

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Consumer Protection and Safety Division
Rail Transit Safety Section

Resolution ST-104
September 24, 2009

RESOLUTION

RESOLUTION ST-104 GRANTING APPROVAL OF THE FINAL REPORT
ON THE 2008 SAFETY REVIEW OF THE SAN FRANCISCO MUNICIPAL
RAILWAY

Summary

This resolution approves the Consumer Protection and Safety Division (CPSD) final report titled, "Triennial On-Site Safety Review of the San Francisco Municipal Railway (SFMTA MUNI)," dated August 21, 2009. SFMTA MUNI 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 Consumer Protection and Safety Division's Rail Transit Safety Section (RTSS) of the Rail Transit and Crossings Branch conducted an on-site safety review of SFMTA MUNI from October 7, 2008 through October 31, 2008. Staff conducted a post-review exit conference with SFMTA MUNI management on December 2, 2008.

The methods used to conduct the review included:

- a. Interviews with SFMTA MUNI employees at all levels from rank and file through SFMTA MUNI 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.

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

The results of the review show that SFMTA MUNI is mostly in compliance with its System Safety Program. However, some program deficiencies were identified during the review. These deficiencies are described, along with recommendations for corrective actions 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 review to SFMTA MUNI for a 30-day review and comment period on March 5, 2009. SFMTA MUNI provided a letter to staff with comments about the draft report on April 26, 2009. Staff reached agreement with SFMTA MUNI regarding the draft report findings and recommendations during a meeting on July 31, 2009 with SFMTA MUNI staff.

Discussion

The final report, "Triennial On-Site Safety Review of the San Francisco Municipal Railway," dated August 21, 2009, is included as Attachment A. It is based on staff findings and includes staff recommendations.

SFMTA MUNI 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. SFMTA 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 report titled, "Triennial On-Site Safety Review of the San Francisco Municipal Railway," dated August 21, 2009. CPSD also recommends that the Commission order SFMTA MUNI to:

- Within 45 days of this Resolution's approval, submit a report to the RTSS which includes 1) the status of the corrective actions for safety program deficiencies identified during the review; 2) 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.

No comments were received.

Therefore, IT IS ORDERED that:

1. The Consumer Protection and Safety Division's request for approval of the final report titled, "Triennial On-Site Safety Review of the San Francisco Municipal Railway," dated August 21, 2009, is granted.
2. The San Francisco Municipal Railway (SFMTA MUNI) shall submit to the Rail Transit Safety Section (RTSS) a report containing plans and schedules for implementing all recommended corrective actions contained in the final report. Those plans and schedules shall be submitted no later than 45 days from the effective date of this resolution.

3. SFMTA MUNI shall complete and implement all recommended corrective actions contained in the report, in accordance with plans and schedules submitted to the RTSS.
4. SFMTA MUNI shall prepare and provide monthly status reports, beginning on November 1, 2009, to the RTSS. The reports shall contain detailed information on the implementation of all remaining recommended corrective actions contained in the final 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 September 24, 2009. The following Commissioners voting favorably thereon:

/s/ PAUL CLANON

PAUL CLANON
Executive Director

MICHAEL R. PEEVEY
President

DIAN M. GRUENEICH

JOHN A. BOHN

RACHELLE B. CHONG

TIMOTHY ALAN SIMON
Commissioners