



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
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Steve Poftak, General Manager



TO: Fiscal and Management Control Board

FROM: Timothy Lesniak
MBTA Acting Director of Commuter Rail Safety/Ferry

DATE: April 9, 2021

SUBJECT: 49 CFR 270 – MassDOT/MBTA Railroad System Safety Program Plan

On March 4, 2020, the Federal Railroad Administration (FRA) amended its regulations requiring commuter and intercity passenger rail operations to develop and implement a system safety program to improve the safety of their operations. The final rule, 49 CFR Part 270, became effective May 4, 2020.

In April 2020, MBTA Safety and Keolis Safety organized a Joint Task Team to review the current status of the previously drafted System Safety Program (SSP) Plan. Throughout the review process, MBTA and Keolis worked jointly to update and clarify all 20 elements of the SSP Plan. The Joint Task Team also held, as required by the FRA, an initial consultation meeting with the Keolis labor organizations on July 1, 2020. Additional consultation meetings were held via Microsoft Teams in August and in-person (three sessions with six union representatives invited) in early September 2020.

MBTA Safety shared the drafted SSP Plan with representatives of the FRA who completed a thorough review of the plan. A comprehensive list of clarifications was shared with the Joint Task Team, who ensured all comments received were addressed. The SSP Plan was then shared with key stakeholders at the MBTA and Keolis, all of which supported the SSP Plan with no edits. The Safety Management Review Committee (SMRC) reviewed and voted at the January 2021 meeting to approve the SSP Plan. Signatures from both MBTA General Manager Steve Poftak and Keolis General Manager David Scorey were obtained and MBTA Safety formally submitted the MassDOT/MBTA Railroad System Safety Program Plan to the FRA on March 3, 2021. Currently the SSP Plan is in a 90-day review period for the FRA to provide approval. Following the formal approval, we will have three years to implement the SSP Plan.