

**Metro**

Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952213.922.2000 ext.
metro.net**REGULAR BOARD MEETING
OCTOBER 23, 2008****SUBJECT: ENHANCED COMMUTER RAIL SAFETY****ACTION: APPROVE FUNDING FOR COMMUTER RAIL SAFETY MEASURES
AND RECEIVE AND FILE REPORT****RECOMMENDATION**

Consider:

- A. Programming up to \$5 million from potential unused FY 07-08 surplus subsidy to the Southern California Regional Rail Authority (SCRRA) and/or from our unprogrammed Proposition C 10% fund balance to implement Automatic Train Stop (ATS) and/or other collision avoidance systems on the commuter rail system in the County of Los Angeles;
- B. Amending the FY 08-09 LACMTA Budget, if necessary, to include up to \$5 million in Proposition C 10% funds;
- C. Authorizing the Chief Executive Officer to enter into the necessary agreements to implement Recommendation A above; and
- D. Receiving and filing this report addressing the Board's September 25, 2008 Joint Motion.

ISSUE

At its September meeting, the Board approved a motion to improve commuter rail safety in our region ("Joint Motion"). The Joint Motion is attached for reference (Attachment A). This report addresses a number of the directives in that motion.

POLICY IMPLICATIONS

Responding to the Joint Motion may involve a shift in the emphasis from programming funding for Metrolink capacity expansion projects to safety programs. We will be working with SCRRA and its other member agencies on developing and funding appropriate safety measures, and aggressively pursuing state and federal funds. The response to the Joint Motion may impact the Metrolink funding assumptions of the Long Range Transportation Plan.

ALTERNATIVES CONSIDERED

The Board may elect not to program \$5 million at this time, and instead to postpone programming action until the SCRRA Commuter Rail Safety Peer Review Panel has made its recommendations and SCRRA and its member agencies have further developed safety strategies and cost estimates. Staff does not recommend this alternative as funding is needed for SCRRA to immediately begin work on implementation of Automatic Train Stop and other collision avoidance systems.

FINANCIAL IMPACT

We will work with SCRRA staff to explore whether there is an unused FY 07-08 subsidy to SCRRA that could be used to offset part or all of the \$5 million. If necessary the funding of \$5 million of Proposition C 10% funds will be added to the FY 08-09 Budget in Cost Center 0441 and Project Number 410064.

DISCUSSION

The following provides a brief discussion of the items in the Joint Motion. Attachments are provided where necessary to give a more detailed response.

Item 1

The Joint Motion directed our SCRRA Board representatives to request certain safety initiatives. The SCRRA Board has already asked its staff to pursue a number of these initiatives. SCRRA staff addressed parts A through F of our Joint Motion as follows:

- A. SCRRA has initiated a "Second Pair of Eyes" program using existing Extraboard employees. The program covers high priority segments and time periods. They are also considering hiring and training additional employees to expand this program. This program is covered in more detail in Item 6 of the SCRRA Board Agenda (Attachment B).
- B. SCRRA has initiated planning work on a prioritized application of ATS. This program is covered in more detail in Item 6 of the October 10, 2008 SCRRA Board Agenda (Attachment B).
- C. SCRRA has initiated planning to install digital video recorders and video cameras on all Metrolink trains. This program is covered in more detail in Item 6 of the October 10, 2008 SCRRA Board Agenda (Attachment B).
- D. The SCRRA Board took action to approve the membership and work scope of a Commuter Rail Safety Peer Review Panel. This action is in Item 5 of the October 10, 2008 SCRRA Board Agenda (Attachment C).
- E. SCRRA staff has discussed the implementation of ATS with the Burlington Northern Santa Fe Railroad and the Union Pacific Railroad. The railroads have not committed to implement

this system on their trains at this time. This item is covered in more detail in Item 6 of the October 10, 2008 SCRRA Board Agenda (Attachment B).

Item 2

- A. Per the Board's direction, we are recommending programming \$5 million to SCRRA for implementation of "Automatic Train Stop" (or other collision avoidance systems) in Los Angeles County. We have identified Proposition C 10% funds from a potential SCRRA FY 07-08 budget surplus or our unprogrammed Proposition C 10% fund balance as the funding source.
- B. SCRRA staff is currently analyzing alternative safety technologies and developing cost estimates. They will return to their Board on October 24th with a fuller discussion of collision avoidance systems, deployment strategies and cost estimates. Based on very preliminary information, the costs could be several hundreds of millions of dollars for improvements throughout the Metrolink service area, with on the order of one-half of those costs associated with improvements in Los Angeles County. The improvements could potentially be funded from a combination of local funds such as Proposition C 10%, state funds, federal funding, such as through the Rail Safety Improvement Act, and private sector funds from the railroads.
- C. The budget action is addressed by Recommendation A of this report.

Item 3

The CEO has initiated efforts to work with the other SCRRA funding partners to secure funding for Positive Train Control (PTC) and/or other collision avoidance systems. The Regional CEO's met on October 10th and discussed this issue. These discussions will continue.

Item 4

At the October 10th Regional CEO's meeting, they agreed with the need to express a consensus position on the disposition of the \$97 million in Trade Corridor Improvement Program (TCIF) funds currently programmed for the Colton Crossing project. The actions needed to secure the funds from the Colton Crossing project are described in Attachment D.

Item 5

The Board has adopted a support position on S. 3493 (Feinstein/Boxer), H.R. 2095 (Oberstar), and S. 1189 (Lautenberg). Our advocacy team will pursue appropriations during the 111th Congress.

Item 6

Given congressional passage of H. R. 2095 the work with Congressional authors to amend the respective bills to meet the policy and safety goals is moot.

Item 7

Attached please find a preliminary draft workplan to develop a Comprehensive Los Angeles County Commuter and Freight Rail Master Plan (Attachment E). We will work with SCRRA and its member agencies to further develop the workplan.

Item 8

This will be incorporated as part of our 2009 state and federal legislative program which will be brought to Executive Management and Audit Committee (EMAC) in November and the full Board at its early December meeting.

Item 9

Draft letters to Los Angeles County's Congressional and state delegations are attached (see Attachments F and G). These letters address Parts A through E of Item 9 of the Joint Motion.

Amendments

Yaroslavsky Amendment

A preliminary cost estimate for seatbelts is a minimum of approximately \$34 million. This estimate includes replacement of seats and installation of seatbelts. However, this does not include any necessary cost to restructure the frame of the cars. SCRRA staff has a consultant working with the USDOT's Volpe Center, analyzing the safety benefits of a variety of equipment technologies, including seatbelts. The consultant will return to the SCRRA Board in November.

Najarian Amendment

Proposition C 10% funding has been identified and addressed in Recommendations A and B of this report.

Parks Amendment

All Metro Rail alignments, including those now under construction, include systems that address safety issues. A detailed response is included in Attachment H.

NEXT STEPS

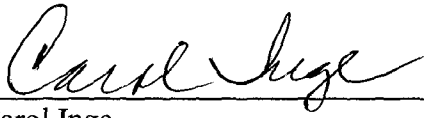
As we further refine cost estimates, technology approaches, and funding solutions we will return to the Board for review, comment or action, as appropriate.

