 17 - REIMBURSEMENT FOR THEFT/ASSAULT

NCTD agrees to reimburse Coach Operators up to a maximum of \$250.00 in the event of the theft or assault resulting in the loss of individual property. Evidence of such theft must be presented or clear through NCTD video for payment.

ARTICLE 18 - UNIFORMS

- A. Each Coach Operator shall receive a \$250.00 uniform voucher (2025) / \$300.00 uniform voucher (2028) (store credit) during the first full pay period of January each year.
- B. NCTD will provide new hires five shirts, five pants/shorts, two belts and appropriate jacket.
- C. The voucher shall be used to purchase uniform items required by the District's Uniform Policy, including but not limited to:
 - Shirts, pants, jackets, hats, belts and shoes
- D. Unused voucher amounts do not carry over to the following year.
- E. Operators may elect to purchase additional items at their own expense beyond the voucher total.
- F. Union apparel will be allowed to be worn with either pins or patches worn in compliance with NCTD's Uniform Policy.

- G. Weather appropriate gear will be provided by NCTD and replaced every three years unless approved sooner by management in certain cases. This includes necessary jackets or footwear.

ARTICLE 19 - TIME ALLOWANCES

SECTION 1: Preparatory Time

- A. All operators will be allowed a minimum of 15 minutes preparatory time for the purpose of getting equipment ready for pulling out. Operators will be allowed three minutes preparation time on relief runs.
- B. Preparatory time shall be considered as work time and made a part of the run.

SECTION 2: Travel Time

No operator will be required to be assigned on a daily basis away from his/her home terminal without travel time to and from his/her terminal. This time shall be 45 minutes prior to sign on time and 45 minutes after sign-off time.

Any Coach Operator, who is on transitional duty, will be allowed to work their schedule shift in their home division.

ARTICLE 20 - MEAL AND REST PERIODS

SECTION 1: Rest Periods

Every employee shall be entitled to take a 10-minute net rest period during each four hour block of work or major fraction thereof during the course of the employee's shift, which shall be paid time. The rest period may include periods when the employee is on his/her route, but the employee is not required to operate or remain in the vehicle. If NCTD prohibits the employee from taking such rest period(s) during the course of the employee's shift, the employee shall be entitled to be paid for one hour at that employee's regular hourly rate of pay, provided that any claim or the denied rest period must be made in writing to the appropriate supervisor within 24 hours of the end of the shift in which the rest period was denied.

SECTION 2: Meal Periods

Every employee who is scheduled for and works a work period of more than six hours shall be provided with a 30-minute meal period beginning before or at the commencement of the fifth straight hour of the work period. If the employee is scheduled for and works a work period in excess of 12 hours, the employee shall be entitled to a second 30-minute meal period. The meal period(s) shall be unpaid unless it is an "on duty" meal period. The Union hereby agrees on behalf of the employees in the bargaining unit that an "on duty" meal period shall be permitted only when the requirements of NCTD's operations do not allow the employee to be relieved of all duty during the meal period; provided that the Union or an employee may revoke such agreement, in writing, at any time. If NCTD does not provide an employee with the meal period specified herein, the employee shall be entitled to be paid for one hour at that employee's regular hourly rate of pay, provided that any claim for the denied meal period must be made in writing to the appropriate supervisor within 24 hours of the end of the shift in which the meal period was denied.

SECTION 3:

Any dispute concerning the taking of rest periods and/or meal periods, or lack thereof, is subject to the grievance and arbitration procedure.

ARTICLE 21 - LEAVE OF ABSENCE

SECTION 1: Personal Leave

NCTD may grant a personal leave of absence without pay, due to extenuating circumstances, to full-time employees who have completed at least six months of continuous employment. A personal leave may be granted for employees with under six months of employment on a case-by-case basis at management's discretion. A personal leave of absence is defined as a 30-calendar day period, agreed upon and approved by the Deputy General Manager or his designee. The employee is removed from payroll but maintained as an employee for the duration of the leave. Failure to return from a leave on the date approved and scheduled for return to work will be considered a voluntary resignation.

SECTION 2: Family and Medical Leave Act

NCTD will comply with the provisions of the Family Medical Leave Act (FMLA), and such leave will run concurrently with any other leave that qualifies for FMLA. The employee will be eligible to use available PTO for any qualified FMLA leave. Employees who otherwise qualify for FMLA must immediately apply for FMLA benefits upon transitioning to

employment with NCTD. It will be assumed that all employees worked the required minimum hours to qualify for FMLA benefits upon hire.

The Employee shall not be required to utilize any accrued Paid Time Off concurrent with the CFRA/FMLA leave pursuant to 29 C.F.R. § 825.207. Should an employee elect to use unpaid time, it will be marked as FMLA-Unpaid and those hours will count toward the calculation of guarantee time.

SECTION 3: Military Leave

NCTD will comply with the provisions of the Uniform Services Employment and Re-employment Act and other applicable Federal and State laws dealing with Veterans and Reservists re-employment rights.

SECTION 4: Written Requests

A request for leave of absence or for an extension must be made in writing by the employee and approved in writing by the Company.

SECTION 5: Requests for Leave

Requests for leaves of absence shall be made as far in advance as possible. Seniority shall accumulate during a leave of absence for FMLA and Military leave purposes, however, time spent on leave of absence shall be without pay.

SECTION 6: Union Leave of Absence:

A Union member elected or appointed to serve as a full-time Local Union official shall not be unreasonably denied a leave of absence during the period of such employment. An employee placed on such a leave of absence will not receive any pay or benefits by NCTD during the period of leave. The employee will retain his/her seniority rights during the leave period.

ARTICLE 22 - FUNERAL LEAVE

If death occurs among members of an employee's immediate family (spouse, domestic partner, child, stepchild, dependent child of domestic partner, mother, stepmother, father, stepfather, brother, stepbrother, sister or stepsister) the employee shall be granted leave with pay for a maximum of five consecutive workdays for the purpose of attending to matter related to the death. An employee shall be granted leave with pay for a maximum of three consecutive workdays for the purpose of attending to matters related to the death of an

employee’s mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandchildren and the employee’s or spouse’s grandparents.

Verification of death may be required by NCTD. Such verification shall be in the form of a published funeral notice, obituary, or similar.

ARTICLE 23 - HEALTH AND WELFARE

SECTION 1: Eligibility

Employees shall be eligible for the CALPERS Health & Welfare Benefit (if they will be appointed to a job that will last at least six months and one day and they work at least half time (see Eligibility & Enrollment (Active Members) | CalPERS) or any future Health & Welfare benefit program offered to employees by NCTD assuming eligibility requirements are met. Coverage shall begin the first day of the month following day of hire.

The District shall provide comprehensive **medical, dental, and vision insurance** coverage to all Coach Operators and their eligible dependents. Employees shall be offered at least one **HMO** and one **PPO** option for medical coverage if available, along with:

- Dental PPO and DMO options (if available)
- Vision plan (e.g., VSP or equivalent)
- Prescription drug coverage

SECTION 2: Premium Sharing

Employee contributions for premiums shall not exceed the following percentages:

Coverage Tier	Employee Share (Max)
Employee Only	17%
Employee + One	20%
Employee + Family	20%

SECTION 3: Life Insurance and AD&D

The District shall provide at no cost to the employee:

- A \$50,000.00 life and accidental death/dismemberment (AD&D) policy

Additional voluntary coverage may be purchased at group rates through payroll deduction.

SECTION 4: Flexible Spending Accounts (FSA)

Employees shall be eligible to participate in pre-tax **Health FSA** and **Dependent Care FSA** plans, consistent with IRS regulations.

Healthcare Reopener: Should any insurance plan(s) required under the collective bargaining agreement subject the Employer to an excise tax or penalty under Federal or State law, and/or the plan administrator modifies the terms of the plan(s), the parties agree to reopen the CBA at that time for the limited purpose of negotiating an alternative plan(s) and/or other aspects of Article 23. The plans and contributions stated in the Article shall remain compliant with the ACA, if applicable, throughout the term of this Agreement.

Opt-Out: In order to comply with the affordability requirements contained in the Patient Protection and Affordable Care Act, or current applicable law. Current employees receiving cash in lieu of benefits shall receive a "Cost Offset" payment in the amount of \$350.00 less statutory deductions will be grandfathered as such.

ARTICLE 24 – CALPERS RETIREMENT SYSTEM AND 457 (b) Plan

CalPERS Retirement System: Employees shall participate in the CALPERS retirement system. Employees hired on or after January 9, 2022, who are not members of CalPERS (or a reciprocal system) at the time of hire or have had a break in service greater than six months from a CalPERS agency, will receive the 1.5% at 65 years pension benefit formula and be subject to other provisions as described in the Public Employee Pension Reform Act of 2013. NCTD and employees in this tier are each responsible for paying half of the normal costs of the CalPERS retirement benefit. The contribution rate is currently set at 4.75 percent of salary and is subject to change by CalPERS. To be eligible for service retirement, the employee must have at least five years of CalPERS - credited service.

Deferred Compensation 457(b) Plan: NCTD offers a 457(b) Deferred Compensation plan for its eligible employees. Employees have the opportunity to enroll in the 457 Deferred Compensation program, in accordance with the provisions of NCTD's 457-Deferred Compensation Plan Document (Plan Document). NCTD matches employee deferrals into the 457 Deferred compensation plan, by contributing into a 401 (a) account on behalf of the respective employee. For each plan year, NCTD shall contribute a matching contribution in an amount equal to 50% of the participating employee's salary deferrals under the 457(b) deferred compensation plan up to a maximum of 8% of the employee's compensation. Therefore, matching contributions shall not exceed 4% of the employee's compensation. Employees are vested in NCTD contributions to the 401(a) over a three-year period.

ARTICLE 25 - PROBATION

An employee shall be on probation for the first 90 calendar days from the date the employee enters revenue service.

The probationary period shall constitute a trial period during which NCTD will determine the employee's ability, competency, fitness and other qualifications needed to do his or

her required job. However, NCTD has the right to discipline or discharge any probationary employee and such discipline or discharge will not be subject to the grievance and arbitration procedure.

Dispute, Grievance and Arbitration, shall apply to probationary Coach Operators in matters of alleged violations of specific provisions of this Agreement. However, NCTD shall have the right to discharge without cause any coach operator during the first ninety days of employment if said coach operator is not satisfactory to the Company. Such discharge shall not be subject to Article 10 Disputes, Grievances, and Arbitration.

ARTICLE 26 - SENIORITY

SECTION 1: General

- A. Seniority, within the meaning of this Agreement, may be Company, or Classification seniority.
- B. NCTD seniority shall mean the length of continuous active service within the Company.
- C. Classification seniority shall mean the length of continuous active employment within a specific job classification covered under this Agreement; part-time Coach Operators are a separate job classification for the purposes of seniority. Classification seniority will be used for the purposes of bidding, assigning work, bidding, time off or any other purpose which is based off location seniority.
- D. If a current full-time Coach Operator is approved to revert to part-time, his/her NCTD seniority will be used to determine seniority within the part-time classification.
- E. Any NCTD Employee who transfers into the bargaining unit from another Division within the Company, shall retain his/her NCTD seniority for the purpose of wages and benefits, but shall be placed at the bottom of the classification seniority list for the purpose of layoff, rehire, bid, selection of PTO and transfers.

SECTION 2: NCTD Seniority Roster

NCTD shall maintain a seniority roster of all Coach Operators. A Coach Operator's seniority date will be the most recent date of hire/transfer with the Company. When several Coach Operators have the same seniority date, the most senior Coach Operator will be determined by lot.

SECTION 3: Seniority Rank

Seniority date of Coach Operators shall appear opposite their name on said roster, those with the latest seniority dates appearing lowest on the roster.

SECTION 4: Posting of Seniority Rosters

- A. NCTD seniority rosters will be posted at least once every three months, with a copy to the Union.
- B. The seniority roster will be posted and will be subject to protest for a period of 30 calendar days from the date of posting. Upon presentation of proof of error by a Coach Operator or the Union within such 30 calendar day period, such error will be corrected. If no protest is made by a Coach Operator within the 30 calendar days after the date his name first appears on the seniority roster, such date will be considered his correct seniority date and will not be subject to further protest, except for typographical errors. Otherwise, no change in the seniority roster will thereafter be made, except by agreement between NCTD and the Union.
- C. NCTD shall furnish the Union with a seniority roster upon request, but no more than twice each quarter.

SECTION 5: Reduction in Force

When necessary to reduce forces, reduction will be made by classification in least classification seniority. Coach Operators who are affected by a layoff may exercise their NCTD seniority to displace the most junior employee in any classification in any position for which the senior Coach Operator is qualified.

SECTION 6: Recalls from Layoff

Coach Operators on layoff will be recalled to work in the order of their seniority. To be eligible for recall, Coach Operators on layoff must keep NCTD informed of their current address.

NCTD's obligation to offer recall shall be fulfilled by mailing notices by Certified Mail to the most recent address supplied by the Coach Operators on layoff. A Coach Operator on layoff must notify NCTD within seven business days after such recall offer has been received at the address of record and report for work within seven business days after that date.

SECTION 7: Removal from Seniority Roster

Seniority shall be broken and a Coach Operator removed from NCTD seniority roster under the following circumstances:

- A. Discharge;
- B. Resignation or other termination of service by voluntary act of the employee;
- C. Layoff of 12 months or the period of time equal to the employee's length of service, whichever is less;
- D. Failure to return from layoff as instructed in NCTD's recall notice;
- E. Failure to report to work for three consecutive workdays without properly notifying the Company.

SECTION 8: Promotion outside Bargaining Unit

A Coach Operator promoted or transferred to a position outside the bargaining unit with NCTD shall retain his or her NCTD seniority, and continue to accumulate seniority in these areas for a period of three months after promotion, which seniority will be utilized if NCTD returns the Coach Operator, or the Coach Operator voluntarily agrees to go back to the bargaining unit within that three month period.

SECTION 9: Promotion or Transfer inside Bargaining Unit

A Coach Operator promoted or transferred to a position within the bargaining unit shall retain his or her bargaining unit and classification seniority, and continue to accumulate seniority in these areas for a period of three months after promotion or transfer, which seniority will be utilized if NCTD returns the Coach Operator or the Coach Operator voluntarily agrees to go back to their position within the three month period. After three months, if the Coach Operator satisfactorily completes the period in the new position, he/she shall become permanent and the classification seniority date for that position shall be the day the Coach Operator first began work in the position after promotion or transfer.

SECTION 10: Non-Bargaining Unit Work

Bargaining unit employees are not to be used to do non-bargaining unit work not covered under this Agreement. Should an urgent business need arise, or a special event occur, employees may be called upon to perform tasks that they do not normally perform. NCTD agrees to notify the union when any such task performance is required.

Non-bargaining unit employees will not be called upon to work until NCTD has exhausted all Union personnel. A call sheet will be kept with date, time and phone number(s) called for all Union employees NCTD contacted before using non-bargaining unit employees to do any Union work.

ARTICLE 27 - REVENUE EQUIPMENT

All revenue equipment owned by the District/NCTD and operated by NCTD Coach Operators shall be staffed by qualified bargaining unit members while in revenue service. The Company, through its supervisors, dispatchers and managers, will attempt to their best ability to assign all open work to available Coach Operators. In the event that such attempt exhausts all available Coach Operators NCTD may utilize other non-bargaining unit employees in order to meet service requirements. NCTD will replace any such non-bargaining unit personnel as soon as bargaining unit employee(s) become available.

ARTICLE 28 - WORK ASSIGNMENTS

SECTION 1: Straight Runs and Split Runs

- A. A work run will be classified as a complete daily piece of work. Regular work runs will be classified as straight and split.
- B. A full-time straight run is a run consisting of one or more pieces that is computed on a continuous time basis which is worked four or five days per week with two or three days off. Between two consecutive pieces, any scheduled interval of one and one half hour or less shall be paid. MV Transportation acknowledges the desirability of maximizing the number of straight runs.
- C. A split run is a run consisting of more than one piece that is not computed on a continuous time basis. Such runs will be split only once without payment of continuous pay (except as noted in B above).
- D. An assignment shall be defined as a combination of work runs and days off covering a calendar week.
- E. The time of a run shall commence with the initial sign-on and continue to the sign-off of each piece of the run, except as provided in section 1. B.
- F. Operators will not be required to work before or after their regular assignments except in emergency situations, which includes continuing in service until properly relieved.
- G. In establishing regular assignments MV Transportation will strive to provide the best working conditions consistently possible while meeting service requirements. For all employees who are entitled to a weekly 40-hour guarantee, work assignments will

consist of 40 hours per week, or as close to 40 hours per week as feasible. All remaining pieces of work which cannot be structured into 40 hour per week assignments will remain unassigned and filled daily through the Extra Board and Extra Work processes, or with part-time work as defined in this Article. The Union may submit scheduling issues pursuant to this Article. Final decision of a scheduling matter will rest with the Company.

