

## **“Transit Rail Inspection Practices Act” or “TRIP Act”**

Chairman Mike Crapo, Ranking Member Sherrod Brown, and Sen. Tammy Duckworth

As a result of the Senate Banking Committee’s ongoing oversight work and recent recommendations from the Government Accountability Office (GAO), Chairman Mike Crapo and Ranking Member Sherrod Brown have identified immediate legislative measures that are necessary to ensure State safety programs are providing sufficient oversight of rail transit systems through inspections. Senator Duckworth requested the GAO study and is an original co-sponsor of the proposed legislation.

The Senate Banking Committee has a strong tradition of supporting bipartisan reforms that ensure the continued safety of the nation’s public transportation riders. The Moving Ahead for Progress in the 21st Century Act (MAP-21), enacted in 2012, requires States to conduct robust safety oversight of rail transit systems with the Federal Transit Administration (FTA), providing the foundational framework that allows States to right-size their oversight. The MAP-21 reforms were enacted in response to significant gaps in safety oversight identified following the 2009 collision on the Washington Metro system that resulted in nine fatalities.

The Banking Committee has discovered that inspections by States for rail safety oversight, including unannounced inspections, are permissible under FTA’s implementation of current safety law, but not required. FTA requires only that States have the capability to conduct investigations after an accident or incident. Inspections, including unannounced inspections, are an essential element of safety oversight. The Committee has concerns that the inspection practices of some State Safety Oversight Agencies (SSOA) seeking certification from FTA may be inadequately structured to conduct effective inspections. GAO shares these concerns and has recommended that FTA provide guidance to States on how to conduct risk-based inspections.

### **The “Transit Rail Inspection Practices Act”**

- Improves transit safety oversight by requiring that each SSOA is capable of conducting risk-based inspections of the rail transit systems within their jurisdiction.
- Implements GAO’s recommendations that FTA issue guidance to States on conducting risk-based inspections and provide information on how FTA will monitor the effectiveness of SSOAs.
- Reallocates approximately \$12 million of existing formula funds annually to increase the resources available to States to conduct risk-based inspections.
- Clarifies the data sharing relationship between the rail transit agencies and SSOAs, while not creating any new data collection requirements.
- The bill has no effect on the initial certification statutory deadline of April 15, 2019. The TRIP Act’s inspection requirement will be enforceable two years after FTA provides guidance to SSOAs on risk-based inspections.

For additional information, contact Jen Deci with Chairman Crapo (4-5790) or Homer Carlisle with Ranking Member Brown (4-5586).