

MEETING DATE: May 14, 2003

SUBJECT: 1998 & 2001 Apta Rail Safety Audits - Updates

RECOMMENDATION

It is recommended that the Commission:

- i. Receive for information, the fourth update of the TTC management Actions for the 1998 APTA Rail Safety Audit and the second update of the TTC management Actions for the 2001 APTA Rail Safety Audit; and
- ii. Forward this update to the Minister of Transportation, Province of Ontario and the Clerk of the City of Toronto for information.

FUNDING

Captured in Operating and Capital budgets.

BACKGROUND

The American Public Transportation Association (APTA) conducts Rail Safety Audits for the Toronto Transit Commission every three years. The Rail Safety Audit contributes to the TTC's ability to maintain an effective self-regulatory safety program. Updates of the progress that has been made to the TTC management Action Plans are reported to the Commission twice a year (May and November). This report provides updates of the management Action Plans for the 1998 and 2001 APTA Rail Safety Audits conducted for the Toronto Transit Commission.

DISCUSSION

This is the fourth update of the progress that has been made to the TTC management Action Plans that were included in the Final Audit Report provided by APTA dated November 22, 1999 and the second update of the progress that has been made to the TTC management Action Plan that was included in the Final Audit Report provided by APTA on October 25, 2002. The management Action Plans addressed the audit findings, stated whether action would be taken on the recommendations and brought forward an implementation schedule.

The management Action Plans for the 1998 and 2001 APTA Rail Safety Audits with the current status for each management Action is contained in the attached documents. For

the 1998 APTA Audit, 170 management Actions are being tracked to closure. For the 2001 APTA Audit, 37 management Actions are being tracked to closure. The attachments do not contain management Actions that were reported as complete in previous updates to the Commission.

A summary of the status of management Actions for each Audit to March 31, 2003 is provided in Table 1. A management Action has been reported as complete because the responsible Department has determined that in their view the audit finding has been adequately addressed. For management Actions that have experienced some delay in their implementation schedule beyond the scheduled completion date given on the previous update, reasons for the delay have been stated in the attachment. Some management Actions have been rejected because the responsible department has determined that in their view the audit finding is no longer required or is not feasible to implement. Some management Actions have been combined.

Table 1

1998 and 2001 APTA Rail Safety Audits

Summary of Status of management Actions

To March 31, 2003

| Status of management Actions | 1998 APTA Audit | 2001 APTA Audit |
|-------------------------------------|------------------------|------------------------|
| Completed | 133 | 17 |
| On schedule | 29 | 15 |
| Ongoing | 1 | 0 |
| Delayed | 4 | 5 |
| Rejected | 3 | 0 |
| Combined with other Actions | 1 | 1 |

JUSTIFICATION

Commissioners have a duty under the Ontario Occupational Health and Safety Act, to take all reasonable care to ensure that TTC complies with the Act and the regulations. Similarly, the Commission has a common law duty of reasonable care for public safety. The APTA Rail Safety Audit and semi-annual updates of management actions are provided to the Commission to help fulfil their duty of reasonable care.

April 17, 2003

13.15

Attachments: 1998 APTA Rail Safety Audit – Update #4 – April 1, 2003

2001 APTA Rail Safety Audit – Update #2 – April 1, 2003