H. Splits will be limited to 30% system wide.

ARTICLE 29 - CHOICE OF WORK ASSIGNMENTS

SECTION 1: Choice of Assignments

Bidding will be on a classification seniority basis.

SECTION 2: Shake-Ups and Posting of Bids

- A. Shake-ups will be held approximately four times a year, to be effective January, April, July and October of each year.
- B. The bid will be displayed or posted at least 10 calendar days prior to the day of bidding to allow operators an opportunity to review all work assignments.
- C. NCTD will meet with the Union representatives a minimum of 10 business days prior to the posting of the bid to review the bid packets and seniority rosters. Once both sides have agreed with the bid packets and seniority rosters NCTD will immediately make available a digital copy of the bid materials including the bid paddles to the Union Stewards in order to conduct the bid.
- D. NCTD agrees to continue to compensate the bid committee for conducting the bid.
- E. A new service change shall commence no less than 15 business days from the conclusion of the bid process, unless mutually agreed by both Union and the Company.
- F. For each shake-up bid, a separate bid will be held for PTO hold-downs to cover available work due to the yearly PTO bid.
- G. PTO hold downs will be bid and awarded to eligible operators according to their bid seniority.
- H. The PTO bid will be held jointly between NCTD and the Union with results posted no later than 15 days prior to the commencement of the new schedule.

SECTION 3: Proxy Bid

- A. Coach Operators who are on an assigned run on bid days must fill out IN TRIPLICATE a list of at least 30 bid choices in order of their preference. These lists must be signed and turned in to their current Division Dispatcher no later than 2:00pm on the last business day prior to their bid date. Operators working Extra Board on the day of the bid must submit a proxy prior to going out on their run, if they have not already bid.
 - (1) NCTD Representative accepting the proxy list shall place her/his signature, date and time of acceptance on each copy of the proxy bid. NCTD Representative shall retain the original, place one copy in the locked box provided by the Union and return one copy to the Coach Operator. Except in cases of emergency, lists received after this deadline are not valid and will not be accepted. All proxy bids are final upon receipt and can only be overridden if a personal appearance is made by the affected Coach Operator at the shake-up at the designated time of bidding.
- B. A member of management and a Union Representative will meet on the day prior to the bid to ensure both parties have all applicable proxy bids. If any discrepancy is noted, the Coach Operator involved shall be contacted by the Union and the discrepancy corrected. In the event the Union Representatives fails to, or is unable to, contact the Coach Operator, the original proxy bid shall be used in making any determination as to the intent of the Coach Operator.
- C. Coach Operators who have a sign-on time after the commencement of the bid and who will not have been regularly relieved or have not had their run end before their bid time, shall submit, at sign-on time, a proxy bid. A copy of the updated list MUST be presented to a Union Representative conducting the bid.
- D. A Coach Operator who fails to report within five minutes of their bid appointment time and fails to submit a proxy bid will be considered a “non-bid” operator. Non-bid operators will be passed. His/her name will be placed at the end of the Coach Operator bid list for that day. After the regular bid for that day, non-bid operators will be assigned to a bid. Past work patterns will be taken into consideration, and a similar run will be assigned, if possible. If no similar runs are available, assignment will be made by bid number, lowest to highest (if bids 101 and 105 are open, 101 will be assigned first).
- E. All Coach Operators must make a bid either in person at their designated bid time or by proxy. The Dispatcher will not accept a proxy bid unless it is properly filled out.

SECTION 4: Identification and Duty Operators Relieved

- A. On the day of the bid, if a Coach Operator's proxy selections are exhausted when he/she is to bid, the Union and NCTD's representative shall attempt to contact the Coach Operator to allow him/her to select a bid. If the Coach Operator is on duty,

he/she shall telephone his/her bid into the Dispatcher on the special Dispatcher line or call by NCTD radio. In extreme circumstances an exception to the above rule may be mutually agreed to between the Union Representative and NCTD representative.

- B. Operators not on duty at the actual time they bid will not be paid for their appearance on bidding day.
- C. The bid will be conducted over a two day period for full-time operators (day 1 will be on a Sunday and day 2 will be the following Saturday).

SECTION 5: Change of Bid Work Run

In the event a run is changed as a result of an unforeseen event, the operator shall be paid the paid time as a result of the change, or as bid, whichever is greater. NCTD will make an effort to accommodate the needs of an operator who can demonstrate a special personal hardship resulting from such change based on the needs of the operation.

SECTION 6: Work Trades

Employees can trade shifts within the same work week. For the trade to be approved, it must be done within the same work week and must be approved by NCTD at least 48 hours in advance. The trade must not interfere with either operator's regular assignment and/or exceed the legal drive time.

ARTICLE 30 - VOLUNTARY CALL BACK (VCB)

SECTION 1: General

Operators may complete NCTD's form to volunteer for open work assignments that may become available within their division on the Operator's scheduled day(s) off. Voluntary Call Back (VCB) forms may be filled out at the time of the bid and shall be in effect only for the duration of the current bid period (i.e., Shake Up period). The initial priority listing shall be on classification seniority basis. In addition, Operators desiring to be placed on the VCB list after the bid process must submit their request in writing by Friday at noon in order to be considered for the VCB list for the following calendar week. Operators adding themselves to the VCB list shall be placed at the bottom of the initial list in order of submission.

Operators desiring to decline from the VCB list for his/her day(s) off must submit their request in writing at least 12 hours in advance of the mark up. When a written request is not feasible a decline request may be called in at least 12 hours in advance of mark

up with the written form turned in as soon as possible. Operators desiring to withdraw from the VCB list must submit such request in writing at least 24 hours in advance of the mark up.

SECTION 2: Work Assignments

Operators requesting VCB assignments are responsible for checking assignments to determine if work has been assigned to them for the following day. Operators shall check the VCB list or may phone into Dispatch to check on their assignments. The VCB list shall be posted in the Dispatch area after markup.

Daily VCB assignments shall start with the first Operator listed after the last Operator who worked as of mark up. Work assignments shall be made on an operator first-up, first-out work assignment basis. An Operator who cannot work an assignment due to hours of work restrictions shall remain in that rotation but shall be the next Operator called should the VCB become available after mark up and hours of work restrictions do not apply. Rotation of the VCB list shall occur only when the VCB list is not exhausted.

SECTION 3: Mandatory Call Back

After all extra work volunteers have been exhausted, in order to cover any remaining work, Dispatch will seek additional available volunteers. If after the extra board, the VCB list, and all reasonable attempts at obtaining volunteers to cover open work are exhausted, NCTD may assign work that remains open in reverse seniority order.

ARTICLE 31 - EXTRA BOARD

At the general bid NCTD will post Extra Board positions for each division which may be selected by operators according to seniority. All Extra Board assignments will have two consecutive days off. Operators hired after the general bid may be placed on the Extra Board by NCTD until the new operator has an opportunity to bid. Except as provided elsewhere in this agreement, work assignments that are not bid, vacated work, absences, openings due to leaves of absence, protection work or other unassigned open work, shall be worked by Extra Board operators. Each operator who selects Extra Board will also designate their preferred daily bid slot for each of their work days. Daily bid assignments of Extra Board work will follow the bid slots in numerical order. The Extra Board list shall be posted in the dispatch area after markup.

Assignments of one calendar week or longer that are available to the Extra Board, including PTO weeks, may be bid as a hold down by an Extra Board operator for any number of weeks the work is known to be open. The Extra Board operator must work the hold down assignment for the length of time he/she initially elects unless he/she bids another assignment at a general bid.

An Extra Board operator displaced by a driver returning to work from a leave of absence or PTO will return to the regular order of work on the Extra Board.

NCTD will identify a maximum of five Extra Board bid runs in the West Division and three Extra Board bid runs in the East Division that may be subject to permanent transfer to the other Division throughout the remainder of the current bid in inverse seniority order. It is understood that such transfers will occur when the requirements of service indicate an equalizing of staffing manpower between divisions is necessary.

Any Extra Board operator working in the capacity as a Stand by Operator or Stand by Operator who is assigned a split run after markup will be in continuous pay status for the entire run.

ARTICLE 32 – NCTD TO FURNISH SCHEDULES

SECTION 1: Paddles

NCTD will make available (paper copy and digital copy via website) to operators a written outline of scheduled work (paddles) at least 10 calendar days prior to each bid. Such schedules shall include pull-out and pull-in locations and times, and time points. NCTD will also endeavor to make available information sheets that are descriptive of routes or lines, special operating conditions, and other miscellaneous information, such as restroom facilities.

SECTION 2: Operators Notification

- A. NCTD shall notify all operators affected of any changes to schedule information.
- B. NCTD shall furnish the Union a copy of all posted Policy Notices, and Operational Notices required by the Union to ensure compliance with the language of this Agreement.

ARTICLE 33 - MANAGEMENT- COACH OPERATOR RELATIONS

The parties agree that the principle of a fair day's work for a fair day's pay shall be observed at all times and Coach Operators shall perform their duties in a manner that best represents NCTD's interest. NCTD management and Coach Operators agree to treat each other with dignity and respect at all times.

ARTICLE 34 - WAGES

- A. Unless otherwise noted in this section, wage increases will occur on the pay period October 1st lands on of each year of this Agreement. These increases are herein referred to as the dates of the “contractual wage increases”.

Wage Tier	7/1/2025	10/1/2025	10/1/2026	10/1/2027	10/1/2028	10/1/2029
Start	\$25.30	\$26.06	\$26.58	\$27.11	\$27.65	\$28.35
4,160 Hours	\$26.40	\$27.19	\$27.74	\$28.29	\$28.86	\$29.58
8,320 Hours	\$27.50	\$28.33	\$28.89	\$29.47	\$30.06	\$30.81
12,480 Hours	\$28.60	\$30.00	\$30.60	\$31.21	\$31.84	\$32.63
10 Years of Service as of 10/1/2025 (Original Hire Date)	\$33.00	\$34.50	\$35.19	\$35.89	\$36.60	\$37.51
7 Years of Service as of 10/1/2028 (Original Hire Date)					\$36.60	\$37.51

Longevity Pay	10/1/2025	10/1/2028
10 Years	\$0.50	\$0.75
15 Years	\$0.75	\$1.00
20 Years	\$1.00	\$1.50
25+ Years	\$1.50	\$2.00

	10/1/2025	10/1/2028
BTW	\$2.00	\$3.00
DMV Certified Trainer	\$2.00	\$3.00

ARTICLE 35 – DURATION AND TERMINATION

This Agreement shall be effective from October 1, 2025, and shall remain in full force and effect through September 30, 2030.

No later than 90 calendar days prior to the expiration of this Agreement, either party may serve written notice of its intent to modify, amend, or terminate the Agreement. Negotiations for a successor agreement shall begin no later than 60 calendar days prior to expiration.

This Agreement shall remain in full force and effect during such negotiations until a successor agreement is ratified, or the parties reach impasse under applicable public sector labor laws.

This Agreement may be executed in any number of identical counterparts, each of which shall be deemed to be an original, and all of which together shall be deemed to be one and the same instrument when each party has signed one such counterpart. The Parties further agree that an electronic copy of the executed counterparts shall have the same force and effect as an original.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the 18th day of September 2025.

NORTH COUNTY TRANSIT DISTRICT

TEAMSTERS LOCAL UNION NO. 542

Shawn M. Donaghy
Chief Executive Officer

Donald Mack
Business Representative

Date Signed

Date Signed

APPROVED AS TO FORM

APPROVED AS TO FORM

Lori A. Winfree
Deputy Chief Executive Officer and Chief
General Counsel

Fern Steiner
Attorney for Teamsters Local Union No. 542

Date Signed

Date Signed

STAFF REPORT

SET PUBLIC HEARING FOR PROPOSED BREEZE WEEKEND STANDARDIZATION AND COASTER CONNECTION SERVICE CHANGES

Time Sensitive: ☒ Consent: ☐

STAFF RECOMMENDATION:

Staff recommends that the North County Transit – San Diego Railroad (NCTD) Board of Directors (Board):

1. Set a public hearing for November 20, 2025, for the Board to consider eliminating FLEX routes 471, 472 and 478; eliminating Saturday service on BREEZE 325 and 347; and adding Sunday service on BREEZE 304 and 318;
2. Authorize staff to provide detailed information to the public and receive and consider public comment regarding the proposed service changes in advance of the public hearing.

BACKGROUND INFORMATION:

NCTD regularly monitors service performance of its modes in accordance with its Service Design Guidelines and budgeted goals. Performance is reported monthly and annually via the Transit Operations Performance Report and Service Implementation Plan. As part of this process, NCTD monitors route-level performance throughout the network and evaluates service opportunities in response to customer feedback.

Weekend BREEZE Service Background

Existing BREEZE bus service features different service levels on Saturdays and Sundays. This mismatch in service leads to communication challenges for customers and in some cases includes redundant service or missed opportunities along key North County corridors. Staff will present a proposed service change that includes adding Sunday service to BREEZE routes 304 and 318 and elimination of Saturday service on BREEZE routes 325 and 347. Coverage by other NCTD services such as BREEZE 315 and NCTD+ San Marcos are available in the areas of the impacted routes.

COASTER Connection Service Background

NCTD's COASTER Connection service provides FLEX service based out of the Sorrento Valley COASTER Station located in the City of San Diego. NCTD began operating the service in June 2024. Due to low ridership, NCTD staff is proposing to eliminate three routes (FLEX 471, 472, and 478). Staff will present an overview of the service performance and key considerations.

Major Service Change Designation

The proposed changes constitute a major service change under Board Policy No. 30 - *Threshold for Major Service Change* because it represents the elimination or addition of service within NCTD's service offering. The Federal Transit Administration (FTA) Circular 4702.1B requires transit agencies to evaluate major service changes to identify whether the changes have a disparate impact on minority communities or a disproportionate burden on low-income communities. NCTD will conduct an equity analysis and hold a public hearing as required by NCTD Board Policy No. 5 - *Public Notice and Participation*.

NCTD will seek public feedback regarding the proposed service by holding in-person outreach events to share information with the public and gather input. All public comments will be presented to the Board at the public hearing.

Based on the foregoing, staff recommends that the Board:

1. Set a public hearing for November 20, 2025, for the Board to consider eliminating FLEX routes 471, 472 and 478; eliminating Saturday service on BREEZE 325 and 347; and adding Sunday service on BREEZE 304 and 318;
2. Authorize staff to provide detailed information to the public and receive and consider public comment regarding the proposed service changes in advance of the public hearing.

ATTACHMENT: 11A – Weekend Standardization and COASTER Connection Public Hearing Presentation

FISCAL IMPACT: This staff report has no fiscal impact.