ATTACHMENTS

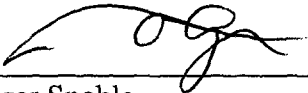
- A. Joint Motion on Enhanced Commuter Rail Safety
- B. SCRRA Board Item 6 Responding to Safety Improvement Alternatives
- C. SCRRA Board Item 5 Regarding Peer Review Panel Members and Scope of Work
- D. Actions to Secure TCIF
- E. Draft Work Plan for Comprehensive Commuter Rail and Freight Master Plan

- F. Draft Letter to Federal Legislative Delegation
- G. Draft Letter to State Legislative Delegation
- H. Response to Bernard Parks Amendment – Lessons Learned Applied to Metro Rail

Prepared by: Nalini Ahuja, Director, Local Programming
Patricia Chen, Project Manager, Local Programming



Carol Inge
Chief Planning Officer



Roger Snoble
Chief Executive Officer

JOINT MOTION (COMBINED ITEMS 49 AND 50) BY
MAYOR ANTONIO VILLARAIGOSA
SUPERVISOR MICHAEL ANTONOVICH
SUPERVISOR DON KNABE
MAYOR ARA NAJARIAN
DIRECTOR RICHARD KATZ
ON ENHANCED COMMUTER RAIL SAFETY

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY BOARD MEETING
THURSDAY, SEPTEMBER 25, 2008

Villaraigosa Antonovich Knabe Najarian Katz Motion as amended that the MTA Board of Directors:

1. Instruct the Los Angeles delegation to the Metrolink Board of Directors and request the whole Metrolink Board of Directors to:
 - A. Direct Connex Railroad LLC/Veolia Transportation to immediately staff Metrolink locomotive cabs with two qualified engineers and authorize the Metrolink CEO to negotiate any associated contract amendments
 - B. Implement “automatic train stop” (ATS) wayside infrastructure immediately to compliment Metrolink trains that are already equipped with ATS equipment and capability
 - C. Install in all Metrolink locomotive cabs as soon as possible video cameras and digital video recorders (or equivalent technology) that will record all engineer and other staff activity in the cab for forensic and investigative purposes, including appropriate discipline for engineers who violate operating procedures required by law or contract
 - D. Immediately establish an independent “Commuter Rail Safety Peer Review Panel” to review Metrolink’s existing rail safety plans, operating procedures, and protocols. The panel shall include experts in applicable fields to review and recommend both immediate and longer term improvements that will increase

safety, reduce the risk of a catastrophic event, and focus on creating safety redundancy in Metrolink's operating procedures, vehicles, facilities (wayside), and systems. In addition, the panel should be requested to review the safety plans and protocols of the Burlington Northern Santa Fe and Union Pacific railroads operating in Metrolink service area. The results of the peer review need to be presented within two weeks at a special Metrolink Board meeting.

- E. Concurrent with the work of the "Commuter Rail Safety Peer Review Panel" challenge the Burlington Northern Santa Fe and Union Pacific railroads to implement ATS infrastructure on their locomotives operating in the Metrolink service area, including the County of Los Angeles

2. Direct the CEO to:

- A. Immediately identify and program \$5 million for implementation of "automatic train stop" (or positive train control systems and/or other effective collision avoidance systems) on the commuter rail system in the County of Los Angeles
- B. Report back to the Board in October with cost estimates and any additional programming required to implement these automatic train stop systems
- C. Include funding for ATS and any other recommended safety improvements in MTA's proposed FY 2009 budget

3. Direct the CEO to work with Metrolink's other funding partners to secure, identify and program funding for implementation of positive train control systems (or other effective collision avoidance systems) on the commuter rail system in the non-Los Angeles portions of Metrolink's service area

4. Request the CEO to report on actions needed to secure and allocate for rail safety improvements in the Metrolink service area, the \$97.0 million of Trade Corridor Improvement Fund revenues, programmed by the California Transportation

Commission for the Colton Crossing project, consistent with Article 2.5. Section 8879.52 (d) of AB 268

5. Adopt "SUPPORT" positions on the following federal legislation that would implement positive train control and other collision avoidance systems on commuter rail lines and create federal assistance for families of passengers involved in rail passenger accidents and the aggressive timeline in the Feinstein/Boxer bill:

- A. S. 3493 (Feinstein/Boxer)
- B. H.R. 2095 (Oberstar)
- C. S. 1189 (Lautenberg)

6. Authorize the CEO to work with the Congressional authors to amend the respective bills to meet the policy and safety goals of this motion

7. Direct the CEO to report back to the Board in October with a work plan to develop a comprehensive "Los Angeles County Commuter and Freight Rail Master Plan" that includes, but is not limited to, the following:

- A. Identify, evaluate, and recommend additional technological and systems investments including, but not limited to:
 - Positive train control
 - Automatic train stop
 - **Seat belts**
 - Upgraded signals
 - Enhanced communications
 - Upgraded dispatch
 - On-board cameras
- B. Identify, evaluate, and recommend new rail infrastructure upgrades that include, but not limited to:
 - Grade separations

- Track straightening
 - Tunnel improvements
 - Adding new track (double tracking, etc.)
 - Improved highway-rail crossing intersections
- C. Other recommended rail improvements not identified above or recommended by the Metrolink “Commuter Rail Safety Peer Review Panel” process.
8. Direct the CEO to include advocacy for additional federal and state funding to increase the safety of the commuter rail system in Los Angeles County and the entire Metrolink service area
9. Direct the CEO to prepare for signature by all 13 MTA Board members a letter to Los Angeles County’s Congressional and state delegations urging them to:
- A. Support additional federal and state funding for enhanced commuter rail safety, especially for automatic train stop/positive train control systems, grade separations, and double tracking single track portions of Metrolink’s service area
 - B. Adopt laws requiring the railroad industry to implement enhanced safety measures on the nation’s commuter rail and freight network
 - C. Urge regulatory and enforcement agencies, including the Federal Railroad Administration and California Public Utilities Commission, to allow and approve (if necessary) implementation of existing automatic train stop technology while a national standard for a more advanced positive train control system is being developed
 - D. Urge Congress to direct the FRA to be more aggressive in implementing safety measure that protect commuters
 - E. Urge Congress to empower and require FRA to regulate railroad worker hours

in a manner similar to how the Federal Aviation Administration regulates airline pilots to reduce the risk of fatigue causing or contributing to human error that can lead to a catastrophic rail incident

Yaroslavsky Amendment that the MTA Board of Directors direct staff to report back to this Board at the October meeting on the feasibility, including implementation and costs, for installing shoulder harness/lap belts on all Metrolink trains.

Najarian Amendment that funds have been identified in Prop C 10%, fiscal years '09 and '10. These funds should be utilized and/or combined with Prop 1B Los Angeles County Metrolink funds, to immediately fund the directives (ATS and other recommended safety improvements) contained in paragraph 2 (A), (B), (C) of said motion.

Parks Amendment that lessons learned or discovered from the safety investigation that can be applied to Metro Light Rail or Subway operations shall be reported at the October meeting.

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SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

TRANSMITTAL DATE: October 9, 2008

MEETING DATE: October 10, 2008 **ITEM 6**

TO: Board of Directors

FROM: Chief Executive Officer

SUBJECT: Update on Immediate & Short Term Changes in Response to the September 26, 2008 Board Directives

Issue

The Board, at its September 26, 2008 Board meeting, directed Metrolink staff to implement three immediate actions to enhance safety of on-going operations. The first was to increase the situational awareness of engineers by adding an extra set of eyes in the cab. The second was to expand the use of the existing Automatic Train Stop (ATS) system and make related signal system improvements. The third was to install inward looking video cameras in the locomotive and in the operator compartment of the cab car.

