

# Metrorail Safety Commission

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May 1, 2018

Mr. Paul Wiedefeld  
General Manager  
Washington Metropolitan Area Transit Authority  
600 5th Street, NW  
Washington, DC 20001

Dear Mr. Wiedefeld,

I am pleased to write to you about the progress being made at the Metrorail Safety Commission (MSC) and provide an overview of the coordination of the safety oversight of the Metrorail system among the various entities during this transition period. This letter also describes specifically the role and responsibilities of the newly-created MSC *in relation to state safety oversight of Metrorail*.

As you are aware, 49 U.S.C. § 5329(e) mandates that states with a rail fixed guideway public transportation system, either in the operations or in the engineering or construction phase of development, create a state safety oversight (SSO) program and establish a state safety oversight agency (SSOA). On March 16, 2016, the Federal Transit Administration (FTA) published a final rule requiring SSOA to establish an SSO program pursuant to 49 C.F.R. part 674, which replaces the existing regulations for SSOAs at 49 CFR part 659, in place for the past 20 years. FTA will approve and certify each State's SSO program pursuant to part 674.

The District of Columbia, Maryland, and Virginia jointly established the MSC as an independent body that will become the SSOA for the Metrorail system, providing safety oversight of Metrorail pursuant to part 674. Last year, the three jurisdictions enacted legislation authorizing an interstate compact that created the MSC. On August 22, 2017, President Trump signed into law a Congressional Resolution, H.J.Res. 76, that consented to the MSC Compact.

The MSC held its first meeting on March 13, 2018 and is resolutely working towards preparing an SSO program for submission to FTA by September 30, 2018, in anticipation of FTA's certification of the program by the April 15, 2019 statutory deadline. On April 24, 2018, the MSC announced its selection of Dr. David Mayer as its Chief Executive Officer. Dr. Mayer is anticipated to start his tenure at the MSC around June 4, 2018. One of his priority activities will be to secure FTA's certification of the MSC's SSO program.

As the MSC works to prepare a part 674-compliant SSO program, it has also begun working with FTA and the Tri-State Oversight Committee (TOC) on information exchange and transition planning in anticipation of the handover of safety oversight responsibility to the MSC once FTA certifies the MSC's SSO program. FTA, TOC, and the MSC intend to ensure that this is accomplished seamlessly, with as little confusion as possible to all impacted parties. This effort is being supported by transportation leaders in Maryland, Virginia, and the District of Columbia.

I understand that FTA, in consultation of the Tri State Oversight Committee, transmitted a letter to MWAA in November 2017 to provide clarity and assurance on the FTA, TOC and MSC roles in relation to the safety oversight of the Metro rail operations. FTA and TOC have been actively engaged in

safety oversight of Metrorail and I expect that oversight to continue until FTA certifies the MSC's SSO program. The MSC is committed to working collaboratively with WMATA during the transition process to ensure the highest degree of safe operations on the Metrorail system when the MSC assumes safety oversight responsibilities over Metrorail.

As the MSC proceeds with transitional work activities, the MSC along with its counterparts at FTA and the TOC will conduct various outreach and collaboration efforts to ensure all stakeholders are well informed about progress and next steps.

The MSC looks forward to working with you and your team upon formally assuming responsibility for the safety oversight of the Metrorail system.

Should you wish to discuss the matter further with me or the Commission please do not hesitate to contact \_\_\_\_\_

Sincerely,

Christopher Hart  
Chairman, Metrorail Safety Commission

Cc: Ms. Sharmila Samarasinghe,  
Chair, Tristate Oversight Committee

Ms. Jamie Pfister  
Director, WMATA Safety Oversight Team