

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Consumer Protection and Safety Division
Rail Transit Safety Section

Resolution ST- 82
October 5, 2006

RESOLUTION

**RESOLUTION ST-82 GRANTING APPROVAL OF THE FINAL REPORT
ON THE 2005 ON-SITE SAFETY AUDIT OF THE SAN FRANCISCO
MUNICIPAL RAILWAY RAIL TRANSIT SAFETY PROGRAM**

Summary

This resolution approves the Consumer Protection and Safety Division (CPSD) final audit report titled, *2005 On-Site Safety Audit of the San Francisco Municipal Railway Rail Transit Safety Program*, dated August 28, 2006. San Francisco Municipal Railway (MUNI) is ordered to develop a plan and schedule to implement the recommendations contained in the report and provide monthly progress reports.

Background

Commission General Order No. 164-C, *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 audit of MUNI and its safety program beginning September 13, 2005 and concluding October 26, 2005. Staff conducted a post-audit exit conference with MUNI management on November 8, 2005.

The methods used to conduct the audit included:

- Interviews with MUNI employees that included rank and file through MUNI management employees;
- Reviews of design, construction, procurement, testing, training, operations, maintenance, safety, and security programs;
- Reviews of procedures and records;

- Observation of operations and maintenance activities; and
- Inspections of equipment and facilities.

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 MUNI is in substantial compliance with its System Safety 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 MUNI for a 30-day review and comment period on May 18, 2006. MUNI provided a letter, to staff, with comments about the audit report on June 19, 2006. Staff reached agreement with MUNI regarding the draft report, which was confirmed by letter to MUNI on August 22, 2006.

Discussion

The final report, *2005 On-Site Safety Audit of the San Francisco Municipal Railway Rail Transit Safety Program*, dated August 28, 2006, is included as Attachment A. It is based on staff findings and includes staff recommendations.

As noted in the report, MUNI was already working to correct some deficiencies that were also identified by staff at the time of the safety audit. MUNI reported to staff that it began working to develop corrective action plans for the additional deficiencies identified in the report shortly after the audit was concluded. MUNI has also reported that it has completed or is in the process of completing work on most of the remaining corrective

actions. MUNI 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, *2005 On-Site Safety Audit of the San Francisco Municipal Railway Rail Transit Safety Program*, dated August 28, 2006. CPSD also recommends that the Commission order MUNI to:

- Submit a report to the RTSS, which includes the status of the corrective actions for safety 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.

Proposed Resolution ST-82 was mailed to MUNI on September 5, 2006. MUNI 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, *2005 On-Site Safety Audit of the San Francisco Municipal Railway Rail Transit Safety Program*, dated August 28, 2006, is granted.
2. The San Francisco Municipal Railway (MUNI) 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. MUNI shall complete and implement all recommended corrective actions contained in the report, in accordance with plans and schedules submitted to the RTSS.
4. MUNI shall prepare and provide monthly status reports to the RTSS beginning December 1, 2006. 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 October 5, 2006. The following Commissioners voting favorably thereon:

/s/ STEVE LARSON

STEVE LARSON
Executive Director

MICHAEL R. PEEVEY
President
GEOFFREY F. BROWN
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
Commissioners

ATTACHMENT A