

Regional Transportation Authority of Middle Tennessee (RTA) dba WeGo Public Transit
Safety Plan - Version 1

Revised July 2020

Safety Plan Version Activity Log

Version Number	Activity (Review/Update/Addendum/Ad option/Distribution)	Concerned Person (Signature)	Date Issued
1	Initial approved Agency Safety Plan	Rita Roberts-Turner	9/1/2020
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1. Transit Agency Information

Transit Agency Name	The Regional Transportation Authority (RTA) of Middle Tennessee dba WeGo Public Transit		
Transit Agency Address	430 Myatt Drive, Nashville, TN 37115		
Name and Title of Accountable Executive	Stephen G. Bland, Chief Executive Officer, Nashville Metropolitan Transit Authority (MTA) dba WeGo Public Transit The Accountable Executive meets the requirements in 49 CFR § 673.5 and §673.23(d)(1). Please see the Roles and Responsibilities of the Accountable Executive in Section 4-Safety Management Policy.		
Name of and Title of Chief Safety Officer	Rita Roberts-Turner, Chief Administrative Officer, Nashville Metropolitan Transit Authority (MTA) dba WeGo Public Transit The Chief Safety Officer meets the requirements of § 673.5 and §673.23(d)(2). Please see the Roles and Responsibilities of the Chief Safety Officer in Section 4-Safety Management Policy.		
Mode(s) of Service Covered by This Plan	Commuter Bus Vanpool	List All FTA Funding Types (e.g., 5307, 5310, 5311)	5307
Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)	Commuter Bus – contracted - Gray Line of Tennessee Vanpool – contracted - The Transportation Management Association Group (TMA Group)		
Does the agency provide transit services on behalf of another transit agency or entity?	NO	Description of Arrangement(s)	N/A
Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided	N/A		

History of the RTA

The Regional Transportation Authority (RTA) of Middle Tennessee was created by state statute in 1988 to plan and develop a regional transit system for the citizens of Middle Tennessee. The members of the RTA are Davidson, Dickson, Maury, Montgomery, Robertson, Rutherford, Sumner, Williamson and Wilson counties. The RTA's management team (MTA's managers) oversees the largest commuter vanpool program in the Southeast, facilitates thousands of carpools, and coordinates nine regional express bus routes and the area's first regional rail project.

When the Tennessee General Assembly created the RTA, it provided it with \$100,000 in initial start-up funding with no ongoing funding source. Past funding sources beyond the initial seed monies include Congestion Mitigation Air Quality (CMAQ) funds, federal grants and state and local matching funds. Grants are awarded based on need and merit of proposed projects. Most federal grants require matching money from either state or local governments (or both). It is sometimes difficult for the state and local entities to provide matching funds, and many times the issue is timing or competition for limited resources.

Legislation to provide an ongoing source of funding for the RTA via a dues system, which is consistent with the dues system currently in place for the Greater Nashville Regional Council (GNRC), was passed in May 2003 at the conclusion of the Tennessee legislative session. Cities and counties in the RTA service area may join the RTA board by paying dues based on population. This legislation has two distinct benefits. The first benefit is that dues can help provide for the overhead and administrative costs of the RTA such as salaries and office rental. Federal, state and local grant and matching money can be used towards projects instead of administrative and operational expenditures. The second benefit is to the members of the RTA. By paying dues, member governments voice their support of RTA initiatives. The dues structure opens membership opportunities to governments and communities that, based on the initial legislation, could not participate in the RTA in the past.

Part of the RTA's historical funding has come from the federal government, specifically from federal CMAQ funds. These funds are released each year with the approval of the federal budget. The federal fiscal year begins October 1; however, budgets are historically approved sometime after that date. Since the majority of RTA's funding comes from this source, RTA's funding is unpredictable, limited and sometimes inadequate.

Rideshare funding has traditionally come from federal CMAQ dollars. The Rideshare budget is used to support the administrative costs of staff members, all program marketing, supplies and contingencies.

RTA also has a Job Access and Reverse Commute Program (JARC). This program is part of a nationwide federal program designed to provide transportation to and from work for individuals in the Welfare-to-Work program and other economically disadvantaged people. The RTA was recently awarded a continuation grant for the JARC program. Partial matching funds have been secured from the City of Nashville/Davidson County, and the Tennessee Department of Transportation (TDOT). This funding allows the RTA to continue providing transportation services to Middle Tennesseans who desperately need them. The JARC Program administered by the RTA provides approximately 44,000 work-related rides annually.

RTA also provides bus transportation via its regional express bus service supported by cities, counties and TDOT. This weekday service provides transportation between downtown Nashville and Dickson, Montgomery, Robertson, Rutherford, Sumner and Williamson counties.

The RTA oversees the Music City Star regional commuter rail. The first segment of the regional rail connects Davidson and Wilson counties. The East Corridor utilizes a 32-mile section of track belonging to the Nashville & Eastern Railroad Authority. Tracks, signals and bridges were upgraded and replaced and various grade crossings have been improved. There are seven stations: Riverfront, Donelson, Hermitage, Mt. Juliet, Martha, Hamilton Springs, and Lebanon. Three trains provide weekday morning and evening service each peak period.

In December 2008, the Nashville Metropolitan Transit Authority (MTA) management team became the managers of the RTA's regional services.

Board of Directors

The RTA Board of Directors consists of mayors of the member cities and towns. The Board sets policies regarding the operation of the RTA. RTA management oversees the day-to-day operation of the RTA following the policies set by the Board.

RTA Board Members include representatives of the following counties:

- Davidson
- Dickson
- Maury
- Montgomery
- Robertson
- Rutherford
- Sumner
- Williamson
- Wilson

The Board also includes representatives of the Tennessee Department of Transportation and appointees of the Governor.

Services provided by the RTA

RTA operates 9 regional bus routes between downtown Nashville and the following counties: Davidson (*Belle Meade, Nashville, Goodlettsville*), Dickson (*Dickson City*), Maury (*Columbia*), Montgomery (*Clarksville*), Robertson (*Springfield*), Rutherford (*La Vergne, Murfreesboro, Smyrna*), Sumner (*Gallatin, Hendersonville, Portland, Westmoreland, White House*), Williamson (*Brentwood, Franklin, Spring Hill*), Wilson (*Lebanon, Mt. Juliet*), and some of them under contract by Gray Line of Tennessee. RTA works closely with the Nashville Metropolitan Transit Authority (MTA) dba WeGo Public Transit linking riders with 45 routes provided throughout Davidson County.

RTA's rideshare program organizes vanpools for commuters throughout Middle Tennessee under contract to The Transportation Management Association Group (TMA). The TMA Group provides

insurance, maintenance and repairs, as well as licenses and registrations for the vans. See attached contract in Appendix F.

The RTA also oversees the WeGo Star regional commuter rail, which receives FTA funding but operates under the safety regulatory authority of the Federal Railroad Administration (FRA) and has its own FRA approved safety plan. Per 49 CFR §673.11(f), the WeGo Star regional commuter rail is not included in this plan. The following routes are also overseen by RTA but operate under MTA: 84 (Murfreesboro), 86 (Smyrna/LaVergne), 87 (Gallatin), 88 (Dickson), 89 (Springfield/Joelton), 91 (Franklin), 92 (Hendersonville), 94 (Clarksville), 95 (Spring Hill), and 96 (Nashville/Murfreesboro) with two circular bus routes: 64 (Star Downtown Shuttle), 93 (Star West End Shuttle).

Agency Safety Plan and Safety Management System (SMS)

We developed this safety plan to comply with 49 CFR Part 673, the PTASP regulation. This plan also serves as an “SMS user’s manual” that guides us in the successful implementation and operation of our SMS.

The FTA defines SMS as:

“The formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency’s safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.”

Furthermore, SMS is 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.

Our SMS has four distinct components, which we address in subsequent sections of this safety plan:

- Safety management policy
- Safety risk management
- Safety assurance
- Safety promotion

2. Plan Development, Approval, and Updates

Name of Entity that Drafted this Plan	Regional Transportation Authority of Middle Tennessee (RTA) dba WeGo Public Transit	
Signature by the Accountable Executive	Signature of Accountable Executive	Date of Signature
Approval by the Board of Directors or an Equivalent Authority	Name of Entity that Approved	Date of Approval
	RTA of Middle Tennessee Board of Directors	
	Relevant Documentation (title and location)	
Certification of Compliance <i>(FTA Certs & Assurances through TrAMS)</i>	Name of Individual/Entity that Certified This Plan	Date of Certification
	Relevant Documentation (Title and Location)	

Annual Review and Update of the Agency Safety Plan
<p>This Safety Plan and its safety performance targets will be reviewed and updated by the Accountable Executive. The review process will begin in January of each year to coincide with the budget process and be completed by July 20 of each year.</p> <p>Specifically, RTA dba WeGo Public Transit will review its safety plan when it:</p> <ol style="list-style-type: none"> Determines its approach to mitigation safety deficiencies is ineffective; Makes signification changes to service delivery; Introduces new processes or procedures that may impact safety; Changes of re-prioritizing resources available to support SMS; Significantly changes its organizational structure, and/or; By July 20, annually, pursuant to 49 CFR Part 673.11(a)(5). <p>The Accountable Executive will approve any changes, sign the new ASP, and forward to the RTA of Middle Tennessee Board of Directors for final review and approval.</p>

3. Safety Performance Targets

Safety Performance Targets as Reported to the National Transit Database (NTD)							
The targets listed below are based on reviews of the previous five years of the RTA's safety performance data.							
Mode of Transit Service	Fatalities (total)	Fatalities (per 100 thousand VRM)	Injuries (total)	Injuries (per 100 thousand VRM)	Safety Events (total)	Safety Events (per 100 thousand VRM)	System Reliability (VRM / failures)
Commuter Bus – Contracted – Gray Line	0	0	0	0	1	.29	23,500
Vanpool – Contracted – The TMA Group	0	0	0	0	1	.21	N/A

Definitions

Reportable Event - A safety or security event occurring on transit right-of-way or infrastructure, at a transit revenue facility, at a maintenance facility, during a transit related maintenance activity, or involving a transit revenue vehicle.

Fatality - A death or suicide confirmed within 30 days of a reported event. Does not include deaths in or on transit property that are a result of illness or other natural causes.

Injury - Any damage or harm to persons as a result of an event that requires immediate medical attention away from the scene.

Safety Event - A collision, derailment, fire, hazardous material spill, act of nature (Act of God), evacuation, or other safety occurrence not otherwise classified occurring on transit right-of-way, resulting in injury requiring transport away from the scene for medical attention for one or more persons or an estimated property damage equaling to or exceeding \$25,000.

