



COLORADO

**Department of
Regulatory Agencies**

Public Utilities Commission

Eric Blank , Chairman
John C. Gavan, Commissioner
Megan M. Gilman, Commissioner
Doug Dean, Director

Patty Salazar, Executive Director
Jared S. Polis, Governor

Rail/Transit Safety
1560 Broadway, Suite 250
Denver, CO 80202

Date: March 11, 2022

Ms. Joseph DeLorenzo
Associate Administrator
Chief Safety Officer
Office of Transit Safety and Oversight
Federal Transit Administration
1200 New Jersey Avenue SE,
Washington, D.C., 20590-0001

RE: Colorado Public Utilities Commission (CoPUC) Annual Submittal Pursuant to 49 *Code of Federal Regulation* (CFR) §674.39(a)(1-6) and Certification of Compliance

Dear Mr. DeLorenzo:

Today, the CoPUC submits its annual report in compliance with 49 CFR §674.39(a)(1-6) through the Federal Transit Administration's (FTA) State Safety Oversight Reporting (SSOR) tool. CoPUC began its three-year safety and security review of the Denver Regional Transportation District (RTD) in 2020 under the 49 CFR §673 and §674 rules. The three-year safety review will be completed in the fall of 2022. New checklists are being used based on 49 CFR §673 and §674 and based on Safety Management Systems (SMS).

Included with this submittal in the SSOR tool are the following documents:

1. CoPUC report summarizing oversight activities for the preceding twelve months;
2. Copies of CoPUC Spring 2021 and Fall 2021 audit reports with Commission Decisions approving the Staff semi-annual audit reports attached;
3. Copy of RTD 2022 Public Transportation Safety Plan (PTASP)
4. Copy of CoPUC Decision No. C22-0012 and attached checklist approving RTD's 2022 Public Transportation Agency Safety Plan;
5. Copy of CoPUC Program Standard – 4 *Code of Colorado Regulations* 723-7-7340 through 7355;
6. Copy of SSOA TTP Template Colorado PUC Revised 3/1/2022;
7. Copy of Annual Spend Plan;
8. Copy of CoPUC Organizational Chart as of 3/1/2022;
9. Copies of RTD Internal Safety Reviews for Winter and Summer of 2021;
10. Copies of all Corrective Action Plans issued during calendar year 2021;
11. CoPUC additional information for accident events reported to FTA.



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The CoPUC has reviewed and adopted all accident reports as outlined within the SSOR. The CoPUC has reviewed and approved all Corrective Action Plans contained within the SSOR. Commission Decisions for these approvals are available upon request.

Under the requirements of the CoPUC Program Standard, the RTD must certify its compliance with its PTASP meeting requirements of rule 7345 and approved by the Commission to FTA using the FTA determined certification method. Therefore, CoPUC has not issued a certification of compliance of RTD with 49 CFR §674 to FTA as the RTA's are required to issue that certification to FTA themselves using the FTA determined PTASP certification method.

The CoPUC finds that RTD is substantially in compliance with the policies and procedures required under its Public Transportation Agency Safety Plan.

Additionally, as required under 49 CFR §674.39(a)(2), CoPUC provides the following evidence that each of its employees has completed the requirements of the Public Transportation Safety Certification and Training Program. Dr. Pamela Fischhaber was provided her Certificate of Completion showing successful completion of the Public Transportation Safety Certification Training Program for State Safety Oversight Agencies showing completion on October 24, 2018. Ms. Cindy Terry, Ms. Jessica Sava, and Ms. Julie Whalen have completed all their required TSI classes. Jessica, Cindy, and Julie have completed all required transit agency training including RTD Operator Training, MOW Orientation, Signal and Traction Power Training and RTD Vehicle Maintenance Training, and RTD Track Training. They completed all required training on May 7, 2021 and are now certified.

This letter serves as certification that CoPUC is in compliance with the requirements of 49 CFR §674.39(a)(1-6).

If you have any questions regarding the information being submitted or need additional information or documentation, please contact Dr. Pam Fischhaber at 303-894-2529.