COMMITTEE REVIEW: None

STAFF CONTACT: **Shawn M. Donaghy, Chief Executive Officer**
E-mail: sdonaghy@nctd.org Phone: 760-967-2869

Set Public Hearing for Proposed Service Changes Related to Standardized Weekend Service and Modification of COASTER Connection Service

Board Meeting
September 18, 2025

COASTER SPRINTER BREEZE FLEX *LIFT* NCTD⁺

Industry Context

Philadelphia's mass transit cuts foreshadow possible similar moves by other agencies across US

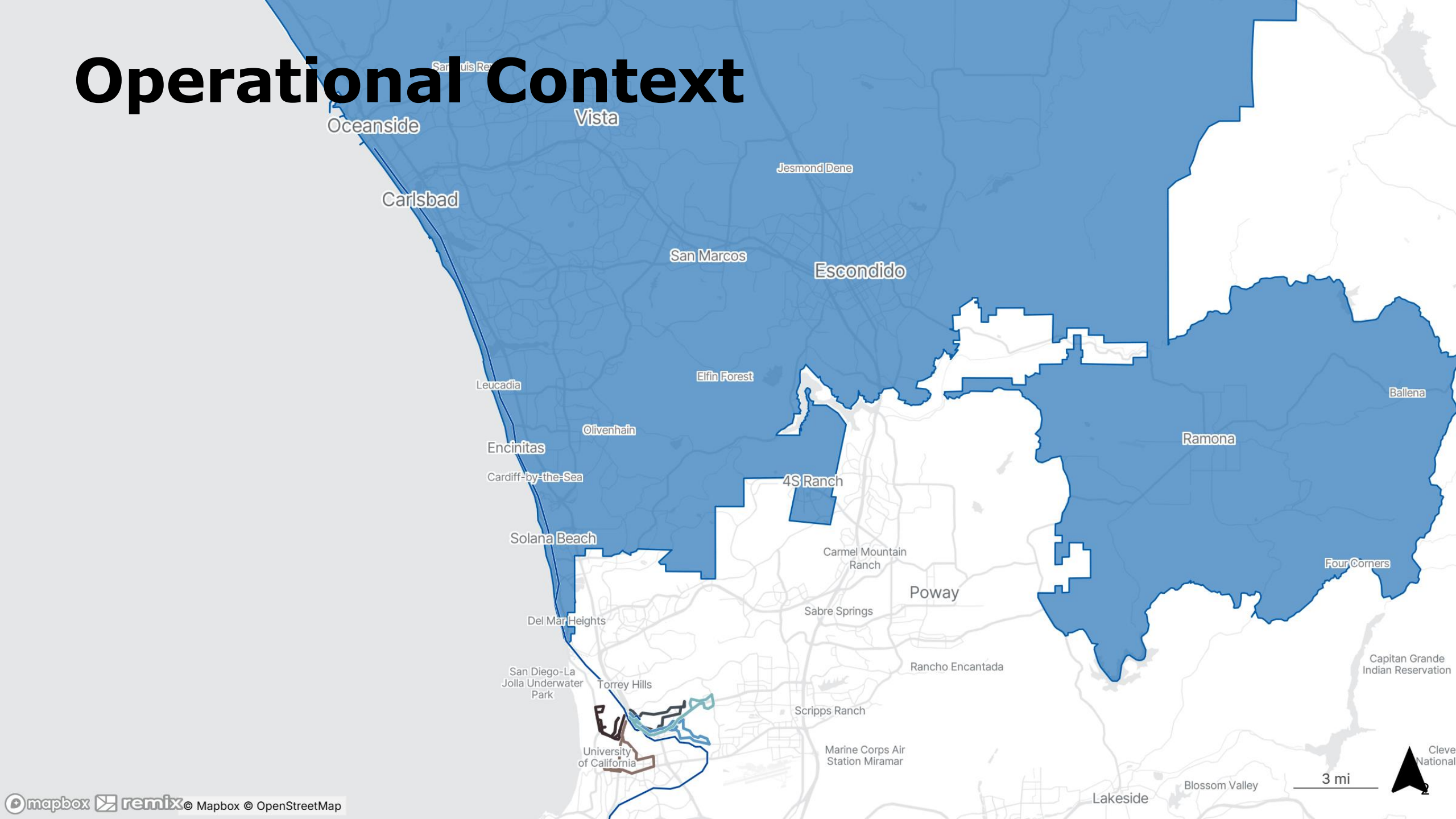
Rhode Island Transit Avoids Driver Layoffs, But Cuts Still Coming to 46 Bus Lines

The agency revised a previous plan that would have reduced service on 58 of its 67 bus lines.

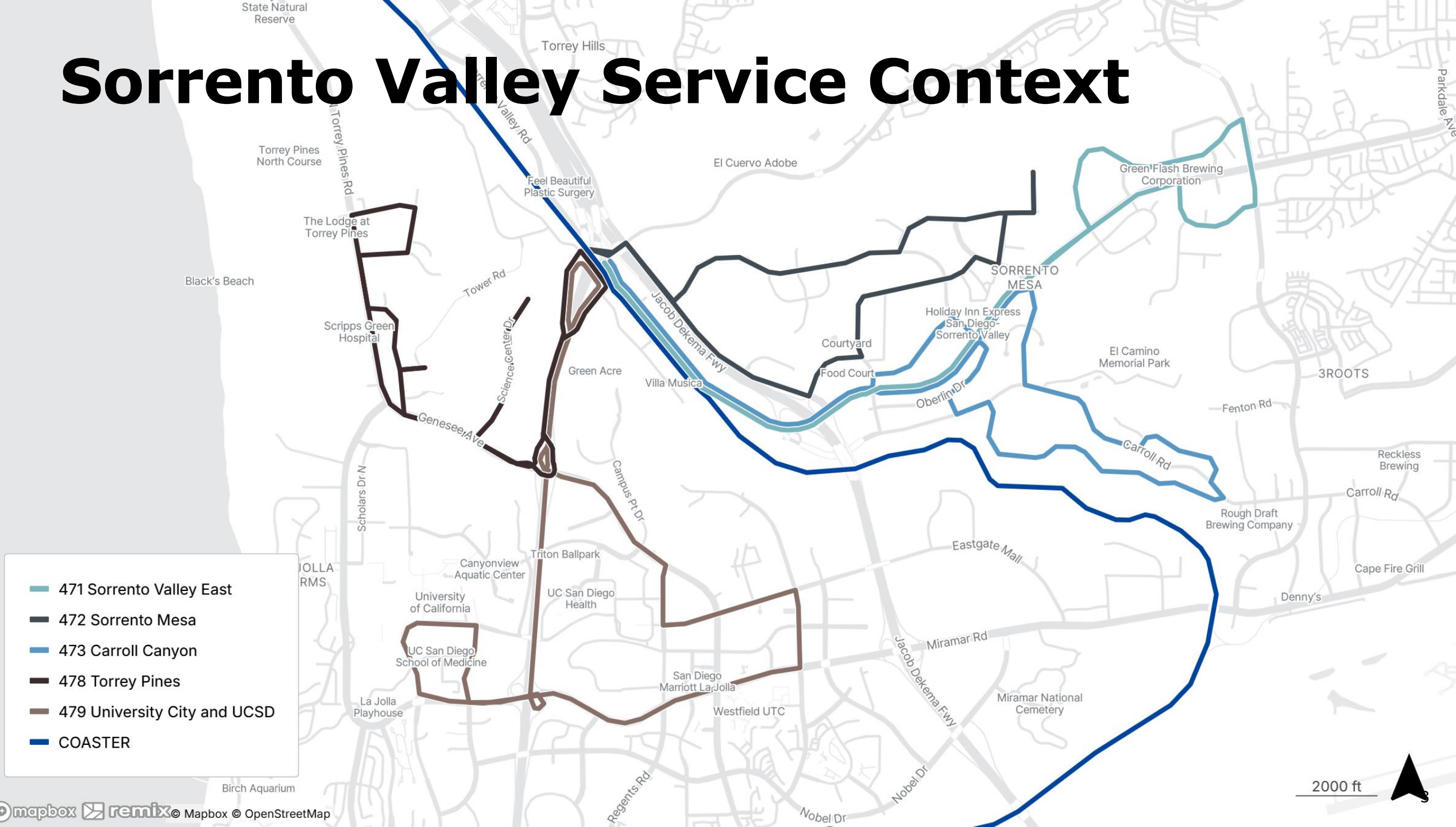
MTS eyes fare hikes and service cuts to address looming budget deficit

BART adopts balanced budget, avoiding service cuts for one more year

Operational Context



Sorrento Valley Service Context



Ridership Comparison

Route	Description	Total FY25 Boardings
471	Sorrento Valley East	3,552
472	Sorrento Mesa	4,808
473	Carroll Canyon	8,347
478	Torrey Pines	4,199
479	University City and UC San Diego	10,950

UC San Diego U-Pass



U-Pass

UCSD assesses a quarterly student fee that provides student access to transit services



Referendum Results

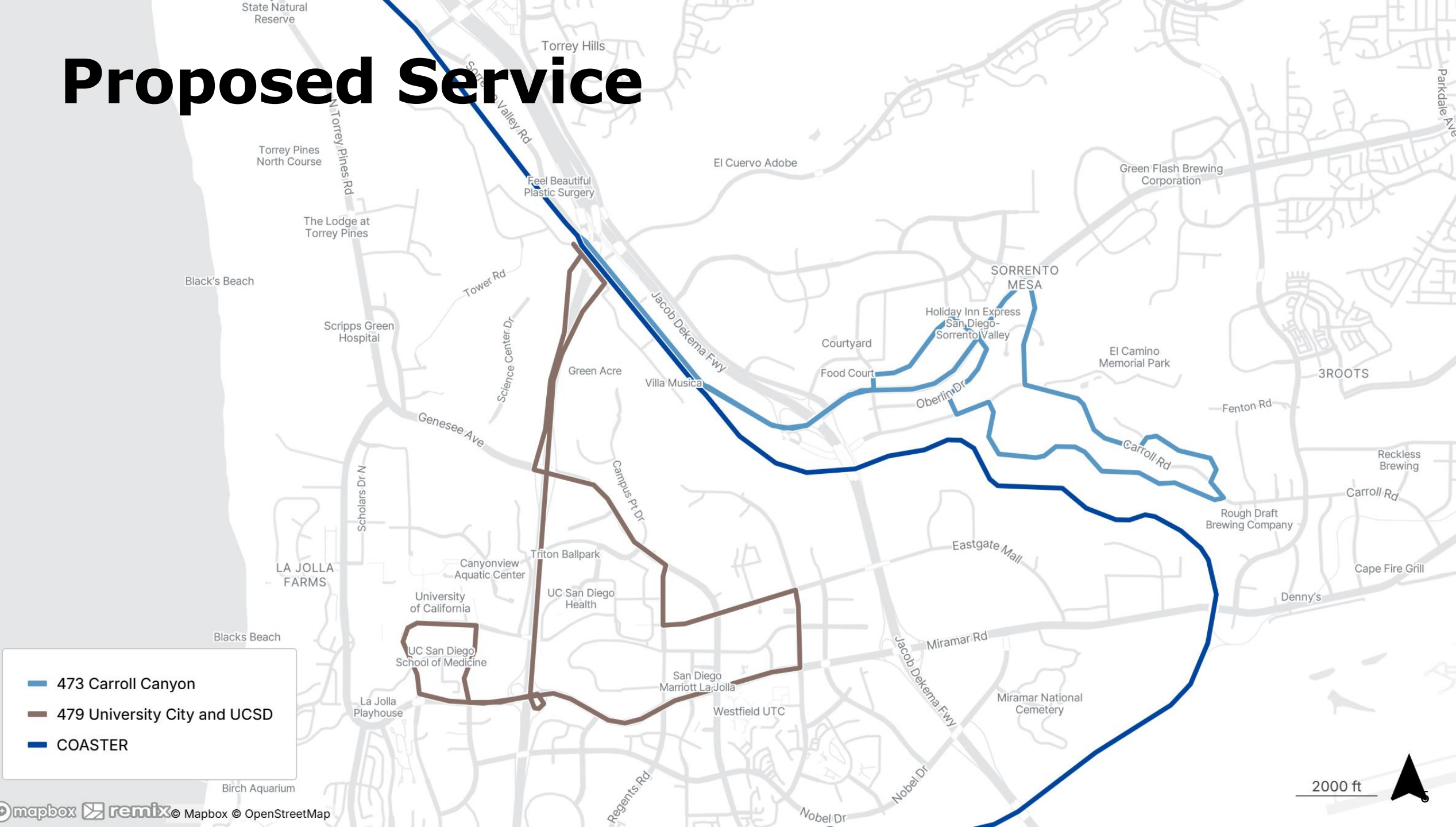
The Triton U-Pass Program referendum passed with 83% of votes in favor



Expanded Access

The new U-Pass includes access to all NCTD services and increased NCTD's fee by 205%

Proposed Service



Weekend Standardization

Weekend Service Context

309 Oceanside to Encinitas via El Camino Real <small>Oceanside a Encinitas via El Camino Real</small>							
Saturday Northbound to Oceanside <small>Sábado • Dirección hacia el norte a Oceanside</small>							
Encinitas Station	El Camino Real & Lencille St.	El Camino Real & Genesee Rd.	El Camino Real & Camino St.	Place Camino Real	El Camino Real Station	Mission Ave. & El Camino Real	San Luis Rey Transit Center
9	8	7	6	5	4	3	1
5:15a	5:26a	5:35a	5:44a	5:55a	6:06a	6:17a	6:30a
6:15a	6:26a	6:35a	6:44a	6:55a	7:06a	7:17a	7:30a
7:13a	7:25a	7:35a	7:44a	7:55a	8:06a	8:17a	8:32a
8:10a	8:23a	8:34a	8:43a	8:54a	9:06a	9:19a	9:34a
8:39a	8:53a	9:04a	9:13a	9:24a	9:36a	9:49a	10:04a
9:08a	9:22a	9:33a	9:43a	9:54a	10:06a	10:19a	10:34a
9:37a	9:52a	10:03a	10:13a	10:24a	10:36a	10:49a	11:04a
10:07a	10:22a	10:33a	10:43a	10:54a	11:06a	11:19a	11:34a
10:36a	10:52a	11:03a	11:13a	11:24a	11:36a	11:49a	12:06p
11:06a	11:22a	11:33a	11:43a	11:54a	12:06p	12:19p	12:36p
11:37a	11:53a	12:03p	12:13p	12:24p	12:36p	12:49p	1:06p
12:07p	12:23p	12:33p	12:43p	12:54p	1:06p	1:19p	1:36p
12:37p	12:53p	1:03p	1:13p	1:24p	1:36p	1:49p	2:06p
1:06p	1:22p	1:32p	1:42p	1:54p	2:06p	2:19p	2:36p
1:35p	1:51p	2:01p	2:11p	2:24p	2:36p	2:49p	3:06p
2:03p	2:19p	2:29p	2:39p	2:52p	3:06p	3:19p	3:36p
2:32p	2:48p	2:59p	3:09p	3:22p	3:36p	3:49p	4:06p
3:02p	3:18p	3:29p	3:39p	3:52p	4:06p	4:19p	4:36p
3:32p	3:48p	3:59p	4:09p	4:22p	4:36p	4:49p	5:06p
4:02p	4:18p	4:29p	4:39p	4:52p	5:06p	5:19p	5:36p
4:32p	4:48p	4:59p	5:09p	5:22p	5:36p	5:49p	6:06p
5:04p	5:20p	5:31p	5:41p	5:52p	6:06p	6:19p	6:36p
5:34p	5:50p	6:01p	6:11p	6:22p	6:36p	6:49p	7:06p

309 Oceanside to Encinitas via El Camino Real <small>Oceanside a Encinitas via El Camino Real</small>							
Sunday Southbound to Encinitas <small>Domingo • Dirección hacia el sur a Encinitas</small>							
San Luis Rey Transit Center	Mission Ave. & El Camino Real	El Camino Real Station	Place Camino Real	El Camino Real & Camino St.	El Camino Real & Genesee Rd.	El Camino Real & Lencille St.	Encinitas Station
1	3	4	5	6	7	8	9
4:58a	5:11a	5:21a	5:38a	5:49a	5:57a	6:09p	6:24a
5:58a	6:11a	6:21a	6:38a	6:49a	6:58a	7:10a	7:28a
6:57a	7:11a	7:21a	7:38a	7:49a	7:58a	8:10a	8:28a
7:57a	8:11a	8:21a	8:38a	8:49a	8:58a	9:10a	9:28a
8:56a	9:11a	9:21a	9:38a	9:49a	9:58a	10:10a	10:28a
9:56a	10:11a	10:21a	10:38a	10:49a	10:58a	11:10a	11:29a
10:55a	11:11a	11:21a	11:38a	11:49a	11:58a	12:10p	12:29p
11:55a	12:11p	12:21p	12:38p	12:49p	12:58p	1:10p	1:29p
12:54p	1:11p	1:21p	1:38p	1:49p	1:58p	2:10p	2:29p
1:55p	2:11p	2:21p	2:38p	2:49p	2:58p	3:10p	3:29p
2:55p	3:11p	3:21p	3:38p	3:48p	3:57p	4:09p	4:27p
3:54p	4:10p	4:21p	4:38p	4:48p	4:57p	5:09p	5:27p
4:55p	5:10p	5:21p	5:38p	5:48p	5:57p	6:09p	6:24p
5:55p	6:10p	6:21p	6:38p	6:48p	6:57p	7:09p	7:23p
6:55p	7:10p	7:21p	7:38p	7:48p	7:57p	8:09p	8:23p
7:56p	8:10p	8:21p	8:38p	8:48p	8:57p	9:09p	9:23p
8:57p	9:10p	9:21p	9:38p	9:47p	9:54p	10:05p	10:17p
10:05p	10:16p	10:26p	10:43p	10:52p	10:59p	11:09p	11:21p



