

July 26, 2023

The Honorable Nuria Fernandez  
Administrator  
Federal Transit Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

Subject: Notice of Proposed Update to the National Public Transportation Safety Plan (Docket No. FTA-2023-0010)

Dear Administrator Fernandez:

The American Association of State Highway and Transportation Officials (AASHTO) is pleased to provide comments on the Federal Transit Administration's (FTA) Notice of proposed updates (Docket No. FTA-2023-010) to the National Public Transportation Safety Plan (National Safety Plan), published in the Federal Register on May 31, 2023.

AASHTO is a nonprofit, nonpartisan association representing the state transportation departments (state DOTs) in the 50 states, the District of Columbia, and Puerto Rico, with the mission to support state DOTs to connect America with the transportation system of today and tomorrow. AASHTO and the state DOTs have a long history of successful partnership and collaboration with the U.S. Department of Transportation (USDOT) and the Federal Transit Administration to improve the safety of our national public transportation system.

AASHTO remains committed to advancing the safety of our transportation system. AASHTO supports the priorities outlined in the USDOT National Roadway Safety Strategy and proudly continues to be a First Mover in the National Roadway Safety Strategy vision of eliminating roadway fatalities. As was noted in our response to Docket No. FTA-2023-0007 on FTA's proposed new requirements to the Public Transportation Agency Safety Plan (PTASP), AASHTO's 2021-2026 Strategic Plan focuses on the goal of safety, mobility, and access for everyone, and as President of AASHTO, my emphasis is on a resilient transportation system that is safe, sound, and smart. Reflecting these principles and the safety goals we share with FTA, we are organizing a Safety Summit for October 2023 that will bring together leaders and practitioners to discuss opportunities for expanding incorporation of safety across state DOT functional areas and the roles of AASHTO committees in supporting states' safety efforts.

AASHTO concurs with FTA that public transit is one of the safest modes of transportation available to many Americans and emphasizes the continual commitment state DOTs make to maintaining and improving the safety of transit systems. Though state DOTs have diverse roles in transit operations within their states, state DOTs operate predominantly through FTA Section 5310 and 5311 to support public transportation in rural and small urban communities and for older Americans and people with disabilities through cooperation with transit agencies and operators. State DOTs work closely with subrecipients to ensure subrecipients have the technical resources to manage the safety of transit services, focusing on safety programs such as driver training, drug and alcohol compliance, vehicle maintenance and specification standards, and National Transit Database safety data reporting.

In alignment with AASHTO's response to Docket No. FTA-2023-0007 on FTA's proposed PTASP requirements, AASHTO continues to emphasize the importance of aligning FTA's National Safety Plan with FTA's proposed PTASP requirements by maintaining the deferral of regulatory action on operators of a public transportation system that only receives federal financial assistance under 49 U.S.C. 5310, 49 U.S.C. 5311, or both 49 U.S.C. 5310 and 49 U.S.C. 5311. AASHTO appreciates the consistency of this exclusion across documents as presented by FTA. AASHTO encourages FTA to strongly consider the comments and perspectives of state DOTs on the critical importance of this exclusion.

AASHTO commends FTA on the updated list of voluntary minimum safety standards and recommended practices including new categories such as transit worker safety, pedestrian and bicyclist safety, and rail grade crossing safety. AASHTO agrees that dedicated, wide-spread, and proactive efforts are key to holistically improving the safety of the national transportation system. AASHTO also commends FTA on emphasizing the voluntary nature of these standards and practices. AASHTO appreciates FTA's long-standing partnership efforts to provide states DOTs with resources and tools to advance safety within states and across the country.

AASHTO values this opportunity to provide feedback on FTA's proposed updates for the National Safety Plan. We look forward to continue working with FTA on advancing the safety of public transportation systems.

If you have any questions, please contact Shayne Gill, AASHTO Program Director for Multimodal Transportation, at (202) 624-3630 or [sgill@aaashto.org](mailto:sgill@aaashto.org).

Sincerely,

A handwritten signature in black ink, appearing to read "R. Millar". The signature is fluid and cursive, with a large initial "R" and a stylized "M".

Roger Millar, PE, FASCE, FAICP  
President, American Association of State Highway and Transportation Officials  
Secretary, Washington State Department of Transportation