

**State Safety Oversight Program  
for Rail Transit Agencies Policy**  
UTAH TRANSPORTATION COMMISSION

**UTC 01-02**

Effective: October 16, 2015

**Purpose**

To fulfill Federal requirements for legal independence of the Utah Transportation Commission as required under the State Safety Oversight Program for the Utah Transit Authority's TRAX light rail system.

**Policy**

The member of the Utah Transportation Commission (UTC) appointed to the Utah Transit Authority (UTA) Board of Trustees (Board) will recuse themselves from any vote pertaining to State Safety Oversight Program matters performed by the Utah Department of Transportation (Department) as the designated State Safety Oversight Agency for rail fixed guideway public transportation systems (RFGPTS).

The Chair of the UTC or the member of the UTC appointed to the UTA Board is authorized to determine situations in which a conflict may arise.

A copy of this policy must be provided to any member of the UTC appointed to the UTA Board.

**Background**

In 2012 Congress enacted Section 20021 of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), adopted in its entirety as 49 U.S.C. 5329 (Section 5329). Section 5329 makes changes to safety oversight of RFGPTS, including a requirement to establish a State Safety Oversight Program administered by a State Safety Oversight Agency (SSOA) that is legally independent of the RFGPTS that it oversees. The Department has been designated as the SSOA for the UTA TRAX light rail system as a RFGPTS.

Utah State Code Title 72 Chapter 1 Part 3 creates the UTC, a seven-member independent commission appointed by the Governor of Utah and confirmed by the Utah State Senate. Although the UTC and the Department provide complementary roles, the two are separate and distinct entities with separate statutory roles and governing structures.

The duties of the UTC are limited to only those enumerated in state code, including a provision in §17B-2a-807(2) and (11)(b) that requires the appointment of a member of the UTC to the UTA Board as a voting member. In the course of fulfilling duties of the UTC, including membership on the UTA Board, the UTC does not have jurisdiction nor authority to vote on matters pertaining to the State Safety Oversight Program for the UTA TRAX light rail system. This policy is intended to reinforce and reaffirm the legal independence of the UTC member appointed to the UTA Board as it pertains to voting on SSOA matters and activities performed by the Department.