



OFFICE OF THE STATE AUDITOR



August 5, 2016

DIANNE E. RAY, CPA
—
STATE AUDITOR

BUS AND LIGHT RAIL TRAIN OPERATOR SAFETY PERFORMANCE AUDIT (SEPTEMBER 2015), REGIONAL TRANSPORTATION DISTRICT – STATUS REPORT

Members of the Legislative Audit Committee:

Attached is the status report from the Regional Transportation District (RTD) on the implementation of recommendations contained in the Office of the State Auditor's (OSA) *Bus and Light Rail Train Operator Safety Performance Audit*.

OSA REVIEW OF DOCUMENTATION

As part of the status report process, we requested and received supporting documentation for each recommendation that RTD reported as having been implemented. Specifically, we reviewed the following documentation:

- RTD's new safety rule on cell phone and other electronic device usage.
- Revised accident report templates and related summary reports.
- RTD's analysis of the feasibility of an on-board surveillance system for light rail trains.
- Quarterly schedules and compliance summary reports for on-site monitoring of private carriers.

Based on our review, the supporting documentation substantiates RTD's reported implementation status for each of the audit recommendations.

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July 22, 2016

Dianne E. Ray, CPA
State Auditor
Colorado Office of the State Auditor
1525 Sherman St., 7th Floor
Denver, CO 80203

Dear Auditor Ray:

In response to your request, we have prepared an updated status report regarding the implementation of audit recommendations contained in the *Bus and Light Rail Train Operator Safety Performance Audit* (October 2015). The attached report provides a brief explanation of the actions taken by the Regional Transportation District (RTD) to implement each recommendation.

RTD greatly appreciates the work of the Office of the State Auditor and her staff, and the input we received from the Legislative Audit Committee. Our combined efforts have resulted in improvements to several RTD policies and processes, as noted in the accompanying updated status report. Safety remains the number one priority for RTD, and we always welcome the opportunity to review and potentially improve safety and service for our passengers, taxpayers and area residents.

If you have any questions, please do not hesitate to contact me at 303-299-2300 or by email at david.genova@rtd-denver.com

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Genova", is written over a horizontal line.

David A. Genova
General Manager and CEO

AUDIT RECOMMENDATION STATUS REPORT

AUDIT NAME: Bus and Light Rail Train Operator Safety Performance Audit (October 2015)

AUDIT NUMBER: 1421P

AGENCY: Regional Transportation District

DATE OF STATUS REPORT: July 22, 2016

SUMMARY INFORMATION

Rec. Number	Agency's Response	Original Implementation Date	Implementation Status <i>(Insert: Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable. Please refer to the attached sheet for definitions of each implementation status option.)</i>	Revised Implementation Date <i>(Complete only if the recommendation is not fully implemented and the agency is revising its implementation date.)</i>
1a	Agree	January 2016	Implemented	
1b	Agree	January 2016	Implemented	
1c	Agree	June 2016	Implemented	
2a	Agree	January 2016	Implemented	
2b	Agree	January 2016	Implemented	
2c	Agree	January 2016	Implemented and Ongoing	

DETAIL OF IMPLEMENTATION STATUS

Recommendation No. 1:

The Regional Transportation District should improve efforts to ensure that bus and light rail train operators comply with restrictions on the use of electronic devices. Specifically, RTD should:

- a. Expand written policies and procedures to specifically outline the disciplinary actions that will be applied when violations of electronic device use restrictions and other distracted driving policies occur.

Current Implementation Status for Rec. 1, Part a: Implemented

Regional Transportation District's Update:

The written policies and procedures have been revised to include the disciplinary actions to be applied when violations of restrictions on the use of electronic devices occur.

RTD Bulletin No. TR-16-54 regarding 'Cell Phone & Mobile Electronic Device Usage' and Rule 18 are now in effect for both Bus and Light Rail operators. This document defines the Rule and the Penalties that will be imposed for violations.

- b. Revise accident investigation forms to ensure a more systematic collection of information about operators' use of electronic devices when investigating bus and light rail train accidents. Revise the accident database to include a field that captures information from the investigation form as to whether or not electronic device use was a factor in the accident.

Current Implementation Status for Rec. 1, Part b: 'Revise Form' – Implemented. 'Revise Database' – Implemented.

Regional Transportation District's Update:

RTD has revised the 'Supervisor's Accident Report' for both bus and Light Rail incidents and they now include the question: 'Was the use of electronic device by the operator a contributing factor?'

The accident database now includes information regarding any accident causes that relate to operator use of any electronic devices. There have been no such incidents since these database modifications were made.

- c. Evaluate whether an on-board video surveillance system is a viable option to improve monitoring of light rail train operators' use of electronic devices.

Current Implementation Status for Rec. 1, Part c: Implemented

Regional Transportation District's Update:

RTD conducted an evaluation of options to improve the monitoring of Light Rail operators' use of electronic devices, including the potential use of on-board video surveillance. Factors affecting implementation include discussions through the Collective Bargaining Agreement, and approval through the RTD budget process (estimated cost is between \$4.8 and \$5.1 million). We have concluded that the current preventative measures, which have been effective, will continue to be utilized. Examples of RTD's current preventative measures include:

- Compliance monitoring of train operators by RTD Field Supervisors,
- Use of video cameras at Light Rail Stations,
- RTD Ride-Check Program utilizing undercover contract monitors to board buses and trains to validate operator compliance with policy and procedures, including electronic devices, and
- RTD Managers monitoring complaints through the RTD Hotline and the TransitWatch Program.

Recommendation No. 2:

The Regional Transportation District (RTD) should improve its oversight and monitoring to ensure private carriers' full compliance with federal regulations and contract provisions relating to bus operator safety. At a minimum, RTD should:

- a. Adhere to established schedules for monitoring fixed-route and paratransit carriers' compliance with operator safety requirements.

Current Implementation Status for Rec. 2, Part a: Implemented

Regional Transportation District's Update:

Schedules for monitoring fixed route and Paratransit carriers' compliance with operator safety requirements, including Drug and Alcohol testing, have been established. Monitoring is being conducted by the RTD Substance Abuse group and Paratransit Operations. All carriers are now visited at least quarterly.

- b. Include procedures to routinely verify, on a test basis, self-reported information and assertions made by the private carriers about their drug and alcohol screening activities to underlying supporting documentation.

Current Implementation Status for Rec. 2, Part b: Implemented

Regional Transportation District's Update:

On at least a quarterly basis, testing is conducted to verify self-reported information and assertions made by the private carriers, regarding their drug and alcohol screening activities. A Tracking Schedule is maintained by the RTD Manager of Substance Abuse, to monitor results of tests performed. Additional training is provided to contractors when exceptions are noted.

- c. Include the results of compliance monitoring activities in periodic reports to the Board of Directors to help identify and address bus operator safety risks at the private carriers.

Current Implementation Status for Rec. 2, Part c: Implemented and Ongoing

Regional Transportation District's Update:

Reports are being generated to document visits to the Private Carriers for various safety issues on a quarterly basis. These reports are included in a periodic package to the RTD Board.

Contractor visits to evaluate compliance with RTD's Drug and Alcohol policies were performed in the 1st and 2nd quarters. Results will be included in the upcoming second quarter report to the RTD Board.