

**U.S. Department of Transportation  
Federal Transit Administration (FTA)  
Supporting Statement for Paperwork Reduction Act Submissions**

**Public Transportation Safety Certification Training Program  
OMB CONTROL NO. 2132-0578**

## **JUSTIFICATION**

The purpose of this request is to seek the Office of Management and Budget's (OMB) approval for a currently approved information collection that is associated with a Final Rulemaking. The Notice of Proposed Rulemaking (NPRM) was published on October 26, 2023 and the comment period closed on December 26, 2023. FTA received 15 comment submissions to the docket, however none of the comments were related to the collection of information or corresponding burden cost or hours. OIRA filed comment on the proposed rule on April 24, 2024.

The Public Transportation Safety Certification Training Program (PTSCTP) provides uniform training requirements for Federal and State personnel and contractors who conduct safety audits and examinations of transit systems and for transit agency personnel and contractors who are directly responsible for safety oversight. The PTSCTP Final Rulemaking refines the PTSCTP communication process, streamlines administrative requirements, and clarifies voluntary PTSCTP participation and refresher training requirements. The rule maintains the existing minimum training requirements for State Safety Oversight Agency (SSOA) personnel and Rail Transit Safety (RTA) personnel. These changes will ensure training requirements and curriculum for safety professionals in rail transit agencies are more responsive to changing industry needs.

### **1. Circumstances Making the Collection of Information Necessary**

The PTSCTP is authorized pursuant to 49 U.S.C. § 5329(c) and provides minimum training requirements for Federal and State personnel and contractors who conduct safety audits and examinations of transit systems and for transit agency personnel and contractors who are directly responsible for safety oversight to enhance the technical proficiency.

The PTSCTP has different Individual Training Plan (ITP) tracks. The different ITP tracks are stated below:

- 1) **State Safety Oversight (SSO)** - State personnel and their contractor support who conduct safety audits and examinations of public transportation systems.
- 2) **Rail Transit Agency (RTA)** – Rail transit agency personnel who are directly responsible for public transportation system safety oversight,

All SSOs and RTAs are recipients of FTA grant funding and compliance is a grant condition.

FTA personnel and contractors who conduct safety audits and examinations of rail public transportation systems will adhere to applicable Safety Oversight Agencies (SSOAs) training

requirements. PTSCTP prescribes minimum training requirements for SSOAs personnel and contractors who conduct safety audits and examinations of public transportation systems. The program also provides minimum training requirements for RTA personnel who are directly responsible for safety oversight of public transportation systems. To comply with 49 U.S.C. § 5329(c), designated personnel are required to register for the PTSCTP and request an individual training plan (ITP) at: [Safety Training | FTA \(dot.gov\)](https://www.fta.dot.gov/safety-training). FTA then issues an ITP with a curriculum associated with his or her job category. That is either conducting safety audits and examinations, or directly responsible for safety oversight of a public transportation system. Following registration, participants enroll in courses specific to their curriculum. In those circumstances where a participant has already completed training that may be equivalent to a PTSCTP requirement from an entity other than FTA, the participant may request that FTA evaluate the training. The evaluation request is initiated by submitting the following to FTA: an official transcript or certificate of the training; a description of the curriculum and competencies obtained; and a brief statement detailing how the training or certification satisfies the applicable PTSCTP requirement.

The NRPM proposes that participants submit an equivalency credit request form available on FTA's website [Request for Equivalency Credit for Non-FTA Course Training | FTA \(dot.gov\)](https://www.fta.dot.gov/request-equivalency-credit). This form existed previously however, the proposed change in the NPRM specifies that equivalency requests must be submitted using this form and not some other method. This is a programmatic change and does not affect existing requirements. If FTA determines the training satisfies a PTSCTP requirement, the participant is provided appropriate credit and waived from having to repeat the training. Recipients are required to self-certify compliance with 49 CFR part 672 annually. Additionally, SSOAs are required to maintain training records for its designated personnel for a five-year period.

## **2. 11Purpose and Use of the Information**

It is necessary for FTA to collect information for this program to ensure that SSOA and RTA are complying with the prescribed training requirements by ensuring their designated personnel are receiving training that assist with enhancing technical and professional proficiency in performing safety oversight functions. FTA will use the information collected to monitor implementation of the PTSCTP. Certain information collected may be disseminated to recipients or FTA program managers to encourage and ensure participation by designated personnel is achieved within the prescribed 3-year certification period. FTA will disseminate any information associated with the PTSCTP to the general public.

