

# NOTICE AND AGENDA OF PUBLIC MEETING OF THE TRANSIT AUTHORITY OF LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (LEXTRAN) BOARD OF DIRECTORS

Pursuant to KRS 96.A, the Lextran Board of Directors is to meet monthly. The next meeting will be: **January 24, 2024, at 10:00 a.m. EST.**

Meeting location:

**Lextran – Room 110  
200 West Loudon Avenue  
Lexington, KY 40508**

Pursuant to KRS 61.810, the Board may enter into Closed Session, but shall not take any action in a Closed Session.

Pursuant to the Americans with Disabilities Act, persons with a disability may request a reasonable accommodation for assistance with the meeting or meeting materials. Please contact Emily Elliott at 859-255-7756. Requests made as early as possible will allow time to arrange accommodation.

## MEETING INSTRUCTIONS

The January 2024 Board of Directors meeting will be held in person.

The livestream is available on Youtube at:

<http://bit.ly/lextranmeeting>

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**BOARD OF DIRECTORS MEETING**

January 24, 2024

10:00 a.m.

**MEETING AGENDA**

- |       |  |               |
|-------|--|---------------|
| I.    | Call to Order & Roll Call  | 10:00         |
| II.   | Public Comment on Agenda Items / Public Hearing                  | 10:05 – 10:10 |
| III.  | Approval of Minutes – December 2023                              | 10:10 – 10:15 |
| IV.   | Chair’s Report (Dowell)  | 10:15 – 10:20 |
| V.    | Lextran Monthly Performance Report & Financials – December       | 10:20 – 10:35 |
| VI.   | Action Items   | 10:35 – 11:00 |
|       | A. Resolution 2024-01 – Drug & Alcohol Policy Update             |               |
|       | B. Resolution 2024-02 – Agency Safety Plan                       |               |
|       | C. Resolution 2024-03 – Designation of Signatory                 |               |
|       | D. Resolution 2024-04 – Kentucky Deferred Comp Joinder Agreement |               |
| VII.  | Change Order Report  | 11:00         |
| VIII. | Old Business   | 11:00 – 11:10 |
|       | A. Staff Report – Hiring and Retention                           |               |
| IX.   | New Business   | 11:10 – 11:15 |
| X.    | Proposed Agenda Items  | 11:15 – 11:20 |
|       | A. Resolution – Employee Development & Customer Service Training |               |
|       | B. Resolution – Equal Employment Opportunity (EEO) Program Plan  |               |
|       | C. Resolution – Towing Services                                  |               |
|       | D. Resolution – Contract for Bus Stop Amenities                  |               |
|       | E. Resolution – Adoption of an Updated Advertising Policy        |               |
| XI.   | Closed Session   | 11:20 – 11:30 |
| XII.  | Adjournment  |               |

The next business meeting of the Board of Directors is scheduled for February 28, 2024, at 10:00 a.m.

## **BOARD OF DIRECTORS MEETING**

### **BOARD MINUTES**

December 20, 2023

#### **MEMBERS PRESENT**

Harding Dowell, Board Chair  
Jamie Rodgers, Vice Chair  
Paul Schoninger  
Leidy Borges-Gonzalez  
Judge Lindsay Hughes Thurston  
Dr. Koffi Akakpo (virtually)

#### **ABSENT**

George Ward  
Christian Motley

#### **STAFF PRESENT**

Norma Zamora, Interim General Manager  
Randolph Williams, Assistant General Manager  
Chris Withrow, Director of Maintenance  
Jason Dyal, Director of Operations  
John McNeel, Director of Risk Management  
Fred Combs, Director of Planning, Technology and Community Relations  
Nikki Falconbury, Director of Finance and Human Resources  
Deanna Istre, Purchasing Coordinator  
Alan Jones, Systems Administrator  
Dale Stone, Manager of Schedules and Services  
Tyler Maynard, Transit Analyst  
Emily Elliott, Community Relations Manager

#### **OTHERS PRESENT**

Joey David, Lexington Area MPO  
Addison Lowry, McBrayer, Lextran Counsel

#### **I. CALL TO ORDER**

Board Chair Harding Dowell called the December 20, 2023, meeting of the Lextran Board of Directors to order at 10:02 a.m. Mr. Dowell performed a roll call to determine which members were present. Quorum was achieved.