Recommendation

There is no staff recommendation. Staff will return to the Board at the October 24, 2008 Board of Directors meeting with recommendations and funding alternatives.

Background**Additional Set of Eyes**

Increased observation in the cab was suggested as a means to keep locomotive engineers aware of signal aspects. Shortly after the September 12 Chatsworth collision, SCRRA started using extra board employees and management trainmasters to ride along with the engineer. There are a limited number of extra board employees and they have historically been used to fill sick/vacation/training absences and calls for emergency or extra service. Using the extra board, SCRRA has been able to put extra sets of eyes on approximately 20 partial or entire train trips per day.

This level of coverage is increasingly difficult to maintain after mid-November due to holiday schedules and special train services. Other efforts could include instructing the conductor to remain in the lead cab car when in push mode while still operating, the doors and making announcements. This would be used in single-track and non-ATS

territory. This would additionally require a limited increase in Los Angeles Sheriff Department's (LASD) fare inspections. This effort is particularly useful in the morning on in-bound trips. Use of conductors on morning trips allows the extra board to be utilized in the afternoon when the trains typically operate with the locomotive in the front and conductors must remain in the coaches with the passengers. By the afternoon rush SCRRRA also has a better understanding of the requirements and can assign extra board without fear of annulling trains.

Part of the analysis of where to provide the extra set of eyes is based on the track configuration. Territory with significant single track (such as the ends of the Ventura County Line, the San Bernardino Line and the Antelope Valley Line north of Burbank) would benefit more than areas that have simple double track (predominantly found Northridge inward on the Ventura County Line and on the Orange County Line). In the more simple double track territories, Metrolink tends to follow a more traditional right hand running that minimizes train meets. In addition, a second set of eyes will be concentrated on areas which are not ATS-equipped.

Other efforts that have begun also work to improve the situational awareness of engineers. These efforts include changes to dispatch functions, such as diversion testing that gives engineers different than normal route line-ups and field testing done either with Connex/SCRRRA management or jointly with BNSF or UP employees. Field testing has been increased over previous levels but requires the management resources at the wayside that could otherwise serve as second eyes.

A longer term strategy, along with the conductors in the cab as previously mentioned, would be to expedite the hiring of engineers required for near-term service expansions. SCRRRA will need to hire 6 engineers to provide labor for the initial service levels for Orange County Service expansion. These engineers are needed for the expanded service in January 2010. SCRRRA intends to train existing conductors who have expressed an interest in becoming engineers. Under this scenario these newly trained engineers could be ready for "extra eye" service in February 2009 and would continue as such until the service expansion starts. The cost of providing this labor will amount to approximately \$1 million for the eleven months in question, before they would be assigned to initial Orange County Line service. This cost would need to be allocated among the Member Agencies. Additionally it is expected that six more engineers would be required when the full Orange County Line service levels are achieved in October of 2010. If SCRRRA authorizes Connex to hire these engineers early it would cost another \$1,000,000 for the time period of January 2009 through October 2010.

ATS & Signal Improvements

Staff is developing an ATS matrix that evaluates the physical characteristics of SCRRRA Control Points. Based on the analysis a list of top ATS candidate locations will be proposed. Sample evaluation criteria include sight distance, speed, and track curvature, and we expect a candidate list of locations by October 24th. A rough

estimate for ATS installation depends on how and where it is installed but should be under \$1.5 million. A low cost installation would utilize more inert inductors that are basically always "on". A more sophisticated installation would tie the inductor into the signal system and would be "on" only when there is a restricting (not green) signal. For estimating purposes, installing ATS at a complex control point would cost approximately \$160,000 and installing inert inductors would cost approximately \$20,000 per location. ATS costs are short term and are "throw away costs" because the ATS components will be removed when SCRRRA implements a Positive Train Control system. Staff has developed this estimate based on discussions with an ATS supplier as well as discussions with the FRA. Other anticipated improvements include signal system upgrades such as installation of LED signal lights to improve visibility and movement of intermediate signals consistent with station locations. These costs are not "throw away costs" as they would out-live the use of ATS and are estimated to be approximately \$2.5 million. This would be a substantial acceleration of an ongoing program. The total cost for ATS and signal upgrades is estimated to be \$4 million.

Prior to installation of ATS components, SCRRRA will need to obtain FRA's approval. This process is detailed in the Code of Federal Regulation part 235. Staff has discussed this proposal with both freight railroads and with the FRA. The application must seek a waiver to install only on Metrolink territories as the freight railroads have expressed their intent to accelerate PTC implementation rather than install ATS on their lines. The signal modification application must have specific locations identified and both the existing condition as well and the designed improvement must be part of the application. As the sites are selected, SCRRRA staff will complete the needed design. It is anticipated that the FRA submittal will be available by November 15, 2008. FRA has indicated that their approval of the Metrolink waiver application could be granted after the normal 45 day comment period. The earliest installation will be able to begin in January 2009.

Video Cameras

Video cameras serve to create better awareness and accountability by engineers. Additionally, tapes from the cameras can be used for efficiency testing and performance review. The estimated cost of installing cameras is approximately \$3,000 per locomotive installation. The cameras must be tied into the locomotive Video Recorder. The 15 new locomotives have sufficient video inputs to accommodate inward looking cameras. SCRRRA has received a Department of Homeland Security grant to install forward looking cameras and associated computer improvements. The DHS grant requires completion of the installation by October 2009. Thus for approximately an additional \$160,000 the locomotive fleet can be outfitted with inward facing cameras.

Cab Car inward facing cameras is more complex. Because SCRRRA is in the middle of a new car procurement, in which all the existing cab cars will be replaced with Crash Energy Management (CEM) cab cars, staff is not anticipating any improvements to the existing fleet of cab cars, since they will be converted to trailers. The new cab cars will

come equipped with Video Recorders that can have additional inward looking cameras for approximately the same cost as adding them to locomotives (\$160,000). The new cab cars will begin arriving in mid-2009. Funding for this sort of installation may be available in the FY 2008-09 Proposition 1B California Transit Security Grant Program funding, which could be available in January 2009.

Budget Impact

Funding has not been committed for these actions. Funding has been proposed by Metro for use in Los Angeles County. Other Member Agencies have not identified funds to pay for items that are either shared in cost or would be the responsibility of each agency. Preliminary estimates have indicated that some funds may be available in the fiscal year 2007-2008 surplus as a result of prior year operations efficiencies. Staff will be working with the member agencies to identify new funds or alternately will have to propose offsetting reductions in the current year authorized budget, and hopes to report back at the October 24, 2008 meeting.

Prepared by: Gray Crary, Assistant Executive Officer, Operating Services



DAVID SOLOW
Chief Executive Officer



SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

TRANSMITTAL DATE: October 9, 2008

MEETING DATE: October 10, 2008 **ITEM 5**

TO: Board of Directors

FROM: Ad Hoc Subcommittee - Peer Review Panel

SUBJECT: Commuter Rail Safety Peer Review Panel

Issue

On September 26, 2008, the SCRRA Board of Directors approved two actions establishing a comprehensive set of recommendations and requests for future action in the wake of the September 12 collision in Chatsworth. One of the recommended actions was to create an Ad Hoc Subcommittee of the Board to create and select the members of a Commuter Rail Safety Peer Review Panel consisting of industry experts to make recommendations on the operation of the Metrolink system. This report presents the results of the Ad Hoc Subcommittee's work to date and recommends a scope of work and contracting methodology.