## **3. Use of Information Technology and Burden Reduction**

FTA requires transit agencies and States to submit annual certifications and assurances to FTA to ensure compliance with this program. FTA's electronic grant management system, Transit Awards Management System (TrAMS), is currently used by RTAs and SSOAs to submit electronic certification and assurances to ensure that they are compliance in accordance with established policies and procedures. TrAMS is already in use by all of FTA grantees, so there is no additional burden associated with the use of this system. FTA has published a TrAMS user guide online (attached under supplementary documents in ROCIS). In addition, this Final

Rulemaking submittal also includes a template (attached under supplementary documents in ROCIS) that has been used in the past to gather similar information. Transit agencies and States may generate and use any processes desired, but submissions and compliance would not require information technology that is more complex than a word processing or spreadsheet file that has been submitted via TrAMS previously.

FTA uses information technology, particularly electronic record keeping for PTSCTP registration. In compliance with both the requirements of the Paperwork Reduction Act and Government Paperwork Elimination Act (GPEA), FTA utilizes 100% electronic entry and participation in the PTSCTP. Initial information will be collected on a one-time basis as participants register for the program. All participants will continue to utilize FTA's electronic registration process to request an ITP and register for required coursework. Additionally, participants will be able to correspond with FTA via electronic mail when requesting evaluation of such training. Data and information collected will be entered, stored, transmitted, and circulated electronically, both internal to the agency and in external communications from FTA to recipients. If technical assistance is warranted, FTA may provide support through either electronic or telephonic forms of technology.

#### **4. Efforts to Identify Duplication and Use of Similar Information**

Congress authorized the PTSCTP to enhance the technical and professional competencies of those charged with safety oversight responsibilities for public transportation systems. The PTSCTP implements federal training requirements mandated by Congress and there is no duplication of effort for participants. The information requested is unique to each participant and is not available from any other source. FTA coordinated its efforts during the rulemaking process in 2019 to ensure that required participants for each rule are not burdened with the same requirements twice. FTA has numerous programs/information collections related to safety oversight and in some cases have some overlap for required participants. However, tasks associated with each information collection have been designated in the appropriate information collection previously and are not duplicated with this request. Specifically, the information collection for the Rail Fixed Guideway Systems; State Safety Oversight (OMB#2132-0558) contain training costs and burdens associated with PTSCTP requirements for SSOAs. The costs and burdens associated with this program do not include training costs and burdens already captured in the approved SSO information collection.

#### **5. Impact on Small Businesses or Other Small Entities**

The requirements of this program apply only to SSOAs and RTAs; recipients such as bus transit systems or ferry systems are not required to participate in the PTSCTP. In an effort to minimize burden on all participants, FTA will maintain electronic records of participants and make the records available to them electronically. This process will assist recipients with monitoring the progress of designated personnel and assist with their annual self-certification requirement. Additionally, FTA will continue to develop and offer e-Learning courses as part of the PTSCTP online curriculum.

## **6. Consequences of Collecting the Information Less Frequently**

If this information were not collected or collected less frequently, FTA would be unable to fulfill the statutory requirements of 49 U.S.C. § 5329 (c). FTA has limited the information collection requirements to implement the PTSCTP to those that are essential for ensuring compliance. Without the information collection requirements stated in this document, FTA would be unable to adequately determine compliance with program requirements; thus, adversely affecting the funding status of recipients. FTA considers the collection of information to be a critical element of its goal of advancing public transportation safety.

## **7. Special Circumstances that Require the Collection to be Conducted in a Manner Inconsistent with OMB Guidelines**

There are no special circumstances that require the collection of information inconsistent with any OMB guidelines.

## **8. Comments in Response to the Federal Register Notices and Efforts to Consult Outside Agencies**

The Final Rule was published on August 14, 2024 (89FR 65999).

A Notice of Proposed Rulemaking (NPRM) was published on October 26, 2023 (88FR 73573). FTA received 15 comments submissions. These comment submissions contained a total of 135 individual comments on specific topics (definitions, new training requirements, voluntary participants, new administrative requirements, bus applicability and other general requirements). A summary of those comments are included in the supplementary section of ROCIS.