#### **II. PUBLIC COMMENT**

There was no public comment.

#### **III. APPROVAL OF MINUTES**

Lextran Board of Directors Meeting – December 2023

Mr. Dowell called for a motion to approve the minutes from the October 2023 and November 2023, meetings of the Lextran Board of Directors. Judge Thurston made a motion to approve the minutes and Ms. Rodgers seconded. The motion passed unanimously.

#### **IV. CHAIR'S REPORT**

Mr. Dowell discussed the search for a new general manager and there were two resolutions to name Fred Combs as the Lextran General Manager. He noted that to protect the procurement process there was a change to how meeting agendas and packets will be posted publicly. Agendas will be posted per statute and the full packet online after the meeting.

Mr. Dowell thanked Ms. Zamora for her work and assistance for the last several months. Ms. Zamora shared what a pleasure it had been serving as the general manager for Lextran. She enjoyed working with the staff and directors. She shared well wishes and success for Lextran.

Mr. Dowell noted an adjustment to the agenda to allow closed session after the Performance Report and Financials.

#### **V. LEXTRAN PERFORMANCE REPORT & FINANCIALS**

Fred Combs presented the Monthly Performance Report for November 2023, which can be found on pages 18-23 of the December 2023 board packet.

##### **HIGHLIGHTS FOR DECEMBER:**

- Lextran extended free rides on Election Day to increase access to polling locations and civic engagement.
- On Thanksgiving Day, Lextran offered free rides and provided working staff holiday meals.
- A group of Lextran staff visited the Memphis Area Transit Authority to evaluate their CAD/AVL system in operation.
- Lextran held the final Pension Committee Meeting of the calendar year on November 14<sup>th</sup>.
- A question-and-answer session for the Wheels Rider Guide was held on November 18<sup>th</sup> for the Bluegrass Council of the Blind.
- Community Relations staff completed five Community Travel Trainings throughout the month and attended the Eastside Technical Center Career and College Fair.
- Lextran received four commendations for Mildred Hunt (Bus Operator), Joy Gambrell (Bus Operator), Kelvin White (Bus Operator), and Julie Moon (Community Engagement Coordinator).

November Ridership was just under 350,000 trips for fixed route and approximately 14,000 trips on paratransit. The trips per mile and trips per hour were good on both systems. The on-time performance was at 86 percent on fixed-route with travel time issues and ridership growth noted as issues being investigated. Paratransit on-time performance was up to 70 percent.

There were three preventable accidents on fixed-route and one on paratransit for the month. There were six workers compensation claims leading to an elevated injury frequency rate for the month. Maintenance noted just under 10,000 miles between road calls and completed all 55 preventive maintenance inspections on time.

Ms. Rodgers stated that paratransit ridership was up from last year, but it was an anomaly year, then clarified if it was up from the previous year. Mr. Combs stated that the ridership was still below the year before the transition.

Ms. Rodgers asked about fixed-route ridership recovery post-pandemic. Mr. Combs answered that ridership was slightly behind pre-pandemic ridership but ahead of the current monthly average. There were a few months around 400,000 trips which is close to 2019, but not quite there. Before the pandemic, paratransit was commonly over 20,000 trips per month and currently we were seeing between 14,000 and 15,000.

Ms. Rodgers noted that the on-time performance was lower than the goal and inquired about discussion on the topic. Mr. Combs said Randolph and Jason have been taking a deeper look into fixed-route on-time performance. Mr. Williams added that in the prior month of October the trend was down, but now it was up and there were tweaks being made along the way.

Mr. Dowell mentioned Ecolane's site visit and asked if it was a productive visit. Mr. Williams stated that there were tough questions asked and they worked to get issues addressed in addition to a conversation about expectations. Mr. Dowell asked about the data hygiene work. Mr. Combs stated that he would like to see the data for another month to allow for validation. Ecolane had been provided with the work that they needed to do. The site visit was completed, and deadlines would be clarified.