Inconsistent

Weekend timetables mismatched between Saturday and Sunday

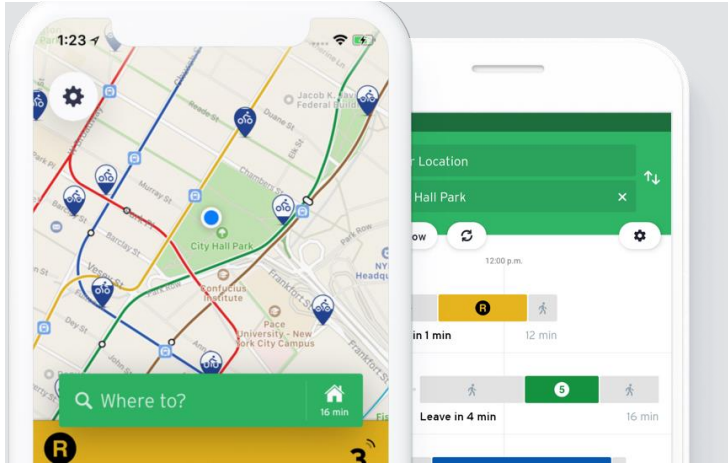
Redundant

Duplicative services exist in portions of service area

Underserved

Key corridors are missing Sunday service

Framework



Streamline

Improve schedule legibility and consistency



Reallocate

Reallocate resources to better invest in key corridors



Optimize

Reduce duplicative services with low ridership return

Weekend Standardization

- Weekend standardization Phase I (October 2025)
 - **BREEZE 302** – adjust weekend service from 20-minute to 30-minute frequency
 - **BREEZE 305** – adjust weekend runtimes
 - **BREEZE 309** – adjust frequency by shifting trips to Sunday
 - **BREEZE 351/352** – adjust weekend runtimes
 - **COASTER** – update weekday and weekend schedule in response to feedback

Existing COASTER Schedule



Major gaps in midday service



Mismatch between ridership & service peaks



Communication challenges for Saturday-only trips



Late night Friday & Saturday service needs adjusting

Updated COASTER Schedule



Reduced service gaps



Greater headway & schedule consistency



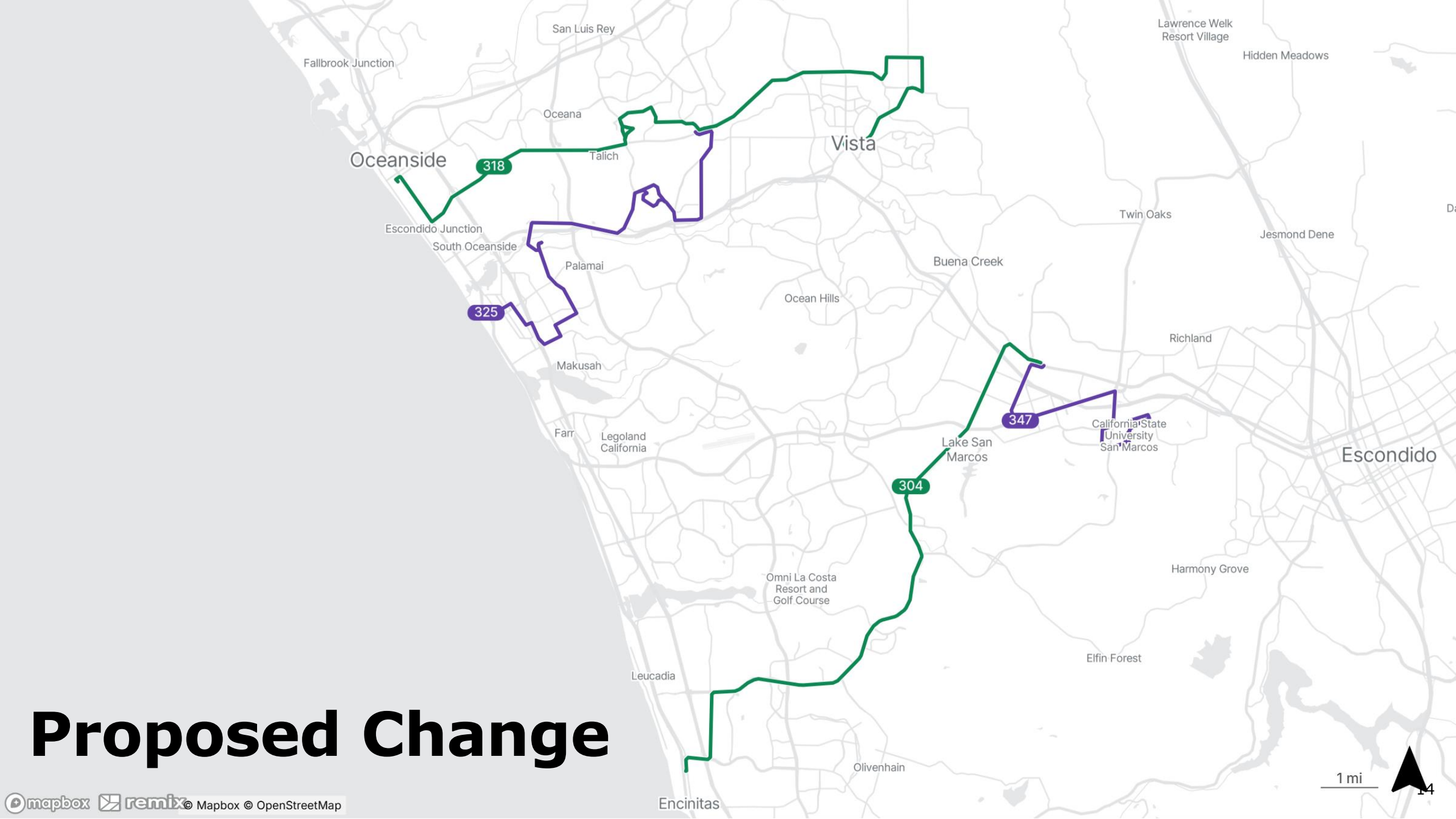
Scheduling adjustments to improve on-time performance



More efficient resource utilization

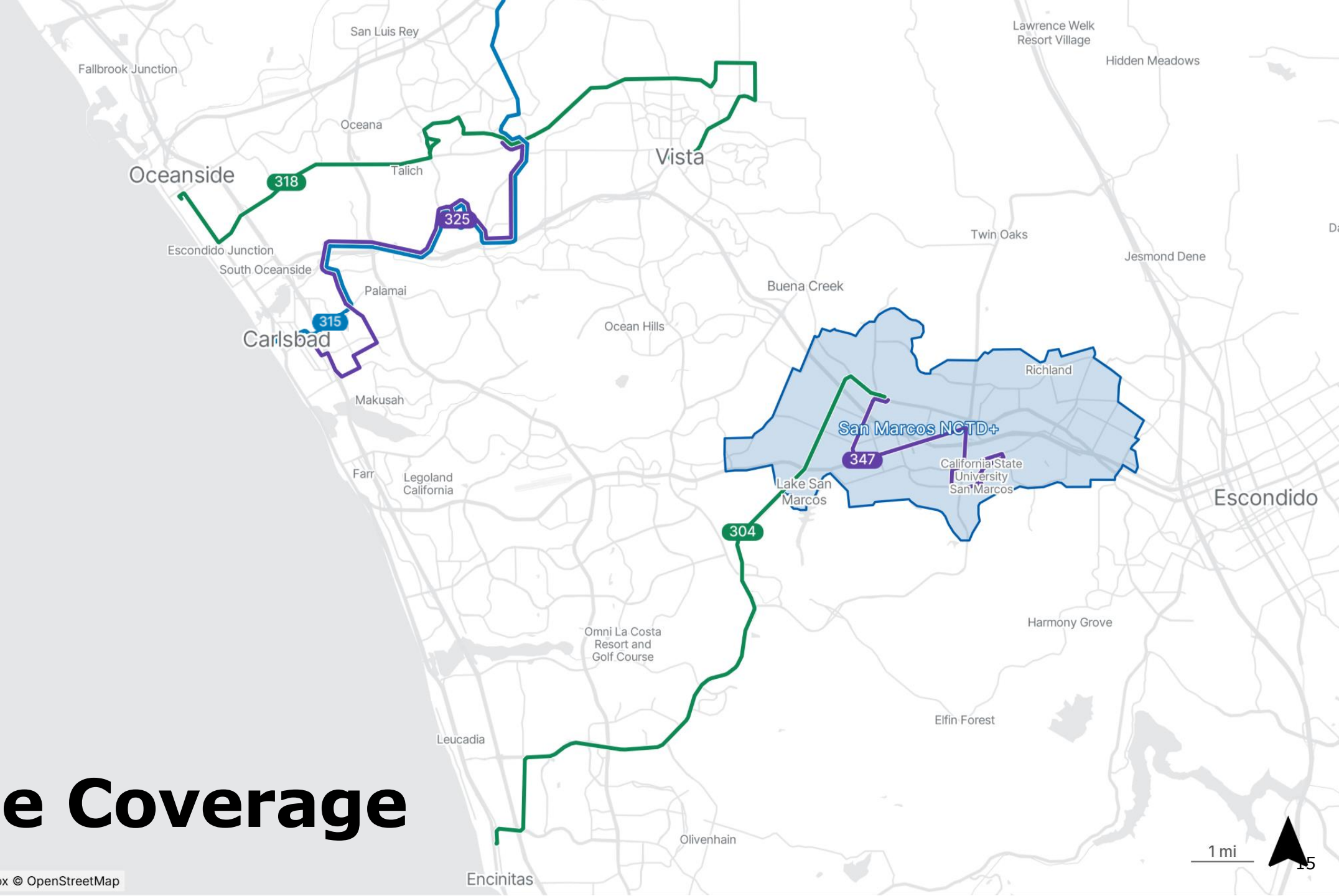
Weekend Standardization

- Weekend standardization Phase II (early 2026)
 - **BREEZE 304** – Add Sunday service
 - Adds connection between San Marcos and Encinitas
 - **BREEZE 318** – Add Sunday service
 - Adds connection between Oceanside and Vista along Oceanside Blvd
 - **BREEZE 325** – Eliminate Saturday service
 - Low ridership with coverage provided via 315
 - **BREEZE 347** – Eliminate Saturday service
 - Low ridership with coverage provided via NCTD+



Proposed Change

Service Coverage



Ridership Comparison

Route	Description	Average Saturday Boardings	Average Sunday Boardings
304	Encinitas to Palomar College	259	-
318	OTC to VTC via Oceanside Blvd	242	-
325	Carlsbad Village to College SPRINTER Station	41	-
347	CSU San Marcos to Palomar College	62	-

Last 12 months of ridership data, August 25 2024 – August 24, 2025

Public Outreach

- Bilingual website, stop messaging, onboard materials, and legal notice
- Virtual open houses and digital rider alerts
- In-person outreach
 - Palomar College Transit Center
 - Saturday, October 11, 10:00 a.m. - 12:00 p.m.
 - Carlsbad Village Station
 - Saturday, October 11, 2:00 p.m. - 4:00 p.m.
 - Sorrento Valley COASTER Station
 - Tuesday, October 14, 6:30 a.m. - 8:30 a.m.
 - Wednesday, October 15, 3:30 p.m. - 7:00 p.m.

Staff Recommendation

- Set Public Hearing on November 20, 2025 for the following proposed service changes:
 - Elimination of FLEX Routes 471, 472, and 478
 - Elimination of Saturday service on BREEZE 325 and 347
 - Addition of Sunday service on BREEZE 304 and 318

Questions?

STAFF REPORT

**CONDUCT PUBLIC HEARING RELATED TO THE PROPOSED
ELIMINATION OF BREEZE ROUTE 323**

Time Sensitive: ☒ **Consent:** ☐

**STAFF
RECOMMENDATION:**

Staff recommends that the North County Transit – San Diego Railroad (NCTD) Board of Directors (Board):

1. Review staff's recommendations regarding the proposed elimination of BREEZE route 323; and
2. Receive and consider public comment.

Following receipt and consideration of public comment, staff further recommends that the Board:

3. Close the Public Hearing on staff's recommendations regarding the proposed elimination of BREEZE route 323; and
4. Approve the proposed elimination of BREEZE route 323 effective February 2026.

**BACKGROUND
INFORMATION:**

NCTD regularly monitors the service performance of its modes in accordance with its Service Design Guidelines and budgeted goals. Performance is reported monthly and annually via the Transit Operations Performance Report and Service Implementation Plan. As part of this process, NCTD monitors route-level performance throughout the network. Routes that fail to meet performance standards for two or more consecutive years are considered for modification or elimination to ensure effective resource allocation. To ensure NCTD is best maximizing its use of limited resources, NCTD is proposing to eliminate BREEZE route 323.

Service Background

BREEZE route 323 provides weekday hourly bus service in eastern Oceanside. The route is not anchored by a major transit center but does connect to the College Blvd SPRINTER Station. Due to the route's failure to meet performance standards set forth in NCTD's Service Design Guidelines as outlined below, NCTD staff are proposing to eliminate BREEZE route 323 effective February 2026.

BREEZE routes 315 and 325 provide parallel service within a half-mile of BREEZE route 323 with connections to Carlsbad Village Station to the south and San Luis Rey Transit Center to the north. BREEZE routes 311 and 318 also provide overlapping service with portions of BREEZE route 323.

Major Service Change Designation

The proposed service constitutes a major service change under Board Policy No. 30 – *Threshold for Major Service Change* because it represents the elimination of routes within NCTD's service area.

The Federal Transit Administration (FTA) requires transit providers to evaluate proposed service and fare changes to determine whether minority populations will bear a disparate impact, and whether low-income populations will bear a disproportionate burden as a result of the proposed service elimination. A disparate impact or disproportionate burden occurs when the minority or low-income population adversely affected by a major service change is 10% more than the average minority or low-income population of the NCTD area. FTA Circular No. 4702.1B, NCTD Board Policy No. 30 – *Threshold for Major Service Change*, Board Policy No. 31 – *Threshold for Disparate Impact on Minority Populations*, and Board Policy No. 32 – *Threshold for Disproportionate Burden on Low-Income Populations* establish specific guidance for NCTD.

Title VI Service Equity Analyses Results

With the proposed elimination of BREEZE route 323 service, NCTD's Title VI service equity analysis found no disparate impact on minority populations and no disproportionate burden on low-income populations. The minority population served by BREEZE 323 is 60.1% compared to the service area average of 50.9%. The percent of populations below the low-income threshold served by BREEZE route 323 is 24.4% compared to the service area average of 22.4%. Attachment 12A includes the complete Title VI analysis for the proposed elimination of BREEZE route 323.

Public Engagement

On June 2, 2025, NCTD launched dedicated webpages in English and Spanish featuring written and video overviews of the proposed changes. Staff advertised the dates and times of in-person outreach events, as well as the ability to provide public comment via a dedicated email address, phone number, and via mail.

The Board, at its June 26, 2025 Regular Board meeting (Agenda Item No. 15), set a public hearing for September 18, 2025 to consider the proposed elimination of BREEZE route 323. On August 26, 2025, the Clerk of the Board published notice of the public hearing, including instructions and locations on how and where to provide public comment in the English San Diego Union Tribune and Spanish Hispanos Unidos newspapers. NCTD also posted notice of the public hearing and informational flyers at the NCTD Administrative Office and Customer Service Centers.

To support opportunities for public engagement and input, NCTD hosted five publicly noticed, in-person outreach events, including three onboard the BREEZE 323 on June 4, June 10, and June 12, 2025, and two at Mesa Drive and Rancho Del Oro Blvd on August 20 and 21, 2025. Staff distributed flyers with information and solicited feedback about the proposed changes (Attachment 12B). Information was available in English and Spanish with an explanation on how public comment could be provided.

As of the date of this staff report, NCTD has received nine written comments and five voicemails. A summary of the comments received as of the posting of this Board agenda are included in Attachment 12C. Public comments received after posting of the agenda will be summarized to the Board in staff's presentation.

Based on the foregoing, staff recommends that the Board:

1. Review staff's recommendations regarding the proposed elimination of BREEZE route 323; and
2. Receive and consider public comment.

Following receipt and consideration of public comment, staff further recommends that the Board:

1. Close the Public Hearing on staff's recommendations regarding the proposed elimination of BREEZE route 323.
2. Approve the proposed elimination of BREEZE route 323 effective February 2026.

ATTACHMENT: Attachment 12A – Title VI Analysis for BREEZE 323 Elimination
Attachment 12B – Customer Alert
Attachment 12C – Public Comments Received
Attachment 12D – Public Hearing Presentation

FISCAL IMPACT: The fiscal impact of approving the elimination of BREEZE routes 323 is an estimated cost savings to NCTD of approximately \$532,854 based on the FY 2024 operating cost of the route.

COMMITTEE REVIEW: None

STAFF CONTACT: **Shawn M. Donaghy, Chief Executive Officer**
E-mail: sdonaghy@nctd.org Phone: 760-967-2869

BREEZE Route 323 Title VI Service Equity Analysis

September 2025

Background

The North County Transit – San Diego Railroad (NCTD) currently provides a combination of fixed-route BREEZE and SPRINTER hybrid rail services within the City of Oceanside. These transit services include BREEZE route 323, which provides hourly weekday bus service in eastern Oceanside between College Boulevard Station and Quarry Creek.

Due to the route's failure to meet performance standards set forth in NCTD's Service Design Guidelines, NCTD staff is proposing the elimination of BREEZE route 323 effective with the Spring 2026 service change. The September 2025 proposal to eliminate BREEZE route 323 constitutes a major service change under Board Policy No. 30 - *Threshold for Major Service Change* because it is a route elimination within NCTD's service area.