Recommendation

The Ad Hoc Subcommittee recommends that the Board of Directors approve the scope of work of the Commuter Rail Safety Peer Review Panel and the contracting methodology and budget described herein.

Background

At its September 26 meeting, the Board of Directors considered a motion from Directors Katz and de la Vega, which, among other things:

"Direct[ed] the CEO to immediately establish an independent 'Commuter Rail Safety Peer Review Panel' consisting of experts in applicable fields to review and recommend both immediate and longer term improvements that will increase safety, reduce the risk of a catastrophic event, and focus on creating redundancy in Metrolink's operating procedures, vehicles and facilities (wayside), and systems."

After discussion, an amendment by Vice Chairman Millhouse, the motion was accepted, and the Board adopted the amended motion which authorized the Chairman of the Board to establish an Ad Hoc Subcommittee of the Board to select the members of the Peer Review Panel.

Chairman Roberts later appointed Directors Katz, de la Vega, and Vice Chairman Millhouse as the Ad Hoc Subcommittee. The Subcommittee has considered a number of names for the Peer Review Panel and has selected an initial roster; additional names may be added later. The list includes active and retired chief executives and technical specialists from commuter

railroads across the nation, academics and researchers in the transportation safety field, and consulting engineers. The individuals have indicated their willingness and availability to serve on the Peer Review Panel.

The Peer Review Panel will be led by Peter Cannito and Don Sepulveda. Mr. Cannito is the retired President of Metro North Railroad in New York, one of the largest commuter rail services in the nation. Mr. Sepulveda is a Senior Project Manager with HNTB Corporation, with extensive experience in railroad safety issues, focusing on corridor-wide improvement strategies, including the Alameda Corridor and SCRRA's Sealed Corridor project. Project support and coordination will be provided by HNTB Corporation, under the overall facilitation of Linda Bohlinger. A brief biography of all proposed panel members is attached to this report.

The Scope of Work for the Peer Review Panel has been developed by the Ad Hoc Committee and leadership of the proposed Panel. Eleven specific tasks have been outlined, ranging from review of the major service contracts and SCRRA's oversight of contractor performance, to safety plans and protocols of our rail corridor partners (the freight railroads, Amtrak, and Coaster), to operating practices and procedures, and SCRRA's organizational structure as it relates to fulfilling its responsibilities in the provision of safe and effective commuter rail service. Consistent with the Board's direction, the Panel's work is expected to be performed over a 60-day period. The principal deliverables will be reports on findings in each of the areas established in the Board's approved motion. The Final Draft of the Scope of Work is also attached to this report.

To perform the work of the Peer Review Panel, SCRRA staff will issue a Contract Task Order to HNTB Corporation in an amount not to exceed \$250,000. HNTB is currently an approved subcontractor to JLP and Associates, which holds one of three General Engineering Contracts with SCRRA (specifically, Contract No. E737A-08). As this contract has only recently been issued, HNTB has no currently authorized work with SCRRA, and thus is ideally situated to support an independent review.

Budget Impact

Contract NO E737A-08 has sufficient contract authority to accommodate the expenditure of up to \$250,000. The expenditure itself is proposed to be funded from the existing contingency budget.

Prepared by: Steve Wylie, Assistant Executive Officer


DAVID SOLOW
Chief Executive Officer

ATTACHMENT C

**Southern California Regional Rail Authority
Metrolink Commuter Rail Safety Peer Review Panel
List of Panel Members
10/10/08**

UPDATED COPY PROVIDED
TO THE SCRRA BOARD AT
THE 10-10-08 MEETING

Panel Facilitator

**Linda Bohlinger
Vice President, National Director of Management Consulting
HNTB Corporation**

Transportation Agency Management, Including Commuter Rail; Contract Systems and Contracts Oversight

Linda has over 30 years experience in the transportation industry. As Vice President of HNTB, she is responsible for leading HNTB's national Management Consulting practice.

Her previous public sector experience was as the Executive Director of South Florida's Tri-County Commuter Rail Authority (Tri-Rail), now named the South Florida Regional Transportation Authority (Tri-Rail). Tri-Rail is a 71 mile commuter rail system that runs from Miami to Ft. Lauderdale to Palm Beach. Similar to Metrolink, Tri-Rail contracts out its operations and maintenance and has multiple freight and Amtrak users on its rail corridor.

Previous to running the Tri-Rail system, Linda had a fifteen-year tenure with the Los Angeles County Metropolitan Transportation Authority (Metro), where she held positions of CEO, Deputy CEO and planning executive officer. She also served as Deputy Director for the California Transportation Commission in Sacramento, CA.

Linda helped start up Metrolink in the early '90's when she worked for Metro. She helped purchase the railroad right-of-way, negotiated all the funding agreements with the five counties and secured the initial grants.

Linda is active in the transportation industry and is currently the Vice Chair for Research and Technology for the American Public Transportation Association (APTA) and serves on its Executive Committee.

Lead Panel Members

**Don Sepulveda
Senior Project Manager
HNTB Corporation**

Track, Signals and Vehicles Inspection and Maintenance (Grade Crossing, Corridor Safety Specialist)

Don has had extensive experience in railroad safety issues, specifically the application of advanced technologies to railroad applications, the analysis, design, and permitting of highway-rail grade crossings and grade separations. He has worked with local agencies on grade crossing improvements and improvement strategies for the enhancement of rail corridors – in particular, the Alameda Corridor project.

In addition, Don has developed comprehensive standards and procedures for the design, permitting, and construction of highway-railroad grade crossing in addition to many presentations to the engineering community on the diagnostic analysis, design, and construction of highway-railroad grade crossings. He has analyzed railroad safety practices for several railroads in the development of the products for which he has been responsible.

Don is active in the industry and is currently President of the American Society of Civil Engineers (ASCE), Los Angeles Chapter. He is a registered professional engineer.

Peter A. Cannito, Sr.
LPC and Associates Inc.

Commuter and Freight Railroad Management, Operations and All Aspects of Railroading

Pete just retired as President of Metro North Railroad, lengthy background in the railroad industry, including freight. At Metro North, Pete was responsible for the management of one of the largest commuter rail systems in the United States. He managed annual operating budget of approximately \$1.2 Billion and an annual Capital Program of \$320 Million. He also had a long tenure with Amtrak as Vice President of Engineering.

Pete is also very active in the transportation industry and currently chairs the APTA Standards Development and Oversight Committee.

Other Panel Members

Joe Giulietti
Executive Director
South Florida Regional Transportation Authority (Tri-Rail)

Railroad Operations – Freight and Commuter Rail; Contracts Oversight

Joe has a long tenure in the commuter rail industry. He started in the freight railroad industry, worked for Metro North commuter rail for many years and previously with Conrail. He has worked at Tri-Rail since 1998 and has been the Executive Director since 2000. His Tri-Rail Position reports to a 9 member Board representing 3 Counties in South Florida. During the past 7 years his Agency has successfully transitioned from a Commuter Rail Authority to a Regional Authority by bringing together the Airports, Seaports and the Regional Business alliance to identify Regional issues and support the Regional needs

Joe is very involved in safety issues at Tri-Rail and works with a rail corridor that is owned by the state of Florida, with Tri-Rail, Amtrak and the CSXT freight railroad using the corridor with a rail crossing with the FEC railroad. The Federal Railroad Administration is very active in this corridor. Tri-Rail, like Metrolink, contracts out its operations and maintenance activities.