Ms. Rodgers asked how the Wheels Rider Guide outreach is going. Ms. Elliott mentioned that the session highlighted was at their request and much of the education had been clarifications. She discussed some of the topics that were coming up frequently like the bag policy and use of personal care attendants (PCA). She stated much of the concern was for situations for individuals with their specific disabilities and ensuring that people understand the Rider Guide was a document that holds the client and organization to the same standard. Mr. Combs mentioned that there will be additional sessions held in January.

## **FINANCIAL REPORT**

Ms. Nikki Falconbury presented the November 2023 Finance Report, found on pages 24-25 of the December 2023 board packet.

Ms. Falconbury reviewed the balance sheet for November, showing five months into the fiscal year.

The statement of revenue and expenses was reviewed showing 17 million dollars of property taxes received in November, which was the largest installment for the year. Any over budget reflection from taxes was based on payment timing. Passenger revenue remained over budget. Fuel taxes and paratransit were over budget. October was the last month for van pool and any leftover budget will go into paratransit, with about 40,000 dollars anticipated. Media advertising was over budget related to the 50<sup>th</sup> anniversary and will even out over the year. The monthly average diesel cost had decreased and CNG cost had decreased as well. Mr. Dowell requested clarification on University of Kentucky fares and how ridership increase related to fare collection increases. Ms. Rogers clarified discounted fares for seniors, veterans, and children.

Ms. Rodgers inquired about the discontinuation of vanpool. Ms. Falconbury stated that Lextran had not heard anything. Ms. Rodgers clarified the amount of that would transfer from vanpool to paratransit expenses. Ms. Falconbury stated that based on the budget estimates and increased costs, we feel good about where paratransit was budgeted.

## VI. CLOSED SESSION

Judge Thurston called for a closed session pursuant to KRS 61.810 Section G for a discussion of provision of agency contract, personal matters, and paratransit. Ms. Borges Gonzalez seconded. Closed session was entered at 10:21 a.m.

The Lextran Board returned to open session at 11:12 a.m. No action was taken during closed session.

## VII. ACTION ITEMS

### A. Resolution 2023-20 – Resolution to Award a Contract for a Provider of Paratransit Eligibility Assessments

Ms. Falconbury presented Resolution 2023-20, requesting the Board's approval to award a contract for a provider of paratransit eligibility assessments. An RFP was issued in August and there were two qualified proposers from ADA Ride and IPS Lynx (Biokinetix). IPS Lynx was determined to be the winner of the procurement. It was determined to be a fair and reasonable price. The contract award is for two years with three option years.

Mr. Dowell asked if the current process does not require an in-person assessment, versus moving forward this will be required. It was clarified that the cost will include the fee to RATP Dev for the trip to the assessment. Ms. Rodgers asked how many assessments were performed per month. Mr. Combs answered about 130 per month. Judge Thurston asked if the entity was a local company, Ms. Falconbury stated that they are not local to the Lexington area. Mr. Dowell confirmed that they were the lowest price.

Mr. Schoninger made a motion to approve, and it was seconded by Judge Thurston. The motion passed unanimously.

**B. Resolution 2023-21 – Resolution for Adoption of Drug and Alcohol Policy**

Mr. McNeel presented Resolution 2023-21, requesting the approval of an updated drug and alcohol policy. During the FTA drug and alcohol audit in October. Lextran was asked to revisit the policy and make it more standardized with other transit agencies using the FTA policy builder.

Judge Thurston asked to clarify – Section 3 – in bullet three (3) PCP was outlined and she suggested that was too narrow and it should be updated to hallucinogens, and asked if synthetic drugs were considered. She suggested that the document say, “Prohibited drugs include but are not limited to”, to limit the exposure. The referenced section was part of an FTA boiler plate, but it could be edited to indicate that it was a Lextran requirement. That section would need to be bolded to show the difference between the two entities. Regarding synthetic drugs, there have been conversations with the testing contractor, Concentra because their panels do not cover them. A meeting was planned to discuss the panels for pre-employment and random screens to finalize the audit.

Ms. Borges-Gonzalez made a motion to accept the policy as written. It was seconded by Judge Thruston and the motion passed unanimously. The policy will be presented to the Board with the amendment in January.

