

General Manager's Report January 13, 2014

GOVERNMENT AFFAIRS UPDATE

FEDERAL

On January 7, Congress returned from their holiday recess.

Members face the immediate task of finalizing the FY14 appropriations bills prior to the expiration of the current CR on January 15. Appropriators have made significant progress, but obstacles remain and a short-term stopgap spending measure may be needed if policy and funding differences are not soon settled. Appropriations leaders will meet again today to continue working through more than 130 policy riders that have been filed to the \$1.012 trillion omnibus and they will attempt to determine a timeline for the package to be presented to the full House and Senate.

On January 3, House Majority Leader Cantor (R-VA) sent his conference his January legislative agenda (attached) which includes bills related to Obamacare, appropriations, Iran, WRRDA, and CERCLA reform.

Looking ahead to FY15, Administration sources say that OMB is at least a month behind schedule for developing the president's FY15 spending plan, which by statute is supposed to be submitted to Congress on the first Monday in February. There is no penalty for a late submission, but appropriators cannot hold budget hearings until they have a chance to review the Administration's proposals. Last year, the president's budget was released in early April — two months late — a delay Administration officials blamed on negotiating an agreement on tax cuts that were expiring at the end of 2012, as well as a sequester that began in 2013. Congress did not clear any FY14 spending bills in 2013 due in part to that initial delay and a similar outcome is possible this year, which is also an election year.

On January 8, FTA published its safety advisory to protect track workers that was originally announced on New Year's Eve (attached). The first, R-13-39, recommends that all rail transit agencies be required to provide redundant protection for their roadway workers, such as positive train control, secondary warning devices, or shunting devices on track. The second, R-13-40, recommends that all rail transit agencies be required to review their rules and procedures for wayside workers and revise them, as necessary, to eliminate any authorization for worker access to transit rights-of-way in which the workers are dependent solely upon themselves to provide protection from trains and moving equipment. These two NTSB recommendations follow an October 19, 2013 accident in which two workers inspecting a dip in track on the BART system were killed when both their backs were turned to a train traveling more than sixty miles per hour. According to FTA, "The two recommendations are not limited to the BART accident; however, R-13-39 and R-13-40 reflect the results of recent NTSB investigations into fatalities and serious injuries to track workers on the rail transit systems in Boston, Chicago, Houston, Miami, New York, Sacramento, and Washington, DC."

STATE

GOVERNOR BROWN ADMINISTRATION

Appointment

Governor Jerry Brown this week appointed Mr. James Madaffer to the California Transportation Commission (CTC) to fill an existing vacancy. He previously was a Council Member for the City of San Diego in 2000 and served for eight years, during which period he also served on the regional MPO, SANDAG. Madaffer resides in San Diego.

UPCOMING ACTIVITIES

State Budget

Governor Brown will release his proposed 2014-15 State Budget on January 10. Among anticipated announcements, he is expected to propose dedicating Cap and Trade auction revenues to some transportation activities, with an emphasis on rail and sustainable communities.

Sustainable Communities and Clean Transportation (\$600 million): As the largest contributor of carbon and criteria air pollution in California, the transportation sector receives the largest allocation, with investments in three primary strategies:

- Implementing regional Sustainable Community Strategies (\$100 million): including funding for public transit and integrating land use and transportation planning to develop walkable, mixed-use communities. These investments will cut greenhouse gas emissions in accordance with SB 375, California's historic Sustainable Communities and Climate Protection Act;
- Low carbon transportation (\$200 million): including incentives for clean freight equipment and rebates for heavy and light-duty zero emission vehicles; and
- Rail modernization (\$300 million): with \$250 million earmarked for funding to begin construction of High Speed Rail in California, with an additional \$50 million set aside to meet rising demand for rail service throughout the state.

State of the State

The governor has also announced his scheduled State of the State Address to be conducted on the evening of January 22, 2014.

California Transportation Infrastructure Priorities (CTIP)

Transportation Secretary Brian Kelly will again convene the CTIP work group on the afternoon of Wednesday, January 22, 2014, at which time Secretary Kelly plans to share and receive input on an interim CTIP document before it is made public.