The Federal Transit Administration (FTA) Circular 4702.1B requires transit agencies to evaluate major service changes to identify whether service changes have a disparate impact on minority communities or a disproportionate burden on low-income communities, or when a proposed service improvement may overly benefit non-minority and/or non-low-income populations more than minority and/or low-income populations.

Board Policy No. 31 - *Threshold for Disparate Impact on Minority Populations* and Board Policy No. 32 - *Threshold for Disproportionate Burden on Low-Income Populations* identifies NCTD's thresholds for disparate impacts and disproportionate burdens. Pursuant to the Board Policies, a disparate impact occurs when a major service change negatively impacts a minority population or benefits a non-minority population by more than 10% of the service area average and a disproportionate burden occurs when a major service change negatively impacts a low-income population or benefits a non-low-income population by more than 10% of the service area average.

The service equity analysis found that the proposed elimination of BREEZE route 323 does not have a disparate impact or a disproportionate burden because the route is providing service to areas with low-income and minority populations that are not 10% greater than the NCTD service area average.

NCTD received public comment on the proposed route elimination through in-person outreach events in June 2025 and August 2025 held onboard BREEZE route 323 and at a stop that features school-based ridership patterns (Mesa Drive & Rancho Del Oro).

In addition to in-person engagement, NCTD created a dedicated webpage featuring detailed information along with an interactive map. Comments were solicited via email address, phone number, and mail. More detail about this community outreach is available under the Public Engagement section below. NCTD will hold a public hearing on September 18, 2025 as required by NCTD Board Policy No. 30 – *Threshold for Major Service Change*. This analysis, along with a staff recommendation, will be submitted to the Board of Directors for consideration at the September 18, 2025 Regular Board meeting.

Policy Overview

Pursuant to FTA C 4702.1B, NCTD'S Board Policy No. 30 defines what constitutes a major service change. The following situations qualify as a major service change:

- All proposed changes to existing routes, whereby route miles or revenue miles are *changed in excess of 25% of their current configurations*, measured as happening at one time, or cumulatively within a single year.
- Changes in the *number of daily trips that exceed 25% percent* are also considered a major service change.
- Elimination of a route.
- Addition of a route.

Pursuant to FTA Circular 4702.1B, a Title VI service equity analysis is required for all major service changes. The Title VI of the Civil Rights Act of 1964 states it "...protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance." Title VI also includes Environmental Justice provisions to "prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects."

The proposed elimination of BREEZE Route 323 is considered a major service change per NCTD Board Policy No. 30. This analysis evaluates whether the elimination of BREEZE route 323 will have a disparate impact on minority communities or disproportionate burden on low-income communities.

Analysis

The following section outlines the Title VI process, methodology used, outcomes from the proposed elimination of BREEZE route 323, and next steps.

Definition of Minority and Low-Income Persons

This analysis used the following definitions of minority and low-income persons, as defined in Board Policy No. 31 - *Threshold for Disparate Impact on Minority Populations* and Board Policy No. 32 - *Threshold for Disproportionate Burden on Low Income* and guided by FTA Circular 4702.1B:

- The FTA defines minority persons as American Indian and Alaska Native, Asian, African American, Hispanic or Latino, and Native Hawaiian or other Pacific Islander.
- The FTA encourages agencies to use a locally developed threshold for low-income person that is "at least as inclusive as the HHS [U.S. Department of Health and Human Services] poverty guidelines." In coordination and in consistency with the San Diego Association of Governments' (SANDAG) defines a low-income person as an individual whose household income is at or below 200 percent of the poverty level as defined by the United States Census Bureau.

Definition of Disparate Impact and Disproportionate Burden

This analysis evaluates whether the proposed service changes would have a disparate impact or disproportionate burden on both minority and low-income groups. To provide the standards for the analysis, this section defines the criteria that NCTD considers as qualification for a disparate

impact and disproportionate burden. These Board Policies were developed with public input in October 2013 when NCTD held public workshops to solicit stakeholder feedback. In November of 2013, the NCTD Board of Directors approved NCTD Board Policy Nos. 31 and 32 which defined the thresholds for disparate impacts and disproportionate burdens, respectively. Board Policy Nos. 31 and 32 have been revised four (4) times with the most recent revision occurring in October 2019. The following details how a disparate impact and a disproportionate burden would be identified:

- NCTD Board Policy No. 31: A **disparate impact** occurs when the minority population adversely affected by a major service change as defined under NCTD Policy No. 30 is 10% more than the average minority population of the NCTD service area. A disparate impact may also occur when the non-minority population benefits from a major service change by 10% more than the average non-minority population of the NCTD service area.

If a potential disparate impact is identified, NCTD must determine whether there are one or more alternatives that would serve the same legitimate objectives, but with less disparate impact on the basis of race, color, or national origin. If no other options are identified, then NCTD must have a substantial, legitimate justification for making the service change. In the event a disparate impact is identified, NCTD will engage public participation to discuss alternatives or mitigation measures.

For example, if the NCTD service area average is 50% minority, then a proposed service change that adversely affects a population that is 60% minority or greater would be defined as a disparate impact.

- NCTD Board Policy No. 32: A **disproportionate burden** occurs when the low-income population adversely affected by a major service change as defined under NCTD Policy No. 30 is 10% more than the average low-income population of the NCTD service area. A disproportionate burden may also occur when the non-low-income population benefits from a major service change by 10% percent more than the average non-low-income population of the NCTD service area.

If NCTD finds a potential disproportionate burden, the agency will take steps to avoid, minimize, or mitigate impacts of the proposed change on the affected low-income population and provide alternatives available to low-income passengers affected by the service changes. In the event that a disproportionate burden is identified, NCTD will engage public participation to discuss alternatives or mitigation measures.

For example, if the NCTD service area average is 25% low-income (75% non-low-income), then a proposed service change that benefits a population that is 85% non-low-income or greater would be defined as a disproportionate burden.

Methodology

The FTA guidelines allow transit agencies to use either ridership or population data as a basis to conduct the Title VI equity analysis. For this analysis and consistent with Board Policy Nos. 31 and 32, the 5-year estimates dataset from the American Community Survey (ACS) (2016-2020) is used for both the minority and low-income populations.

The Census block group level was chosen for both minority and low-income analyses, as it was the smallest geographic level available from the American Community Survey.

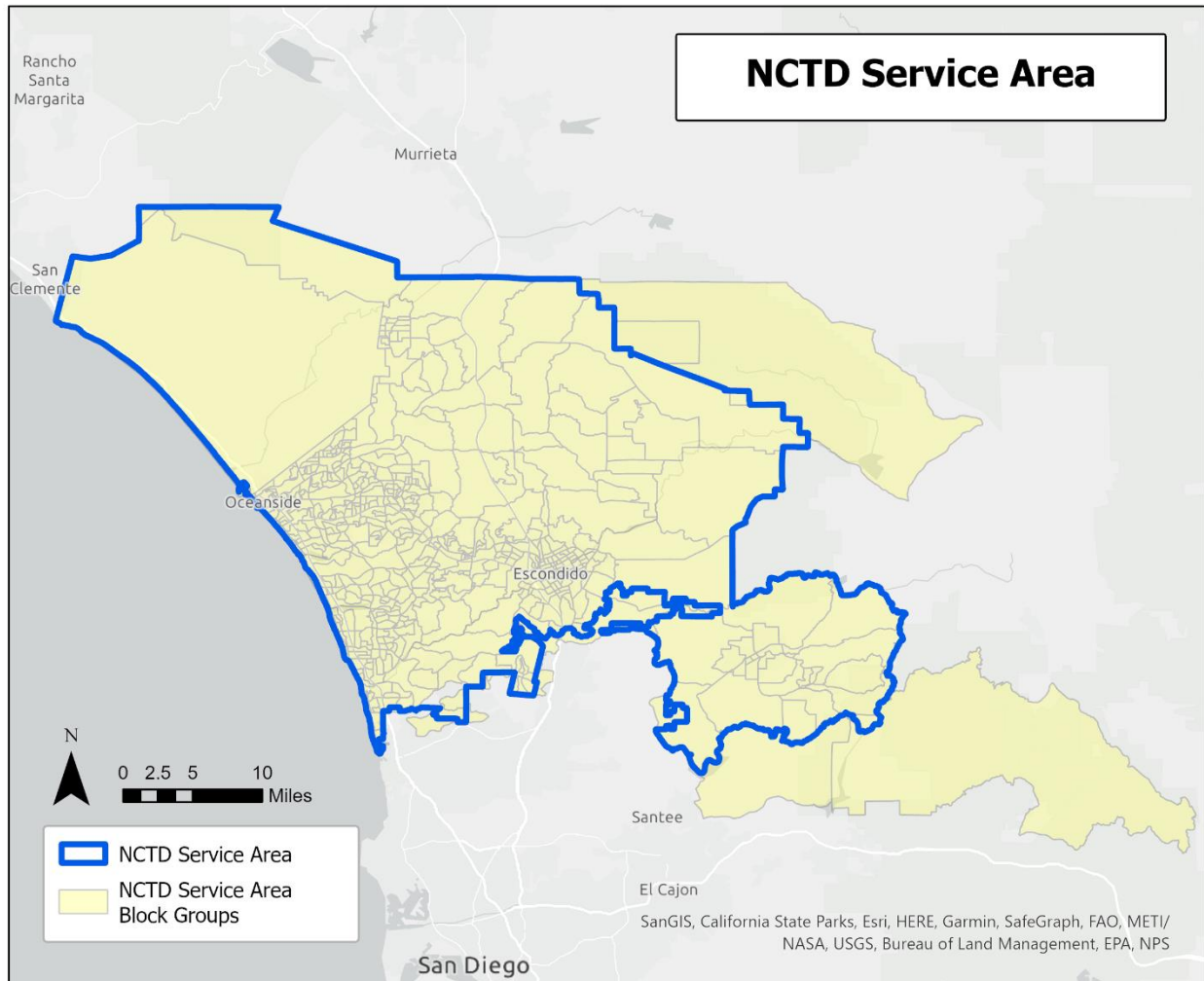
To conduct the analysis for minority populations, NCTD used the table for *Hispanic or Latino Origin by Race (B03002)* from ACS 2019-2023 (5-year estimates). The total minority population in each Census block group was calculated by subtracting the “White alone – Not Hispanic or Latino” (B03002003) population from the total population (B03002001). This is consistent with the FTA definition of minority persons.

To conduct the analysis for low-income populations, NCTD used the table for *Ratio of Income to Poverty Level in the Past 12 Months (C17002)* from ACS 2019-2023 (five-year estimates). The total population in each Census block group at 200% of the poverty level was calculated by subtracting the categories below the ratio of 2.0 from the total population. This is consistent with the FTA-recommended definition of low-income persons as previously stated. The total population in this dataset is lower than the total population in the minority dataset because the “universe” for which the sample is taken from is the “population for whom poverty status is determined,” which does not include group quarters—many of which exist on military bases and college campuses (e.g. Marine Corps Base Camp Pendleton and California State University San Marcos).

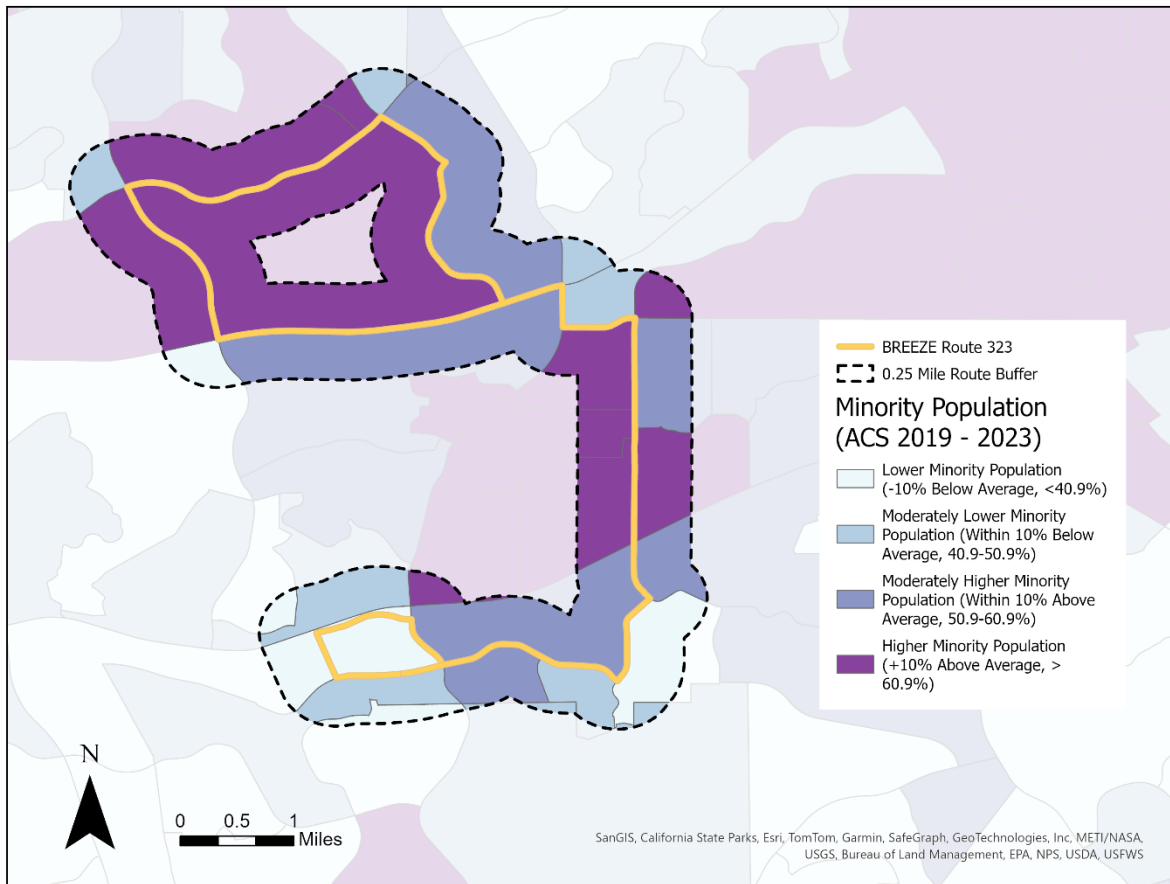
The Remix software platform was used to conduct both analyses. The Census ACS data described above was joined with a Census block group shapefile using the unique identification number for each Census block group. The service area averages were determined by selecting all Census block groups intersecting the NCTD service area shapefile that is inclusive of the geographic area in which NCTD is authorized by its charter to provide service to the public. The minority and low-income percentages were determined by drawing a one-quarter-mile buffer around the route, and by selecting all Census block groups that intersect within the one-quarter-mile buffer. A one-quarter-mile buffer was utilized as bus service accessibility for a pedestrian is generally defined as within a one-quarter mile walk of the bus stop (FTA C 4702.1B). These numbers are compared to the service area averages to determine if the service changes will have any disparate impact or disproportionate burden on minority or low-income populations.

The following maps show a visual representation of this data. **Map 1** shows the NCTD service area. **Maps 2 and 3** display all minority and low-income Census block groups that are within and above the low-income or minority threshold and show the minority and low-income Census block groups that are within the one-quarter-mile buffer along BREEZE Route 323.