**C. Resolution 2023-22 – Resolution to Purchase and Installation of CAD/AVL Intelligent Transportation and ERP Systems**

Mr. Combs presented Resolution 2023-22 requesting authority to award a contract for the purchase and installation of CAD/AVL Intelligent Transportation Systems to Avail Technologies, Inc. There were three (3) qualified proposals submitted and two (2) were interviewed, Avail and Equans. A group went to visit Memphis and evaluate Equans in-person. There were other smaller groups that worked with other transit agencies who use both. The term of the proposed contract was four (4) years with three (3) additional options of two (2) years each for a maximum total of ten (10) years. The estimated cost of the implementation was just over \$2 Million and the warranty just over \$3 Million. The first four (4) years of combined warranty and implementation will be just over \$3 million and \$3.5 million of CARES funding was set aside for the project. After that time the annual 5307 funding will be applied should the option years be exercised. Multiple pieces of software are included for the provision of transit service. It was clarified that wayside signage was for real time departure information at each bay at the Transit Center.

Mr. Dowell asked if infotainment was already implemented on the vehicles, and it has not been added yet. He also asked if advertising was included in the infotainment package and if advertising was part of the contract. Mr. Combs confirmed that advertising was an



available option and could be included in our advertising services contract or done in-house.

Mr. Dowell confirmed that the contract term is for a maximum of ten (10) years. This proposed software connects all departments and pushes real-time information to passengers. Ms. Rodgers asked if there would be a noticeable difference for passengers. Mr. Combs noted better performance of the app, better information for dispatch and drivers, better information for planning and on-time performance evaluation, and better information for maintenance and finance, and the entire suite of products help the organization function. Mr. Combs stated that this will provide upgrades and some vehicles will need new equipment and all of that is included in the contract.

A motion was made by Mr. Schoninger and seconded by Ms. Rodgers. The motion passed unanimously.

**D. Resolution 2023-23 – Resolution to Purchase Three (3) CNG and Four (4) Electric Buses from Gillig, LLC**

Ms. Falconbury presented Resolution 2023-23 requesting authorization to purchase transit buses. This resolution had two components. The first, was the purchase of three (3) 40-foot, low floor compressed natural gas (CNG) transit buses at the cost of \$720,000, for a total of \$2,160,000 and second, a purchase of four (4) 35-foot, electric buses at the cost of \$1,190,863 for a total of \$4,763,452. The second purchase includes four (4) depot chargers to go with the electric buses (including 5-year extended warranty) for \$371,100 each for a total cost of buses and chargers at \$5,134,552.

The first purchase was in conjunction with TANK (Transit Authority of Northern Kentucky) and other transit agencies on an RFP that was awarded in April 2023. It will secure competitive pricing for future bus purchases and allows for one (1) to 30 buses during the term of the five (5) year contract. This purchase will be the first under the contract. The source of funds is FFY2022 CMAQ funds and local mass transit funds.

The second purchase was under the Gillig contract approved by the board in April 2021. This purchase was the third under this agreement. The source of funds for the electric buses and charging stations is FFY2021 Bus and Bus Facilities funds and local mass transit funds. These were budgeted in the Capital plan that was presented in the spring.

Mr. Dowell confirmed that the depot chargers will be at the Loudon bus lot and there will be no on-route charger for the long-range buses. He asked if any of the funding for the depot chargers was matched with the funding for the canopy and if it was separate. Ms. Falconbury confirmed that it was separate. These buses will replace 2007 diesel buses, a hybrid trolley, diesel trolley and 29-foot diesel vehicle. Mr. Dowell asked if the trolleys were eligible for sale, but Ms. Falconbury stated that there was likely not a market due to age, but



they will be on the government surplus website. The horizon for receiving the electric buses was 22-24 months and 18 months for the CNGs. Ms. Rodgers suggested that the City and VisitLex should be asked about interest in that purchase.

The motion was made by Judge Thurston and seconded by Ms. Borges-Gonzalez. The motion passed without opposition.

**E. Resolution 2023-24– Approval of Lextran’s General Manager**

Mr. Dowell presented Resolution 2023-24. He shared that Lextran completed a nationwide search for a new general manager and the decision of selection committee, formed by Mr. Dowell, Ms. Rodgers, Vice Chair, and Mr. Ward, identified Fred Combs as the chosen finalist. The resolution affirmed that selection and allowed the board to continue with the wrap up of any contract changes with Transdev, who provides Lextran with a general manager and assistant general manager.

