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Missouri Department of Transportation  
& State Safety Oversight

Mr. Chairman, members of the Committee:

Thank you for the opportunity to address the committee.

My name is Robert Kraus; I am a Rail Transit Safety Specialist for the Missouri Department of Transportation. I am the State Safety Oversight Program Manager for Missouri. I have been the program manager for the past 7 years.

My experience includes approximately 25 years associated with rail transportation and safety. I have been certified as a transit safety specialist by USDOT, and am certified by the World Safety Organization as a Safety Specialist in Rail Transportation. In addition I am an associate instructor for the USDOT Transportation Safety Institute of Oklahoma City where I teach Rail Incident Investigation

My primary responsibility within the Missouri Department of Transportation is safety oversight of the MetroLink system operated by the Bi-State Development Agency in St Louis, Missouri. Metrolink is a medium size light rail transit system totaling 38 miles of right of way with ridership approaching 16 million passenger trips yearly. MetroLink is extending its operation an additional eight miles to offer service west and south of the original alignment.

Missouri statutes give MoDOT the authority to regulate the safety aspects of any light rail system in the state. The Missouri State Safety Oversight Program Standard, which governs rail fixed guideway systems, is published as an Administrative Rule by Missouri's Secretary of State and gives further guidance to the light rail system.

Throughout the past seven years, state oversight has developed a good working relationship with Metrolink. During that time, State Oversight and MetroLink devised practical methods to achieve compliance with the requirements of Part 659 and the goals of the State Oversight program.

Missouri's State Oversight Program has evolved since first established in 1996. Missouri has taken a more proactive role in problem solving and in safety initiatives affecting the MetroLink system. MetroLink's Safety Department as well as its Rail Operations Department consults with State Oversight for input or review when establishing new procedures or making changes to the MetroLink Rulebook.

MetroLink's safety department and State Oversight have worked together to address hazards on the system. The State Oversight Program's hazard identification and analysis process has at times revealed unsafe conditions that when presented to MetroLink management led to systematic changes in MetroLink's design criteria. A case in point, when we found that bump posts at the end of the original alignment were underrated for the speed attained at the

location, the bump posts were upgraded and the speed command circuitry on the light rail vehicle was reprogrammed to limit the train speed, thus reducing the possibility of a serious impact.

Together we have devised a Corrective Action process as well as a Corrective Action form to facilitate tracking unresolved safety items. The process specifically identifies the action item and assigns responsibility to an individual within the organization. The responsible person must come before State Oversight and the MetroLink Safety Department and provide documentation or demonstrate that the corrective action is complete. If the corrective action meets the approval of State Oversight, then the person responsible signs the form verifying the completion. State Oversight and the MetroLink Safety Department also signs and copies are given to each party. Assigning individuals to the task has greatly improved turnaround time to completion.

### State Implementation

The original 49CFR Part 659 that took effect in 1996, introduced a non-traditional role not only for many of the State designated agencies but also for FTA. Implementation was somewhat awkward initially. State Oversight agencies were uncertain of their interpretation of Part 659. While most state's designated their DOT, others chose utility commissions or public safety agencies. Some states had considerable authority not only to implement the program but to enforce it as well, while other state agencies had little or no regulatory power. My contact with other program managers suggests that the disparity still exists between oversight agencies with regard to their authority and respective options to ensure compliance.

Similarly, the employee designated to serve as the State Oversight Program Manager varied as well. Most state agencies did not receive a budget to implement the program and there were limited resources available from FTA. In many cases, as in Missouri, oversight duties were assigned to a current employee. Some states assigned individuals with experience in transportation safety or transit operations; other state agencies simply had no option but to assign the duties to the best candidate available.

In addition, the compliance aspect of the State Oversight Program was founded on the guidance of the American Public Transit Association, the (APTA) Manual for the Development of Rail Transit System Program Plans. The Manual was very beneficial to the State Oversight community. However, Part 659 referred to the APTA Manual as a “**guideline**” thus adding to the debate as to what constitutes compliance with the State Safety Oversight rule.

The State Safety Oversight Program has matured. The new 49CFR Part 659 that went into effect this year more clearly defines the role of the State Oversight Agency, the requirements of the transit operator and structured the interaction

between the State Oversight Agency and the light rail transit operator. The rule also clearly lists the required contents of the System Safety Program Plan, making the review and approval process a much easier task.

As a representative of the State Safety Oversight Community, I must reflect the needs and concerns expressed by my counterparts in other states, to share with this committee.

Our needs include a core curriculum of training directed to State Oversight program managers to improve skill levels, provide a transit safety foundation and offer guidance for administering the oversight program. FTA must continue to support the training made available from the Transportation Safety Institute or other qualified sources that reinforce the importance of safety and security in the rail transit industry.

Fatigue awareness has become an important issue within the State Oversight community. The hazard resolution process described in Part 659 does not easily lend itself to the corrective action process commonly used to address hazards. Some states have suggested that an Hour-of-Service requirement similar to other transportation modes may be a positive step toward relieving our concerns associated with fatigue. Missouri has an Hours-of- Service regulation for rail transit, which has been in place since 1993.

From my perspective, the State Safety Oversight Program is making a positive impact on rail transit safety. However, state programs need additional resources to keep pace with the expanding rail transit industry. I am encouraged by the new leadership demonstrated by FTA's Office of Safety and Security and by the improvements contained in Part 659.

The states and the State Safety Oversight community have accepted our responsibility and stand with the FTA in the effort to improve rail transit safety and security.

## **Supplemental Sheet**

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### Topical Outline

Presenter Background and Information  
Development of the Program  
Description of State Oversight Program  
State Safety Oversight Program Implementation  
Challenges for States Programs  
State Oversight Community Needs and Concerns  
Recommendations  
Closing Statements