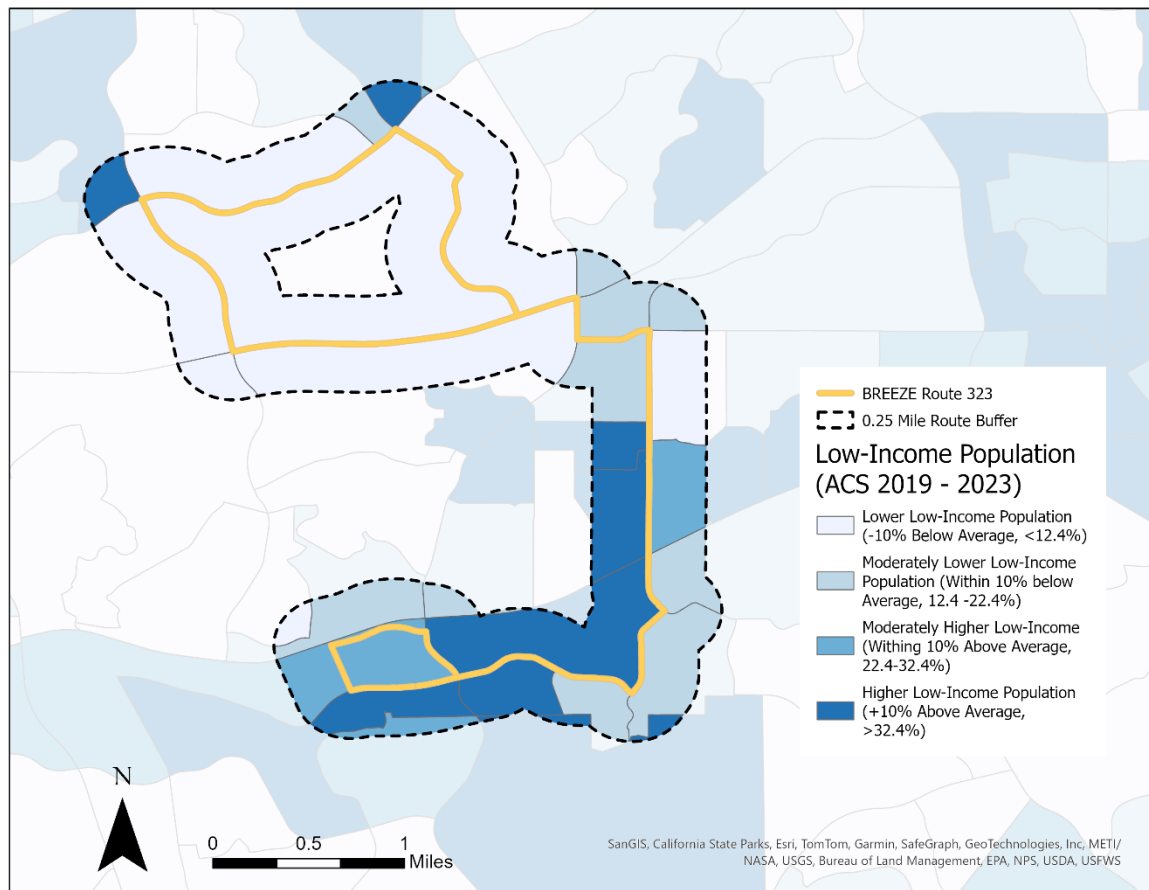
Map 1: NCTD Service Area



Map 2: NCTD Minority Block Groups



Map 3: NCTD Low-Income Block Groups



Disparate Impact

Table 2: Title VI Service Equity Analysis, Disparate Impact

	Minority Population	Non-Minority Population	Population Total	Percent Minority	Percent Non-Minority
Service Area	492,003	473,972	965,975	50.9%	49.1%
BREEZE 323	9,400	6,228	15,628	60.1%	39.9%

Pursuant to NCTD Board Policy No. 31: A **disparate impact** occurs when the minority population adversely affected by a major service change as defined under NCTD Policy No. 30 is 10% more than the average minority population of the NCTD service area. A disparate impact may also occur when the non-minority population benefits from a major service change by 10% more than the average non-minority population of the NCTD service area.

The minority population values for the NCTD service area and BREEZE 323 are presented in Table 2. Additionally, route maps showing block group minority populations are included in Map 2. As shown in Table 2, the route elimination does not disparately impact minority populations. The minority population that will be impacted by this route elimination is 9.2 percentage points above the NCTD service area. Because the route elimination is within in area with a minority population within 10% of the NCTD service area, this elimination does not pose a disparate impact on minority populations.

Disproportionate Burden

Table 3: Title VI Service Equity Analysis, Disproportionate Burden

	Low-Income Population	Non-Low-Income Population	Population Total	Percent Low-Income	Percent Non-Low-Income
Service Area	216,302	749,673	965,975	22.4%	77.6%
BREEZE 323	3,812	11,816	15,628	24.4%	75.6%

Per NCTD Board Policy No. 31: A **disproportionate burden** occurs when the low-income population adversely affected by a major service change as defined under NCTD Policy No. 30 is 10% more than the average low-income population of the NCTD service area. A disproportionate burden may also occur when the non-low-income population benefits from a major service change by 10% more than the average non-low-income population of the NCTD service area.

The low-income population values for the NCTD service area and BREEZE 323 are presented in Table 3. Additionally, route maps showing block group low-income populations are included in Map 3. As shown in Table 3, for low-income populations, the route elimination does not disproportionately burden low-income populations. The low-income population that will be

impacted by this route elimination is 2 percentage points above the NCTD service area. Because the route elimination serves an area with a lower low-income population than the NCTD service area, this elimination does not pose a disproportionate burden on low-income persons.

Public Engagement

At the June 26, 2025 NCTD Board of Directors meeting, the Board set a public hearing date for September 18, 2025 and authorized staff to receive public comments for the proposed elimination of BREEZE 323. Staff conducted the following public engagement events:

In-Person Engagement Events

NCTD held three in-person engagement sessions onboard BREEZE 323:

June 4, 2025	June 10, 2025	June 12, 2025
8:20 a.m. – 10:30 a.m.	1:20 p.m. – 3:30 p.m.	11:20 a.m. – 1:30 p.m.

NCTD held two in-person engagement sessions at Mesa Drive and Rancho Del Oro Blvd:

August 20, 2025	August 21, 2025
2:30 p.m. – 3:30 p.m.	8:00 a.m. – 9:00 a.m.

NCTD received public comment on the proposed elimination through in-person outreach events held onboard the BREEZE 323. Staff rode BREEZE 323 during various time periods in June and August 2025. Handouts with proposal information in English and Spanish were available and an explanation on how public comment may be provided. All materials were available in English and Spanish, and staff who spoke English and Spanish were available to answer questions and take comments from the public.

Participants received flyers and were verbally informed of the changes and had their comments or questions on NCTD's services heard. Participants were invited to take NCTD memorabilia. Many participants used the opportunity to make general inquiries related to NCTD services or became aware of services provided.

Other Ways to Provide Comment

In addition to in-person engagement, NCTD created a dedicated webpage featuring an interactive map and a video of the June 2025 Board meeting presentation. Staff advertised the ability to provide public comment via dedicated email address, phone number, and via mail.

Summary of Public Comments Received

All comments received at the events, via email, questionnaire or verbally, were recorded and compiled electronically. As of September 12, 2025, NCTD received a total of nine written public comments and five voicemails. The following is a summary of public comments received, either via written or verbal feedback:

- Riders expressed concern with the removal of BREEZE 323 causing a longer walk or additional transfers to nearby BREEZE routes.
- Riders expressed concern with eliminating BREEZE 323 as an option to access El Camino Real High School.


Alternative Service Analysis

Based on the analysis outlined above, the elimination of BREEZE route 323 would not result in a disproportionate burden or disparate impact. Accordingly, an alternatives analysis does not need to be conducted.

The North County Transit District (NCTD) seeks your feedback regarding NCTD's proposal to eliminate BREEZE Route 323 as part of its service change that will take effect on October 5, 2025. BREEZE Route 323 provides weekday hourly bus service in eastern Oceanside between College Blvd Station and Quarry Creek. Due to the route's failure to meet performance standards set forth in NCTD's Service Design Guidelines, NCTD staff is proposing to eliminate BREEZE Route 323 effective Sunday, October 5, 2025.


For more information regarding the proposed change, please visit GoNCTD.com/Route323

Public Engagement


 Three in-person outreach opportunities will be held onboard BREEZE 323 to provide the public with information about the proposal. The public is encouraged to review proposal information, ask questions, and provide written and/or verbal comments.

Wednesday, June 4, 2025	Tuesday, June 10, 2025	Thursday, June 12, 2025
8:20 a.m. - 10:30 a.m. Onboard BREEZE 323	1:20 p.m. - 3:30 p.m. Onboard BREEZE 323	11:20 a.m. - 1:30 p.m. Onboard BREEZE 323

Public Hearing

 On July 17, 2025 at 2:00 p.m., the NCTD Board will consider the staff recommendation to eliminate BREEZE Route 323. The intended purpose of this public hearing is to provide an opportunity for interested persons or agencies to be heard with respect to the effects of the proposed change and other matters to be considered at the public hearing.

Ways to Provide Input

 For those who are unable to attend an in-person open house, NCTD encourages you to submit your comments via email at servicechanges@nctd.org. The public may also mail their comments to North County Transit District, ATTN: Service Planning, 810 Mission Ave, Oceanside, CA 92054 or drop off comments at NCTD Customer Service offices located at Oceanside Transit Center, Vista Transit Center, Escondido Transit Center. For those who wish to provide comments via telephone, please call (760) 435-7274 and leave a message.

In compliance with the Americans with Disabilities Act (ADA), NCTD will accommodate persons who require assistance in order to participate in the events listed above. If such assistance is required, please contact NCTD at (760) 966-6500 at least 72 hours in advance of the event. 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.


To request the materials in an alternate format and/or additional language(s), please call (760) 966-6500. NCTD is committed to ensuring that the level and quality of transportation service is provided without regard to race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity, or other protected classes enumerated in federal and state laws.

Chinese (Simplified) – 如果需要其他语种的信息，请致电 760-966-6500。
Chinese (Traditional) – 如需其他語言版本的資訊，請致電 760-966-6500。
Vietnamese – Nếu cần thông tin bằng ngôn ngữ khác, xin liên hệ số 760-966-6500.
Filipino – Kung kailangan ang impormasyon sa ibang wika, makipag-ugnayan sa 760-966-6500.
Korean – 정보가 다른 언어로 필요하시다면 760-966-6500로 문의해 주십시오.

El North County Transit District (NCTD) solicita sus comentarios sobre la propuesta de NCTD de eliminar la Ruta BREEZE 323 como parte de su cambio de servicio que entrará en vigencia el 5 de octubre de 2025. La Ruta 323 de BREEZE ofrece servicio de autobús cada hora entre semana en la zona este de Oceanside, entre la estación College Blvd y Quarry Creek. Debido a que la ruta no cumple con los estándares de rendimiento establecidos en las Directrices de Diseño de Servicios del NCTD, el personal del NCTD propone eliminar la Ruta 323 de BREEZE a partir del domingo 5 de octubre de 2025.


Para obtener más información sobre el cambio propuesto, visite GoNCTD.com/Ruta323

Participación pública


 Se realizarán tres sesiones de comunicado publico a bordo del BREEZE 323 para informar al público sobre la propuesta. Se anima al público a revisar la información de la propuesta, hacer preguntas y enviar comentarios escritos o verbales.

Miércoles, 4 de junio de 2025	Martes, 10 de junio de 2025	Jueves, 12 de junio de 2025
8:20 a.m. - 10:30 a.m. A bordo del BREEZE 323	1:20 p.m. - 3:30 p.m. A bordo del BREEZE 323	11:20 a.m. - 1:30 p.m. A bordo del BREEZE 323

Audiencia pública

 El 17 de julio de 2025 a las 2:00 p.m., la Junta de NCTD considerará la recomendación del personal de eliminar BREEZE Ruta 323. El propósito de esta audiencia pública es brindar una oportunidad para que las personas o agencias interesadas sean escuchadas con respecto a los efectos del cambio propuesto y otros asuntos que se considerarán en la audiencia pública.

Formas de proporcionar información

 Para aquellos que no pueden asistir una reunión en persona, NCTD los alienta a enviar sus comentarios por correo electrónico a servicechanges@nctd.org. El público también puede enviar sus comentarios por correo a North County Transit District, ATTN: Service Planning, 810 Mission Ave, Oceanside, CA 92054 o dejar sus comentarios en las oficinas de Servicio al Cliente de NCTD ubicadas en Oceanside Transit Center, Vista Transit Center, Escondido Transit Center. Para aquellos que deseen brindar comentarios por teléfono, llame al (760) 435-7274 y deje un mensaje.

De conformidad con la Ley de Estadounidenses con Discapacidades (ADA), NCTD acomodará a las personas que requieran asistencia para participar en los eventos enumerados anteriormente. Si necesita dicha asistencia, comuníquese con NCTD al (760) 966-6500 al menos 72 horas antes del evento. Las personas con discapacidad auditiva deben utilizar el Servicio de retransmisión de California (CRS): 800/735-2929 TTY; 800/735-2922 voz; 800/855-3000 español. Atención al cliente de CRS: 877/632-9095 inglés o 877/419-8440 español.


Para solicitar los materiales en un formato alternativo y/o idiomas adicionales, llame al (760) 966-6500. NCTD se compromete a garantizar que el nivel y la calidad del servicio de transporte se brinden sin distinción de raza, color, origen nacional, sexo, edad, discapacidad, religión, orientación sexual, identidad de género u otras clases protegidas enumeradas en las leyes federales y estatales.

Chinese (Simplified) – 如果需要其他语种的信息, 请致电 760-966-6500.
Chinese (Traditional) – 如需其他語言版本的資訊, 請致電 760-966-6500.
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Filipino – Kung kailangan ang impormasyon sa ibang wika, makipag-ugnayan sa 760-966-6500.
Korean – 정보가 다른 언어로 필요하시다면 760-966-6500로 문의해 주십시오.

North County Transit - San Diego Railroad (NCTD) seeks your feedback regarding NCTD's proposal to eliminate BREEZE Route 323 as part of its service change that will take effect on April 5, 2026. BREEZE Route 323 provides weekday hourly bus service in eastern Oceanside between College Blvd Station and Quarry Creek. Due to the route's failure to meet performance standards set forth in NCTD's Service Design Guidelines, NCTD staff is proposing to eliminate BREEZE Route 323 effective Sunday, April 5, 2026.


For more information regarding the proposed change, please visit GoNCTD.com/Route323

Public Engagement


 Three in-person outreach opportunities were held onboard BREEZE 323 in June 2025 to provide the public with information about the proposal. This month, the public is encouraged to review proposal information, ask questions, and provide written and/or verbal comments.

Wednesday, August 20, 2025	Thursday, August 21, 2025
2:30 p.m. - 3:30 p.m. Mesa Dr & Rancho Del Oro	8 a.m. - 9 a.m. Mesa Dr & Rancho Del Oro

Public Hearing

 On September 18, 2025 at 2 p.m., the NCTD Board will consider the staff recommendation to eliminate BREEZE Route 323. The intended purpose of this public hearing is to provide an opportunity for interested persons or agencies to be heard with respect to the effects of the proposed change and other matters to be considered at the public hearing.

Ways to Provide Input

 For those who are unable to attend an in-person open house, NCTD encourages you to submit your comments via email at servicechanges@nctd.org. The public may also mail their comments to North County Transit District, ATTN: Service Planning, 810 Mission Ave, Oceanside, CA 92054 or drop off comments at NCTD Customer Service offices located at Oceanside Transit Center, Vista Transit Center, Escondido Transit Center. For those who wish to provide comments via telephone, please call (760) 435-7274 and leave a message.

In compliance with the Americans with Disabilities Act (ADA), NCTD will accommodate persons who require assistance in order to participate in the events listed above. If such assistance is required, please contact NCTD at (760) 966-6500 at least 72 hours in advance of the event. 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.

To request the materials in an alternate format and/or additional language(s), please call (760) 966-6500. NCTD is committed to ensuring that the level and quality of transportation service is provided without regard to race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity, or other protected classes enumerated in federal and state laws.

Chinese (Simplified) – 如果需要其他语种的信息，请致电 760-966-6500。
Chinese (Traditional) – 如需其他語言版本的資訊，請致電 760-966-6500。
Vietnamese – Nếu cần thông tin bằng ngôn ngữ khác, xin liên hệ số 760-966-6500.
Filipino – Kung kailangan ang impormasyon sa ibang wika, makipag-ugnayan sa 760-966-6500.
Korean – 정보가 다른 언어로 필요하시다면 760-966-6500로 문의해 주십시오.

North County Transit - San Diego Railroad (NCTD) solicita sus comentarios sobre la propuesta de NCTD de eliminar la Ruta BREEZE 323 como parte de su cambio de servicio que entrará en vigencia el 5 de Abril de 2026. La Ruta 323 de BREEZE ofrece servicio de autobús cada hora entre semana en la zona este de Oceanside, entre la estación College Blvd y Quarry Creek. Debido a que la ruta no cumple con los estándares de rendimiento establecidos en las Directrices de Diseño de Servicios del NCTD, el personal del NCTD propone eliminar la Ruta 323 de BREEZE a partir del domingo 5 de Abril de 2026.

Para obtener más información sobre el cambio propuesto, visite GoNCTD.com/Ruta323

Participación pública



Se realizaron tres sesiones de comunicado publico a bordo del BREEZE 323 en junio de 2025 para informar al público sobre la propuesta. En este mes, se anima al público a revisar la información de la propuesta, hacer preguntas y enviar comentarios escritos o verbales.

Miércoles, 21 de Agosto de 2025	Jueves, 21 de Agosto de 2025
2:30 p.m. - 3:30 p.m. Mesa Dr y Rancho Del Oro	8 a.m. - 9 a.m. Mesa Dr y Rancho Del Oro

Audiencia pública



El 18 de Septiembre de 2025 a las 2 p.m., la Junta de NCTD considerará la recomendación del personal de eliminar BREEZE Ruta 323. El propósito de esta audiencia pública es brindar una oportunidad para que las personas o agencias interesadas sean escuchadas con respecto a los efectos del cambio propuesto y otros asuntos que se considerarán en la audiencia pública.