System Reliability Failure - Miles between major mechanical failures that prevents the revenue vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip because actual movement is limited or because of safety concerns.

Safety Performance Targets Sent To Metropolitan Planning Organization

The Accountable Executive shares the RTA’s safety performance targets with the Nashville Area Metropolitan Planning Organization each year after its formal adoption by the RTA Board of Directors. The Accountable Executive also provides a copy of the formally adopted Safety Plan to the Tennessee Department of Transportation (TDOT). WeGo Public Transit personnel are available to coordinate with TDOT and the MPO in the selection of TDOT and MPO safety performance targets upon request.

Targets Transmitted to the State	State Entity Name	Date Targets Transmitted
	Tennessee Department of Transportation	
Targets Transmitted to the Metropolitan Planning Organization(s)	Metropolitan Planning Organization Name	Date Targets Transmitted
	Nashville Area Metropolitan Planning Organization	

4. Safety Management Policy

SAFETY MANAGEMENT POLICY STATEMENT

Safety is a core value of the Regional Transportation Authority of Middle Tennessee, and ensuring the safety of our customers, employees, and the public is a core business function of the authority. The RTA is committed to developing, implementing, maintaining, and continuously improving processes. The RTA will use safety management processes to direct the prioritization of safety and allocate its organizational resources—people, processes, and technology—in balance with its other core business functions. The RTA aims to support a robust safety culture, and achieve the highest level of safety performance, meeting all established safety standards. All levels of management and all frontline employees are accountable for the delivery of the highest level of safety performance, starting with the Chief Executive Officer.

The RTA is committed to ensuring:

Executive Promotion of Safety: Executive Management will lead the development of an organizational culture that promotes safe operations and provides appropriate resources to supporting this core management function through fostering and ensuring safe practices, improving safety when needed, and encouraging effective employee safety reporting and communication. The RTA will hold executives, managers, and employees accountable for safety performance.

Communication & Training: Employee engagement is crucial to a functioning Safety Management System. Communication systems will be put in place to enable greater awareness of the RTA's safety objectives and safety performance targets as well as to provide ongoing safety communication up, down, and across the organization. All levels of management must proactively engage employees and work to keep the lines of safety communication honest and open. All employees will be made aware of the importance of the RTA's Safety Management System and trained in safety reporting procedures.

Responsibility & Accountability: All levels of management will be responsible for delivering safe and quality transit services that represent the RTA's performance of its Safety Management System. Managers will take an active role in the Safety Risk Management process and ensure that Safety Assurance functions are supported. Managers are responsible for ensuring that Safety Risk Management is being performed in their operational areas of control to assure that the safety risk associated with safety hazards is assessed and mitigated. Safety performance will be an important part of performance evaluations for managers and employees.

Responsibility of Employees & Contractors: All employees and contractors will support safety management by ensuring that hazards are identified and reported.

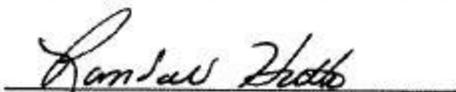
Employee Reporting: Executive management will establish a safety reporting program as a viable tool for employees to voice their safety concerns. All frontline employees will be responsible for utilizing this program as part of the Safety Management System. No action will be taken against any employee who communicates a safety condition through the safety reporting program unless such disclosure indicates the following: an illegal act, gross misconduct or negligence, or a deliberate or willful disregard of rules, policies, and procedures by the reporting employee.

Review & Evaluation: WeGo Public Transit will measure Safety Management System performance by analyzing key safety performance indicators, reviewing inspections, investigations and corrective action reports, and auditing the processes that support the Safety Management System. These activities will become the basis for revising or developing safety objectives, safety performance targets and plans with the goal of continuous safety improvement.

Adopted:

4/15/2020
Date


Stephen G. Bland, Chief Executive Officer


Randall Hutto, RTA Board Chair

Safety Management Policy Communication

The MTA's Chief Safety Officer is responsible for communicating the Safety Management Policy Statement (SMPS) to all internal and contractor employees. We communicate the SMPS through a combination of posting on notice boards and the intranet, and distribution at safety meetings, training sessions, and emails.

Authorities, Accountabilities, and Responsibilities

Roles and Responsibilities of the Accountable Executive

Our Accountable Executive has ultimate responsibility for carrying out the Agency Safety Plan. The Accountable Executive has control or direction over the human and capital resources needed to develop and maintain this Agency Safety Plan.

The Accountable Executive is accountable for ensuring that the SMS is effectively implemented, and that SMS substandard safety performance is addressed. The Accountable Executive is responsible for signing SMS implementation planning documents and endorsing SMS implementation team membership.

The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for the RTA's safety performance cannot be delegated and always rests with the Accountable Executive.

The Accountable Executive's roles include, but are not necessarily limited to:

- Decision-making about human and capital resources needed to support asset management, SMS activities, and capital investments;
- Maintaining the Transit Asset Management (TAM) Plan;
- Signing SMS implementation planning documents, and ensuring that SMS is effectively implemented throughout our public transportation system;
- Ensuring action is taken to address substandard performance in our SMS;
- Endorsing SMS implementation team membership, and;
- Other duties as assigned/necessary.

Roles and Responsibilities of the Chief Safety Officer – MTA dba WeGo Public Transit

The CSO has the authority and responsibility for developing, implementing, and operating the SMS. The CSO reports directly to the Accountable Executive for matters involving SMS.

The CSO's roles include, but are not necessarily limited to:

- developing and maintaining SMS documentation;
- directing hazard identification and safety risk assessment;
- monitoring safety risk mitigation activities;
- providing periodic reports on safety performance;
- briefing the Accountable Executive on SMS implementation progress;
- planning safety management training, and;
- Other duties as assigned/necessary

Agency Leadership and Executive Management Roles – MTA dba WeGo Public Transit

Members of WeGo Public Transit's leadership have authorities and responsibilities for the day-to-day implementation and operation of the SMS.

Agency Leadership and Executive Management include:

- Chief Administrative Officer

- Chief Financial Officer
- Chief Operating Officer
- Chief Engineer
- Director of Planning and Grants
- Director of Marketing and Communications
- Director of Customer Care
- Director of Service Quality

Agency Leadership and Executive Management are responsible for the following accountabilities and responsibilities of this plan. Roles include, but are not necessarily limited to:

- Implementation and operation of our SMS, within the functions in which they have responsibility;
- Provide input into the allocation of resources within the functions in which they have the responsibility to accomplish the goals and objectives of the agency safety plan;
- Accountable for oversight, day-to-day operations, and maintaining compliance with the agency safety plan, within the functions in which they have responsibility; and
- Modify policies consistent with the implementation of the agency safety plan.

Key Staff Roles – MTA dba WeGo Public Transit

Key staff within WeGo Public Transit have the following SMS accountabilities and responsibilities of this plan. Its roles include, but are not necessarily limited to:

- Assisting the CSO in developing, implementing, and operating the SMS. Based on responsibilities and expertise, the key staff assists in hazard identification, safety risk assessment, safety risk mitigation, safety performance monitoring, safety performance measurement, safety training, and safety communication activities.
- Key staff plays a significant role as subject matter experts in hazard identification, safety risk assessment, safety risk mitigation, and safety performance monitoring activities.
- Key staff functions that bring experience and expertise to bear on SMS activities include:
 - Human Resource Manager
 - Security Manager
 - Director of Training
 - Safety Staff
 - Director of Maintenance
 - Manager of Vehicle Maintenance
 - Director of Operations
 - Facility Maintenance Manager
 - Transit Stop Manager
 - Senior Transit Planner
 - Access Ride Manager
 - Supervisors
 - Dispatchers
 - Bus Operators
 - Vehicle Mechanics, and
 - Other skilled professionals as needed.

- The Safety Committee consists of representation from management and the agency’s safety, security, HR, training, Finance, and Operations departments as well as the third-party administrator for worker’s compensation and insurance. The Committee meets monthly to review and discuss claims data, trends in workplace injuries, facility safety inspection reports, and general injury causal analysis data. The Committee is responsible for identifying safety risk factors for the agency and developing long and short-term results-oriented solutions. The Committee’s focus continues to evolve from merely employee safety to include customer safety.
- Operator Meetings: A permanent agenda item at all operator meetings is dedicated to safety. Safety issues are discussed and documented.
- Site Safety Council: The Council is the driving force for ensuring that reported safety issues, concerns, or conditions are appropriately addressed, and the originator of the report is notified of requisite action.
- Event Review Team: The team is a collection of subject matter experts representing various parts of the organization that convene post-safety events when investigation deems disciplinary action is necessary.

Roles and Responsibilities of the Chief Safety Officer – Gray Line of Tennessee

Gray Line of Tennessee has a CSO appointed by the Accountable Executive. The roles and responsibilities of the CSO have been identified and documented. This information was provided to the RTA, and this documentation is on file in the WeGo Public Transit CSO’s office.

Agency Leadership and Executive Management Roles – Gray Line of Tennessee

Gray Line of Tennessee has identified and documented all the SMS-related organizational accountabilities and responsibilities of agency leadership and executive management. This information was provided to the RTA, and this documentation is on file in the WeGo Public Transit CSO’s office.

Key Staff Roles – Gray Line of Tennessee

Gray Line of Tennessee has identified and documented all the SMS-related organizational accountabilities and responsibilities of key staff roles. This information was provided to the RTA, and this documentation is on file in the WeGo Public Transit CSO’s office.

Employee Safety Reporting Program

We have established and implemented a formal safety reporting program that allows MTA dba WeGo Public Transit employees and Gray Line contractor employees to voluntarily report any safety issues, conditions, or concerns they may see during their day-to-day delivery of transit services. This voluntary safety reporting program is separate from our mandatory reporting requirements for accidents and incidents.

The employee safety reporting program (ESRP) provides protections for employees who report safety issues, concerns, or conditions. It ensures that discipline will not be applied, and employees have protection against reprisal or any other adverse action for reporting a safety issue, concern, or condition.

The ESRP also describes employee behaviors that are not protected under the program and may result in disciplinary action, such as an employee engaged in an illegal act, committed gross negligence, or deliberately or willfully disregarded regulations or procedures. Employees who report safety issues, concerns, and conditions are also generally protected under Occupational Safety and Health Administration whistleblower protections.

The ESRP clarifies:

- What to report, what not to report, and how to report;
- What managers should do when employees report safety concerns;
- How reports are documented; and
- How employees will receive feedback about the results of their reports.