Following publication of the NPRM, FTA hosted a public webinar on November 8, 2023, published an article in the November 2023 edition of the Transit Safety and Oversight monthly newsletter [TSO Spotlight Newsletter November 2023 \(dot.gov\)](#) and the Public Transportation Agency Safety Plan Technical Assistance Center (PTASP TAC) update. FTA sent reminders of the NPRM and comment period to stakeholders via GovDelivery and social media and included information about the NRPM in external meetings and speaking engagements. FTA also developed and published Frequently Asked Questions to highlight key changes.

Additionally, FTA's Office of Safety and Oversight (TSO) has an entire division of their staff dedicated to Stakeholder Outreach. These staff members draft conference presentations, webinars, safety stakeholder letters and write and disseminate a monthly newsletter to the industry about safety and oversight topics, events, training, and guidance that affect the public transportation industry. Presentations, transcripts of webinars, copies of stakeholder letters and newsletters can be found at [Conference Presentations | FTA \(dot.gov\)](#).

## **9. Explanation of Any Payment or Gift to Respondents**

No payment or gift is made to respondents.

## 10. Assurance of Confidentiality Provided to Respondents

There have been no assurances of confidentiality provided to respondents. This was unnecessary given that there will be no questions of a confidential nature for individuals on the information reported by the recipients.

## 11. Justification for Sensitive Questions

No individuals are asked questions of a sensitive nature in this information collection. Only RTAs and state oversight agencies will provide the information.

## 12. Estimates of Hour Burden Including Annualized Hourly Costs

**Total Annual Respondents:** 95 respondents (31 SSOAs that conduct audits and examinations of public transportation systems and 64 public RTAs with designated personnel who are directly responsible for safety oversight of their systems).

**Total Annual Burden Hours:** 11,564 (6,446 new burden hours as result of NPRM + 5,118 previously approved burden hours)

New Requirements Annual Burden Hours: 6,446

The PTSCTP operates under a previously approved information collection associated with the existing requirements or 49 CFR part 672. This includes requirements for training, recordkeeping and annual certification.

The proposed rule would add information collection burden associated additional recordkeeping and reporting requirements and new refresher training requirements. There are 95 annual respondents (SSOAs and RTAs) that provide information to FTA related to the PTSCTP. The table below indicates the hours estimated to be incurred on an annual basis with the proposed changes.

| Requirement                       | Respondents        | Annual hours              | Total hours  |
|-----------------------------------|--------------------|---------------------------|--------------|
| Staff enrollment                  | 31 SSOAs           | 12                        | 372          |
| Point of contact identification   | 31 SSOAs           | 2                         | 62           |
| Point of contact responsibilities | 31 SSOAs           | 24                        | 744          |
| Semi-annual reporting             | 31 SSOAs           | 4                         | 124          |
| Refresher training                | 175 SSOA employees | 4 (8 hours every 2 years) | 700          |
| <b>Total</b>                      |                    |                           | <b>2,002</b> |

| Requirement                       | Respondents       | Annual hours              | Total hours  |
|-----------------------------------|-------------------|---------------------------|--------------|
| Staff enrollment                  | 64 RTAs           | 12                        | 768          |
| Point of contact identification   | 64 RTAs           | 2                         | 128          |
| Point of contact responsibilities | 64 RTAs           | 24                        | 1,536        |
| Semi-annual reporting             | 64 RTAs           | 4                         | 256          |
| Refresher training                | 439 RTA employees | 4 (8 hours every 2 years) | 1,756        |
| <b>Total</b>                      |                   |                           | <b>4,444</b> |

Previously Approved Annual Burden Hours: 5,118

| Requirement                                           | Respondents | Annual hours | Total hours  |
|-------------------------------------------------------|-------------|--------------|--------------|
| Record keeping and annual certification of compliance | 30 SSOAs    | 88.6         | 2,658        |
| <b>Total</b>                                          |             |              | <b>2,658</b> |
| Requirement                                           | Respondents | Annual hours | Total hours  |
| Record keeping and annual certification of compliance | 60 RTAs     | 41           | 2,460        |
| <b>Total</b>                                          |             |              | <b>2,460</b> |

Total Annual Burden Hours: 11,564

|   |                              |
|---|------------------------------|
|   | Existing annual hours: 5,118 |
| + | New annual hours: 6,446      |
| = | Total annual hours: 11,564   |