Formas de proporcionar información



Para aquellos que no pueden asistir una reunión en persona, NCTD los alienta a enviar sus comentarios por correo electrónico a servicechanges@nctd.org. El público también puede enviar sus comentarios por correo a North County Transit District, ATTN: Service Planning, 810 Mission Ave, Oceanside, CA 92054 o dejar sus comentarios en las oficinas de Servicio al Cliente de NCTD ubicadas en Oceanside Transit Center, Vista Transit Center, Escondido Transit Center. Para aquellos que deseen brindar comentarios por teléfono, llame al (760) 435-7274 y deje un mensaje.

De conformidad con la Ley de Estadounidenses con Discapacidades (ADA), NCTD acomodará a las personas que requieran asistencia para participar en los eventos enumerados anteriormente. Si necesita dicha asistencia, comuníquese con NCTD al (760) 966-6500 al menos 72 horas antes del evento. Las personas con discapacidad auditiva deben utilizar el Servicio de retransmisión de California (CRS): 800/735-2929 TTY; 800/735-2922 voz; 800/855-3000 español. Atención al cliente de CRS: 877/632-9095 inglés o 877/419-8440 español.

Para solicitar los materiales en un formato alternativo y/o idiomas adicionales, llame al (760) 966-6500. NCTD se compromete a garantizar que el nivel y la calidad del servicio de transporte se brinden sin distinción de raza, color, origen nacional, sexo, edad, discapacidad, religión, orientación sexual, identidad de género u otras clases protegidas enumeradas en las leyes federales y estatales.

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From: chris vaughn <[REDACTED]>
Sent: Tuesday, June 10, 2025 4:49 PM
To: Distribution Group - Service Changes

keep 323 breeze 323 college blvs satoins quarry chris vaughn
no call 323 october 5

From: Clerk of the Board
Sent: Wednesday, June 11, 2025 9:08 AM
To: Distribution Group - Planning
Subject: FW: Nctd bd meeting public comment
Attachments: IMG_5673.jpeg

See below. Thanks.

Suheil Rodriguez, PACE Accredited

Director of Administration

North County Transit - San Diego Railroad | 810 Mission Avenue | Oceanside, CA 92054

srodriguez@nctd.org | 760.966.6696 | c: 760.521.9641 | GoNCTD.com

NORTH COUNTY

From: [REDACTED] >
Sent: Tuesday, June 10, 2025 10:26 PM
To: Clerk of the Board <clerk@nctd.org>
Subject: Nctd bd meeting public comment

Dear Ms. Rodriguez

Please include my comments for tonight's meeting about canceling Bus Route 323.

Dear Bd members,

My name is Laurie Hodes I am an Oceanside resident who works in Carlsbad. I use the 315 and 323 buses weekdays to get to and from work and depend on this route because it is the most efficient way to go from North College Blvd in Oceanside to Tamarack in Carlsbad, although i still have to walk a half hr to complete my commute from the Walmart stop on Quarry Creek road. I have been doing this for several yrs and the idea of removing this stop has come up several times. The photo shows other routes that have been canceled (white tapeed) but it was at one time 4. This route is a unique gem the safest way to get to the DMV, The only way to get to the sprinter from the residential areas around Lake Blvd and a Godsend to the senior community getting to Kaiser Oside And San Marcos and the shopping plaza. Unfortunately, there are no faster bus routes anymore. It is understood that the ridership is low but there is no transportation in that area and it use to be the only way to get into Carlsbad from this side of town. Without it from where I live it is almost non existent . and I could not be employed. Thank you for the opportunity to express the need to keep it. Respectfully L Hodes



From: Ephriam Banks <[REDACTED]>
Sent: Tuesday, June 17, 2025 5:53 PM
To: Distribution Group - Service Changes
Subject: Feedback on 323

First off I am a senior (67) as well as a service-connected Veteran that happens to be legally blind and I take the 323 daily from the 313.

If the 323 is discontinued, I would have to take the 313 bus to the 76 fwy and old grove and hike a mile up hill to get to my senior living community at old grove and Godwit drive. The 323 stops at Rancho del Oro and Mesa Ave is the same spot where the kids that attend El Camino high school catch the bus and I feel it would be a disservice to the kids that take the 323 bus after school. I know that its not a well traveled bus route by for myself as well as the kids I implore you to keep the bus route open!

Concern bus rider
Ephriam Banks
[REDACTED]

From: Sally Jordan <[REDACTED]>
Sent: Tuesday, June 17, 2025 3:53 PM
To: Distribution Group - Service Changes
Subject: Elimination of Breeze Route 323

I don't agree with getting rid of Breeze Route 323. I'm a working senior citizen and the next closes bus stop is a long distance, which I would have to walk in the dark in the winter time which I don't feel is safe.

Sally Jordan

[Sent from AT&T Yahoo Mail on Android](#)

From: Marguarite Shipley <[REDACTED]>
Sent: Tuesday, August 12, 2025 1:17 PM
To: Distribution Group - Service Changes

External Sender - From: (Marguarite Shipley
<margariteshipley@gmail.com>)

[Learn More](#)

This message came from outside your organization.

Hi goodafternoon I'm very concerned about the up coming removal of bus 323 bus I depend very much on this bus for my grandson going to and from school I'm very worried are you guys putting anything in place for parents with school children dependant on this 323 bus please consider our children

From: Jessica Ormeno <[REDACTED]>
Sent: Tuesday, August 19, 2025 11:16 AM
To: Distribution Group - Service Changes
Subject: No a la eliminación de la 323

External Sender - From: (Jessica Ormeno

[Learn More](#)

<[REDACTED]>)

This message came from outside your organization.

Es un trasporte que moviliza a nuestra comunidad

Y es muy importante mantenerla

No a la eliminación de esta ruta please

Enviado desde mi iPhone

From: J. T. <[REDACTED]>
Sent: Wednesday, September 3, 2025 3:48 PM
To: Distribution Group - Service Changes
Subject: Elimination of Breeze Route 323

External Sender - From: ("J. T." <[REDACTED]>)
This message came from outside your organization.

[Learn More](#)

To Whom May Concern,

I am concerned about this elimination of 323. This route helps me to get to work and my pharmacy near Quarry Creek Plaza. It will be an inconvenience to only have route 311 to go by El Camino High School and avoid the traffic around the school. Please continue this route. Also what other routes will be going through the business park? Please continue route 323. Thank you.

Sincerely,
Jenee Thibeaux

From: Cynthia Gruchy <[REDACTED]>
Sent: Wednesday, September 3, 2025 12:03 AM
To: Distribution Group - Service Changes
Subject: Breeze 323

External Sender - From: (Cynthia Gruchy
<[REDACTED]>)

[Learn More](#)

This message came from outside your organization.

Hello,

I'm a rider of the 323 as I use it to get to and from work. While I agree that it's not an effective bus route, it should be replaced by a bus that serves a similar purpose. I feel like it's failure is largely due to the route's length and weird coverage. A shorter route that services nearby residential communities in getting to and from the train would likely fair better. A simpler loop involving Mesa, Melrose, and Olive Dr. may be the solution to this. Especially as a smaller loop would allow for more frequent service and would likely lead to more ridership which comes with a more dependable service.

A secondary bus for the lower portion of the existing route would likely be necessary as well, or rerouting of an existing bus route. Though the 323 already has poor coverage of this area and other buses are nearby such as the 302 which can get people to a sprinter station.

Ioni Tcholakova

From: Eyon Christmas
Sent: Friday, September 5, 2025 8:34 AM
To: Departments - Service Planning
Cc: Lawana Porter; Esther Rivers; Jennifer Lara; Monica Tapia
Subject: Inquiry Regarding Potential Route Cancellation

Good morning, Planning Department,

I attended a recent meeting at GAO where the topic of canceling a few routes in the upcoming service change was discussed. Coach Operator **David Boykin** mentioned that he heard his route might be canceled, and he expressed concern because many senior citizens rely heavily on that route.

He is asking whether any arrangements are being made to ensure continued service for senior citizen riders who may be affected.

Please let me know how I should respond to Mr. Boykin's concerns. Your department may contact him directly for more details

Thank you for your attention to this matter.

North County Transit District SCHEDULE PROBLEM REPORT FORM

**NORTH COUNTY
TRANSIT DISTRICT**

To: Operations Planning and Scheduling Department

From: Operator David Baykin

Badge # _____

Division # _____

Route # 323

Paddle # 325003

Check Schedule: ☒ Weekday ☐ Saturday ☐ Sunday

When does incident or problem occur? TIME Everyday

What location? ON Travelling to Walmart AT _____

Direction of travel? Both How often? _____

When did you first notice problem? Just heard Route to be cancelled

How long have you worked this run? _____

NOTE, IN ORDER TO PROCESS THIS PROBLEM REPORT ALL INFORMATION MUST BE FILLED IN.

PROBLEM AREAS (Check the best description of the problem):

Running Time: From _____ to _____ ☐ Not enough ☐ Too much ☐ Poor distribution
☐ Need additional time for loading ☐ Other _____

Attach a copy of the paddle marked with your suggestions.

Passengers: At _____ & _____ ☐ Overloads ☐ Passing up
☐ Heavy boardings at _____ school/or _____ transferpoint ☐ Too few passengers
☐ Other _____
☐ Estimate loads _____ ☐ Passengers passed up

Connections: ☐ Paddle note needed ☐ Paddle note not needed
☐ Other _____

Other NCTD line _____ Location _____ Direction _____

Time Points: From _____ to _____ ☐ Too close together ☐ Too far apart ☐ Improper location
☐ Not at a bus stop ☐ Other _____

Recovery: ☐ Insufficient recovery time ☐ Facilities inadequate
☐ Other _____

DESCRIBE PROBLEM: (Be specific. Use other side, if needed.) Many Seniors depend on this Route, will there be other arrangements made

WRITTEN REPLY IS REQUESTED ☒ YES ☐ NO

Proposed Elimination of BREEZE 323 – Voicemail Transcriptions

Message from Unknown sender (760 [REDACTED])

Hi, I wanted to leave a message about the proposal of the elimination of route 323. I think it shouldn't be eliminated because I currently go to El Camino High School and there is no direct route that goes straight down Rancho Del Oro, so in order for me to make it home from El Camino to my house I have to take the 323 bus and then hop on the 325 bus so I'm not able to take one direct bus and that bus the 323 is the one that lets me make it home or else I would have to walk an hour home.

Message from Unknown sender (760 [REDACTED])

I wanted to know what bus the 323 is gonna keep running cause it's hard for people to get in and out ...a comment from that 323 I would like to talk to somebody about about what's going on and if they are gonna keep the 323.

Message from Unknown sender (760 [REDACTED])

Yes, I'm calling regarding BREEZE route 323 and its elimination. For starters, the servicechanges@nctd.org does not work. I've been trying to submit info to that. The second thing is I just found out yesterday, and there's no notices on the bus stops where we live, and this is a rent-controlled senior area. Where will the next place for people to catch the bus be? Some have mobility issues, and they still have to get to a bus stop, so I don't see anything on the website, I'm concerned because you're eliminating a whole population of people who are seniors. I will try and contact again. Please, do not eliminate without replacing it with a different bus route. Thank you.

Message from Unknown sender (760 [REDACTED])

Don'tthe BREEZE 323 proposal, the route 323... .. don't ... the next update...before October 5 on the hotline. BREEZE 323 route next bye

Message from Unknown sender (760 [REDACTED])

Hi there my name is... and i am a regular breeze 323 rider, i go to school all the way in Oceanside High and I live near El Camino, and unfortunately to get to school this is the only

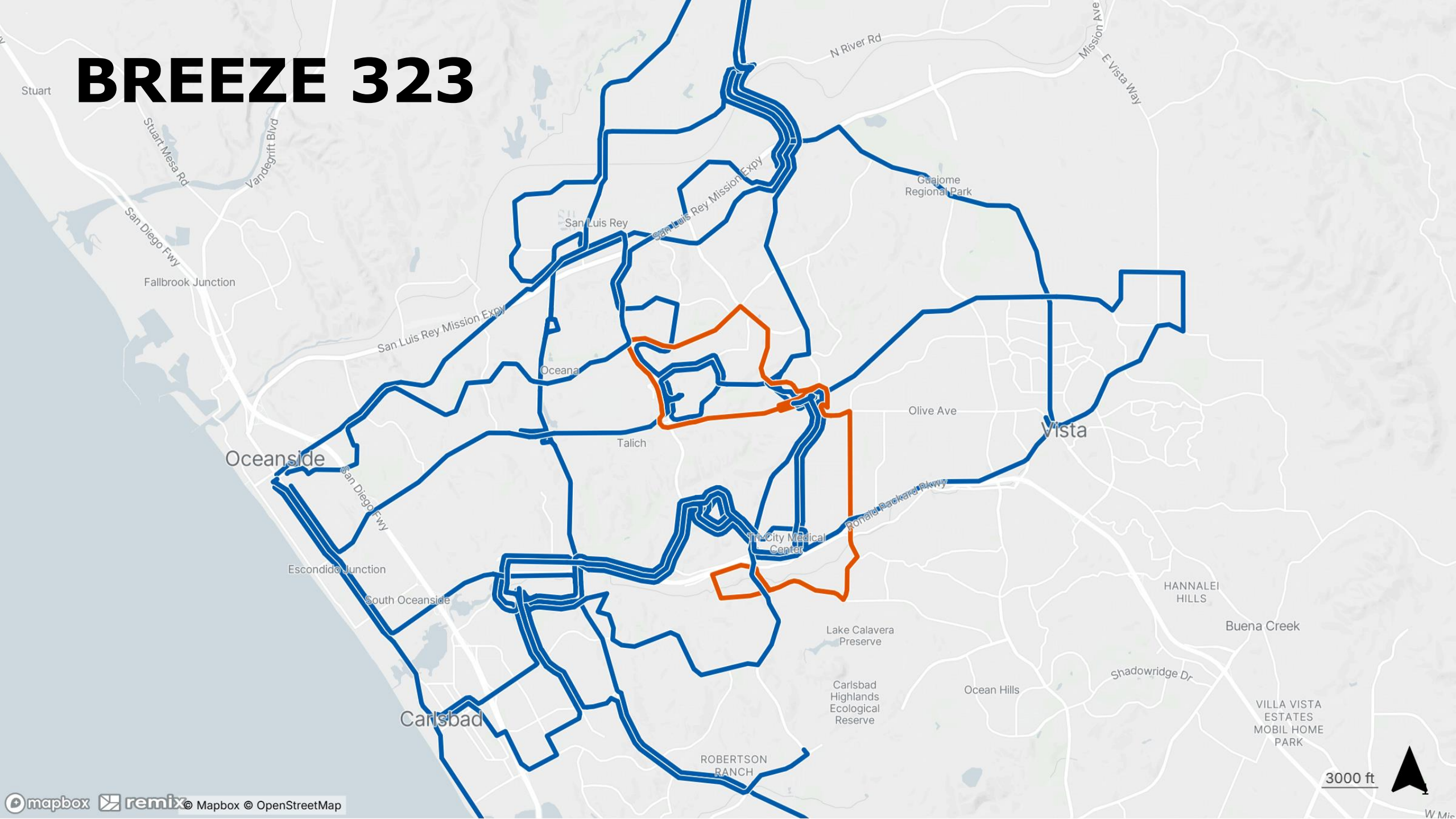
viable option, and the 323 serves as a vital bridge between me and my house in the afternoon and in the morning. In the afternoon it would take me about 40 minutes, that's 40 minutes to walk from the College Blvd sprinter station all the way to my house, and but the 323 cuts that down to about 5 minutes and the same thing goes for in the morning. That long walk often makes me miss my SPRINTER connection in the morning if I do have to make it. So, the 323 trip is a vital bus route in my day-to-day life and if this were to be eliminated and i would be left scrambling for other solutions. I definitely understand there is the 315 nearby and there's the 311 but the 311 I still have to walk about 30 minutes, and for the 315 same thing, it's 20 minutes. So at the end of the day it becomes very inconvenient for me to get around just to leave my house for someone who doesn't have a car because the bus route basically drops me like right, directly at my house. So the elimination of the 323 would have a huge impact on how I get to school in the morning and how I get around ...