Sincerely,



Doug Dean
Director
Colorado Public Utilities Commission

Cc: Ms. Cindy Terwilliger, Regional Administrator, FTA Region 8, Denver, CO
Mr. John Lynch, Regional Counsel, FRA Region 8, Denver, CO
Ms. Tiffany Gallegos, Director Office of Ops. and Program Mgt., FTA Region 8, Denver, CO
Ms. Stephanie Minter, General Engineer, FTA Region 8, Denver, CO
Ms. Debra Johnson, RTD
Mr. Dan McClain, RTD
Mr. Richard Lobato, RTD
Mr. Mathew Cross, RTD
Mr. Jose Alverado, RTD

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Mr. Nathan Marx, RTD
Mr. Dave Jensen, RTD
File



**U.S. Department of Transportation
Federal Transit Administration
Office of Safety and Security**



**State Safety
Oversight
Program**

Annual Reporting Template

2021

This is an export of the State Safety and Oversight Reporting (SSOR) system report on State Safety Oversight (SSO) Program information.

Each reporting section is located on a different worksheet within this file. Click the tabs below to navigate through the template.

Status: **New**

Reporting deadline: 3/15/2022

State Oversight and RFGPTS General Information

State Oversight Agency

Agency Name	Street Address	City	State	Zip code	Phone Number
Colorado Public Utilities Commission	1560 Broadway, Suite 250	Denver	CO	80202	303-894-2000

Rail Fixed Guideway Public Transportation System(s)

Denver Regional Transit District	1660 Blake Street	Denver	CO	80202	303-628-9000
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Systems in Engineering

Project Name	This is the name of the new modal system. For example: "DC Streetcar."
Mode	Mode of the system in engineering.
NEPA Decision Date	If this project has completed the activities required under the National Environmental Policy Act of 1969, Date of the NEPA decision.
Criteria for Determination	If this project has not completed the activities required under the National Environmental Policy Act of 1969, Criteria used for establishing engineering status.
Projected Revenue Operations Date	Projected revenue operations start date for the new system.

Rail Fixed Guideway Public Transportation System(s)	Project Name	Mode	NEPA Decision Date (if NEPA approved)	Criteria for Determination (if not NEPA approved)	Projected Revenue Operations Date
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State Oversight Agency Contact Information

SSOA Primary

This is the SSO Program Manager or the primary contact for all SSO-related correspondence.

SSOA Alternate

This is the individual(s) responsible for correspondence and SSO-related activities in the absence of the SSO Program Manager.

First Year in SSO Program

This is the calendar year a contact began working in the SSO program.

Contact Type	Sal.	First Name	Last Name	Title	Office Phone	Ext.	Cell Phone	Fax	Email	First Year in SSO Program
SSOA Alternate	Ms.	Jessica	Sava	SSO Program Safety Spec	303-894-2877				jessica.sava@state.co.us	2017
SSOA Alternate	Ms.	Cindy	Terry	SSO Program Engineer	303-894-2849				cindy.terry@state.co.us	2017
SSOA Alternate	Ms.	Julie	Whalen	SSO Program Safety Spec	303-894-2863				julie.whalen@state.co.us	2017
SSOA Primary	Dr.	Pamela	Fischhaber	Deputy Director Public Safet	303-894-2529				pamela.fischhaber@state.co.us	2005