SEASON OF CIVIL RIGHTS – MLK365 UPDATE – SAM STARKS

RT Celebrates a “Season of Civil Rights ... It All Started on a Bus”

Since 2008, RT has been celebrating the “Season of Civil Rights ... It All Started on a Bus” with a series of events during the months of December, January and February to build awareness of the significant role that transit has played in the American Civil Rights Movement. In 2009, the RT Board of Directors adopted a resolution recognizing RT's Season of Civil Rights.

The 6th annual Season of Civil Rights campaign started on December 1 when RT reserved a seat on every RT bus in honor of Rosa Parks – the same day in 1955 in Montgomery, Alabama, when Rosa Parks refused to obey a bus driver's order that she give up her seat to make room for a white passenger. Her simple act of defiance played a critical role in the American Civil Rights Movement, as it ignited the Montgomery Bus Boycott.

In addition, this year's Season of Civil Rights campaign features a commemorative bus with exterior images of Rosa Parks and Martin Luther King Jr. that travels on different routes through February; sponsorship of the 15th annual Martin Luther King Jr. Celebration Dinner; and participation in the annual Capitol March for the Dream and Diversity Expo at the Sacramento Convention Center. Winning poems from RT's "I Am the Dream and the Dream Is Now" art and poetry contest and RT's historic "Old Blue" bus will be on display at the expo.

RT CALENDAR

Regional Transit Board Meeting

January 27, 2014
RT Auditorium
6:00 P.M

February 10, 2014
RT Auditorium
6:00 P.M

February 24, 2014
RT Auditorium
6:00 P.M

Executive Committee Meetings for 2014

Will be approved and scheduled by the Chair
on an as needed basis.

Mobility Advisory Council

January 16, 2014
RT Auditorium
2:30 P.M

March 6, 2014
RT Auditorium
2:30 P.M

Quarterly Retirement Board Meeting

March 19, 2014
RT Auditorium
9:00 A.M

June 18, 2014
RT Auditorium
9:00 A.M

Paratransit Board Meeting

January 23, 2014
2501 Florin Road
6:00 P.M

March 27, 2014
Elk Grove Adult Community Training
6:00 P.M

May 22, 2014
2501 Florin Road
6:00 P.M

MEMORANDUM

TO: House Republicans

FR: Eric Cantor

DT: Friday, January 3, 2014

RE: January Legislative Agenda

Happy New Year! I hope the holiday season allowed you to enjoy time with family and reflect on the important work we have ahead of us this year. As the Second Session of the 113th Congress gets under way, we have a number of items to consider in the month of January which are outlined below.

Our issues conference at the end of this month will provide us time to gather as a party and construct a legislative agenda for the year. We must, as always, remain focused on our conservative policies that can help grow the economy, lessen the burden of government, and provide opportunity for America's hard working taxpayers. Our conservative policies have proven to provide the solutions to the challenges families are facing including increasing economic security and creating more opportunity for advancement.

Our agenda must reflect the input from each of our members and I look forward to hearing from you before, during, and after the issues conference this month.

Obamacare

The American people have witnessed the Obama administration flailing in its attempts to fix a health care law that is broken and cannot be fixed. Time and again, the president and his administration have unilaterally waived portions of their signature law without congressional consent. The House will continue in our efforts to demand accountability for these actions and to exercise our constitutional duty of oversight of Obamacare as the coalition supporting the law continues to crack. Our efforts will be shaped by our desire to help protect the American people from the harmful effects of this law, and knowing there is a better way.

Several of our colleagues, including Diane Black, Kerry Bentivolio, and Gus Bilirakis have introduced legislation to require prompt notification in the event of a breach involving personal information. It is my intent to schedule legislation on this topic when we return next week. In the coming weeks, we will continue to address other areas of this failed law where greater transparency is called for, including requiring the administration to provide reliable and complete enrollment data. We will remain vigilant in our oversight as our committees aim to hold the administration responsible for its failures in implementing their signature piece of legislation.

These steps will be part of the overall effort to protect the American people from the harmful effects of Obamacare by ultimately repealing and replacing the law with patient focused reforms that expand access, ensure quality care, and help control costs.

Appropriations

With the Bipartisan Budget Agreement signed into law, Chairman Hal Rogers and the Appropriations Committee are drafting legislation to fund the government for the remainder of Fiscal Year 2014. The

committee's efforts include a thorough line-by-line analysis to help ensure that the spending plan reflects our priorities.

