

**Maryland House of Delegates
Appropriations Committee
Transportation and the Environment Subcommittee**

**Testimony of David L. Mayer, Ph.D., Chief Executive Officer,
Washington Metrorail Safety Commission**

February 9, 2022

Thank you, Chairman Korman and Delegates with us today.

The Washington Metrorail Safety Commission is the independent state safety oversight agency for the WMATA Metrorail system. We are guided by Maryland members Debra Farrar-Dyke and Suhair Al Khatib and the rest of our Commissioners in accordance with our interstate compact that was approved by Maryland, Virginia and the District of Columbia. That Compact created our agency in 2017 after years of work by each jurisdiction. After the appointment of commissioners, hiring of staff, and establishment of our safety oversight program, we assumed direct safety oversight of Metrorail in March 2019.

We approach our safety oversight work in a collaborative and transparent manner. Our website, WMSC.gov, now contains 145 safety event investigation reports, more than 370 inspection reports, and the reports of nine comprehensive WMSC safety audits of WMATA completed to date. Our website also includes the first two independent financial audits of the WMSC. I am proud that both of those audits resulted in clean opinions.

The WMSC is funded by with equal shares from each of our three jurisdictions along with federal grants. Maryland's share in Fiscal Year 2022 was \$812,030. We are currently working with the Maryland Department of Transportation, Virginia and the District of Columbia to finalize the jurisdictional share of our budget for FY 2023, which begins July 1.

Your investment in the WMSC has led to tangible safety improvements for Metrorail. For example, our focus on deficiencies in the rail operations control center has led to new management in that facility and an increase in the number of certified rail controllers. And our station inspections have resulted in Metrorail coordinating across departments to repair fire life safety equipment.

We use our enforcement authority when necessary. And we conduct oversight using our direct access to WMATA systems, as provided in our Compact.

Most prominently in recent months, we responded to an October 12 derailment on the Blue Line between Rosslyn and Arlington Cemetery Stations. The NTSB is leading that investigation, and we are actively participating.

As a result of our oversight work and information gathered during the investigation, all of these railcars are being kept out of passenger service under our orders until Metrorail develops and implements a plan to safely return each 7000 Series car to service.

The investigation identified that, on the axle that derailed, the wheels had moved outward.

Metrorail conducted special inspections after the derailment that identified 20 other 7000 Series railcars with wheels too far apart. It also told us for the first time that routine inspections in the 12 months leading up to the derailment found 21 instances of wheels too far apart and similar failures dating back to 2017.

On October 17, after Metrorail said it had removed from service all railcars that had failed the special inspections, our independent oversight identified that Metrorail had at least two of these failed railcars in use, carrying passengers.

We then ordered Metrorail to remove all 7000 Series cars from passenger service until they developed and implemented a plan under our oversight to safely return each car to service.

Metrorail submitted its plan to us on December 11. Three days later we communicated to Metrorail that we had no technical objections to the plan.

On December 29, again using our direct access to Metrorail systems, we identified that Metrorail had put at least five railcars into service that did not comply with its plan.

We notified Metrorail that it had cars carrying passengers that did not comply with its safety plan, and WMATA again removed all 7000 Series railcars from passenger service. We issued an order requiring Metrorail to keep the cars out of service until WMATA developed and implemented a revised return to service plan with additional protections to ensure the plan is followed.

We look forward to Metrorail developing its new return to service plan. When a new plan is in place, we will closely monitor its implementation as we did for the prior plan.

In closing, our audit, inspection, investigation, and other work has led to required safety improvements for Metrorail. It is up to WMATA to implement these improvements. The WMSC oversees this implementation.

Thank you, and I look forward to any questions you may have.