The reporting system is simple to use and available to all MTA dba WeGo Public Transit and Gray Line contractor personnel. Our ESRP addresses the following:

- Who is responsible for developing and managing the employee safety reporting program;
- Timely response to employee safety reports.
- How the agency provides feedback to employees on the action(s) taken to address the reported safety issue, condition, or concern;
- Investigation of reported safety issues, conditions, or concerns for causal or contributing factors.
- How the transit system documents and reviews safety issues, conditions, or concerns to determine if a hazard exists; and
- If the issue is determined to be a hazard, how the hazard is entered into the safety risk management process.

We are committed to providing feedback to internal and contractor employees who report a safety issue, condition, or concern. This feedback is provided either directly in a one-on-one conversation or through the safety meeting platform. The feedback addresses what, if any action, will be taken to address the reported safety issue, condition, or concern. There are many ways employees can report safety conditions:

- Report conditions directly to the dispatcher, who will add them to the daily Operations log.
- Report conditions directly to any supervisor, manager, or director.
- Report conditions anonymously via our reporting website:
<https://trackitnearmiss.com/425873878938147351811183-2/>
- Report conditions using their name or anonymously to MTA.Safety@nashville.gov
- Report conditions via our safety hotline: 615-862-4666

Our ESRP includes the availability of a short, one-page safety reporting document for employees to fill out or supervisors to fill out if an employee reports a safety issue, condition, or concern verbally. Dispatchers/radio operators keep a hazard log to record issues, conditions, or concerns reported via radio by bus operators.

We have also established an employee hotline that internal and contractor employees can use to leave a recorded message about safety issues, conditions, or concerns they may have. We monitor the hotline daily and document reported safety issues, concerns, or conditions for analysis.

More detailed documentation of the ESRP is on file in the CSO's office. We ensured that a description of the ESRP was provided to all current MTA dba WeGo Public Transit and Gray Line contractor employees during orientations on employee safety reporting. New WeGo Public Transit and contractor employees receive information on the ESRP during new-hire orientation.

5. Safety Risk Management

WeGo Public Transit and Gray Line use SRM processes as a primary method to ensure the safety of operations, passengers, employees, vehicles, and facilities. It is a process wherein hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to transit leadership. Our SRM processes allow us to carefully examine what could cause harm, determine whether we have taken sufficient precautions to minimize the harm, or if further mitigations are necessary.

The SRM process applies to all elements of commuter and fixed-route bus, including operations, maintenance, facilities, vehicles, personnel recruitment, employee training, supervision, and other functions as appropriate.

Overall, our SRM process includes the following steps that are carried out under the guidance of the CSOs, with input from appropriate subject matter experts:

- Identify hazards
- Identify the potential consequences of each hazard
- Evaluate consequences in terms of probability and severity
- Prioritize risk using our formal risk matrix
- Communicate prioritized risk to the Accountable Executive
- Based on the Accountable Executive's approval, create safety risk mitigations to eliminate or reduce the effects of hazards.
- Implement the mitigation
- Create a strategy for monitoring mitigation effectiveness

In carrying out the SRM process, we use the following terms:

- **Safety event** – Any accident, incident, or occurrence.
- **Hazard** – Any real or potential condition that can cause injury, illness, death, damage to/loss of facilities, equipment, rolling stock, or infrastructure belonging to WeGo Public Transit, or damage to the environment.
- **Risk** – Composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** – Method(s) to eliminate or reduce the effects of hazards.
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to WeGo Public Transit property or the environment.

Safety Hazard Identification – RTA dba WeGo Public Transit

All subsequent safety risk management activities are contingent on effectively identifying sources for hazard identification, and the processes to obtain information on hazards.

We developed methods and processes to identify hazards and consequences of the hazards. As sources for hazard identification, we consider data and information provided by our Board of Directors, the FTA, and TDOT. We also consider the results of its asset condition assessments when performing safety hazard identification activities through our SMS. The results of the condition assessments and safety risk

management activities help inform our determination on whether an asset meets the state of good repair standards under 49 CFR Part 625.

The CSO is responsible for overseeing WeGo Public Transit's hazard identification process. Safety Staff are responsible for facilitating and documenting identified hazards and ensuring that subject matter experts identify the potential consequences of those hazards. Information related to hazard identification and consequence determination is stored in our Safety Risk Assessment Register, where we document all identified hazards and the subsequent activities related to addressing those hazards.

The safety hazard identification process helps us identify hazards and potential consequences in the operation and maintenance of our system. We identify hazards through a variety of sources, including:

- Our employee safety reporting program;
- Contractor safety reporting;
- Review of vehicle camera footage;
- Reviews of monthly performance data and safety performance targets;
- Observations by and reports from supervisors;
- Reports from Dispatchers, radio operators, and trainers;
- Pre- and post-trip vehicle maintenance reports;
- Maintenance reports;
- Comments from customers, passengers, and third parties;
- Reviews of information concerning bus operator assaults;
- Safety Committee and Safety Meetings;
- Results of audits and inspections of vehicles and facilities;
- Results of training assessments;
- Results of internal safety audits;
- Investigations into safety events, incidents, and occurrences;
- City and County road condition reports;
- TDOT fleet inspections and audits; and
- FTA and other oversight authority agencies.

Safety Staff enter hazards into the Safety Risk Register as a result of reviews of our operations and maintenance, results of audits and observations, and information received from FTA and other oversight authorities, including the National Transportation Safety Board.

Safety Staff may conduct further analysis of hazards and consequences entered into the Safety Risk Register to collect information, identify additional consequences, and to inform management which hazards should be prioritized for safety risk assessment. In following up on identified hazards, Safety Staff may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assess the possible hazardous condition/s, generate visual documentation (photographs and/or video), and take any measurements that are deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;

- Review any documentation associated with the hazard (such as records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any previously reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM process for safety risk assessment and mitigation. This signifies the CSO's belief that immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment.

We involve subject matter experts in our safety hazard identification processes by matching the experience and expertise of the individual(s) with the type of hazard to be analyzed. For example, if the hazard is operations related, then the primary subject matter experts will be from operations; if the hazard is vehicle maintenance related, that type of hazard requires vehicle maintenance expertise and skills.

Determination of the potential consequences of hazards drives our safety risk assessment activities. Hazards in and of themselves do not cause damage. It is the consequences of hazards that cause injuries and death, destroy property, harm the environment, or impair the ability of a transit provider to deliver transit services. Our subject matter experts identify the potential consequences of hazards, keeping in mind that a single hazard could have many potential consequences. Each potential consequence is identified and recorded.

The Safety Office is responsible for documenting hazards and their potential consequences, and the CSO is responsible for ensuring this documentation is occurring. Documentation is stored in the Safety Office.

Safety Hazard Identification – Gray Line of Tennessee

The RTA has ensured that Gray Line has provided a list of the sources it uses for identifying hazards. Additionally, the RTA has ensured that Gray Line submitted descriptions of its methodologies and mechanisms it uses for recording safety issues and concerns.

Gray Line has also provided descriptions of its processes for reacting to an identified safety concern or issue that requires immediate attention, as well as the processes it uses for determining the potential consequences of identified hazards.

This documentation is on file in the WeGo Public Transit CSO's office.

WeGo Public Transit's Safety Staff periodically ensures that Gray Line's hazard identification activities are consistent with the hazard identification processes that Gray Line submitted to the RTA. Documentation of this activity is on file in the WeGo Public Transit's Safety Office.

Safety Risk Assessment – RTA dba WeGo Public Transit

We established processes to assess the safety risk associated with identified safety hazards. These safety risk assessment processes include an assessment of the likelihood and severity of the consequences of the hazards, including existing mitigations and prioritization of the hazards, based on the safety risk.

Assessing the likelihood and severity of hazard consequences is the first step in prioritizing safety risk. We established procedures for assessing the safety risk of the consequences of identified safety hazards and prioritizing the hazards based on this safety risk. We assess safety risk in terms of likelihood (the probability of a consequence occurring) and severity (the seriousness of a consequence, if it does occur). A color-coded safety risk index provides a rating system to use with a safety risk assessment matrix to prioritize safety risk. The safety risk assessment matrix helps us determine the probability and severity of consequences and allows for prioritization of safety risk. We present our safety risk assessment risk matrix in Appendix E.

We choose subject matter experts to involve in safety risk assessment by matching the experience and expertise of subject matter experts with the type of hazard under assessment. This assessment is carried out under the guidance of Safety Office using the aforementioned safety risk assessment matrix.

Safety risk prioritization is linked to safety risk mitigation creation. Prioritizing our safety risk provides the Accountable Executive with the information needed to make decisions about resource application. It helps us apply our limited time, financial, and human resources to the highest priority transit safety risk.

The Accountable Executive, with input from the CSO, is the ultimate decision-maker on applying resources to mitigate high priority transit safety risk. Therefore, high priority transit safety risks are communicated to the Accountable Executive. We defined and documented this process and the criteria for when high priority transit safety risks need to be elevated to the Accountable Executive. Responsibility for communicating high priority safety risk to the Accountable Executive resides with the CSO.

Safety Risk Assessment – Gray Line of Tennessee

Gray Line provided descriptions of how it elevates safety risk assessment information to Gray Line's executive level and how it gains approval for moving forward with creating safety risk mitigations. Gray Line also provided descriptions of its methodologies for documenting safety risk assessment activities and the results of those activities. All this documentation is on file in the WeGo Public Transit CSO's office.

WeGo Public Transit's Safety Staff periodically ensures that Gray Line's safety risk assessment activities are consistent with the processes that Gray Line submitted to the RTA. Documentation of this activity is on file in the WeGo Public Transit's Safety Office.

Safety Risk Mitigation – RTA dba WeGo Public Transit

Developing safety risk mitigations to proactively reduce our safety risk is the culmination of the safety risk management process. We established processes to identify mitigations or strategies to address the results of our safety risk assessment activities. These activities help us reduce the likelihood and severity of the consequences of identified hazards. The Safety Office is responsible for guiding and overseeing the subject matter experts during the risk mitigation process. The CSO reviews any safety risk mitigations requiring additional resources or changes in agency policy and presents them to the Accountable Executive for approval.

We established procedural steps for creating safety risk mitigations to address the potential consequences of our prioritized risk. The steps include how we determine when safety risk mitigation is necessary, and the job function(s) or position(s) that is responsible for creating mitigations. Within these procedural steps, we reference any forms to create mitigations and describe how we record the results of this activity and where these recorded results are stored or maintained. We understand that the goal of mitigation is to reduce assessed safety risk to an acceptable level. It is unrealistic that our agency can assume that it will be able to completely eliminate all safety risk.