This spring, we can expect a robust season of oversight and continued emphasis on spending reforms which reflect our priority of being good stewards of taxpayer dollars.

Iran

Iran remains perhaps the most significant national security threat facing the United States and its closest allies. Its determined pursuit of a nuclear weapons capability and support for terrorism and instability must be stopped. It is my hope that the House, in a bipartisan manner, can express our concerns about Iran's aggression and state our position on what a comprehensive settlement of the nuclear issue should look like.

Conference Reports

Chairmen Frank Lucas and Bill Shuster, along with our conferees, continue to work towards agreement with their Senate counterparts on the Farm bill and WRRDA conference reports, respectively. These two conference reports represent new ideas on how government programs should work and as soon as they are ready for consideration, I expect to schedule these in the House.

Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

Removing barriers to job creation imposed by the federal government remains a priority. Our colleagues Cory Gardner, Bill Johnson, and Bob Latta produced legislation which reforms the EPA's regulatory process to ensure that the federal government reduces the red tape inhibiting job creation and keeps our environment healthy. These important bills will come to the floor as a package aimed at improving the federal and state relationship when dealing with hazardous waste.

Conclusion

The floor schedule will include additional items as they are resolved throughout the month. Looking forward, several outstanding issues may be brought to the floor over the next few months, including: the Intelligence authorization, flood insurance, as well as legislation related to trade and immigration. We can also expect action on the statutory debt ceiling some time during the first part of the year.

Upon returning to Washington, the House will stay focused on our common sense conservative solutions to the problems Americans are facing in this New Year. I am convinced that by our staying united in this effort, we will achieve significant policy victories in the year ahead.

Thank you for all the hard work you do on behalf of your constituents and all Americans.

Happy New Year!

Eric

continue to increase. Cementing mutual understanding and streamlining the process involved will save money and time for both railroads and public agencies. In turn, road users will see the positive results of more rapid highway renewal on facilities and budget. The model agreements also lay out standardized construction and operational needs, thereby enhancing safety for workers and reducing delays for users.

7. Electronic Project Document Management Tools (e-construction)

The administration of a project through the design and construction process requires significant communications and documentation of events. This has traditionally required writing and mailing letters through a Post Office or an internal mail system, keeping project journals, maintaining large file cabinets and file rooms, using physical signatures on paper, and taking notes at in-person meetings. With the advent of enhanced electronic project management tools, different modes of meeting, communicating, and assuring a secure version approval process, we are now accelerating the decisionmaking process. Some additional benefits noted by State DOTs using this technology are improved communications and partnering, decreased cost of printing and mailing services, opportunity to perform parallel work activities.

8. Geotechnical Solutions for Soil Improvement, Rapid Embankment Construction and Stabilization of the Pavement Working Platform (SHRP2 R02)

The Geotechnical Solutions are a Technology Catalog with detailed information on 46 geoconstruction and ground improvement techniques. In addition, the product contains a Technology Selection system to aid in identifying potential technologies for ground modification based on user-defined project conditions. The geotechnical solutions are on a Web site developed as part of the research under the SHRP2 R02 project. The scope was aimed at identifying design and construction solutions for risk elements that may be encountered in project delivery related to: (a) Construction of new embankments and roadways over unstable soils, (b) widening and expansion of existing roadways and embankments and (c) stabilization of geotechnical pavement components and of working platforms. The R02 research team is deploying the product worldwide by promoting it to subject matter experts. Deployment efforts have been targeted at experienced users of the

geotechnologies. While the technologies are mature, the Web sites' technology selection system and technology catalog provide a significant resource for critically important information that assists in the design and construction of ground improvement techniques.

9. Ultra High Performance Concrete for Advanced Connection Technology for Prefabricated Bridge Elements and Systems

Ultra-High Performance Concrete (UHPC) has proven to be a technology that can facilitate simplified, effective-use prefabricated bridge elements and systems (PBES). The proliferation of PBES concepts over the past 4 years has led to recognition among owners and specifiers that robust connection systems are a key part of any successful bridge construction project. The UHPC is a steel fiber reinforced cementitious composite possessing exceptionally high mechanical strengths and durability properties. Field casting of UHPC into the interstitial spaces between prefabricate components engages a strong connection concept, freeing the owner from concerns regarding the short- and long-term performance of the connection. Research and development on this topic over the past 5 years addressed specific connection concepts that are most relevant to the highway bridge community.