Judge Thurston made a motion and Ms. Borges-Gonzalez seconded. The motion passed unanimously.

**F. Resolution 2023-25 – Authorization for the General Manger to Execute Federal Transit Administration Funds**

Mr. Dowell presented Resolution 2023-25 which makes Mr. Combs the designee authorized to execute and file applications for federal assistance on behalf of Lextran and to execute and file applications for the annual certification and assurances and other documents the Federal Transit Administration requires.

Ms. Rodgers made a motion to approve that was seconded by Ms. Borges-Gonzalez and the motion passed without opposition.

**VIII. CHANGE ORDER REPORT**

There was no change order report.

**IX. OLD BUSINESS**

There was no old business.

**X. NEW BUSINESS**

There was no new business.

**XI. PROPOSED AGENDA ITEMS**

- A. Resolution – Kentucky Deferred Comp, Updated Joinder Agreement
- B. Resolution – Designation of a Signatory
- C. Staff Report – Hiring and Retention

**XII. CLOSED SESSION**

There was no additional closed session.

### **XIII. ADJOURNMENT**

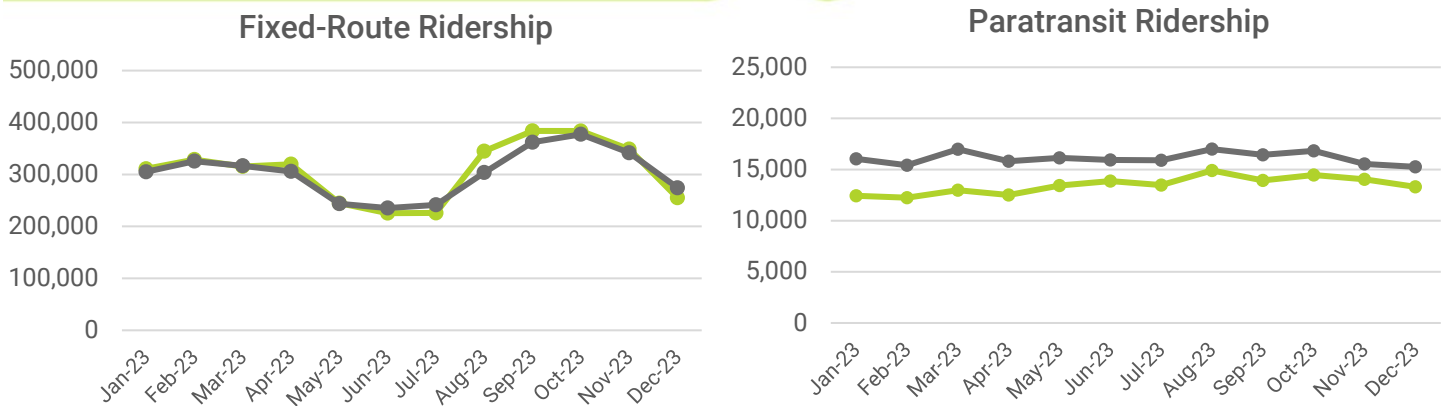
Mr. Dowell declared the meeting adjourned at 11:39 a.m.

## LEXTRAN MONTHLY PERFORMANCE REPORT – DECEMBER 2023

We serve people and our community with mobility solutions.

Lextran celebrated 50 years of service with a Greyline Station Block Party, an event with employees and community partners at Clerestory, and an employee cookout. Each event included a Lextran history exhibit curated by staff. Mayor Linda Gorton issued a proclamation for “Lextran Day” on December 7<sup>th</sup>. Lextran celebrated the holiday season with free rides for the community to the Southern Lights at the Kentucky Horse Park on December 11<sup>th</sup>. In December, ten of the thirteen bus stops included in Phase III of RAMP have completed improvements. Lextran closed the calendar year with over 3.6 million trips, generating 20 percent more trips than in calendar year 2022.