WeGo Public Transit's safety risk mitigation steps include:

- Examining the consequences of hazards and their probability and severity
- Develop strategies to reduce the probability and/or severity of those consequences
- Ensure the strategy can be realistically implemented with available resources
- Turn the strategy into a mitigation plan
- Put the mitigation plan into place
- Create a plan for monitoring the effectiveness of the mitigation

After creating a safety risk mitigation, subject matter experts under the guidance of the Safety Office develop and document a strategy for implementing the mitigation. These implementation strategies include:

- who is responsible for implementing the mitigation;
- where the mitigation will reside within agency activities;
- how the mitigation will be implemented, and;
- how long implementation should take.

We need to know that our mitigations are working. When we develop a mitigation, we also define and document the way the mitigation will positively impact safety performance so we can then monitor whether that positive impact is taking place, and if the mitigation is effective. Under the guidance of the Safety Office, the subject matter experts involved in creating a safety risk mitigation also decide on the best ways to monitor the effectiveness of the mitigation being implemented. This includes developing and documenting monitoring strategies. We create strategies for monitoring the effectiveness of mitigations. These strategies provide consistency in monitoring activities regardless of whether the mitigation is implemented in operations, maintenance, or administration.

We understand that successful mitigation implementation and monitoring activities depend on having a process for how we will formally communicate mitigation and monitoring strategies to operations,

maintenance, or administration staff who will implement and monitor the mitigations. The Accountable Executive and CSO review risk mitigation methods to mitigate or eliminate safety risk associated with specific hazards as recommended by the Safety Committee. Those methods are placed in the Safety Risk Register and made available upon request.

Strong documentation of safety risk mitigations feeds safety performance monitoring. We established and documented how we record all of our various safety risk mitigation activities and their outcomes. Within this process, we reference any forms that we use during safety risk mitigation activities and where the completed records of safety risk mitigation activities are stored.

Safety Risk Mitigation – Gray Line of Tennessee

Gray Line provided the RTA with descriptions of its processes for creating safety risk mitigations and developing strategies to implement the mitigations, as well as its processes for developing strategies to monitor the effectiveness of its mitigations and recording safety risk mitigation activities. All this documentation is on file in the WeGo Public Transit CSO's office.

WeGo Public Transit's Safety Staff periodically ensures that Gray Line's safety risk mitigation activities are consistent with the processes that Gray Line submitted to the RTA. Documentation of this activity is on file in the WeGo Public Transit's Safety Office.

Safety Risk Management Documentation

The documented SRM processes for hazard identification, safety risk assessment, and safety risk mitigation are on file in the CSO's office. The Safety Office maintains the documentation of the results of the SRM activities that we carry out.

6. Safety Assurance

WeGo Public Transit and Gray Line of Tennessee have processes in place to:

- Monitor operations for compliance with and sufficiency of our policies and procedures;
- Monitor vehicle maintenance to ensure that performed maintenance is consistent with safely meeting our operational requirements and maintenance activities are compliant with all regulatory requirements, policies, and procedures,
- Monitor operations and vehicle maintenance functions to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended; and
- Conduct investigations of safety events to identify causal factors.

Safety Performance Monitoring and Measurement – RTA dba WeGo Public Transit

We have many processes in place to monitor the fixed-route bus service delivery for compliance with operations and maintenance procedures, including:

- Safety audits;
- Informal inspections;
- Regular review of on-board camera footage to assess drivers and specific incidents;
- Safety surveys;
- Investigation of safety occurrences;
- Safety review prior to the launch or modification of any facet of service;
- Daily data gathering and monitoring of data relating to the delivery of service, and;
- Regular vehicle inspections and preventative and corrective maintenance assessments.

Internal reviews are performed to ensure that we are in compliance with external regulatory requirements and our internal policies and procedures for service delivery. The major issues and activities involved in performing the internal safety review include:

- Examination of documentation
- Analysis of safety data and information
- Observation of equipment, facilities and in-process tasks
- Evaluation of system operations and policies and procedures
- Interviews with management and relevant staff
- Examination of maintenance procedures and recall information

Examples of documentation we review include the Agency Safety Plan, Standard Operating Procedures, Emergency Procedures, the Hazardous Materials Management Plan, Administrative Procedures, the Rule Book, and Safety Rules.

TDOT also conducts external reviews/audits.

Results from the above processes are compared against recent performance trends to determine where corrective actions need to occur. Any identified non-compliant or ineffective activities, including any resulting mitigations, are put back through the SRM process for reevaluation.

Operations Monitoring

Operations management and supervision, Safety Staff, and Training Staff are responsible for ensuring and documenting the compliance of and sufficiency with fixed-route bus service delivery operations policies and procedures. We have checklists and forms that we use to drive and document our operations monitoring activities. This documentation is stored within our safety performance monitoring files located in the Safety Office.

The operational areas that we monitor for compliance with policies and procedures include but are not limited to:

- Bus operator pre-trip inspections;
- Bus operator behind the wheel performance;
- Bus operator passenger assistance;
- Bus operator emergency response, and;
- Operation Supervisor and Dispatch activities.

When our monitoring activities determine a lack of compliance with operations policies and procedures or inadequacies of those policies and procedures, we then use this information to feed our hazard identification and safety risk assessment process.

Within these documented processes, we describe:

- the job functions responsible for the different areas of field observations;
- how it will record the results of field observations;
- where these records are stored, and;
- how it will address hazards or safety issues identified during field observations.

We have documented emergency procedure checklists that supervisors and dispatchers can readily access to help direct their response to bus operators who may experience an emergency during revenue service. These procedures include, but are not limited to:

- Severe weather (snow or flooding)
- Traffic accidents
- On-board smoke or fire
- Collisions
- Passenger injury or illness (use of bodily fluids kit)
- Improper or dangerous conduct by a passenger
- Theft of property
- Accident/Incident Procedures
- Suspicious Packages

Vehicle Maintenance Monitoring and Defect Reporting

We monitor the following areas within our vehicle maintenance function and document all monitoring activities and their results:

- Adherence to preventive maintenance schedules;
- Effectiveness of corrective maintenance activities, and;
- Maintenance-related vehicle road calls
- Safety defect reporting process

The Vehicle Maintenance Manager regularly:

- monitors compliance with the preventive maintenance schedule,
- reviews defect cards and work orders related to corrective maintenance activities, and
- reviews road call activities, including the thirty-day history of maintenance performed on vehicles that have had road calls.

Maintenance Supervisors regularly monitor and document mechanic preventive and corrective maintenance performance. We use this information to drive mechanic coaching, training, and discipline.

We employ a contractor that performs maintenance audits on all vehicles of each fleet type and provides Maintenance Management with a list of defects it finds. These audits provide ongoing information that drives the improvement of maintenance practices.

Vehicle Safety Defect Reporting: Operators complete pre- and post-trip vehicle inspections using an approved WeGo inspection log to report safety or mechanical defects and turn the completed forms into Dispatch. If a safety or vehicle defect is reported on these forms, radio room personnel contact the Maintenance Department, and the vehicle is checked and repaired or placed out of service. All other defect reports are placed in the Maintenance Vehicle Field Report mailbox for review. Maintenance staff collects the form and creates a work order in the Asset Works Fleet Management program. The work order is assigned to a mechanic, and necessary repairs are completed. Details are entered into the Asset Works program, and all related documentation is placed in the vehicle's file. The pre/post-trip form and pre-post trip book are signed off by the mechanic and faxed back to Dispatch. The vehicle is then returned to service.

Facility, Shop, and Hazardous Materials (HAZMAT) Safety Inspections

The Chief Engineer is responsible for ensuring safety inspections of facilities. Facility safety inspections are performed monthly and documented on a checklist. Facility Maintenance Staff ensure any identified conditions are addressed.

Rail stations serve as bus transfer centers and are inspected quarterly. These inspections are documented, and conditions that need to be addressed are resolved.

Bus stop maintenance is the responsibility of the Chief Engineer and the Transit Stop Manager. Bus stop maintenance includes trash removal, cleaning, and general safety inspections. These inspections are documented, and conditions that need to be addressed are resolved.

All WeGo Public Transit facility maintenance documentation is kept on file in the Chief Engineer's office.

Maintenance Management and the Safety Office carry out shop safety inspections. Inspections are conducted monthly, and documented records are stored in the Safety Office.

We perform periodic HAZMAT inspections that include reviewing Safety Data Sheets, HAZMAT container labeling, and availability of HAZMAT response equipment, such as eye-wash stations. These inspections also include reviewing employee response procedures for HAZMAT release, including "Right to Know"

training on self-protection from HAZMAT release and HAZMAT disposal procedures. Inspections are documented and on file in the Safety Office.

Fire Hazard and Fire Extinguisher Inspections

External experts conduct periodic fire hazard inspections on all WeGo Public Transit facilities. The transit agency ensures any identified fire hazards are addressed.

External experts annually inspect and charge all fire extinguishers mounted throughout WeGo Public Transit facilities.

Fire hazard and fire extinguisher inspection documentation is on file in the Chief Engineer's office.

Our mechanics regularly inspect the functionality of on-board fire extinguishers on all transit vehicles and replace extinguishers as needed.

Field Observations of Service Delivery

We documented our processes for conducting field observations of safety-related aspects of the following elements of service delivery:

- bus stops;
- bus transfer locations;
- fixed-route schedules and service delivery;

The CSO has overall responsibility for ensuring that this monitoring is carried out and documented. The actual monitoring is carried out jointly by Transit Planners, Operations Supervisors, and Safety Staff. If deficiencies are noted during the monitoring process, they are addressed through our safety risk management processes. Transit Planners, Operations Management, and Safety Staff are involved in determining the changes to make if monitoring activities determine the need for route, schedule, bus stop, or transfer location changes.

Documentation of all service delivery changes is on file in the office of the Director of Planning and Grants.

Risk Mitigation Monitoring

The CSO is ultimately responsible for monitoring operations to identify any safety risk mitigations that may be ineffective, inappropriate, or not implemented as intended. The actual field monitoring of the mitigations is often carried out by subject matter experts, including those that assisted in the creation of the mitigation of the SRM process.

We document how we carry out these monitoring strategies to periodically assess the effectiveness of safety risk mitigations.

Activities to monitor the effectiveness of safety risk mitigations ultimately assist us in determining whether:

- the existing mitigation is working as desired;

- the existing mitigation needs some modification to work as desired;
- the existing mitigation is not working and needs to be replaced, or;
- the existing mitigation is no longer needed.

The results of mitigation monitoring activities are made available for further safety risk management activity if needed. Mitigation monitoring documentation is stored in the Safety Office.

Safety Event Investigation

Operations Management and the Safety Office share responsibility for our safety event investigation process. Actual performance of safety event investigations, including identifying causal factors, involve not only Operations Management and the Safety Office but also subject matter experts, as appropriate, from across the agency. Local law enforcement responds to accident scenes, as well.