**Total Annual Cost to Respondents: 317,726**

To estimate the value of respondent staff time spent on the new proposed requirements, FTA used occupational wage data from the Bureau of Labor Statistics as of May 2023 in the “Transit and Ground Passenger Transportation” industry (North American Industry Classification System code 485000).<sup>1</sup> For SSOA and rail transit agency points of contact, the closest occupational category is “General and Operations Managers” (code 11-1021). For SSOA and rail transit agency personnel completing training, the closest occupational category is “Transportation Inspectors” (code 53-6051). FTA used median hourly wages as a basis for the estimates, multiplied by 1.62 to account for employer benefits.<sup>2</sup>

| Staff                         | Occupational category           | Code    | Median hourly wage | Wage with benefits |
|-------------------------------|---------------------------------|---------|--------------------|--------------------|
| SSOA and RTA point of contact | General and Operations Managers | 11-1021 | \$37.63            | \$60.69            |
| SSOA and RTA personnel        | Transportation Inspectors       | 53-6051 | \$21.61            | \$34.86            |

The administrative and reporting requirements of the proposed rule have estimated annual costs of approximately \$318,000. The largest annual costs are for point of contact responsibilities (\$128,000) and refresher training (\$86,000). FTA would also incur minimal one-time costs to

<sup>1</sup> Bureau of Labor Statistics. 2023. “May 2022 National Occupational Employment and Wage Estimates: United States: NAICS 485000 - Transit and Ground Passenger Transportation.” [https://www.bls.gov/oes/current/naics3\\_485000.htm](https://www.bls.gov/oes/current/naics3_485000.htm).

<sup>2</sup> Multiplier derived using Bureau of Labor Statistics data on employer costs for employee compensation in December 22 (<https://www.bls.gov/news.release/eccec.htm>). Employer costs for state and local government workers averaged \$57.60 an hour, with \$35.69 for wages and \$21.95 for benefit costs. To estimate full costs from wages, one would use a multiplier of \$57.60 / \$21.95, or 1.62.

develop the refresher training materials.

| <b>Requirement</b>                | <b>Annual costs</b> |
|-----------------------------------|---------------------|
| Staff enrollment                  | \$69,191            |
| Point of contact identification   | \$11,532            |
| Point of contact responsibilities | \$128,337           |
| Semi-annual reporting             | \$23,064            |
| Refresher training                | \$85,603            |
| <b>Total</b>                      | <b>\$317,726</b>    |

### **13. Estimate—Total Annual Cost Burden to Respondents/Recordkeepers**

There is no additional cost beyond what is shown in question 12 above.

### **14. Annualized Cost to the Federal Government**

We estimate the annualized cost to the Federal government to be approximately \$1,445,761 as noted in the table below.

One GS-14 (step-10) [SALARY TABLE 2024-DCB \(opm.gov\)](#) salary plus 29% fringe benefits

|                                     |              |
|-------------------------------------|--------------|
| Federal Salaries and Benefits       | \$ 233,769   |
| Contract Services                   | \$ 368,000   |
| Equipment, Supplies, Space, Other   | \$ 58,260    |
| Travel (Other than Course Delivery) | \$ 13,800    |
| Course Delivery (TSI)               | \$ 462,866   |
| ADD: TSI Indirect @ 19%             | \$ 211,496   |
| Est. Materials Fee Recovery         | \$ 97,570    |
| Total                               | \$ 1,445,761 |

### **15. Explain the reasons for any program changes or adjustments.**

FTA did not receive any comments on the collection of information or the associated burden cost or hours. Therefore, there are no changes to the supporting statement associated with the Final Rulemaking from the NPRM stage. The discretionary changes associated with this rulemaking are based on FTA's administration of the PTSCTP since 2018. During the course of managing the program, FTA identified issues that required clarification in the regulation. The programmatic changes in this rulemaking streamline FTA's PTSCTP communication process with the transit industry and clarifies the process for the evaluation of prior certification and training. Included in these changes is the revision of the term "refresher training" to "recertification training." This amendment aligns with FTA's intent of the training designated

participants must complete to maintain their certification and clarifies this requirement does not apply to voluntary participants. These are the first changes to the regulation since it was initially issued on July 19, 2018.

**16. Plans for Tabulation and Publication and Project Time Schedule**

FTA does anticipate reporting on the progress of the industry in aggregate to Congress; however, FTA does not plan to publish training specific program data.

**17. Reason(s) the Display of OMB Expiration Date is Inappropriate**

There is no reason not to display the expiration date of OMB approval.

**18. Exceptions to Certification for Paperwork Reduction Act Submissions**

There are no exceptions to the certification statement.