10. Road Diet (Roadway Configuration)

The classic roadway reconfiguration, commonly referred to as a "road diet," involves converting an undivided four-lane roadway into three lanes, made up of two through lanes and a center two-way left-turn lane. The reduction of lanes allows the roadway to be reallocated for other uses such as bike lanes, pedestrian crossing islands and parking. Road diets have multiple safety and operational benefits for drivers as well as nonmotorists. Midblock locations can benefit from road diets because they tend to experience higher travel speeds, contributing to increased injury and fatality rates. More than 80 percent of pedestrians hit by vehicles traveling at 40 mph or faster die, while less than 10 percent die when hit by a vehicle traveling 20 mph or less. When appropriately applied, road diets generated benefits to users of all modes of transportation, including bicyclists, pedestrians and motorists. The resulting benefits include reduced vehicle speeds, improved mobility and access, reduced collisions and injuries and improved livability and quality of life. When modified from four travel lanes to two travel lanes with a two-way left-turn

lane, roadways experienced a 29 percent reduction in all roadway crashes. The benefits to pedestrians include reduced crossing distance and fewer midblock crossing locations, which account for more than 70 percent of pedestrian fatalities.

Road diets can be low cost if planned in conjunction with reconstruction or simple overlay projects, since a road diet mostly consists of restriping. The reduction of lanes allows the roadway to be reallocated for other uses such as bike lanes, pedestrian crossing islands, and parking. Road diets have multiple safety and operational benefits for vehicles as well as pedestrians, such as:

- Decreasing vehicle travel lanes for pedestrians to cross, therefore, reducing the multiple-threat crash for pedestrians (when one vehicle stops for a pedestrian in a travel lane on a multilane road, but the motorist in the next lane does not, resulting in a crash),
- Providing room for a pedestrian crossing island,
- Improving safety for bicyclists when bike lanes are added (such lanes also create a buffer space between pedestrians and vehicles),
- Providing the opportunity for on-street parking (also a buffer between pedestrians and vehicles),
- Reducing rear-end and side-swipe crashes, and
- Improving speed limit compliance and decreasing crash severity when crashes do occur.

Issued on: December 27, 2013.

Victor M. Mendez,
FHWA Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Safety Advisory 14-1]

Right-of-Way Worker Protection

AGENCY: Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Notice of Safety Advisory.

SUMMARY: On December 31, 2013, the Federal Transit Administration (FTA) issued Safety Advisory 14-1 to provide guidance to State Safety Oversight Agencies (SSOAs) and rail fixed guideway public transportation agencies on redundant protections for roadway workers in the rail transit industry, and review and revision of rules and procedures to protect roadway workers from trains and moving equipment. FTA

issued this guidance in response to a number of recent accidents in the industry, and two urgent recommendations by the National Transportation Safety Board (NTSB). FTA's Safety Advisory 14-1, "Right-of-Way Worker Protection," is available in its entirety on the agency's public Web site (<http://www.fta.dot.gov/tso.html>). Further, FTA has asked each SSOA to coordinate with every rail transit agency within its jurisdiction to complete and submit Appendix 1 to Safety Advisory 14-1, "Right-of-Way Worker Protection Assessment Checklist," and to conduct formal hazard analyses regarding the presence of workers in rail transit rights-of-way.

FOR FURTHER INFORMATION CONTACT: For program matters, Thomas Littleton, Associate Administrator for Safety and Oversight, telephone (202) 366-9239 or Thomas.Littleton@dot.gov. For legal matters, Scott Biehl, Senior Counsel, telephone (202) 366-0826 or Scott.Biehl@dot.gov.

SUPPLEMENTARY INFORMATION: On December 19, 2013, the NTSB issued two urgent safety recommendations to FTA. The first, R-13-39, recommends that all rail transit agencies be required to provide redundant protection for their roadway workers, such as positive train control, secondary warning devices, or shunting devices on track. The second, R-13-40, recommends that all rail transit agencies be required to review their rules and procedures for wayside workers and revise them, as necessary, to eliminate any authorization for worker access to transit rights-of-way in which the workers are dependent solely upon themselves to provide protection from trains and moving equipment. These two NTSB recommendations follow an October 19, 2013 accident in which two workers inspecting a dip in track on the Bay Area Rapid Transit (BART) system were killed when both their backs were turned to a train traveling more than sixty miles per hour. The workers had access to the BART right-of-way under a procedure called "simple approval," which required mere notification to the agency's operations control center—there were no other protections in place for their safety.