Joe is active in the rail transit industry and currently chairs the APTA rail standards committee.

Gerald R. Hanas
General Manager
Northern Indiana Commuter Transportation District

Railroad Operations and Systems Safety

Gerry has experience in dealing with safety issues in the aftermath of the deadly head-on crash of his commuter rail trains in 1993. He is active in APTA and has chaired the Commuter Rail CEO committee. He has served as General Manager for the District since 1982. Since that time he has managed the District's activities in refurbishing the passenger assets of the former Chicago South Shore and South Bend Railroad. Those activities include managing a Capital budget of over \$330 million.

The District also directly operates the passenger rail service between South Bend, Indiana and Chicago, Illinois. The services provide forty-one (41) weekday trains carrying approximately 14,000 passengers a day. The District employs 340 people in a variety of disciplines.

Bill Parsons
Director of Operating Rules
Metro North Commuter Rail

Railroad Operations

Bill is the Director of Operating Rules for Metro North Commuter Rail and is the former chair of the Operating Rules Association of North American, the industry organization for all railroads, including freights. He is active on the FRA RSAC (Rail Safety Advisory Council), operating committees. He represents Metro-North and APTA on the Railroad Safety Advisory Committees. Bill has participated on the NORAC Safety Committee. He also participated on an APTA peer review for Washington Metropolitan Area Transit Authority. He interfaces with the American Association of Railroads (AAR) and APTA on regulatory issues.

Robert E. Skinner, Executive Director
Transportation Research Board
The National Academy of Sciences

Contract Systems and Contracts Oversight

Bob Skinner represents a policy, research and technology perspective for all transportation modes for the panel. As head of TRB, Bob sits on several panels, including the recent Boston Big Dig peer review panel. Mr. Skinner joined the Transportation Research Board as a Senior Program Officer in 1983, and was named Director of the Studies and Information Services Division in 1986 before becoming Executive Director in 1994.

Prior to joining the board, Mr. Skinner was the Vice President of Alan M. Voorhees and Associates in McLean, Virginia, a transportation consulting firm specializing in services to local, state, and federal transportation agencies.

Mr. Skinner holds a Bachelor of Science degree in civil engineering from the University of Virginia and a Master's degree in civil engineering/transportation systems from the Massachusetts Institute of Technology. He is a registered professional engineer.

Robert E. Gallamore
Chair, Committee for Review of the Federal Railroad Administration Research and Development Program

Systems Safety

Robert represents an academic perspective for the panel, with a freight railroad background.

Robert E. Gallamore is the former Director of The Transportation Center and Professor of Managerial Economics and Decision Sciences in the Kellogg School of Management at Northwestern University, Evanston, IL.

Prior to joining Northwestern University in August, 2001, Gallamore was on executive loan from Union Pacific Railroad to the Transportation Technology Center, Inc., in Pueblo, Colorado. There he was Assistant Vice President, Communications Technologies and General Manager of the North American Joint Positive Train Control Program. This partnership of the Association of American Railroads, the Federal Railroad Administration, and the State of Illinois DOT is establishing railroad industry interoperability standards and deploying an operational positive train control system enabling rail passenger train speeds of up to 110 mph between Chicago and St. Louis. Before the industry assignment, Gallamore was General Director, Strategic Analysis for the Union Pacific Railroad in Omaha and an executive with UP Corporation in New York City.

Gallamore has also served in several positions with the federal government. As Deputy Federal Railroad Administrator under President Jimmy Carter, he led the Executive Branch development of recommendations for railroad deregulation and revitalization. In this capacity he was awarded one of the first Senior Executive Service Awards by President Carter. Earlier, Gallamore was Associate Administrator for Planning of the Urban Mass Transportation Administration and System Plan Coordinator with the United States Railway Association (which established Conrail out of the facilities of the bankrupt Northeast railroads).

After 9/11, Gallamore served on a National Academy of Sciences panel, "Science and Technology for Countering Terrorism: Transportation and Distribution Systems," whose report is included in *Making the Nation Safer: The Role of Science and Technology in Countering Terrorism*. Subsequently, Gallamore chaired the National Research Council / Transportation Research Board Committee on Freight Transportation Information Systems Security, which addressed issues, threats, and research priorities in this difficult area. He subsequently chaired other NAS / TRB panels on hazardous materials transportation and on railroad research priorities. He was made a Lifetime Affiliate of the National Academies in 2004.

Dr. Gallamore received his A.B. from Wesleyan University with high honors. He earned an M.A. in Public Administration and a Ph.D. in Political Economy and Government from Harvard University. His dissertation on railroad mergers remains a standard reference. Among

Gallamore's numerous publications is a chapter on railroad innovation and regulation in *Essays in Transportation Economics and Policy: a Handbook in Honor of John R. Meyer*, published by the Brookings Institution (1999).

Kristen Bell
Vice President, Research and Development
BST Solutions

Systems Safety (Human Factors)

Kristen Bell heads the Research & Development group at BST and has been instrumental in BST's growth in safety leadership development, safety culture enhancement, and occupational injury and illnesses prevention. Over the last 9 years, Kristen has consulted on a number of projects in the railroad industry including evaluation of the impact of a rulebook consolidation on employee behavior at Amtrak; design, oversight, and evaluation of a behavior-based safety process for both Amtrak and Union Pacific and consultation to the Federal Railroad Administration on the application of behavior-based methods to safety and culture improvement in the railroad industry.

She holds Master's degrees in both Psychology and Business Management. She is a professional member of the International Society for Performance Improvement, the American Psychological Association, and the Academy of Management.

Bart Reed
Executive Director
Transit Coalition

Passenger Rail Advocate

Bart Reed is the Executive Director of *The Transit Coalition*, a Sylmar, CA based nonprofit. In this capacity, he is a nationwide advocate for effective transportation systems and solutions. Reed addresses citizen and community groups about public transportation issues, including autos, rail, bus, bicycles, roads, toll lanes, ADA, goods movement and rail / pedestrian safety.

Reed frequently travels to Washington, DC and Sacramento to educate elected representatives on rail and bus transportation issues. He produces and conducts outreach programs and meetings to demonstrate support for public transit initiatives and investment. Reed developed and manages a transit e-mail list with 5,000+ transportation contacts and edits and publishes a weekly e-newsletter and a monthly print newsletter *Moving Southern California*.

Reed maintains an extensive community presence with involvement in organizations including: Valley Vote, Friends4Expo, Friends of the Green Line, Friends of the Red Line, Sylmar Neighborhood Council, Sierra Club Transportation Committee, Pacoima Community Coordinating Council and TUG-NET: the computer users group.

**Anne Herzenberg
Transit Consultant**

Contract Systems and Contracts Oversight

Anne is a transit consultant who has recently performed organizational reviews and other transit consulting work for the Tren Urbano rail line in San Juan, Puerto Rico, the Regional Transportation Commission of Southern Nevada (RTC), the Dallas Area Rapid Transit District (DART), the Bay Area Rapid Transit District (BART) and the New Orleans Regional Transit Authority.

