

Statement of Grace Crunican
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U.S. Department of Transportation
Before the
Committee on Commerce, Science, and Transportation
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Good afternoon, Mr. Chairman and Members of the Committee. I am Grace Crunican, Deputy Administrator of the Federal Transit Administration (FTA). I am here on behalf of FTA Administrator Gordon Linton, who is unable to be here today because he is presiding with Secretary Peña over an FTA-sponsored conference on transit safety and security in the '90's.

Mr. Chairman, the tragic accidents in Secaucus, New Jersey, and Silver Spring, Maryland, are powerful reminders--especially for those of us with special commitments to and responsibilities for rail passenger transportation--that no matter how safe the record of this increasingly essential mode of transportation, we can never do enough to ensure the safety of the traveling public. Transportation professionals in both the public and private sectors must work continually to improve rail safety and so to prevent such accidents in the future. I join Administrator Molitoris in expressing our deep sorrow to the families and friends of those who lost their lives.

It may be helpful if I briefly outline FTA's role in commuter rail transportation. As you know, Mr. Chairman, FTA's primary mission and mandate is to assist State and local agencies in the development, planning and construction of improved systems of mass transportation. FTA provides both financial and technical assistance and

monitors the transit activities in all 50 states, Puerto Rico, the U.S. Virgin Islands, Guam and American Samoa.

The Federal Railroad Administration (FRA) under the leadership of Administrator Molitoris has the principal responsibility and authority for the safety oversight of our nation's passenger and commuter railroads. For subway systems, light rail and trolleys, which serve local communities, safety responsibility primarily lies with State and local authorities. These transit systems have compiled excellent safety records. Although FTA lacks regulatory authority over the day-to-day operations of its grantees, one of our strategic goals is to work with all transit grantees to maximize the security and safety of transit systems for all transit users. One of the things we focus on is preventive safety, meaning we work with our grantees to plan and construct systems that have design features and operational procedures that maximize safety.

One very important way we enhance safety is through our drug and alcohol rules which we published in February, 1994. Those rules require drug and alcohol testing of transit employees in safety-sensitive positions. Large transit systems began implementing these testing requirements on January 1, 1995 and small transit systems began implementation at the beginning of this calendar year.

While the safety of transit systems is primarily a local matter, Congress nevertheless wanted to ensure that each system had a safety plan. Rather than a "one size fits all" regulatory approach, Congress required FTA to set general requirements for State safety oversight. In the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Congress directed FTA to issue a rule requiring States to oversee the safety of rail fixed guideway systems that are not regulated by the Federal Railroad

Administration. The final rule, published in December 1995, requires States to establish an agency to oversee the safety of mass transit rail systems. Specifically, the rule requires each affected transit agency to create a system safety program plan, which the State oversight agency must review and approve. Additionally, the State oversight agency must also investigate accidents and hazardous conditions and require corrective actions for unacceptable hazardous conditions. If a State fails to meet these requirements or to make adequate effort to comply with them, FTA may withhold up to five percent of a fiscal year's apportionment under FTA's formula program for urbanized areas.

Finally, Mr. Chairman, FTA does have limited general investigative authority. The agency is authorized to investigate hazardous conditions in transit systems and to require development of corrective action plans. FTA has used this authority to investigate multiple or continuing safety problems within one system, as distinct from individual accidents.

Within the scope of our authority and the resources available to us, FTA has undertaken a number of significant initiatives to help transit operators provide operationally safe equipment and facilities, as well as personal security. For example, each year FTA provides training to over 5,000 transit professionals in areas such as accident investigations, system safety planning, transit emergency management, and transit system security. FTA also produces guidelines and models that can be used locally and funds research that demonstrates state-of-the-art safety and security technologies. Each month, the FTA Clearinghouse/Bulletin Board handles 700 requests for information and the FTA Safety and Management Information Statistics Program provides uniform and comprehensive data from over 500 transit agencies.

Administrator Molitoris described for the Committee the FRA's ongoing and most recent efforts to improve the safety of our nation's railroads, their employees and passengers whether they are intercity travelers or daily commuters. At the direction of the Secretary, we at the FTA will continue to work closely with the FRA and the commuter operators -- in meetings like the one held yesterday -- to ensure that the horrible tragedies so vividly present in all of our minds are never again repeated.

Mr. Chairman, the hearing today is both timely and significant. Let me assure you that the safety of those who work or utilize our nation's transportation system is of paramount importance to President Clinton and Secretary Peña. I thank you for this opportunity to appear before you on behalf of the Federal Transit Administration and will be pleased to answer any questions you may have.