Safety event records provide critical baseline information to support SMS implementation, operation, and safety performance target achievement.

We have documented procedures for safety event investigation, as well as forms consistent with industry standards for documenting the results of safety events and subsequent investigations. Safety event documentation is on file in the Safety office.

On-Route Safety Issue Reporting Procedures: All safety events are reported by the operator to the radio operator via two-way radio communication. Radio operator will advise the driver if an incident report must be completed and/or refer the issue to Operations and/or the Safety Office if necessary. If an incident or accident occurs, the operator or reporting staff will complete the incident or accident report packet and turn into Dispatch. Safety event report packets are placed in the Operation and Safety Staff mailboxes for review. The Operations Managers or Safety Staff will make a determination of whether a retraining form must be completed and distributed to the Training Department as necessary for follow up.

Operations Supervisors and Safety Staff investigate all accidents. When assuming the new role of Operations Supervisor or Safety Staff, accident/incident investigation training is required. That training consists of the correct processes and procedures to complete a thorough investigation as well as the proper use of specific forms. That training is logged in our completed training database. They review accidents against NTD reporting criteria for causes and contributing factors. Operators are interviewed, and a full investigation report filed. The Safety Office classifies all accidents regarding preventability and re-training. The Safety Office also makes recommendations for termination of employment for preventable accidents based on specific circumstances. Necessary disciplinary actions and re-training are conducted in a timely manner.

Full investigation reports with photos and video are distributed to the Insurance Company. The Safety Office maintains an accident/incident file on all employees. All preventable accident/incident information, including disciplinary action, is also sent to Human Resources for placement in employee personnel files.

Analysis of accidents requires the Chief Operating Officer's review and signature upon completion of establishing cost of repairs, confirmation of personal injury, and determination of lost workdays.

All safety event investigation reports are filed by date and case number and retained as required within the Safety Office.

We take the process a step further and perform causal analysis of safety events to help determine if latent organizational factors, beyond individual employee behavior, may have contributed to an event. We document the results of causal analysis on a causal analysis form. Records of the results of the analysis are kept in the CSO's office.

Results of this analysis for causal factors provide potential hazard identification information that may need to be put through our safety risk management process to reduce the potential risk of recurrence of a similar accident or incident.

Monitoring the Employee Safety Reporting Program

An effective ESRP supports hazard identification. The CSO has ultimate responsibility for monitoring our ESRP.

We documented the activities we use on an ongoing basis to monitor whether our ESRP is effective and achieving desired outcomes. Within this process, we established criteria that we use to help us determine if the program is performing as desired. Some of the criteria include:

- the volume of reports received,
- the value of reports received,
- response to reports received in terms of hazard identification risk assessment and risk mitigation,
- how information gathered from the ESRP is shared and communicated, and
- the timeliness and accuracy of feedback provided to employees who have reported a safety issue, concern, or condition.

Documentation of all aspects of safety reporting program monitoring is stored in the CSO's office.

Safety Performance Measurement

The RTA is committed to periodically measure its safety performance. This measurement includes safety performance indicators to measure the achievement of its safety performance targets and also how well it addresses safety risk within every aspect of service delivery. Documentation of RTA's periodic performance measurement results is on file in the WeGo Public Transit CSO's office.

Safety Performance Monitoring and Measurement – Gray Line of Tennessee

Gray Line has documented its policies and procedures for monitoring the following:

- Operations of its commuter bus service, including
 - Bus operator pre-trip inspections
 - Bus operator behind-the-wheel performance

- Bus operator passenger assistance
- Bus operator emergency response
- Operations Supervisor and Dispatcher activities
- Commuter bus vehicle maintenance, including
 - Adherence to preventive maintenance schedules
 - Effectiveness of corrective maintenance activities
 - Maintenance-related vehicle road calls
 - Safety defect reporting processes
 - On-vehicle fire extinguisher inspections
- Field observations of the safety of the following commuter bus service delivery elements:
 - Bus stops
 - Bus transfer locations
 - Fixed route schedules
 - On-time performance
- Safety risk mitigations related to commuter bus service delivery, including the following:
 - If the existing mitigation is working as desired
 - If the existing mitigation needs some modification to work as desired
 - If the existing mitigation is not working and needs to be replaced
 - If the existing mitigation is no longer needed
- Commuter bus safety event investigations, including the following:
 - Event reporting and documentation
 - Event investigations and documentation
 - Determining whether a safety event is preventable/non-preventable and discipline is required
 - Performing causal analysis of all events to determine latent organizational factors
 - Using the results of causal analysis to reduce potential risk of reoccurrence of events

Gray Line has documented all of the above performance monitoring processes and procedures and submitted them to the RTA. This documentation is on file in the WeGo Public Transit CSO's office.

WeGo Public Transit's Safety Staff periodically ensures that Gray Line's safety performance monitoring and measurement activities are consistent with the processes that Gray Line submitted to the RTA. Documentation of this activity is on file in the WeGo Public Transit's Safety Office.

Management of Change

The RTA experiences change due to expansion and contraction of service delivery, as well as changes to existing systems, equipment, policies, programs, services, and regulations. Hazards may inadvertently be introduced into service delivery whenever change occurs. Existing baseline safety risk mitigation processes may also be impacted. Safety management practices require the hazards resulting from change be systematically identified, and strategies to manage the consequential safety risk be developed, implemented, and subsequently evaluated. Sound management of safety risks associated with change is a critical requirement of the SMS.

We implemented a procedure that establishes a process to ensure notification and review of proposed changes. We will not make changes to service delivery before first determining how the change might affect it. The proposed modification will be evaluated for its potential to create additional hazards or reduce the effectiveness of existing mitigations.

The WeGo Public Transit Chief Operating Officer and CSO are jointly responsible for the management of change process. Subject matter experts from up, down, and across WeGo Public Transit and Gray Line are involved in supporting the management of change process.

Documentation of the management of change process and activities are on file in the WeGo Public Transit CSO's office. The process describes the following:

- How to identify changes from internal sources
- How to identify changes from external sources
- Consideration for managing unplanned changes in the operating environment
- How to assess changes
- The use of the SRM process to evaluate the risk of proposed changes
- Recordkeeping and documentation of management of change activities
- The role of all service delivery support functions in the management of change process

Continuous Improvement

We monitor and assess the effectiveness of the RTA's SMS processes to enable continuous improvement of the overall performance of the SMS. We established multiple processes to assess RTA's safety performance and facilitate continuous improvement. Through the continuous improvement process, we develop and carry out plans to identify safety deficiencies by:

- Prioritizing identified deficiencies
- Creating strategic initiatives to overcome those deficiencies
- Reevaluating progress on our improvement measures through our overall SMS

The WeGo Public Transit CSO, supported by WeGo and Gray Line Safety Staff and both agency's service delivery related functions, has responsibility for the RTA continuous improvement process. The WeGo Safety Office, with input from appropriate WeGo and Gray Line subject matter experts, is responsible for developing plans to address identified safety performance deficiencies.

Appropriate subject matter experts are involved in the safety performance assessment process designed to identify safety performance deficiencies and mitigate those deficiencies.

The documented continuous improvement process is on file in the WeGo Public Transit CSO's Office. Documentation of identified safety performance deficiencies and mitigations to reduce those deficiencies is on file in the WeGo Public Transit Safety Office.

7. Safety Promotion

Competencies and Training – RTA dba WeGo Public Transit

Under the guidance of the CSO, the Director of Training has the overall responsibility for the development, delivery, and documentation of all SMS-related safety skill competencies and SMS training.

We established competencies and training for all personnel directly responsible for safety. This includes the development and delivery of training on safety skill competencies and SMS training. This training focuses on providing safety-related skills at-hire and on an ongoing refresher basis.

We use the Track-It software program to guide our response to training issues and skill development challenges.

Training Needs Analyses

We periodically conduct training needs analyses to ensure that our training is up-to-date and addresses critical, safety-related concerns. We conduct training needs analyses by:

- Reviewing existing job descriptions;
- Identifying which positions, including contractors, have direct responsibility for determining when safety training is needed;
- Determining what SMS roles, responsibilities, and processes are missing from job descriptions, and;
- Updating job descriptions to reflect SMS practices.

New-Hire Bus Operator Training Program

We have comprehensive lesson plans for all new-hire bus operator training.

We compiled our new-hire bus operator lesson plans and training schedules into one master instructor guide. Lesson plans and schedules not only assist the instructor in delivering the training, but they also provide a record of the content of the training should it be needed for any other purpose. The new-hire bus operator lesson plans and schedules are kept on file in the Director of Training's office.

Content of new-hire bus operator training program includes but is not limited to:

- Equipment familiarization
- Defensive driving
- Pre- and post-trip inspection procedures
- Reporting vehicle defect procedures
- Radio communication
- Fare management
- Customer service and sensitivity
- Passenger assistance and securement
- Managing aggressive/dangerous passenger behavior
- Safety equipment requirements

- Safety event management and reporting
- Emergency evacuation procedures
- Route knowledge

New-hire bus operator training includes a combination of classroom training, hands-on training with a training instructor, and behind-the-wheel training with an experienced operator.

Bus Operator Refresher Training

Presently, we provide periodic bus operator refresher training at least annually on a variety of critical safety topics and skills.

TDOT mandates certain refresher training initiatives for all critical transit agency job functions. We have lesson plans, agendas, and sign-in sheets to document the content of refresher training and individual attendance at that training. These documents are on file at the Director of Training's office.

Operator safety issues are monitored at the first instance by the WeGo Trainer. Once every two years, Operators and other employees are required to take a safety training test based on the tools, safety manuals, and procedures they are given. They are provided time to read the information and then tested to be sure they are familiar with the rules. Employees give feedback on ideas and areas needed to be covered in the future. The Training Department keeps testing results.

All employees that drive WeGo owned vehicles or drive as part of their jobs must attend a defensive driving course provided once every three years, at a minimum. Any driver involved in a motor vehicle accident or receiving a traffic violation may, at the discretion of the Safety Office, be required to attend more often. Habitual offenders will have their driving privileges revoked.

WeGo Public Transit also provides retraining for Bus Operators for performance deficits. If the Operator or staff has accountability relating to a safety event or customer complaint, a retraining form is completed, and the Operator/staff is retrained. All retraining documentation is signed by the employee and Trainer and filed in the Operator/staff personnel file and/or TrainCaster. Any Operator behavior determined to be "at-risk" results in Operator retraining. Any Operator behavior determined to be reckless results in punitive/disciplinary measures.