Anne was the Massachusetts Bay Transportation Authority (MBTA) Chief Operating Officer for several years. She was head of two of MBTA's subway lines and of the mechanical back shop before becoming deputy Chief Operating Officer (COO) and COO. She is familiar with commuter rail. Like the SCRRA, the MBTA contracts out their entire commuter rail service.

She graduated from Yale University and has a Master of Science in transportation from MIT.

METROLINK COMMUTER RAIL SAFETY PEER REVIEW SCOPE OF WORK

PURPOSE: Conduct an independent review and evaluation of the Southern California Regional Rail Authority (SCRRA) operating environment, policies, procedures, contracts, and management as they relate to the safety of SCRRA's Metrolink commuter rail operations. The review and evaluation will focus on all functional aspects of the operations including train operations, track and structure inspection and maintenance, signal inspection and maintenance, and vehicle inspection and maintenance provided by SCRRA staff and the various Operating Contract Service Providers (OCSP), including Veolia Transportation (train operations), Bombardier (vehicle maintenance), Herzog (track and structure maintenance) and Mass Electric (communication and signal systems).

The review is based on the Revised Motion by Directors Richard Katz & Jaime De La Vega, "Item 15 – Enhanced Commuter Rail Safety Metrolink Board Meeting" adopted by the SCRRA Board on September 26, 2008.

DELIVERABLES: The result of the Peer Review will be reports on findings in each of the areas studied with recommendations for corrective action or improvement. The recommendations will primarily focus on those improvements that will increase safety through redundancy, increase safety of train operations, reduce the risk of accidents, and reduce the severity of accidents, if they occur.

Recommendations will be broken into the following timeframes for implementation: Immediate; Short Term (less than 1 year); Intermediate Term (one to two years) and Long Term (greater than 2 years).

TASKS:

1. Review all contracts between SCRRA and its Operating Contract Service Providers (OCSP) to determine contract requirements regarding the delivery of services.
2. Review the safety plans and protocols of Metrolink's rail corridor partners (the Burlington Northern Santa Fe and Union Pacific railroads, Amtrak and Coaster) and Metrolink operating in the Metrolink service area and Metrolink operating in the rail partners' service areas.
3. Review and analyze the delivery of service being provided by the OCSP to evaluate degree of compliance with contract requirements.
4. Review and evaluate the OCSP's operating practices and procedures to ensure that they are consistent with Federal Railroad Administration (FRA) rules and regulations, State of California regulations, the General Orders of the California Public Utilities Commission (CPUC), and SCRRA's System Safety Program.

5. Evaluate the specifications defined within the contracts to determine the amount of control and influence that SCRRRA has over the service providers for the operating services being provided. The evaluation will look at the original agreement, the operating contract, any new rules or regulation, etc.
6. Review and evaluate the policies and procedures of the OCSP regarding the delivery of service to SCRRRA to determine the OCSP's compliance with their own internal policies and procedures. This review will include hiring criteria, monitoring/evaluation procedures for employees assigned to operate Metrolink service, work rules (including but not limited to work hours, rest periods, split shifts, etc.), disciplinary system, etc.
7. Review the OCSP established basic operating practices and procedures to determine if they are consistent with federal rules and regulations and good railroading principles and guide their employees regardless of where and for whom they are providing similar operating services.
8. Review and evaluate SCRRRA and OCSP compliance with FRA and OCSP rules and regulations for all aspects of railroad operations, inspection, and maintenance. Review will include an evaluation of training programs, employee observation programs, record keeping, and corrective action to ensure compliance.
9. Review and evaluate the management and the effectiveness of the coordination of all of the operating and maintenance services being provided by multiple OCSPs and the rail corridor partners. For example, who is responsible for ensuring the integration of railroad operations from a safety prospective and how effective is the oversight?
10. Review and evaluate the relationship between maintenance of way, maintenance of equipment, transportation, both field and office, including the communication of conditions that would potentially put the railroad at risk. Determine the effectiveness of operator feedback on discoveries recommendations determined during railroad operations.
11. Review the ability of SCRRRA's organizational structure, staffing levels and skills required to oversee all aspects of the operation and to ensure compliance with federal and state rules and regulations, contractual requirements and industry standards. Review how any gaps can be filled or can they be filled while maintaining the segregation between the agency and the contractor and its employees?

AREAS TO BE REVIEWED:

1. Operations of Commuter Trains (Transportation Functions)
2. Track and Structure Maintenance and Inspection
3. Signal System Maintenance and Inspection
4. Vehicle Maintenance and Inspection
5. Operating Contract Service Provider's (OCSP) Hiring and Training Policies and Guidelines for Safety Sensitive Positions
6. Employee Observation and Testing Programs for Safety Sensitive Positions administered by the OCSP and/or Metrolink staff.

7. Operating Contract Service Provider's (OCSP) management and oversight of the employee responsible for providing the services.
8. SCRRA's management and oversight of the OCSP and their Operations and Maintenance of the Railroad to ensure compliance with the System Safety Plan and the contracts.
9. SCRRA's management and oversight of train operations and vehicle inspection and safety procedures and protocols of its rail corridor partners.

DURATION OF STUDY: On the scope of work for the Commuter Rail Safety Peer Review has been agreed upon, it is estimated that the duration of the study will be approximately 60 days and would commence on Friday, October 10, 2008.

- There will be a meeting of the peer review panel and the board subcommittee within two (2) weeks of the start of the assignment or as soon as practical therein. There will be two additional meetings of the peer review panel and the board subcommittee to discuss the draft and final report, respectively.
- The first 30 days of the study will be spent collecting data, observing the operations, and interviewing people from both Metrolink and the OCSPs.
- The next 15 days will be spent analyzing the information gathered and developing recommendations.
- Within 45 days after the start of the review, a draft report and briefing will be provided to the SCRRA Board Adhoc Subcommittee – Peer Review Panel and then to the SCRRA Board.
- Within 60 days from Friday, October 10, 2008, a final report with recommendations will be submitted to the SCRRA's Board Adhoc Subcommittee – Peer Review Panel and then to the SCRRA Board.

RESOURCES: The staffing of the participants for the study will include a wide range of experience and expertise in all aspects of Railroad Operations, Maintenance, Safety, Regulations, and Oversight. The Peer Review Panel will be made up of consultants and industry professionals with experience in all aspects and functions of railroading.

We also believe that the panel should include a small cadre of non-railroad professionals, such as academics and transportation policy specialists, who could add another perspective on railroad safety to provide balance and limit industry bias, where possible.

The Peer Review Panel, at a minimum, will include the following skills and experience:

1. Railroad Operations
 - a. Operating Rules specialist
 - b. Individuals with experience in operating a commuter rail system and/or freight railroad system
2. Track, Signals and Vehicles Inspection and Maintenance
 - a. Track and Structures specialist

- b. Equipment/Vehicle specialist
 - c. Communications and Signal specialist
3. Systems Safety
- a. System Safety specialist
 - b. Human Factors expert
4. Contracting Systems and Contracts Oversight
- a. Federal and State Regulatory expert
 - b. Individuals with experience in managing a Railroad with a contract(s) operator
 - c. Individuals with experience in managing a commuter rail system

Item 4: Report on Actions Needed to Secure \$97 M in Colton Crossing Funds for Metrolink Rail Safety Improvements

October 15, 2008

LACMTA Consolidated Metrolink Motion Item Number 4:

"4. Request the CEO to report on actions needed to secure and allocate for rail safety improvements in the Metrolink service area, the \$97.0 million of Trade Corridor Improvement Fund revenues, programmed by the California Transportation Commission for the Colton Crossing project, consistent with Article 2.5. Section 8879.52 (d) of AB 268."