Rail Fixed Guideway Public Transportation System Contact Information

RFGPTS	Contact Type	Sal.	First Name	Last Name	Title	Address	Phone	Ext.	Fax	Email
Denver Regional Trar CEO		Ms.	Debra	Johnson	General Manager/CEO	1600 Blake Street, Denver, CO 80202	(PRIMARY) 303-299-6000			debra.johnson@rtd-denver.com
Denver Regional Trar Safety Alternate		Mr.	Dan	McClain	Senior Manager, Safety	1600 Blake Street, Denver, CO 80202	(PRIMARY) 303-299-3323			dan.mcclain@rtd-denver.com
Denver Regional Trar Safety Primary		Mr.	Dan	McClain	Chief Safety Officer	1600 Blake Street, Denver, CO 80202	(PRIMARY) 303-299-3323			dan.mcclain@rtd-Denver.com
Denver Regional Trar Safety Primary		Mr.	Mike	Meador	AGM Safety, Security & A	1600 Blake Street, Denver, CO 80202	(PRIMARY) 303-299-4038			mike.meador@rtd-denver.com
Denver Regional Trar Security Alternate		Mr.	Dan	McClain	Acting CSO	1600 Blake Street, Denver, CO 80202	(PRIMARY) 303-299-3323			dan.mcclain@rtd-Denver.com
Denver Regional Trar Security Primary		Mr.	Robert	Grado	Chief of Police	1600 Blake Street, Denver, CO 80202	(PRIMARY) 303-299-3491			robert.grado@rtd-denver.com

State Oversight Agency Program Management

Hours Devoted to the SSO Program: Hours worked on the program by the State Oversight Agency (SOA) Program Manager and any other SOA employees. The total hours will allow FTA to calculate the number of full-time equivalents assigned to the program.
 Note: For employees dedicated full-time to the SSO program, report 2,000 hours. 1 Full-Time Equivalent (FTE) = 2,000 hours."

Use of Contractors List of SSO tasks performed by contractors. For each task (three-year review, incident investigations, etc.) the contracted hours and the associated cost. For tasks not identified in the list, see description.

Hours Devoted to the SSO Program			Has this staff member's annual hours devoted to the SSO program increased or decreased since last year?	Use and payment of Contractors in			Has your budget for this contractor increased or decreased since last year?
SOA Employee Name	Title	Hours Worked		Contracted Duties	Contractor Hours	Contractor Costs	
Julie Whalen	SSO Program Safety Specialist	2000	Decreased				
Jessica Sava	SSO Program Safety Specialist	2000	Decreased				
Cindy Terry	SSO Program Engineer	2000	Decreased				
Pamela Fischhaber	Deputy Director Public Safety/	C 332	Decreased				

Program Documentation

Agency	Document	Effective Date	Version Date	Submitted to FTA?
Colorado Public Utilities Commis	Annual Certification of Compliance	3/13/2020	12/10/2020	Yes
Colorado Public Utilities Commis	Investigation Procedures	6/24/2009	12/10/2020	Yes
Colorado Public Utilities Commis	Other	3/13/2020	12/10/2020	Yes
Colorado Public Utilities Commis	Other	3/13/2020	12/10/2020	Yes
Colorado Public Utilities Commis	Other	12/27/2019	12/10/2020	Yes
Colorado Public Utilities Commis	Program Standards and Procedures	2/15/2018	12/10/2020	Yes
Colorado Public Utilities Commis	Program Standards and Procedures	4/30/2019	12/10/2020	Yes
Denver Regional Transit District	Internal Safety Review Report	3/11/2020	6/13/2019	Yes
Denver Regional Transit District	Investigation Procedures	1/1/2001	6/13/2019	Yes
Denver Regional Transit District	Security Plan Checklist	3/13/2020	6/13/2019	Yes
Denver Regional Transit District	System Safety Program Plan/Agency Safety Plan	11/1/2019	6/13/2019	Yes

Federal Railroad Administration Waivers

FRA waiver(s) in place?	For each RFGPTS, indicates whether or not there is an FRA waiver in place for shared track or shared corridor arrangements by having value as "yes" or "no" .
Has the SOA participated in an FRA inspection or review at this RFGPTS?	Whether or not the SOA has participated in an FRA review or inspection at this RFGPTS.

Rail Fixed Guideway System	FRA waiver(s) in place?	Waiver Docket No. (if FRA waiver)	Date (if FRA waiver)	Has the SOA participated in an FRA	
				Y/N (if FRA waiver)	Date (if <- Yes)
Denver Regional Transit District	No			No	

Three-Year Safety and Security Reviews

Date of Last Three-Year Review	Requires SOAs to conduct an onsite review of the RFGPTS's implementation of its SSPP and Security Plan at least every three years. Date of the last Three-Year review of each RFGPTS overseen.
Length of Review (days)	Number of days used to conduct the review.
Contractor Used?	Whether or not contractor services were procured to conduct the review.
Report Date	Requires the SOA to prepare a report documenting findings and recommendations from the review. It has the date of the report.
Date of Next Review	Date of the next SOA on-site review.

