

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rail Safety and Carriers Division
Rail Engineering Safety Branch
Rail Transit Safety Section

RESOLUTION ST-31
Date December 3, 1997

R E S O L U T I O N

RESOLUTION ST-31. GRANTING AN EXTENSION OF TIME FOR LACMTA TO SUBMIT THE SECURITY PORTION OF ITS SYSTEM SAFETY PROGRAM PLAN. THIS TIME EXTENSION WILL CONSTITUTE A DEVIATION FROM THE REQUIREMENTS IN GENERAL ORDER No. 164-A.

SUMMARY

By letter dated November 13, 1997 the Los Angeles County Metropolitan Transportation Authority (LACMTA) requests an extension of time until April 15, 1998 to submit the security portion of its System Safety Program Plan (SSPP). This time extension will constitute a deviation from the requirement in General Order No. 164-A (paragraph 3.2) for each rail transit agency to submit the security portion of its SSPP before January 1, 1998. The reason for the requested time extension is that LACMTA is currently engaged in restructuring their entire security program involving merger of the Transit Police Department into the Los Angeles Police Department (LAPD) and the Los Angeles County Sheriff's Department (Sheriff's Department). This resolution grants LACMTA a time extension until April 15, 1998 to submit the security portion of its SSPP.

BACKGROUND

The Intermodal Surface Transportation Efficiency Act of 1991 directed the Federal Transit Administration (FTA) to issue a rule requiring the States to oversee the safety and security of rail fixed guideway systems not regulated by the Federal Railroad Administration. That rule (the FTA's rule), 49 CFR Part 659, became effective on January 26, 1996. The FTA's rule requires, in part, that each rail transit agency prepare a SSPP. The FTA's rule further requires the designated State oversight agency to approve, in writing, each rail transit agency's SSPP, except for the security portion, by January 1, 1997. Governor Wilson designated the Commission as the State oversight agency by letter dated October 13, 1992. The Commission approved each rail transit agency's SSPP in December, 1996.

The FTA's rule allows each rail transit agency an additional year to prepare the security portion of its SSPP. The State oversight agency is required to approve each rail transit agency's security portion of its SSPP prior to January 1, 1998.

DISCUSSION

By letter dated November 13, 1997 LACMTA requests a time extension until April 15, 1998 to submit the security portion of its SSPP. The reason for this request is that LACMTA is currently in the middle of a major restructuring of its security program. Over the past twelve months LACMTA has been working with the County and City of Los Angeles to develop contracts and service agreements to merge the current Transit Police Department into the LAPD and the Sheriff's Department. This merger is expected to be completed by the end of November, 1997.

The security portion of the SSPP will be given high priority after the merger is completed, and both the LAPD and the Sheriff's Department will become fully involved in development of the transit system's security plans. LACMTA believes that it will take some time for the new departments to become fully conversant with the problems and challenges that confront the rail transit system, and therefore additional time, until April 15, 1998 is needed to develop meaningful strategies and finalize the security portion of its SSPP. LACMTA further states that the development of the security portion of its SSPP without adequate participation of the LAPD and the Sheriff's Department would be meaningless, and the security portion would need to be redone within a few months.

The time extension will constitute a deviation from the requirement of General Order 164-A (paragraph 3.2) for each rail transit agency to submit the security portion of its SSPP before January 1, 1998.

PROTESTS

No protests or objections have been received.

FINDINGS

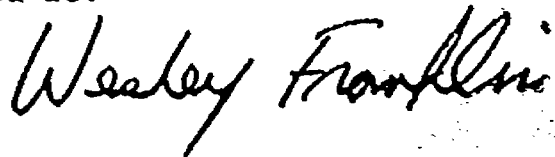
1. General Order 164-A (paragraph 3.2) requires each rail transit agency to submit the security portion of its SSPP before January 1, 1998.
2. By letter dated November 13, 1997, LACMTA has requested a time extension until April 15, 1998 to submit the security portion of its SSPP. This will constitute a deviation from General Order 164-A (paragraph 3.2).

3. LACMTA is currently engaged in restructuring their entire security program which involves merging the Transit Police Department into the LAPD and the Sheriff's Department.
4. LACMTA has presented valid reasons for the time extension.
5. Staff recommends that a time extension to April 15, 1998 be granted to allow the LAPD and the Sheriff's Department time to contribute to the development of the security portion of the transit agency's SSPP.

THEREFORE, IT IS ORDERED that:

LACMTA is granted a deviation from the requirement in General Order 164-A (paragraph 3.2) to submit the security portion of its SSPP before January 1, 1998. A time extension for the submittal of the security portion of its SSPP is granted until April 15, 1998. In all other respects, the requirements of General Order No. 164-A will remain in full force and effect.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on December 3, 1997. The following Commissioners approved it:



WESLEY M. FRANKLIN
Executive Director

P. Gregory Conlon
President
Jessie J. Knight, Jr.
Henry M. Duque
Josiah L. Neeper
Richard A. Bilas
Commissioners