Operations Supervisors and Dispatch Training

Supervisors and dispatchers play a critical role in identifying and responding to hazards and helping to both proactively and reactively mitigate risk. Training for operations supervisors and dispatchers primarily consists of mentoring, coaching, and on-the-job training.

Mentoring, coaching, and on-the-job training are very appropriate training approaches, but ones that need to be guided by a structured agenda of topics. We have checklists of topics for experienced supervisors and dispatchers to use during on-the-job training, coaching, and mentoring of trainees.

These checklists are also used to document an employee's satisfactory completion of the training and include instructor and trainee signatures and the dates the training took place. These documents are kept on file in the Director of Training's office.

Maintenance Training

We have an expanding vehicle maintenance technician apprenticeship program designed to move technicians into a fully qualified A-mechanic in three or four years. This program is competency-based and includes classroom instruction and observed and documented evaluation of a technician's skills as they progress through the program. This apprenticeship program supports SMS requirements for ongoing vehicle maintenance skill development.

Additionally, supervisors regularly coach vehicle maintenance technicians on required maintenance skills as they carry out their job responsibilities.

SMS Orientation

A cross-functional and multi-level understanding of SMS supports all SMS-related activities. Successful SMS implementation and operation require employee involvement and ownership at every level of the agency and within every service-delivery related function. Employees need to understand SMS; what their role is within SMS; and how they, the organization, and customers benefit from SMS success. This knowledge will nurture employee "buy-in."

WeGo Public Transit presented SMS orientation sessions for all employee functions and addressed the implications of SMS for all agency functions. This initiative addressed SMS with experienced employees. We also plugged information on SMS into all new-hire employee orientations. Documentation of these orientations, including agendas of topics covered, signatures of trainer/trainee, are kept on file in the Director of Training's office.

Safety Risk Management Orientation for Subject Matter Experts

Successful proactive safety risk mitigation begins with subject matter experts who have a clear understanding of their responsibilities and the skills required to carry them out.

Employees who participate in safety risk management activities as subject matter experts need to understand how to carry out their responsibilities. The CSO and Safety Staff make sure that subject matter experts are orientated on their safety risk management responsibilities, the desired outcomes of safety risk management activities, and the importance of the effort to WeGo Public Transit's safety performance.

Documentation of the orientation process, as well as the orientations themselves, includes how the agency:

- assesses hazards for consequences;
- conducts safety risk assessments, and;
- creates safety risk mitigations.

The Safety Office maintains documentation of safety risk management orientation activities.

Safety Performance Monitoring Orientation

The quality of safety performance monitoring is reflected in an agency's overall positive safety performance. Employees who participate in safety performance monitoring activities need to know how to carry out their responsibilities. The CSO and Safety Staff make sure that these employees receive orientations on what their responsibilities are, the desired outcomes of safety performance monitoring, and the importance of the effort to overall agency safety performance.

Orientations include how to perform monitoring activities of both internal and contracted operations as well as external maintenance activities. Performance monitoring includes such activities as:

- field observations to ensure operations and maintenance policies and procedures are being followed correctly;
- assessing and documenting employee safety performance; monitoring the effectiveness of safety risk mitigations, and;
- evaluating the effectiveness of the employee safety program.

Content and delivery of safety performance monitoring orientations involve not only the Safety Office but also operations management, maintenance management, vehicle maintenance management, facility maintenance management, Planning and Grants staff, Service Quality staff, and other staff as appropriate.

The Safety Office maintains documentation of safety performance monitoring orientations.

Orientation on Employee Safety Reporting Program

An effective ESRP is one of the most important tools for hazard identification.

Our ESRP, at a minimum, provides the following information:

- the purpose and benefits of the program;
- guidelines on the types of safety concerns and issues employees should report;
- the reporting methods available to employees (how to report);
- an explanation of how the information will be managed and shared;
- the protections for employees who report safety concerns;
- a description of the operational behaviors that are not protected and may result in discipline, and;
- the agency's commitment to providing feedback on reported safety concerns.

The Director of Training is responsible for ensuring that all employees receive an orientation on the ESRP. Agendas of the ESRP orientation and attendance records are on file in the Director of Training's office.

Training Documentation

Training documentation is a source of hazard identification.

Training documentation provides formal proof that employees were trained and shows that employees received timely certification and recertification in critical skill areas. Up-to-date training documentation also assists us in forecasting future training schedules.

WeGo Public Transit training documentation includes:

- records of training needs analysis for lesson plan development;
- curricula for initial and refresher training;
- training schedules and records of all completed training;
- procedures for revising training materials;
- course assessment materials, and;
- copies of individual employee training records.

WeGo Public Transit records of course completion include:

- dates the training was held;
- content covered during training sessions;
- length of the sessions;
- training format, and;
- signatures of instructor and trainee.

The Director or Training maintains records of training documentation and course completions within the TrainCaster software program.

Training Monitoring

Monitoring our skill training helps us identify hazards, such as training gaps or outdated lesson plans.

WeGo Public Transit regularly monitors its training to ensure effectiveness. Specifically, the training monitoring process includes the following:

- monitoring training to make sure it delivers the necessary safety skills and SMS information
- establishing a process for reviewing and revising training courses while considering review frequency, reviewers, and decision-making process for revisions.

Competencies and Training – Gray Line of Tennessee

Gray Line has documented and provided RTA with its approach to delivering the following:

- New-hire bus operator training, including lesson plans and delivery strategies, for the following topics:
 - Equipment familiarization
 - Defensive driving
 - Pre- and post-trip inspection procedures
 - Reporting vehicle defect procedures
 - Radio communication
 - Fare management
 - Customer service and sensitivity
 - Passenger assistance and securement

- Managing aggressive/dangerous passenger behavior
- Safety equipment requirements
- Safety event management and reporting
- Emergency evacuation procedures
- Route knowledge
- Bus operator refresher training, including agendas, schedules, and delivery strategies.
- Operations Supervisor and Dispatcher training, including strategies for carrying it out through classroom and/or coaching, mentoring, and on-the-job training.
- Maintenance training, including strategies for ensuring vehicle mechanics have the requisite skill level to effectively perform both preventive and corrective maintenance activities.
- SMS orientation for all operations and maintenance employees, including strategies for delivering orientations.
- Safety risk management orientations for subject matter experts, including strategies for delivering orientations.
- Safety performance monitoring orientations for employees who carrying out monitoring activities, including strategies for delivering orientations
- Orientations on the ESRP, including strategies for delivering orientations, and ensuring the following information is covered:
 - the purpose and benefits of the program;
 - guidelines on the types of safety concerns and issues employees should report;
 - the reporting methods available to employees (how to report);
 - an explanation of how the information will be managed and shared;
 - the protections for employees who report safety concerns;
 - a description of the operational behaviors that are not protected and may result in discipline, and;
 - the agency's commitment to providing feedback on reported safety concern

Documentation of Gray Line's above approach to training is on file in the WeGo Public Transit CSO's office.

WeGo Public Transit's Safety Staff periodically ensures that Gray Line's competencies and training activities are consistent with the approach that Gray Line submitted to the RTA. Reviewing Gray Line's activities includes a significant focus on training documentation, including:

- curriculum for initial and refresher training
- training schedules and records of all completed training
- copies of individual employee training files

Documentation of this activity is on file in the WeGo Public Transit's Safety Office.

Safety Communication – RTA dba WeGo Public Transit

Safety communication provides a foundation to build SMS processes and activities. We ensure that all of our employees are aware of information relevant to their safety-related roles and responsibilities. This information includes explanations of changes to policies, activities, or procedures.

We documented our overall approach to safety communication and supporting safety communication activities. This overall approach to safety communication is on file in the CSO's office.

In general, our documentation of safety communication includes details about:

- objectives of the communication;
- content;
- target audience;
- format;
- frequency of the communication, and;
- ways to ensure communication was understood.

Safety Meetings

An effective employee safety meeting process provides a strong platform for safety-related communication and dialogue and identification of safety issues, concerns, and conditions. We use a combination of mandatory operations safety meetings and voluntary operations "rap" sessions. The Safety staff maintains documentation of the safety meetings.

We also hold periodic and mandatory vehicle maintenance safety meetings and daily toolbox talks at the beginning of every shift to communicate with maintenance staff on safety-related issues. The Safety staff maintains documentation of the safety meetings.

Organization-Wide Communication of Safety Hazard and Safety Risk Information

A goal of our safety risk management processes is to reduce safety risk for employees and customers. Safety-sensitive employees are always vulnerable to the consequences of safety hazards within the transit environment. Timely reporting to employees of newly identified safety hazards and the safety risks those hazards present can help reduce that vulnerability.

We documented our procedures for communicating hazards. The documentation of these procedures is on file in the CSO's office. The CSO is responsible for making sure this communication takes place.

Communication about Safety Risk Mitigations

We are committed to informing employees at every level of operations about the safety risk mitigations we are putting into effect. We provide this information because:

- it tells employees that the transit agency is doing all it can to reduce risk;
- it brings attention to employee roles and responsibilities that may be affected by new mitigations, and;
- informed employees are better situated to be a source of information on determining how well mitigations are working.

We documented our procedures for communicating safety risk mitigations to employees, along with who is responsible for making sure this communication takes place. This documentation is on file in the CSO's office. Safety Staff are responsible for making sure that this communication takes place.

Organization-Wide Communication of Agency Safety Performance

We implement SMS to help us continuously improve our safety performance. Communicating agency safety performance information promotes employee "buy-in" to SMS processes, thus further improving our overall safety performance.

Employees should have ownership of safety. To reinforce this ownership, we periodically communicate statistics on our overall safety performance to WeGo Public Transit and Gray Line employees. This includes providing information on our status related to achieving our safety performance targets.

We document how we communicate safety performance information throughout our organization and to Gray Line. This documentation is on file in the CSO's office. The Accountable Executive, supported by the CSO, is responsible for taking the lead on this communication and making sure that it takes place.

Safety Communication – Gray Line of Tennessee

Gray Line has documented and provided RTA with its approach to safety communication that includes the following:

- Holding safety meetings
- Communicating hazard and safety risk information organization-wide
- Communicating safety risk mitigations

Gray Line has submitted its safety communication processes to the RTA, and this documentation is on file in the WeGo Public Transit CSO's office.

WeGo Public Transit's Safety Staff periodically ensures that Gray Line's safety communication activities are consistent with the processes that Gray Line submitted to the RTA. Documentation of this activity is on file in the WeGo Public Transit's Safety Office.

Additional Information

The RTA will ensure that documents that describe the programs, policies, and procedures used to carry out its Agency Safety Plan are maintained, as well as the documented results from the SMS processes and activities. RTA will also ensure that documents not included or referenced elsewhere in this safety plan that are related to the implementation of its SMS are maintained.