The statutory reference in the motion above reads as follows:

"(d) If the Colton Crossing project programmed in the commission's TCIF Program as of April 10, 2008, does not meet the requirements or delivery schedule contained in its project baseline agreement when reviewed by the commission no later than March 2010, the project shall be ineligible to receive an allocation from the TCIF. The ninety-seven million dollars (\$97,000,000) associated with the project shall then be available for programming in the Los Angeles/Inland Empire Corridor. In that event, the commission shall collaborate with the local transportation agencies in that corridor to select another project or projects for programming of those funds, and, in making that selection, shall take into consideration the Los Angeles/Inland Empire Corridor Tier One or Tier Two Project Lists and any other project identified by the local agencies. Projects currently receiving TCIF funding shall not be considered for selection."

ANALYSIS:

Consistent with the statutory language above, the definition of the "Los Angeles/Inland Empire Corridor" encompasses the freight movement areas of Los Angeles, Ventura, Orange, Riverside, and San Bernardino counties. Tier One of the rail safety related project list is already funded and is ineligible for additional funds. The rail related projects in the Tier Two project list are the ACE Nogales Grade Separation for \$53 million (already funded); and the ACE Jurupa Avenue/Union Pacific Grade Separation (Riverside County) for \$10 million. We are checking with the Riverside County Transportation Commission on the current funding status of this project.

If the CTC frees-up the Colton Crossing TCIF funds, \$97 million would become available for "any other project[s]" selected by the local agencies in collaboration with the CTC. TCIF funds carry a dollar-for-dollar matching fund requirement. The "local agencies" term is really referring to the Southern California Consensus Working Group, which is currently relying on the five county Southern California CEO's group to define recommended policy positions with respect to the TCIF funds for their Boards of Directors.

ATTACHMENT D

The five county Southern California CEO's group met on October 10, 2008 and discussed the transmittal of a letter to the Secretary of Business, Transportation and Housing Dale Bonner. The proposed letter would state a consensus desire to redirect the Colton Crossing funds to reduce passenger and freight rail conflicts. In addition to the Metro Board motion and the legislation shown above, the impetus for the letter to Secretary Bonner was a discussion before the CTC on September 24, 2008 between Commissioner Dario Frommer and the Secretary in which the Commissioner asked the Secretary to support the transfer of the Colton Crossing TCIF funds to new projects that would address freight and passenger rail safety. The Secretary responded that any freed-up funds should go to the rail related projects on the previously established Tier Two list and that the TCIF funds should retain their goods movement emphasis.

The five county CEOs agreed with the need to express a consensus desire to focus any redirected Colton Crossing funds to eliminating passenger and freight rail conflicts. Metro staff prepared and released a draft of the letter on October 14, 2008 and expects to finalize the wording on October 17, 2008. We will transmit a copy of the final Consensus Group letter to the Metro Board early in the week of October 22, 2008.

NEXT STEPS:

Discuss Redirecting Colton Crossing Funds with CEO's	October 10, 2008
Receive Comments on Draft Letter to Secretary Bonner	October 17, 2008
Transmit Bonner Letter with Signatures of All CEO's	October 24, 2008
CTC Meeting Reports/Discussion: Get Reactions to Letter	October 29, 2008
CTC approves TCIF Grade Separation agreements	October 29, 2008
Define Project Needs, Scope, and Schedules, & RTP Status	Nov/Dec. 2008
So. California Staff and CEO's Prioritize Projects	January 2009
Assemble TCIF Applications and Matching Funds	February 2009
So. California Policy Board Actions	March 2009
CTC Consultation	April 2009
CTC Action	May 2009

Item 7:
Draft Workplan to Develop a Comprehensive
Los Angeles County Commuter and Freight Rail Master Plan

Coordination

1. Coordinate and work with SCRRA and the other four SCRRA member agencies throughout the development of the master plan
2. In coordination with SCRRA, seek input from county, state, federal planning and emergency management agencies and other urban commuter rail operating and planning agencies and coordinating bodies nationwide to develop this plan

Project Identification, Evaluation and Costing

1. Review SCRRA Board Safety Peer Review Panel (“Safety Review Panel”) findings on operations and maintenance contracting and oversight policies, new technologies, communication improvements, and other safety improvement measures. Work with SCRRA to obtain cost estimates for recommended improvements.
2. Review the Multi-County Goods Movement Action Plan (“MCGMAP” or “Freight Plan”) to identify cost, schedule and funding associated with priority projects and strategies that overlap with the Metrolink service area and whose implementation can provide safety and additional mobility to both Metrolink and freight services. This will require updating project-specific schedules and available funding in light of the TCIF program.
3. Participate in meetings that SCRRA is coordinating with the railroads to recommend a positive train control system deployment timeline and cost.
4. Review work that SCRRA is currently undertaking to adopt criteria for placement of Automatic Train Control and determining timeline and cost for installation of this system.
5. Review work that SCRRA is currently undertaking regarding signal placement and upgrades and on-board cameras to determine time frame and cost.
6. Work with SCRRA staff to analyze and describe the train frequencies, automobile traffic, special hazardous conditions, state of technology, physical features and geographical environment of all at-grade crossings, single track corridors, tunnels, dispatch, communication and signal systems.
7. Work with SCRRA staff to identify and recommend project to improve safety conditions in each of the areas described above. Many proposed safety project are already identified in SCRRA’s current strategic plan. Calculate estimated costs of recommended projects.

8. Based on the results of the Safety Review Panel and Item A (3), recommend changes if necessary to the administrative processes, operating procedures, field supervision, management, oversight and contract provisions linked to system safety.

Project Prioritization and Funding

1. Categorize projects recommended from steps 1 through 7 above into high, medium and low priority projects, with higher priority assigned to projects that improve the system safety most and low to projects where current conditions are relatively safe.
2. Refine projections of funding sources from local, state, federal and private sources. Identify all potential federal and state safety related funding programs and grants. Consider deadlines to apply, eligibility guidelines, and anticipated funding available for each funding source.
3. Based on funding availability and realistic projections of potential revenues, categorize the higher priority safety projects into a short term (1-5 year) funding plan, second priority into the medium (5-10 years) and the third priority in the longer term funding time frame (10-15 years).

Plan Preparation

1. Return to Metro Board with recommended Comprehensive Los Angeles County Commuter and Freight Rail Master Plan

DATE

Honorable
Member of Congress
Address
Address

Dear _____

We, the undersigned members of the Los Angeles County Metropolitan Transportation Authority (Metro) Board of Directors, would like to thank you for your leadership in producing a final agreement on the Rail Safety Improvement Act of 2008 (H.R. 2095). Your swift legislative response in the aftermath of the September 12th, 2008 Metrolink accident is highly admirable.

As a result of this legislation, the groundwork has been laid for a comprehensive and systematic rail safety effort. While we share your disappointment that the final version of H.R. 2095 did not mandate a 2012 deadline for the implementation of positive train control (PTC), as called for in S. 3493 (Feinstein-Boxer) and H.R. 6973 (Schiff-Waxman-Gallegly-Sherman-Napolitano-Capps-Berman), we are heartened that the bill allows the Federal Railroad Administration (FRA) to impose more ambitious deadlines for high risk routes.