Conduct Public Hearing for Proposed Elimination of BREEZE Route 323

Regular Board Meeting
September 18, 2025

COASTER SPRINTER BREEZE FLEX *LIFT* NCTD⁺

BREEZE 323

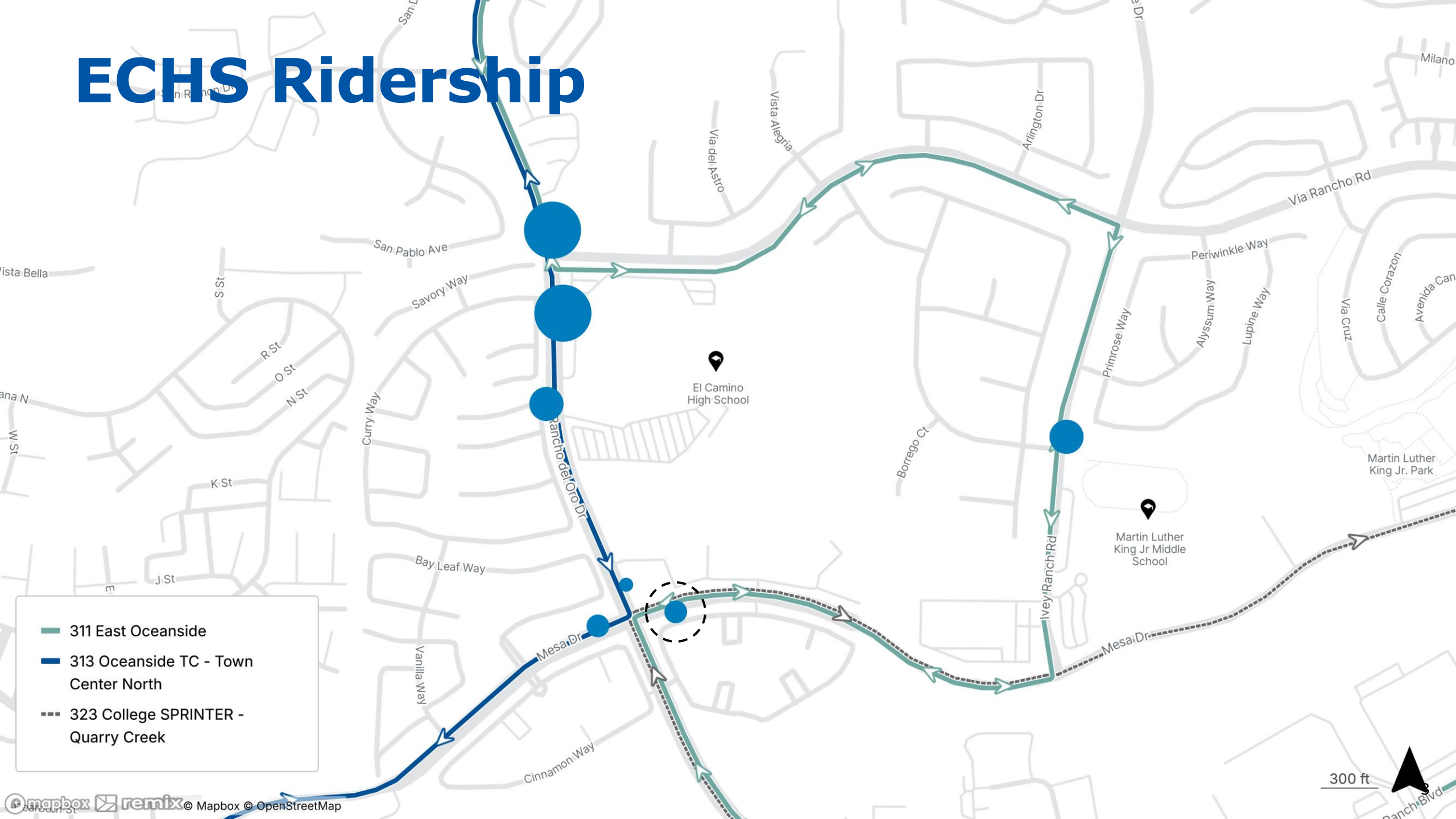


Ridership Comparison

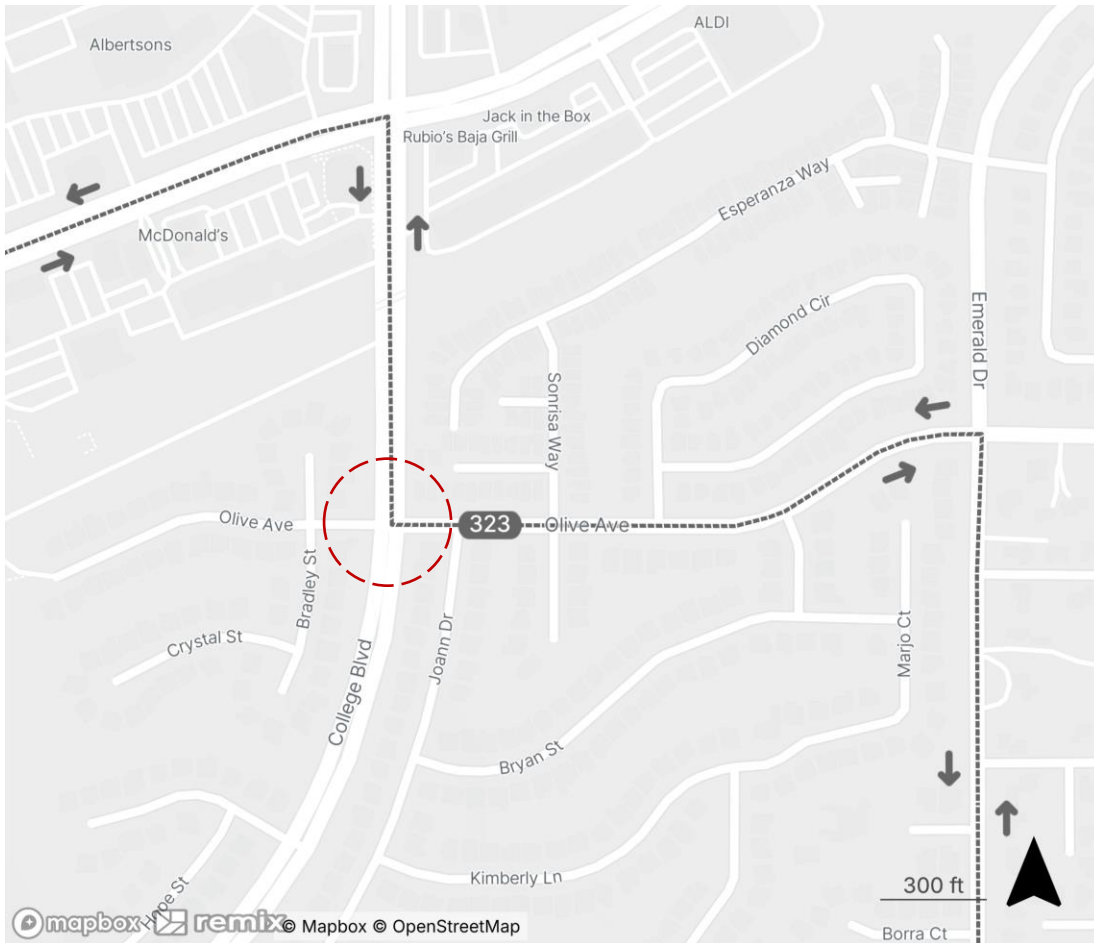
Route	Category	FY24 Total Boardings
303	Core	756,239
101	Corridor	565,633
309	Corridor	336,180
302	Core	320,703
318	Local	129,693
315	Corridor	114,675
313	Local	69,818
311	Commuter	39,812
325	Local	36,601
323	Local	17,201

- BREEZE 323 total FY24 ridership compared to adjacent routes in the surrounding area
- BREEZE 323 accounts for 0.3% of total BREEZE ridership

ECHS Ridership



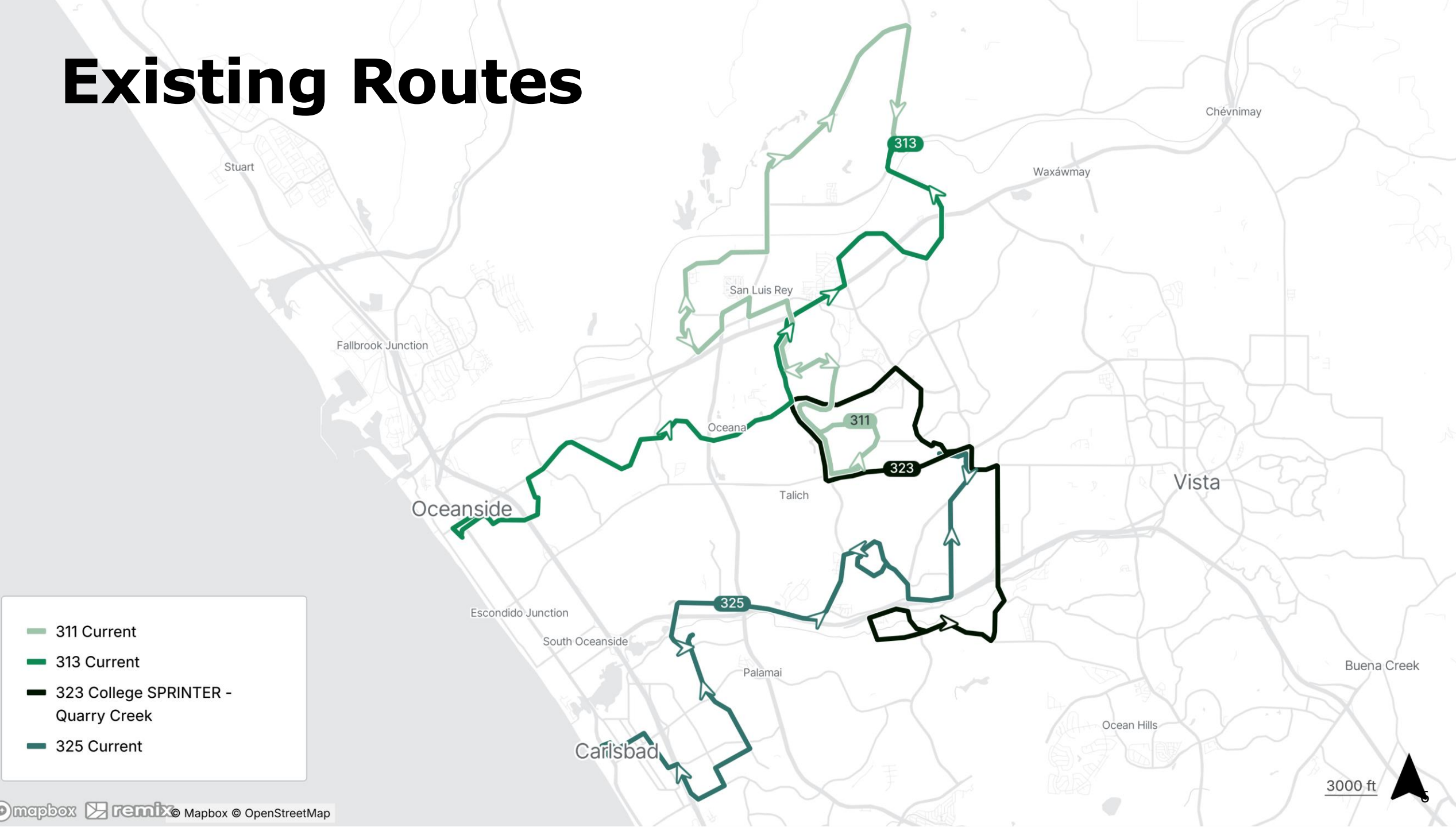
323 Operational Considerations



Proposed Route Restructuring

- BREEZE routes 311, 313, and 325 can be restructured to accommodate trip needs in eastern Oceanside while maintaining access to key destinations
- The proposed rerouting of 311, 313, and 325 do not meet the threshold for a major service change and do not require a public hearing

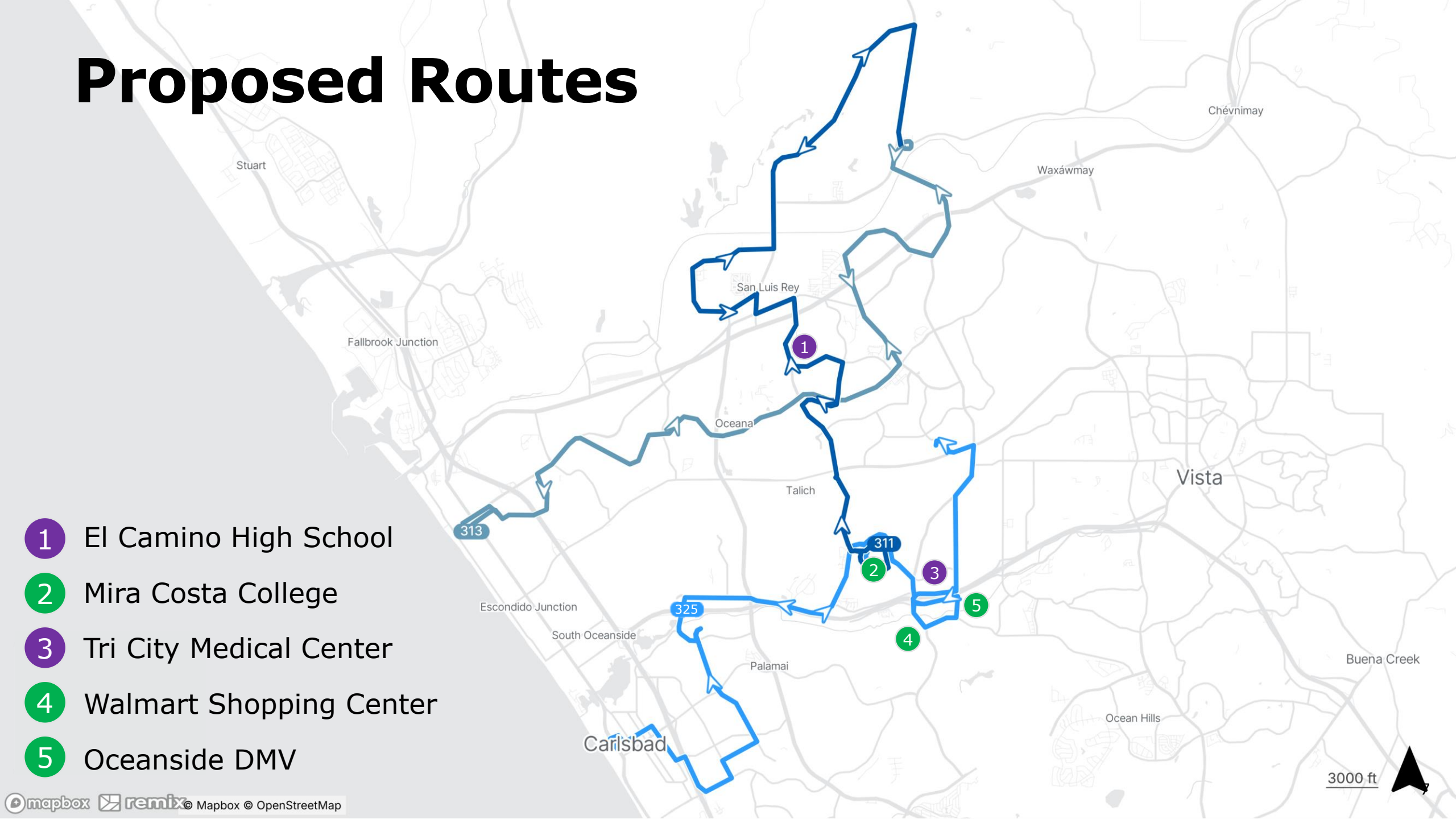
Existing Routes



- 311 Current
- 313 Current
- 323 College SPRINTER - Quarry Creek
- 325 Current

Proposed Routes

- 1 El Camino High School
- 2 Mira Costa College
- 3 Tri City Medical Center
- 4 Walmart Shopping Center
- 5 Oceanside DMV



Public Outreach

- Website, stop messaging, and onboard materials
- Legal notice published in English and Spanish newspapers
- Route ride-along outreach:
 - Wednesday, June 4 at 8:20 a.m. – 10:30 a.m.
 - Tuesday, June 10 at 1:20 p.m. – 3:30 p.m.
 - Thursday, June 12 at 11:20 a.m. – 1:30 p.m.
- Stop outreach (Mesa Dr & Rancho Del Oro Rd)
 - Wednesday, August 20 at 2:30 p.m. – 3:30 p.m.
 - Thursday, August 21 at 8:00 a.m. – 9:00 a.m.

Title VI Analysis Results

- No disparate impact or disproportionate burden

Disparate Impact	Minority Population	Population Total	Percent Minority	Difference from Service Area	Disparate Impact
Service Area	492,003	965,975	50.9%	-	-
BREEZE 323	9,400	15,628	60.1%	+9.2%	No

Disproportionate Burden	Low-Income Population	Population Total	Percent Low-Income	Difference from Service Area	Disproportionate Burden
Service Area	216,302	965,975	22.4%	-	-
BREEZE 323	3,812	15,628	24.4%	+2%	No

Staff Recommendation

- Approve proposed elimination of BREEZE Route 323

Questions?