These documents will be maintained for at least three years after their creation and made available upon request by the FTA, other federal entities, or TDOT. The WeGo Public Transit CSO will be a primary point of contact when providing RTA Agency Safety Plan-related information to external agencies to ensure access to these documents.

Appendix A - Definitions

Accident means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

Accountable Executive means 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.

Equivalent Authority means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.

Event means any Accident, Incident, or Occurrence (see also "safety event").

Fatality a death or suicide confirmed within 30 days of a reported event. Does not include deaths in or on transit property that are a result of illness or other natural causes.

Hazard means any real or potential condition 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.

Incident means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Injury any damage or harm to persons as a result of an event that requires immediate medical attention away from the scene.

Investigation means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.

National Public Transportation Safety Plan means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

Occurrence means 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.

Operator of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302(14).

Performance measure means 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 means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration (FTA).

Public Transportation Agency Safety Plan means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and this part.

Reportable Event a safety or security event occurring on transit right-of-way or infrastructure, at a transit revenue facility, at a maintenance facility, during a transit related maintenance activity, or involving a transit revenue vehicle.

Risk means the composite of predicted severity and likelihood of the potential effect of a hazard.

Risk mitigation means a method or methods to eliminate or reduce the effects of hazards.

Safety Assurance means 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 Event - A collision, derailment, fire, hazardous material spill, act of nature (Act of God), evacuation, or other safety occurrence not otherwise classified occurring on transit right-of-way, resulting in injury requiring transport away from the scene for medical attention for one or more persons or an estimated property damage equaling to or exceeding \$25,000.

Safety Management Policy means 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 System (SMS) means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.

Safety performance target means a Performance Target related to safety management activities.

Safety Promotion means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

System Reliability miles between major mechanical failures that prevents the revenue vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip because actual movement is limited or because of safety concerns.

Safety risk assessment (SRA) means 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 means a process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (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 5 percent of the body surface.

Small public transportation provider means a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail fixed guideway public transportation system.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of good repair means the condition in which a capital asset is able to operate at a full level of performance.

Transit agency means an operator of a public transportation system.

Transit Asset Management Plan means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost- effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR part 625.

Appendix B: Acronyms

Acronym or Abbreviation	Meaning
ADA	Americans with Disabilities Act
ASP	Agency Safety Plan
CEO	Chief Executive Officer
CFR	Code of Federal Regulations
CSO	Chief Safety Officer
ESRP	Employee Safety Reporting Program
FTA	Federal Transit Administration
MPO	Metropolitan Planning Organization
MTA	Nashville Metropolitan Transit Authority
RTA	Regional Transit Authority of Middle Tennessee
PTASP	Public Transportation Agency Safety Plan
SMPS	Safety Management Policy Statement
SMS	Safety Management System
SRM	Safety Risk Management
TDOT	Tennessee Department of Transportation

Appendix C: RTA Board of Directors ASP Approval

Appendix D: Certification Documentation

Appendix E: Safety Risk Assessment Matrix

Risk Assessment Matrix				
Likelihood	Severity			
	1 (Catastrophic)	2 (Critical)	3 (Marginal)	4 (Negligible)
A (Frequent)	1A	2A	3A	4A
B (Probable)	1B	2B	3B	4B
C (Occasional)	1C	2C	3C	4C
D (Remote)	1D	2D	3D	4D
E (Improbable)	1E	2E	3E	4E

Risk Assessment Matrix Color Code	
<i>"Tolerability" based on identified severity and likelihood.</i>	
	Unacceptable under the existing circumstances.
	Acceptable based upon mitigations.
	Acceptable with senior management approval.

Appendix F: Safety Culture Policy

Purpose:

This policy identifies the WeGo philosophy and process required to establish and maintain an appropriate safety/just culture that supports our SMS through proactive risk identification and event management considering human factors and a balanced guiding principle on employee disposition following an event.

General Safety Culture Policy:

WeGo is committed to creating and sustaining a safety culture environment that supports our SMS and recognizes that a number of principles enable the development and sustainment of a positive safety culture including:

- Recognition that fair and equitable treatment of all employees encourages sharing of safety-related information
- Creating and sustaining an environment that actively seeks out risks and supports hazard and event reporting, to include near misses
- Recognition that inappropriate disciplinary measures can suppress open reporting of risks
- Creating and sustaining an environment where there is an understanding that human errors will occur
- Creating and sustaining an environment that promotes openness and learning from events

At WeGo, there is an expectation that all employees actively promote safety in everything they do. This includes two explicit duties that are the responsibility of all employees:

- To report any hazard, near-miss, unsafe condition or incident that occurs, or is otherwise known about
- To openly participate in any investigation that may arise as a result of any reported hazard, near-miss or event that occurs

WeGo recognizes that employee actions that contribute to hazards and events may be the result of a wide spectrum of behaviors. These include unintentional error, engaging in at-risk behavior (i.e., moving away from desired behavior, not recognizing risks involved or reckless behavior (i.e., an unacceptable choice that knowingly puts an employee, customer or product in harm's way).

The WeGo policy regarding these behaviors is as follows:

- Unintentional error will be investigated and feedback given
- At-Risk behavior will usually warrant a verbal or written record of first counseling
- Reckless behavior (and some circumstances of at-risk behavior) will usually warrant more significant positive counseling/corrective action steps to be taken

We are committed to creating an open and fair safety culture with WeGo that supports our SMS. As we implement this policy, we pledge that our first response to any event will be to investigate fairly the circumstances involved.

[Signature and Original Copy on File]

A handwritten signature in black ink, appearing to read "Stephen G. Bland", is written over a horizontal line.

Stephen G. Bland, Chief Executive Officer

Date

Appendix G: Vanpool Management and Operations Contract

MANAGEMENT AND OPERATIONS CONTRACT BETWEEN THE REGIONAL TRANSPORTATION AUTHORITY AND THE TRANSPORTATION MANAGEMENT ASSOCIATION GROUP

This Management and Operations Contract, hereinafter referred as "Contract," made and entered into the 1st day of July 2011 by and between the Regional Transportation Authority, hereinafter referred to as "RTA," and The Transportation Management Association Group, hereinafter referred to as "TMA," is for the management and operation of a commuter vanpool vehicle fleet.

DEFINITIONS:

- a.) For this Contract, a commuter vanpool vehicle means any vehicle with a seating capacity of 7 to 15 passengers not requiring a commercial driver license (CDL) to operate. Herein referred to as "commuter vanpool vehicle(s)," or "vehicle(s)."
- b.) The commuter vanpool driver is a member of a vanpool who voluntarily drives a commuter vanpool vehicle for the purpose of commuting to and from work. The commuter vanpool driver is not considered to be a revenue service person as defined by the Federal Transit Administration (FTA), and therefore not subject to FTA's drug and alcohol testing regulations as described in 49 CFR Parts 653 and 654. The commuter vanpool driver is not an employee of RTA.

RECITALS:

WHEREAS, the RTA is created by the State of Tennessee, through an act of the Tennessee General Assembly (T.C.A. 64-8-101et seq.), to plan for and implement mass transit and transportation services; and

WHEREAS, the TMA is a nonprofit 501-(c)3 corporation organized and existing under the Tennessee Nonprofit Corporation Act; and

WHEREAS, the role, duties and purposes of the TMA and RTA are similar in scope and function with the ultimate goals of both organizations being to reduce traffic congestion and improve air quality; and

WHEREAS, it is both logical and prudent that the TMA and RTA cooperate in providing mobility options to the public served by both; and

WHEREAS, the RTA has access to and can provide commuter vanpool vehicles that support commuter mobility options within the service areas of Middle Tennessee; and

WHEREAS, TMA has established a record of developing and promoting, implementing, managing, and operating commuter vanpool programs; and

WHEREAS, TMA is willing and able .to operate vanpool vehicles, and the RTA has procured such vehicles and has financial provisions to acquire additional vehicles suitable for the rideshare/van pool program,

NOW, THEREFORE, in consideration of the premises the mutual covenants and promises herein set forth, and other good and valuable considerations, the receipt and legal sufficiency of which is hereby acknowledged, the parties do mutually agree as follows:

CONTRACT:

Section 1 RTA shall:

- (a) Provide to the TMA 7- to 15-passenger vehicles for use in providing commuter transportation in the areas served by the RTA and TMA. Attachment A to this Contract, which is attached hereto and hereby made a part of this Contract, contains a list of said vehicles. Any new or additional commuter vanpool vehicles obtained by RTA in the future will be added to the vehicle inventory assigned to TMA. The list of vehicles as denoted in Attachment A will be amended by an amendment of Attachment A, and shall be signed by the appropriate officials of the RTA and TMA.
- (b) Manage a database that facilitates expedient commuter ridematch searches for interested rideshare participants, that informs current program participants of program updates, and that assists prospective commuters with commute options within the nine counties of Cheatham, Davidson, Dickson, Maury, Robertson, Rutherford, Sumner, Williamson, and Wilson.
- (c) Provide the vehicles listed in Attachment A, and the vehicles listed in subsequent revisions to Attachment A, with no payment or lease value charged against TMA.
- (d) Pay the initial registration and vehicle inspection program fees, licensing fees, and wheel taxes associated with the vehicles identified in Attachment A, and for future vehicles acquired by RTA and identified in subsequent revisions to Attachment A.
- (e) Replace commuter vanpool vehicles at 100,000 odometer miles or as deemed necessary by RTA, when a vehicle has become unserviceable or unsuitable for the rideshare/vanpool program, as funds become available to the RTA, and update the corresponding inventory list of vehicles purchased and owned by RTA, as so identified *in* revisions to Attachment A.
- (f) Conduct such activities that will ensure the commuter vanpool vehicles have a full occupancy of riders. These activities will include but not be limited to notifying area media outlets through press releases of the availability of open seats.
- (g) Contact area businesses to inform their workforce about the advantages of participating in a ride share commuter program, solicit new interest and participation in the program, and post commuter vehicle seat openings in said businesses.
- (h) Be the primary point of contact for all ridematching activities for the commuter vanpool program.

- (i) Manage the Guaranteed Ride Home (GRH) program for area rideshare participants. This includes printing of GRH program taxi and rental car vouchers, participant enrollment, GRH database management, dispersing of GRH vouchers to enrollees, contracting with/and supporting management for approved taxi and rental car carriers, payment for authorized GRH funded trips to said carriers, and supporting marketing and related GRH program information.
- (j) Sponsor and conduct periodic driver safety training sessions for all commuter vanpool vehicle drivers and coordinators, develop and distribute related safety materials to all drivers and transit vehicle coordinators, perform associated duties in accordance with RTA's established System Safety Program Plan (SSPP), and incorporate additional safety program recommendations so advised by the Tennessee Transit Training Center (TTTC),
- (k) Maintain an active working rapport with TMA rideshare program, management policies and marketing efforts to the community, with particular emphasis placed on working with the TMA staff to coordinate both effective and efficient ways to reduce any duplication of program activities.

