U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
CHARTER FOR THE
TRANSIT RAIL ADVISORY COMMITTEE FOR SAFETY

1. COMMITTEE'S OFFICIAL DESIGNATION: The Committee shall be known as the Transit Rail Advisory Committee for Safety (TRACS).

2. AUTHORITY: This charter renews the Federal Transit Administration's (FTA) TRACS established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The TRACS is in the public interest and supports FTA in performing its duties and responsibilities under 49 U.S.C. § 5329.

3. OBJECTIVES AND SCOPE OF ACTIVITIES: The U.S. Secretary of Transportation, FTA Administrator, or his or her designee shall present TRACS with tasks on matters relating to the safety of U.S. public transportation systems and activities and, in the exercise of his or her discretion, may withdraw a task being considered by TRACS at any time. The TRACS shall provide the FTA Administrator and the Secretary with information, advice, and recommendations. The TRACS does not exercise program management responsibilities and makes no decisions directly affecting the programs on which it provides advice. The Secretary may accept or reject a recommendation made by TRACS and is not bound to pursue any recommendation from TRACS.

4. DESCRIPTION OF DUTIES: At the discretion of the Secretary, FTA Administrator, or his or her designee, TRACS shall:

a. Undertake such information-gathering activities as necessary to carry out tasks, define issues for consideration by the Committee, develop positions on those issues, and present the Committee's position to the Administrator;

b. Constitute subcommittees or work groups necessary to discharge its responsibilities; and

c. Evaluate economic, technological, and institutional developments relating to transit safety and submit recommendations to the Administrator on innovative ideas and approaches for Federal policies and programs.

5. AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS: The Committee shall report to the Secretary of Transportation through the Administrator of FTA.

6. SUPPORT: The FTA will provide administrative and staff support to the Committee.

7. ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS: It is estimated that the annual operating costs (including the pro rata share of salaries of U.S. Department of Transportation employees) is $500,000. Approximately 3 person-years

will be required to support the Committee.

Members of TRACS who are not full-time employees of the U.S. Government serve without compensation. At the discretion of the FTA Administrator, travel and/or lodging costs may be reimbursed. Members of TRACS who are full-time employees of the U.S. Government serve without additional compensation but may be allowed transportation and per diem in lieu of subsistence and other expenses in accordance with the Department of Transportation Civilian Travel Regulations.

8. DESIGNATED FEDERAL OFFICER: The FTA Administrator, on behalf of the Secretary, shall designate an agency representative to serve as the Executive Director for TRACS; such individual shall also serve as the Designated Federal Officer of the Committee.

The Designated Federal Officer shall do the following:

a. Call meetings of the Committee, subcommittee(s), and workgroup(s) after consultation with the chairperson and determine where they are to be held;

b. Formulate and approve an agenda, in consultation with the chairperson, for each meeting;

c. Notify all Committee members of the time, place, and agenda for any meeting;

d. Provide administrative support for all meetings of the Committee, subcommittees, and work groups and ensure that at least one agency representative and/or agency legal counsel is present for each Committee, subcommittee, or work group meeting;

e. Attend each Committee meeting;

f. Maintain all TRACS files and records; and

g. Adjourn any meeting when it is determined to be in the public interest and chair meetings when directed to do so by the FTA Administrator.

9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS: The Committee will meet approximately twice a year. The agenda for each meeting shall be developed and approved in advance by the Designated Federal Officer. The following procedures shall govern the conduct of TRACS meetings:

a. Notice of the meeting shall be published in the *Federal Register* at least 15 calendar days prior to the date of the meeting. Notice shall include the agenda, date, time, location, and purpose of the meeting.

b. Each meeting of TRACS will be open to the public, except as provided under Section 10(d) of FACA, as implemented by 41 CFR § 101-6.10, the Government

in the Sunshine Act (5 U.S.C. § 522b(c)), 41 CFR Part 102-3, and DOT Order 1120.3B. Persons wishing to appear before TRACS must notify the chairperson or vice chairperson at the beginning of the meeting. Written materials may be submitted to TRACS at any time by notifying the Designated Federal Officer.

c. Each meeting will be held at a reasonable time, in a place reasonably accessible to the public, and in a room large enough to accommodate TRACS members, staff, and interested members of the public.

10. DURATION: Continuing, subject to renewal every 2 years.

11. TERMINATION: This charter shall terminate 2 years after its effective date unless renewed in accordance with FACA and other applicable requirements.

12. MEMBERSHIP AND DESIGNATION: The Committee will comprise approximately 25 voting members deemed to reflect various perspectives of transit safety. The FTA Administrator will ensure the membership is fairly balanced in terms of points of view of the affected interests.

To ensure the recommendations of the Committee have taken into account the needs of diverse groups served by the Department, membership will include, to the extent practicable, individuals and/or organizations that represent transit industry groups and public associations, minorities, women, and persons with disabilities.

All members who are not Federal employees will serve as Representative members and will be appointed by the Secretary of Transportation for a 2-year term, with each member eligible to be reappointed for a successive 2-year term. Terms shall be staggered with approximately one-half expiring each year. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. Members shall continue to serve until their replacement has been appointed or are removed for cause by the FTA Administrator or his or her designee.

A chairperson and vice chairperson shall be appointed by the FTA Administrator or his or her designee. Meetings will not be conducted in the absence of the chairperson or vice chairperson except when authorized by the Designated Federal Officer. Meetings will not be held in the absence of the Designated Federal Officer.

13. SUBCOMMITTEES: The FTA may create subcommittees or work groups. Subcommittees shall not work independently of the chartered TRACS, and shall report all of their recommendations and advice to the full TRACS for deliberation and discussion. All subcommittee and work group meetings will be open to the public except as permitted by section 9(b) of this charter. The meetings will be adequately staffed, and minutes will be kept according to the procedures set out in section 15 of this charter.

14. RECORDKEEPING: The records of the Committee, subcommittees, and other

subgroups of the Committee shall be handled in accordance with General Records Schedule 26, Item 2, and other approved agency records disposition schedule. The records shall be available for public inspection and copying, subject to the Freedom of Information Act, as amended, 5 U.S.C. § 552, as well as section 10(b) of FACA.

The records, reports, transcripts, minutes, and other documents that are made available to, or prepared for or by, TRACS will be available to the public via FTA's Web site at http://www.fta.dot.gov.

15. MINUTES: Minutes of each meeting shall be certified by the Designated Federal Officer and maintained by FTA. The minutes shall include the following:

a. The time, date, and place of the meeting;

b. A list of attendees at the meeting;

c. A summary of matters discussed and conclusions reached;

d. Copies of all reports received, issued, or approved by TRACS;

e. A description of the extent to which the meeting was closed to the public, if authorized under 41 CFR § 101-6.1023, and a general summary of areas discussed; and

f. A description of public participation, including a list of the members of the public who presented oral or written statements.

16. FILING DATE: The filing date of this renewed charter is November 30, 2011. If not renewed, this charter will expire on November 30, 2013.