



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 12/13/2022

**REQUESTER:** Taylor Johnson, Transit and Parking Program Manager

**PRESENTER:** Shawn O'Leary, Director of Public Works

**TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-70: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP) AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE(S) TO IMPLEMENT THE PLAN.

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### **BACKGROUND:**

On July 19, 2018, the Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule (49 CFR Part 673), which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS).

The rule applies to all operators of public transportation systems that are recipients and sub-recipients of federal financial assistance under the Urbanized Area Formula Program (49 U.S.C. § 5307). On May 22, 2019, the Governor of Oklahoma designated the City to be a direct recipient of federal funds to be used for the provision of public transportation services effective upon the date the FTA formally approves the City eligible to receive such federal funds. On June 20, 2019, the FTA formally designated the City to be the direct recipient of such federal public transportation funds.

For the City of Norman's first PTASP adopted in 2020, staff chose an option which was available to small public transportation providers that do not operate rail service. This option was to rely on the expertise of the Oklahoma Department of Transportation (ODOT) to draft a group Agency Safety Plan rather than doing so independently. The Council of the City of Norman adopted the ODOT group Agency Safety Plan (ASP) as the City's first PTASP plan by resolution R-2021-54 on October 13, 2020. The PTASP must include safety performance targets and transit operators must also review and update the plan annually if necessary.

With the passage of the Bipartisan Infrastructure Law, which was signed into law on November 15, 2021, additional requirements must be met to meet the FTA's safety program. The two most prominent additional requirements for an agency serving a small urbanized area (population less than 200,000) are (1) inclusion of strategies to minimize exposure to infectious

diseases consistent with Centers for Disease Control and Prevention (CDC) or State health authority guidelines, and (2) updating the ASP in coordination with frontline employee representatives.

## **DISCUSSION:**

In 2020, the City of Norman was still working to implement the newly-acquired transit system with minimal staffing and many other projects in the works, which is why it was recommended to rely on ODOT's expertise in developing the first PTASP. Now the City finds itself in the fourth year of operating the transit system with additional staff who can work to update the PTASP as required. In addition, while ODOT assisted the City with the initial plan, they are not required to assist with subsequent updates to group Agency Safety Plans. Thus, staff have developed an updated individual plan which meets the requirements set forth in the Public Transportation Agency Safety Plan (PTASP) Final Rule (49 CFR Part 673), the Urbanized Area Formula Program (49 U.S.C. § 5307), and the Bipartisan Infrastructure Law.

The City of Norman is committed to making safety a top priority of transit service and to achieving an optimum level of safety through a cooperative effort with its contractor EMBARK in compliance with the City of Norman Public Transit Agency Safety Plan.

Among the many critical policies designed to protect our public transportation customers, City Staff, and EMBARK staff, this independent Agency Safety Plan incorporates a number of existing City of Norman safety policies.

## **RECOMMENDATION:**

Staff recommends approval of Resolution R-2223-70 adopting the City of Norman Public Transportation Agency Safety Plan and authorizing the City Manager or his designee(s) to carry out the implementation of the plan.