Section 2 TMA shall:

- (a) Obtain and keep current insurance on all RTA owned commuter vanpool vehicles assigned to TMA as denoted in Attachment A in the following amounts:

Liability	\$1,000,000 per occurrence
Medical Payments.	\$ 5,000 per person
Uninsured Motorist.....	\$ 60,000 per occurrence
Property Damage Comprehensive (deductible)....	\$ 1,000 per occurrence

- (b) Obtain an insurance policy that, together with the driver or drivers as applicable, shall name as additional insured, the RTA, and the Nashville Metropolitan Transit Authority as the independent contractor providing staff persons for the RTA's programs and projects, its member governments, and employees. Said insurance policy shall also name the RTA as the loss payee for the vehicle, TMA agrees to pay the deductible cost if a Court rules that a crash resulted from gross negligence on the part of TMA. TMA will submit proof of insurance annually to RTA. If any change of insurance coverage or of the carrier occurs, TMA shall immediately notify RTA.
- (c) Be responsible for the operations and management of all commuter vanpool vehicles RTA assigns to TMA, as denoted in Attachment A and subsequent revisions to this document.
- (d) Provide supporting driver safety and vehicle pre-trip walk-around inspection instructions designed to benefit both driver and passengers while entering and exiting the vehicle; provide en-route safety and security instructions beneficial to all passengers while riding in the vehicle.
- (e) Be responsible for all maintenance and servicing of the vanpool vehicles identified in Attachment A and its subsequent Amendments and shall submit to the RTA on a quarterly basis all maintenance and/or service records for RTA owned commuter vanpool vehicles assigned to TMA.

- (f) Submit a monthly rider log, which includes the rider counts and miles driven to the RTA on all RTA-owned commuter vanpool vehicles.
- (g) Be responsible for processing the vehicles through all required annual auto inspections and licensing renewals other than those described in Section 1 (d). All vehicle inspection program documents shall be sent to the RTA so that RTA can properly maintain active registration and licensing on the commuter vanpool vehicles listed in Attachment A.
- (h) Establish purchase specifications for any new commuter vanpool vehicles purchased by RTA and managed by TMA.
- (i) Enter into a daily lease agreement with RTA for RTA's use of a vanpool vehicle for transit purposes upon request and subject to vehicle availability. Upon twenty-four hours prior notice and when the vehicle is not subject to be within TMA's normal operating timeframe, the use by the RTA of said vehicle shall not interfere with the vehicle's normal time of operation by TMA. The lease agreement will allow TMA to recover the cost of vehicle insurance for the period of time the vehicle is assigned to RTA. Any driver for RTA is subject to the same requirements and restrictions as a vanpool vehicle driver. Since RTA is the owner of the commuter vanpool vehicles assigned to TMA for rideshare program management, the miles driven by RTA staff will be considered purposeful-use miles, and therefore, be applied to the vehicle's 100,000 mile service limit.
- 0) Perform all administrative work including but not limited to setting of rider payment rates, so derived and established through the common pricing standards described in Federal Circular No. A-122, "Cost Principles for Non-Profit Organizations."
- (k) Invoice monthly for commuter vanpool vehicle rider fuel payments and collect monthly vanpool lease and fuel payments.
- (l) Document and report ridership and any other pertinent data or information required for National Transit Database (NTD) by federal certification and assurance regulations, and by state funding agencies.
- (m) Release RTA-owned commuter vanpool vehicles only through a lease agreement contract, as established by mutual TMA and RTA rideshare program guidelines.
- (n) Have the authority to approve or disapprove any person recommended by the RTA as a primary, back-up or vanpool coordinator.
- (o) Retain the right to terminate the contractual lease and/or driver status of any RTA recommended driver, back-up driver, or vehicle coordinator for safety violations, withholding or delinquency of lease payment, or for causes deemed by either the TMA or RTA to be detrimental to the sound and beneficial management of the commuter rideshare program.
- (p) Provide rideshare program drivers with a back-up vehicle when their primary vehicle is out of service.
- (q) Inform RTA in a timely manner the status of seat vacancies on any vehicle assigned to the commuter rideshare program,

- (r) Instruct the vehicle driver and/or coordinator that their duties shall include keeping both the interior and exterior of their vehicle in a clean, neat condition, reporting all mechanical and/or operational problems associated with their vehicle, and adopting a smoke-free policy at all times for their vehicle,
- (s) Agree to be responsible for any federal, state, or local taxes applicable to the performance of this Contract other than those specifically identified in Section 1 (d) as the responsibility of RTA,
- (l) Agree to the mutual agency marketing of the commuter vanpool vehicle program.
- (u) Cooperate with the RTA in ongoing efforts to identify and reduce any duplication of rideshare program activities.
- (v) Provide MVR's (Motor Vehicle Record) reports on each vanpool driver and backup driver to RTA on a semi-annual basis.

Section 3 Contract Term

This Contract shall be effective July 1, 2011, and shall terminate as of the 30th day of June, 2012. This Contract may be renewed on a year-to-year basis, prior to its termination on June 30 of each succeeding year, by a Letter of Extension signed by the appropriate officials of both parties.

Section 4 Disposition of Vehicle after Contract Term

- (a) When an RTA owned commuter vanpool vehicle has reached 100,000 odometer miles, or has reached a point to become unserviceable or unsuitable for commuter program needs, whichever comes first, then both parties to his Contract shall follow the applicable federal and state laws governing disposition of property.
- (b) RTA retains the right to determine the value and serviceable life beyond 100,000 vehicle miles for the vehicles, and reserves the right to reassign the vehicle to other RTA agency functions. When RTA determines the vehicle is to be disposed, the remaining proceeds from the disposal of said vehicles shall be evenly divided (50% RTA, 50% TMA) and distributed between the two parties and utilized to further the purposes of this Contract or in furthering multi-modal commuter program transportation efforts.

Section 5 Standard Terms and Conditions

- (a) Observance of Federal Certifications and Assurances. This Contract shall observe and comply with the federally mandated certifications and assurances as prescribed by the OMB Circular A-102.
- (b) Termination for Cause or Convenience. If TMA fails to properly perform its obligations under this Contract, the RTA may terminate same with a fifteen-day written notice to TMA. If RTA fails to properly perform its obligations under this Contract, the TMA may terminate same with a fifteen-day written notice to the RTA. Either party to this Contract may terminate without cause and for its convenience by giving the other party a thirty-day written notice of termination.
- (c) Subcontracting. TMA shall not assign this Contract or enter into a subcontract for any of the services to be performed under this Contract,

(d) Conflicts of Interest. TMA warrants that no monies or remunerations shall be paid directly or indirectly to an employee or official of The Nashville Metropolitan Transit Authority, or the RTA as wages, compensation or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to TMA in connection with any work contemplated or performed relative to this Contract,

(e) Lobbying. TMA certifies, to the best of its knowledge and belief, that:

- i. No federally appropriated funds have been paid or will be paid, by or on behalf of TMA, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, and entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- ii. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this grant, loan, or cooperative agreement, TMA shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with instructions.
- iii. TMA shall require that the languages of this certification be included in the award documents for all sub-awards at all times, including sub-grants, subcontractors contracts, and/or grants, loans, and cooperative agreements, and that all sub-recipients of federally appropriated funds shall certify and disclose accordingly.

(f) Nondiscrimination. TMA hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Contract, or from participation in, or benefit or use of this transportation service, or in the employment practices of TMA on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. TMA shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

(g) Licensure. Except for the license and tax as denoted in Section 1(d), in the performance of this Contract, it is hereby agreed that it is TMA's responsibility to obtain all necessary license and permits and to abide by all applicable federal, state, and local laws, ordinances, rules, and regulations for TMA, its employees with regards to the commuter vanpool vehicle's operation, and shall upon request provide proof of such.

(h) Strict Performance. Failure by any party to this Contract to insist in any one or more cases upon the strict performance of any of the terms, covenants, conditions, or provisions of this Contract shall not be construed as a waiver or relinquishment of any such term, covenant, conditions, or provisions. No term or condition of this Contract shall be held waived, modified, or deleted except by a written amendment signed by the parties hereto.

- (i) Independent Contractor. The parties hereto warrant and agree that in the performance of this Contract, they shall not act as employees, partners, joint ventures, or associates of one another, Rather, it is a cooperative agreement between two similar-purposed transportation service agencies. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Contract shall be construed to create an employer/employee relationship, or to allow either to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services or in their performance of this Contract. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purpose whatsoever, All work performed under this Contract shall be considered work made for hire.
- (j) RTA Liability. The RTA shall have no liability except as specifically provided in this Contract.
- (k) TMA Liability. The TMA shall have no liability except as specifically provided in this Contract
- (l) Force Majeure. The obligations of the parties to this Contract are subject to prevention by causes beyond the parties' control that could not be avoided by the exercise of due care including, but not limited to, acts of God, riots, wars, strikes, epidemics or any other similar cause,
- (m) Governing Law. This Contract shall be governed by and construed in accordance with the laws of the State of Tennessee, TMA agrees that it will be subject to the exclusive jurisdiction of the courts of the State of Tennessee in actions that may arise under this Contract.
- (n) Completeness. This Contract is complete and contains the entire understanding between the parties relating to the subject matter contained herein, including all the terms and conditions of the parties' agreement. This Contract supersedes any and all prior understandings, representations, negotiations, and agreements between the parties relating hereto, whether written or oral.
- (o) Severability. If any terms and conditions of this Contract are held to be invalid or unenforceable as a matter of law, the other terms and conditions hereof shall not be affected thereby and shall remain in full force and effect. To this end, the terms and conditions of this Contract are declared severable.
- (p) Record Keeping. TMA shall maintain all books, records, reports, and documents relating to this Contract for a period of three full years from the date of termination of this Contract. Said books, records, reports and documents shall be subject to review by the RTA, its auditors, or any federal or state department or agency or their duly appointed representatives. Said review shall be subject to review at any reasonable time and upon reasonable notice.

IN WITNESS WHEREOF, the TMA and the RTA execute this Contract effective on the date first stated above as shown by the signatures of their authorized representatives herein below.

Appendix H: RTA Organization Chart (The Metropolitan Transit Authority dba WeGo Public Transit Provides Staff to RTA)

WeGo Public Transit Authority – Administrative Offices 2020

