

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Legal Division

San Francisco, California  
Date: September 13, 2018  
Resolution No. L-569

**RESOLUTION**

**RESOLUTION L-569 PROHIBITING THE COMMISSION FROM RECEIVING FUNDS FROM ANY PUBLIC TRANSPORTATION SYSTEM OR AGENCY OVER WHICH THE COMMISSION EXERCISES SAFETY OVERSIGHT PURSUANT TO PUBLIC UTILITIES CODE SECTION 99152 AND/OR TITLE 49 UNITED STATES CODE SECTION 5329**

**SUMMARY**

This Resolution prohibits the California Public Utilities Commission (Commission) from receiving any funds from public transportation systems, public transit guideway systems, or rail public transit agencies, over which the Commission exercises safety oversight pursuant to Public Utilities Code § 99152<sup>1</sup> and/or Title 49 United States Code Section 5329 (“49 U.S.C. § 5329”).

**BACKGROUND**

On April 30, 2018, the Safety and Enforcement Division (“SED”) of the Commission submitted its Application for Certification as California’s State Safety Oversight Agency with the Federal Transit Agency (“FTA”) with documentary exhibits supporting the Application. On April 30, 2018, Resolution ST-211 SED provided additional information for the Commission’s Application.

On or about August 10, 2018, SED was advised by the FTA that the Commission must provide evidence of the Commission’s prohibition against the receipt of funding from the Rail Transit Agencies (“RTAs”) over which it exercises safety oversight pursuant to 49 U.S.C. § 5329(e)(3)(F).

**PURPOSE OF THE RESOLUTION**

This Resolution constitutes the Commission agreement that as California’s State Safety Oversight Agency, it will not receive any funds from RTAs over which the Commission possesses safety oversight under Public Utilities Code § 99152 and/or 49 U.S.C. § 5329. 49 U.S.C. § 5329(e)(3)(F) prohibits a State Safety Oversight Agency, such as the Commission, from receiving any such funds.

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<sup>1</sup> See also: Pub. Util. Code §§ 29047, 30646, and 100168.

**NOTICE**

On August 14, 2018, this Resolution was published on the Commission’s Daily Calendar, and mailed to any interested parties, including RTAs.

**COMMENTS**

The draft resolution L-569 was mailed in accordance with § 311 of the Public Utilities Code and Rule 14.2(c) of the Commission’s Rules of Practice and Procedure. Public Utilities Code § 311(g)(1) provides that this resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. Comments were not received.

**ORDER**

1. Pursuant to 49 U.S.C. § 5329(e)(3)(F), the Commission shall not receive any funds from public transportation systems, public transit guideway systems, or rail public transit agencies by the Commission over which the Commission exercises safety oversight under Public Utilities Code Section 99152 and/or 49 U.S.C. § 5329.
2. This resolution is effective today.

I certify that the foregoing resolution and order was duly introduced, passed, and adopted by the Commission at its regularly scheduled meeting on September 13, 2018. The following Commissioners voted favorably thereon:

/s/ ALICE STEBBINS  
ALICE STEBBINS  
Executive Director

MICHAEL PICKER  
President  
CARLA J. PETERMAN  
LIANE RANDOLPH  
MARTHA GUZMAN ACEVES  
CLIFFORD RECHTSCHAFFEN  
Commissioners