The two recommendations are not limited to the BART accident, however. R-13-39 and R-13-40 reflect the results of recent NTSB investigations into fatalities and serious injuries to track workers on the rail transit systems in Boston, Chicago, Houston, Miami, New York, Sacramento, and Washington, DC. October 2013 was one of the deadliest months on record for the nation's rail

transit workers. Three workers were killed and two were seriously injured in two separate accidents on the rail transit right-of-way (ROW). Since 2002, 28 rail transit workers have lost their lives while working to maintain the nation's rail transit infrastructure.

We at the FTA and the U.S. Department of Transportation appreciate the urgency of the NTSB's findings, and the critical safety challenge in front of us. Over the last decade, 28 workers have been killed in accidents on the rail transit right-of-way and the systems, rules and procedures put in place to protect transit workers failed each time. We agree, wholeheartedly, with the NTSB's observation that "all rail transit systems are at risk for roadway worker fatalities and injuries." In response, specifically, to R-13-39 and R-13-40, FTA is issuing Safety Advisory 14-1: Right-of-Way Worker Protection, to both the agencies that own and operate rail fixed guideway systems and the SSOAs that oversee the safety of those systems. Safety Advisory 14-1 is designed to support a comprehensive review of the Right-of-Way Worker Protection ("RWP") programs already in place at rail transit agencies. It offers options and tools to enhance those programs. The guidance identifies available resources, current industry activities to improve RWPs, and a compilation of lessons learned from right-of-way worker accidents over the last decade, all of which are framed to help rail transit agencies assess their programs within the context of the broader national experience. Safety Advisory 14-1 is available in full on the Transit Safety and Oversight Web page of the FTA public Web site at <http://www.fta.dot.gov/tso.html>, together with the Federal Transit Administrator's *Dear Colleague* letter of December 31, 2013, and a letter of that same date from the FTA Associate Administrator for Safety and Oversight addressed to the SSOAs and the chief safety officers of rail transit agencies.

Additionally, FTA has asked each SSOA, in coordination with every rail transit agency within its jurisdiction, to complete and submit Appendix 1 to Safety Advisory 14-1, the "Right-of-Way Worker Protection Assessment Checklist," no later than February 28, 2014, and to oblige every rail transit agency to conduct a formal hazard analysis for the presence of workers on its rail transit right-of-way, no later than May 16, 2014. FTA will use the data and information from the assessment checklists in conducting a broader analysis for a response to NTSB recommendation R-13-39. FTA will use

the results of the formal hazard analyses in developing a full response to NTSB recommendation R-13-40. FTA has asked that the formal hazard analyses address the "simple approval" procedure at issue in the BART accident, as appropriate, as well as emergency and scheduled access in work zones and procedures for moving crews, both under traffic and in exclusive occupancy. Also, FTA has stated its interest in how SSOAs and rail transit agencies view the benefits of "lock outs" and various other redundant protections, such as positive train control, secondary warning devices, and shunting devices attached to track. Please see the summaries at <http://www.nts.gov/doclib/reclib/2013/R-13-039-040.pdf>.

FTA's issuance of Safety Advisory 14-1 is in accordance with the Federal Transit Administrator's authority to "investigate public transportation accidents and incidents and provide guidance to recipients regarding prevention of accidents and incidents." 49 U.S.C. 5329(f)(5). The requests for information and data from the SSOAs and the rail transit agencies within their jurisdiction are based on FTA's authority to request program information pertinent to rail transit safety under the State Safety Oversight rule, 49 CFR 659.39(d).

Issued in Washington, DC this 2nd day of January, 2014.

Peter Rogoff,
Federal Transit Administrator.

[FR Doc. 2014-00076 Filed 1-7-14; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[U.S. DOT Docket Number NHTSA-2013-0138]

Reports, Forms, and Record Keeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation.

ACTION: Request for public comment on extension of a currently approved collection of information.

SUMMARY: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of