PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Consumer Protection and Safety Division
Rail Transit Safety Section

Resolution ST-96
March 13, 2008

RESOLUTION

RESOLUTION ST-96 GRANTING APPROVAL OF THE FINAL REPORT ON THE 2007 SAFETY & SECURITY REVIEW OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA).

Summary

This resolution approves the Consumer Protection and Safety Division (CPSD) final audit report titled, "Triennial On-Site Safety & Security Review of the Santa Clara Valley Transportation Authority," dated February 4, 2008. VTA is ordered to implement the recommendations contained in the report and to provide monthly progress reports.

Background

Commission General Order No. 164-D, "Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems" requires staff to conduct on-site safety reviews of transit agencies operating Rail Fixed Guideway Systems at least once every three years.

The Rail Transit Safety Section (RTSS) conducted an on-site safety & security review of VTA beginning October 15 and concluding October 19, 2007. Staff conducted a post-audit exit conference with VTA management on Tuesday, October 30, 2007.

The methods used to conduct the audit included:

a. Interviews with VTA employees at all levels from rank and file through VTA management;
b. Reviews of design, construction, procurement, testing, training, operation and maintenance programs;

c. Reviews of records and procedures;
d. Observation of operations and maintenance activities; and
e. Inspections of equipment and facilities.

Transportation Security Administration (TSA) representatives were invited to review VTA system security internal processes, procedures, and polices. TSA conducted its review on October 9, 2007. Appendix A provides the TSA Executive Summary.

A full description of the audit, including the scope, results, and recommendations, is contained in the final audit report which is attached to this resolution as Attachment A.

The results of the audit show that VTA is in compliance with its System Safety & Security Program. However, some program deficiencies were identified during the audit. These deficiencies, along with recommendations for corrective actions, are described, where applicable, in the Findings/Comments/Recommendations section of each checklist and in the body of the final report. A complete listing of recommendations for the correction of each identified deficiency is contained in Appendix C of the report.

Protests

Staff provided a preliminary report of the audit to VTA for a 30-day review and comment period on January 4, 2008. VTA confirmed the factual accuracy of the report in a letter dated January 30, 2008 and provided no comments.

Discussion

The final report, "Triennial On-Site Safety & Security Review of the Santa Clara Valley Transportation Authority," dated February 4, 2008, is included as Attachment A. It is based on staff findings and includes staff recommendations.

VTA has stated to staff that it is working to develop corrective action plans for the deficiencies identified in the report and has initiated actions on some plans. VTA will provide regular monthly updates concerning the status of its corrective actions until they are completed.

CPSD recommends that the Commission approve the final audit report titled, "Triennial On-Site Safety & Security Review of the Santa Clara Valley Transportation Authority," dated February 4, 2008. CPSD also recommends that the Commission order VTA to:

- Submit a report to the RTSS, which includes the status of the corrective actions for safety & security program deficiencies identified during the audit;
- Submit plans and schedules for implementing and completing the recommended corrective actions contained in the report;
- Implement the recommendations in accordance with the plans and schedules submitted; and
- Provide the RTSS with monthly reports on the status of the corrective actions until they are completed and implemented.

Comments

Public Utilities Code Section 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.

Resolution ST-96 was mailed to VTA on February 4, 2008. VTA had no comments and waived the 30-day review and comment period as required in Public Utilities Code Section 311(g) (1).

Therefore, IT IS ORDERED that:

1. The Consumer Protection and Safety Division's request for approval of the final audit report titled, "Triennial On-Site Safety & Security Review of the Santa Clara Valley Transportation Authority," dated February 4, 2008, is granted.

2. The Santa Clara Valley Transportation Authority (VTA) shall submit to the Rail Transit Safety Section (RTSS) plans and schedules for implementing all recommended corrective actions contained in the final audit report. Those plans and schedules shall be submitted no later than 45 days from the effective date of this resolution.

3. VTA shall complete and implement all recommended corrective actions contained in the report, in accordance with plans and schedules submitted to the RTSS.
4. VTA shall prepare and provide monthly status reports, beginning in June 1, 2008, to the RTSS. The reports shall contain detailed information on the implementation of all remaining recommended corrective actions contained in the final audit report. Monthly status reports shall continue to be provided until all recommended corrective actions are completed and implemented.

5. This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting held on March 13, 2008. The following Commissioners voting favorably thereon:

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PAUL CLANON
Executive Director

ATTACHMENT A