### DEMONSTRATE VALUE TO THE COMMUNITY



Performance Indicator	Fixed Route System			Paratransit (Wheels)		
	This Month	FY24YTD	FY23YTD	This Month	FY24YTD	FY23YTD
<b>System Production</b>						
Total Ridership	255,065	1,942,106	1,717,014	13,309	84,163	77,493
Weekday Ridership	212,920	1,668,440	1,474,331	10,465	68,878	63,328
Saturday Ridership	23,978	156,180	141,596	1,520	7,856	7,004
Sunday Ridership	17,200	106,366	91,576	1,228	6,723	5,680
Holiday Ridership	967	11,120	9,511	96	706	713
Total Revenue Miles	149,811	940,917	934,043	81,533	511,014	487,195
Total Revenue Hours	15,568	98,023	97,834	6,140	38,230	37,016
Trips per Mile	1.70	2.06	1.84	0.16	0.16	0.16
Trips per Hour	16.38	19.81	17.55	2.17	2.20	2.09

- Fixed-route ridership increased by five percent compared to December 2022.
- Fixed-route ridership for FY24YTD was 13 percent higher than ridership for FY23YTD.
- Paratransit ridership increased by 22 percent compared to December 2022.
- Paratransit ridership for FY24YTD was nine percent higher than ridership for FY23YTD.
- Trips per Mile and Hour for FY24YTD continue to exceed those of FY23YTD on both systems.

**LEXTRAN IN THE MEDIA**

- December 7 – Former homeless couple gives back to the Lexington community  
<https://www.wkyt.com/2023/12/07/former-homeless-couple-gives-back-lexington-community/>
- December 11 – Lextran offers free rides to Kentucky Horse Park on Monday  
<https://fox56news.com/video/lextran-offers-free-rides-to-kentucky-horse-park-on-monday/9242911/>
- December 13 – Lexington awarded nearly \$22 million to improve deadly New Circle Road corridor  
<https://www.msn.com/en-us/news/us/lexington-awarded-nearly-22-million-to-improve-deadly-new-circle-road-corridor/ar-AA1lt40m>
- December 18 – A deadly stretch of New Circle Road is going to be redesigned with \$21.7 million  
<https://www.kentucky.com/article282953478.html#storylink=cpy>
- December 20 – Lextran Announces New GM  
<https://www.metro-magazine.com/10212675/lextran-announces-new-gm>
- December 21 – Lexington's new Lextran GM talks about the Transit Center remodel  
<https://www.weku.org/lexington-richmond/2023-12-21/lexingtons-new-lextran-gm-talks-about-the-transit-center-remodel>
- December 21 – Fred Combs appointed general manager of Lextran  
<https://www.masstransitmag.com/management/press-release/53081167/lextran-fred-combs-appointed-general-manager-of-lextran>

**COMMUNITY INVOLVEMENT AND OTHER MEETINGS**

- December 1 – Senior Services Commission
- December 1 – Cultural Orientation – Kentucky Refugee Ministries
- December 1 – Greyline Station Block Party 50<sup>th</sup> Anniversary Celebration and Facilities Tours
- December 5 – ‘How to Ride’ – Optimal Living Solutions
- December 5 – 50<sup>th</sup> Anniversary Celebration
- December 6 – ‘How to Ride’ – Optimal Living Solutions
- December 7 – 50<sup>th</sup> Anniversary Mayoral Proclamation
- December 8 – Blue Grass Community Action Partnership Transportation Meeting
- December 8 – Community Travel Training
- December 12 – Community Travel Training
- December 12 – Meeting with BUILD
- December 13 – Transportation Technical Coordination Committee
- December 13 – Access Lexington Meeting
- December 13 – Cardinal Valley Community Partners Meeting
- December 13 – Fayette County Education Foundation Meeting
- December 14 – Kentucky Refugee Ministries Quarterly Consultation Meeting
- December 14 – US 27 Project Meeting
- December 15 – Employee Cookout
- December 20 – VRUCK Meeting
- December 21 – LexArts Meeting