Additionally, we believe H.R. 2095 provides a good start on the financing front by authorizing \$250 million for rail safety technology grants to deploy train control technology and \$6 million for grade crossing improvements. It is painfully clear that all levels of government, along with freight and commuter railroads, must make a renewed effort to invest even greater resources for rail infrastructure. We view this as a shared responsibility. Towards this end, it is our view that there is room for an enhanced federal role, particularly when it comes to financing grade separation and double tracking projects which are critically important from a safety standpoint. Regrettably, the federal government provides only \$15 million annually for grade crossing projects in California, despite the fact that the average cost of a grade separation approaches \$26 million. It is our hope that you will work closely with us to ensure that the next surface transportation bill expands federal resources for grade separation and double tracking projects.

Metro is doing its part to finance important safety improvements on the Metrolink system. We have directed Metro's CEO to immediately identify \$5 million to implement rail safety technology for Metrolink. In addition, we are undertaking efforts to reallocate \$97 million from the State of California's Trade Corridor Improvement Fund to implement proven rail safety measures in Metrolink's service area as soon as possible. Furthermore, the Metro Board recently adopted a motion that encourages Metrolink to institute a series of aggressive safety reforms. Thankfully, one reform we

suggested – staffing locomotives with two qualified engineers – has already been implemented on some Metrolink routes. We fully intend to continue aggressively pursuing similar programmatic and funding efforts for Metrolink in the months and years ahead.

We encourage you and your colleagues to undertake the following efforts:

- 1) Urge the FRA to take immediate steps to ensure that additional short-term safeguards are put in place until PTC technology can be developed and implemented. Automatic Train Stop (ATS) technology already exists on limited rail lines in Southern California and should be deployed until PTC mandates are met. This is absolutely essential from a safety standpoint given that much of our region's rail system is single track shared by commuter and freight trains.
- 2) Direct the FRA to take a more proactive approach in implementing rail safety measures nationwide to protect consumers. As a regulatory agency, it is imperative that the FRA utilize all of its powers at its disposal to advance the cause of safety on our rail system.
- 3) Call on the FRA to immediately implement and enforce the hours of service provision contained within H.R. 2095, which prohibits train crews from working in excess of 12 hour shifts. We believe the work hours of railroad workers should be regulated in a manner similar to that of airline pilots, whose work hours are closely regulated by the Federal Aviation Administration. The hours of service language in H.R. 2095 is a necessary safeguard and a step in the right direction.
- 4) Direct the FCC to immediately make additional 220 MHz spectrum available for purchase to implement PTC.

Thank you for your leadership on these issues. We look forward to partnering with you on short and long term measures to maximize the safety of commuter rail passengers in Southern California.

Sincerely,

DATE

Honorable
State Assembly Member and State Senator
Address
Address

Dear _____

We, the undersigned members of the Los Angeles County Metropolitan Transportation Authority (Metro) Board of Directors, would like to request your support in response to the September 12th, 2008 Metrolink accident.

Congress acted swiftly in producing a final agreement on the Rail Safety Improvement Act of 2008 (H.R. 2095). As a result of this legislation, the groundwork has been laid for a comprehensive and systematic rail safety effort. While we are disappointed that the final version of H.R. 2095 did not mandate a 2012 deadline for the implementation of positive train control (PTC), as called for in S. 3493 (Feinstein-Boxer) and H.R. 6973 (Schiff-Waxman-Gallegly-Sherman-Napolitano-Capps-Berman), we are heartened that the bill allows the Federal Railroad Administration (FRA) to impose more ambitious deadlines for high risk routes.

Additionally, we believe H.R. 2095 provides a good start on the financing front by authorizing \$250 million for rail safety technology grants to deploy train control technology and \$6 million for grade crossing improvements. It is painfully clear that all levels of government, along with freight and commuter railroads, must make a renewed effort to invest even greater resources for rail infrastructure. We view this as a shared responsibility. Towards this end, it is our view that there is room for an enhanced state role, particularly when it comes to financing enhanced safety on the region's commuter rail system. Specifically, we would like to urge you to invest in grade separation and double tracking projects which are critically important from a safety standpoint. Regrettably, the federal government provides only \$15 million annually for grade crossing projects in California, despite the fact that the average cost of a grade separation approaches \$26 million. We believe it is critically important for the state to maintain funding for public transit by maintaining adequate funding in the Public Transportation Account. It is our hope that you will also, work closely with us to ensure that the next surface transportation bill expands federal resources for grade separation and double tracking projects.

Metro is doing its part to finance important safety improvements on the Metrolink system. We have directed Metro's CEO to immediately identify \$5 million to implement rail safety technology for Metrolink. In addition, we are undertaking efforts to reallocate \$97 million from the State of California's Trade Corridor Improvement

Fund to implement proven rail safety measures in Metrolink's service area as soon as possible. Furthermore, the Metro Board recently adopted a motion that encourages Metrolink to institute a series of aggressive safety reforms. Thankfully, one reform we suggested – staffing locomotives with two qualified engineers – has already been implemented on some Metrolink routes. We fully intend to continue aggressively pursuing similar programmatic and funding efforts for Metrolink in the months and years ahead.

We encourage you and your colleagues to undertake the following efforts:

- 1) Support funding for enhanced commuter rail safety especially for Automatic Train Stop (ATS) technology, grade separations and double tracking projects. ATS already exists on limited rail lines in Southern California and should be deployed until PTC mandates are met. This is absolutely essential from a safety standpoint given that much of our region's rail system is single track shared by commuter and freight trains.
- 2) Maintain adequate funding in the Public Transportation Account to ensure that public transit agencies are able to adequately maintain and operate public transit systems in the State of California.

Thank you for your leadership on these issues. We look forward to partnering with you on short and long term measures to maximize the safety of commuter rail passengers in Southern California.

Sincerely,

**Item 9: Response to Bernard Parks Amendment
Lessons Learned Applied to Metro Rail**

All current Metro rail lines, including the Eastside and Exposition lines currently in construction employ safety systems in the following areas:

1. Positive Train Control

Metro has deployed a Mass-Transit version of the PTC system, known as cab signaling, on all its rail lines. Cab signaling automatically and continuously transmits a "maximum authorized speed" command to every train. This system will reduce the maximum speed, or stop the train, depending upon available route ahead, maximum track speed ahead, presence of another train, or presence of a wayside signal set to stop.

This system will provide warning to an operator if a reduction in speed, or a Stop, is required. If the operator fails to slow/stop the train, the system will automatically override the operator and stop the train.

The only areas where cab signaling is not provided is in the yards (where maximum speed is 10 mph) and in street-running alignment, where the system enforces a maximum speed of 35 mph.

2. Operator Role

As discussed above, the cab signaling system will automatically override an operator and brake the train to a stop if the operator fails to slow/stop the train. This enforcement action will stop the train before it can enter the danger zone. The system will enforce a stop before a wayside signal (that is set at stop) even if another train is not present.

3. Single Track Alignment

Metro currently has only one section of single-track alignment. The Metro Blue line has a one-way loop around downtown Long Beach. On the loop, all trains follow one-another.

All other alignments are double-track.