Rail Fixed Guideway Public Transportation System	Three Year Review Type	3-Year Internal Tracking ID	Date of Last Three-Year Review	Length of Review (days)	Contractor Used?	Report Date	Date of Next Review	Issues Found?	Count of Findings
Denver Regional Transit District	Safety	Fall 2020 Semiann	11/17/2020	52	No	3/8/2021	4/5/2021	Yes	10
Denver Regional Transit District	Safety	715	4/13/2021	121	No	12/28/2021	10/5/2021	Yes	4
Denver Regional Transit District	Safety	722	10/5/2021	56	No	3/2/2022	4/11/2022	Yes	5

Event Investigation and Reporting

Rail Fixed Guideway Public Transportation System	SSO Internal Tracking No. (incl. for unique)	Date	Time (hh:mm AM/PM)	Mode	Event Type	Collision With (only if Collision)	Event Location	Received Notification Within 2 Hours? (6/14.33(a))	Reason SSOA did not Receive Two Hour Notification	Fatalities (if none, report 0)					Injuries (if none, report 0)					Investigation Conducted By (6/14.35(a))	Investigation Report Adopted by SSOA? (6/14.35(b))	Reason Investigation was not Reviewed & Adopted	Probable Cause (6/14.35(f))	Investigation Report Issued By (6/14.35(b))	Did this Event require a Tow-Away	Description and Comments or Additional Info	Corrective Action Plan Developed?				
										Passenger	Patron	Public	Worker	Total	Passenger	Patron	Public	Worker	Total												
Denver Regional Transit District	A1-03142021	03/14/2021	07:55 AM	Light Rail	RGX Collision	Non Transit Motor Vehicle (POV)	Right-of-way, grade crossing	Yes		0	0	0	0	0	0	0	0	0	0	0	0	0	0	RTD	Yes		Action of Motorist	RTA	Yes	Train # 111LRV #233 was struck by vehicle #2, driver of vehicle #2 failed to stop/obey traffic signal. Denver Police Department cited driver #2 for driving too fast for conditions.	No
Denver Regional Transit District	A1-04022021	04/02/2021	01:58 PM	Light Rail	RGX Collision	Non Transit Motor Vehicle (POV)	Right-of-way, grade crossing	Yes		0	0	0	0	0	0	0	0	0	0	0	0	0	0	RTD	Yes		Action of Motorist	RTA	Yes	Train # 9LRV #106 was struck by vehicle #2, driver of vehicle #2 failed yield to train.	No
Denver Regional Transit District	A2-04202021	04/20/2021	11:15 PM	Light Rail	Deraiment		Right-of-way, track way	No	RTD Safety was not notified of the	0	0	0	0	0	0	0	0	0	0	0	0	0	0	RTD	Yes		Equipment Failure	RTA	No	Maintenance of Way T-383 Hy-Rail pick-up truck traveling to South East Corridor from Broadway Station, as T-383 entered the curve, the rear set of hy-rail tires lost contact	Yes
Denver Regional Transit District	A1-05082021	05/08/2021	10:43 PM	Light Rail	Collision (non-RGX)	Person	Right-of-way, not a grade crossing	No	Safety was not notified timely to be able to report within 2 hours.	0	0	0	0	0	0	0	0	1	0	1	0	0	0	RTD	Yes		Trespasser	RTA	No	Train # 22LRV #'s 117 & 103 left 2nd Ave and Abilene Station north bound to Peoria Station (end of line and end of service); operator did not report any unusual occurrence. The area where trespasser was located north of the station platform and in the ballasted area; the pedestrian was reportedly wearing dark clothing in an unlit area during a train event. Based on inspection of the above two LRV's, it appears contact was made between the coupled ends; operator would not have heard/seen individual. The individual was transported by Aurora Fire Department; Aurora Police Department investigated the event.	No
