

**OPENING STATEMENT OF CHAIRMAN CHRISTOPHER J. DODD**  
***SENATE BANKING COMMITTEE EXECUTIVE SESSION***  
***THE PUBLIC TRANSPORTATION SAFETY ACT OF 2010***  
***JUNE 29, 2010***

We are meeting today to markup an original bill, the Public Transportation Safety Act. First, let me take a moment to thank my Ranking Member, Senator Shelby, and our Housing, Transportation and Community Development subcommittee chair, Senator Menendez, for their work in helping to put together this bipartisan transit safety legislation. Despite the incredibly busy agenda this committee has had in recent months on financial reform, not to mention the Iran sanctions bill we passed last week, we believed that it was important to move forward as quickly as possible on bipartisan transit safety legislation

I've said it before, and I'll continue to say it – the more Americans use transit, the better off we all are. Transit is a win-win all around. It cuts down on traffic congestion, creates economic development and revitalizes communities, reduces our dependence on foreign oil, protects our environment, and, perhaps most importantly, connects people with jobs and services – making our communities better places to live, work, and raise families.

Americans take over ten billion trips a year on public transportation. And I hope that the next surface transportation bill we write will allow us to significantly grow that number in the future. But our first priority must be to ensure that Americans can use our public transportation systems with the confidence that they will be safe.

Transit is among the safest modes of transportation. But a review of public transportation safety since the Washington Metro accident last year made it clear that the current approach needs to be strengthened.

Since the transit program was created in the 1960s, the Federal Transit Administration has lacked the authority to implement and enforce national transit safety standards, meaning that we have gone without a proper national safety program. Instead, states were handed an unfunded

mandate to handle transit safety on their own. As a result, many state safety oversight boards, which oversee rail transit systems, lack authority, expertise, or a dedicated budget.

This is unacceptable. This legislation will replace the current ad hoc approach to transit safety oversight with strong federal leadership, clear national transit safety standards, and improved state oversight of transit safety.

This legislation does five things:

It provides the Secretary of Transportation the authority he needs to create a National Public Transportation Safety Plan to ensure that transit users can be confident that safety standards are consistent from system to system. The legislation also provides new enforcement authority to the Secretary to address safety violations.

It requires the Secretary to establish a Public Transportation Safety Certification Training Program for federal, state, and transit agency employees who are directly responsible for safety oversight.

It seeks to develop a culture of safety by requiring that public transportation agencies establish comprehensive safety plans and a comprehensive staff training program.

It improves the effectiveness of state safety oversight agencies by providing for direct federal oversight and stricter requirements to ensure the appropriate qualifications and training of oversight personnel. It requires that these agencies have the authority and independence necessary to effectively oversee the safety of transit operations. And, this legislation ends the unfunded mandate by providing states with an 80 percent federal share to implement enhanced state safety oversight programs.

Finally, this legislation recognizes that improving safety oversight is not enough. We must address the enormous backlog of needed investments to return our transit infrastructure to a state of good repair.

A study by the Federal Transit Administration found that one-third of the nation's nine largest rail transit operators' assets are near, or have exceeded, their expected useful lifespan, and are in either marginal or poor condition. Those nine agencies alone are running a \$50 billion deficit in funding for the needed repairs.

Aging equipment and infrastructure is a safety risk. While we need to wait until we can pass a long term authorization bill to begin to address this investment backlog with new federal funding, we seek to get a head start in this legislation by requiring the Secretary to define the term "state of good repair" to ensure that there is an objective standard for measuring the condition of capital assets. Transit agencies are required to establish and implement asset management systems to develop capital asset inventories and condition assessments.

No rider should ever wonder if they're safe on our transit systems. That means infrastructure must be repaired, operators and safety oversight personnel must be properly trained, and problems must be swiftly corrected.

Passage of this legislation will significantly enhance the safety of our transit systems. I again commend Senator Shelby and Senator Menendez for their close cooperation in developing this legislation and urge our colleagues on the committee to support it.

Thank you.