**DELIVER A HIGH-QUALITY PRODUCT**

Performance Indicator	Fixed Route						Paratransit (Wheels)					
	This Month		FY24 YTD		FY23 YTD		This Month		FY24 YTD		FY23 YTD	
Service Quality	88.24%		87.50%		88.87%		79.21%		70.96%		57.10%	
On-Time Performance	88.24%		87.50%		88.87%		79.21%		70.96%		57.10%	
Farebox Recovery	5.62%		6.54%		6.32%		N/A		N/A		N/A	
Operating Expenses	\$1,680,840		\$9,938,909		\$9,499,721		\$644,226		\$3,893,257		\$3,019,378	
Per Mile	\$3.90		\$3.56		\$3.78		N/A		N/A		N/A	
Per Hour	\$70.44		\$67.55		\$61.37		N/A		N/A		N/A	
Customer Service	This Month		FY24 YTD		FY23 YTD		This Month		FY24 YTD		FY23 YTD	
	Count	Rate	Count	Rate	Count	Rate	Count	Rate	Count	Rate	Count	Rate
Customer Feedback Totals per 100k Trips	38	14.90	266	13.70	281	16.37	13	97.68	115	136.64	266	343.26
Commendations	1	0.39	20	1.03	27	1.57	0	0.00	0	0.00	4	5.16
Discourtesy	7	2.74	79	4.07	65	3.79	6	45.08	33	39.21	29	37.42
Late or Early	3	1.18	13	0.67	30	1.75	2	15.03	22	26.14	102	131.62
Safety	7	2.74	46	2.37	44	2.56	4	30.05	26	30.89	32	41.29
Passed Boarding /Missed Trips (Wheels)	15	5.88	64	3.30	49	2.85	0	0.00	6	7.13	32	41.29
Information and Service Requests	2	0.78	20	1.03	28	1.63	0	0.00	16	19.01	0	0.00
Other	3	1.18	24	1.24	38	2.21	1	7.51	12	14.26	67	86.46
Call Length	1:04		1:01		1:17		1:34		1:34		1:37	
Time to Abandon	0:13		0:20		2:05		2:29		2:54		2:04	

- Fixed-route on-time performance increased by about two percent from the previous month.
- The high volume of customer feedback for paratransit in FY23YTD reflects the service transition to RATP-Dev, who began operating the service in October 2022.

**MANAGE AND SUSTAIN RESOURCES**

Performance Indicator	Fixed Route System			Paratransit (Wheels)		
	This Month	FY24 YTD	FY23 YTD	This Month	FY24 YTD	FY23 YTD
<b>Safety</b>						
Preventable Accidents	3	14	18	1	10	9
Preventable Accidents per 100,000 miles	1.92	1.42	1.84	1.95	1.61	1.62
Days with No Preventable Accidents	28	162	166	30	172	174
Workers Compensation Claims	1	12	11	N/A	N/A	N/A
Injury Frequency Rate	4.82	11.61	11.34	N/A	N/A	N/A
Days of Lost Time	62	167	175	N/A	N/A	N/A

- From November to December, the total number of preventable accidents remained the same on fixed-route and paratransit services.
- The injury frequency rate dropped to 4.82 due to one OSHA-reportable workplace injury for the month.

Performance Indicator	Fixed Route System		
	This Month	FY24YTD	FY23YTD
<b>Maintenance</b>			
Miles between Road Calls	13,619	13,068	9,604
Percent of Preventive Maintenance Inspections on Schedule	100%	99.6%	100%

- In December, the maintenance department reported 13,619 miles between road calls.
- Maintenance completed 100 percent (60 of 60) of preventive maintenance inspections on schedule in December.

Performance Indicator	Fixed Route System	
	This Month	FY24YTD
<b>Training Activities</b>		
Operator Refresher Training	84	84
Return to Work Training	1	5



<b>Hiring and Recruiting</b>	<b>This Month</b>	<b>Interviews</b>	<b>New Hires</b>
Open Positions	30	22	6
Operations	15	15	2
Maintenance	9	4	2
Administration	6	3	2

<b>Procurements</b>	
Employee Development and Customer Service Training	February Resolution
Fuel for Paratransit Vehicles	February Resolution
Radio Purchasing and Maintenance	Open
Shelters, Benches, & Trash Receptacles	Open
Towing Services	Open
Janitorial Supplies	Upcoming
Office 365	Upcoming
Paratransit Services	Upcoming
Transit Advertising	Upcoming