Denver Regional Transit District	A1-06152021	06/15/2021	02:00 PM	Light Rail	Deraiment		Right-of-way, track way	Yes		0	0	0	0	0	0	0	0	0	0	0	0	0	0	RTD	Yes		Equipment Failure	RTA	No	LRV #260 was being driven onto the wheel lathe for training purposes by a facility LRVW Supervisor, when the center truck set encountered the edge of the wheel lathe, that	Yes
Denver Regional Transit District	A1-09252021	09/25/2021	08:01 PM	Light Rail	Other - Bomb Threat		In or on vehicle	No	Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0		No		Evacuation for Life Safety Reasons		No	On September 25, 2021 RTD Transit Police District 1 received a 911 phone transfer from the Sheridan Police Department. The RP stated he was in a verbal altercation with a male party on the train who stated he had a gun and a bomb he would detonate if the RP did not get off the train at Oxford Station. The train was stopped and derailed at the Broadway Station and all other trains were held outside of the station. RTD Transit Police, Denver Police and RTD Transit security responded and evacuated the train and platform. RTD K9 Bomb unit swept the train and did not find any evidence of a bomb. All units cleared without further incident. Trains were delayed for one hour and 7 minutes.	No
Denver Regional Transit District	A1-10212021	10/27/2021	09:32 PM	Light Rail	Collision (non-RGX)	Fixed Object	Non-revenue facility	Yes		0	0	0	0	0	0	0	0	0	0	0	0	0	0	RTD	Yes		Operational Rule	RTA	No	Operator of Train # 13LRV #139 operating within the Elati Light Rail Vehicle Maintenance Facility entered the eastern train wash track from south to north; the north door	Yes
Denver Regional Transit District	A1-10292021	10/29/2021	10:32 PM	Light Rail	RGX Collision	Person	Right-of-way, grade crossing	Yes		0	0	1	0	1	0	0	0	0	0	0	0	0	0	RTD	Yes		Pedestrian Actions	RTA	No	Train # 38LRV #298 was a southbound train approaching the Bayaud Crossing; at the same time, there was another Train that was operating northbound already in the crossing. This northbound train screened the view (vision) of both the southbound train operator and the bicyclist; the bicyclist was westbound in the eastbound lanes of Bayaud Ave and entered the crossing just as northbound train cleared the crossing. The bicyclist entered the southbound trackway and into the path of the train. Bicyclist was only injured/fatality at the scene. Denver Police Department determined that bicyclist failed to obey the crossing devices and entered the crossing causing the accident.	No
Denver Regional Transit District	A1-11022021	11/02/2021	10:43 PM	Light Rail	Collision (non-RGX)	Person	Right-of-way, not a grade crossing	Yes		0	0	0	0	0	0	0	0	1	0	1	0	0	0	RTD	Yes		Trespasser	RTA	No	Southbound Train # 35LRV #213 contacted trespasser in the alignment/revenue track area near the south lead to the Mariposa LRVMF; trespasser transported by EMS for	No
Denver Regional Transit District	A1-11122021	11/12/2021	07:28 AM	Light Rail	RGX Collision	Non Transit Motor Vehicle (POV)	Right-of-way, grade crossing	Yes		0	0	0	0	0	0	0	0	0	0	0	0	0	0	RTD	Yes		Action of Motorist	RTA	Yes	Train # 54LRV #306 was struck by vehicle #2, driver of vehicle #2 failed to obey traffic control devices. Driver #2 cited by Denver Police for accident.	No
Denver Regional Transit District	A1-12252021	12/25/2021	02:00 PM	Light Rail	Collision (non-RGX)	Person	Right-of-way, not a grade crossing	Yes		0	0	1	0	1	0	0	0	0	0	0	0	0	0	RTD	Yes		Trespasser	RTA	No	Train # 13LRV #290 was north bound (into downtown Denver) crossing the bridge over W. Iowa St when it struck a trespasser; the contact resulted in a fatality. The	No