**FINANCIALS**
**BALANCE SHEET**

as of December 31, 2023

	CURRENT YEAR-TO-DATE	LAST YEAR-TO-DATE
<b>ASSETS</b>		
Current assets		
Operating Cash	\$44,143,012	\$33,519,463
Accounts receivable	\$802,223	\$1,116,314
Inventory	\$962,634	\$854,040
Work in process	\$5,679,847	\$991,846
Prepaid	\$770,899	\$653,353
Total Current Assets	<u>\$52,358,616</u>	<u>\$37,135,016</u>
Long term asset - Pension	<u>\$2,472,657</u>	<u>\$1,962,500</u>
Total Long Term Assets	<u>\$2,472,657</u>	<u>\$1,962,500</u>
Net capital and related assets	\$35,603,884	\$36,457,630
<b>TOTAL ASSETS</b>	<u><u>\$90,435,156</u></u>	<u><u>\$75,555,146</u></u>
<b>LIABILITIES</b>		
Current liabilities		
Accounts payable	\$927,527	\$1,531,336
Payroll liabilities	\$909,058	\$819,727
Total Current Liabilities	<u>\$1,836,584</u>	<u>\$2,351,063</u>
Long term liability - Pension	<u>\$747,248</u>	<u>\$464,607</u>
Total Long Term Liabilities	<u>\$747,248</u>	<u>\$464,607</u>
<b>NET POSITION</b>	\$87,851,324	\$72,739,476
<b>TOTAL LIABILITIES AND NET POSITION</b>	<u><u>\$90,435,156</u></u>	<u><u>\$75,555,146</u></u>

**STATEMENT OF REVENUES, EXPENSES AND CHANGE IN NET POSITION**

December 2023

	FY2024 ACTUAL	FY2024 BUDGET	FY2024 VARIANCE	FY 2023 ACTUAL
<b>REVENUES</b>				
Property taxes	\$20,212,641	\$19,503,869	\$708,772	\$16,183,407
Passenger revenue	\$650,303	\$613,612	\$36,691	\$600,209
Federal funds	\$0	\$5,711,413	(\$5,711,413)	\$4,928,834
State funds	\$0	\$0	\$0	\$0
Advertising revenue	\$260,000	\$260,000	\$0	\$260,000
Other revenue	\$1,346,670	\$1,338,802	\$7,868	\$6,730,134
<b>TOTAL REVENUES</b>	<b>\$22,469,613</b>	<b>\$27,427,695</b>	<b>(\$4,958,082)</b>	<b>\$28,702,584</b>
<b>EXPENSES</b>				
Wages	\$5,638,497	\$5,795,215	(\$156,717)	\$5,482,697
Fringe benefits	\$2,919,225	\$3,240,240	(\$321,015)	\$2,846,038
Professional services	\$642,974	\$989,867	(\$346,893)	\$550,845
Materials and supplies	\$696,588	\$740,250	(\$43,662)	\$723,634
Fuel-Diesel	\$429,346	\$718,250	(\$288,904)	\$698,904
Fuel-Other	\$268,748	\$392,575	(\$123,827)	\$271,318
Utilities - Facilities	\$202,349	\$208,250	(\$5,901)	\$191,738
Utilities - Electric Bus	\$81	\$43,000	(\$42,919)	\$5,869
Insurance	\$484,291	\$435,258	\$49,033	\$407,988
Fuel taxes	\$110,490	\$100,000	\$10,490	\$101,352
Paratransit Expenses	\$4,164,945	\$4,040,000	\$124,945	\$3,769,781
Vanpool Expenses	\$16,423	\$36,000	(\$19,577)	\$17,078
Dues and subscriptions	\$46,558	\$37,250	\$9,308	\$7,153
Travel, training and meetings	\$31,707	\$99,900	(\$68,193)	\$43,946
Media advertising	\$120,207	\$115,000	\$5,207	\$49,317
Miscellaneous	\$39,409	\$37,700	\$1,709	\$36,208
Leases and rentals	\$2,184	\$2,184	\$0	\$2,184
Depreciation	\$1,860,902	\$1,860,902	\$0	\$1,576,049
<b>TOTAL EXPENSES</b>	<b>\$17,674,925</b>	<b>\$18,891,840</b>	<b>(\$1,216,915)</b>	<b>\$16,782,100</b>
<b>CHANGE IN NET POSITION</b>	<b>\$4,794,688</b>	<b>\$8,535,856</b>	<b>(\$3,741,168)</b>	<b>\$11,920,484</b>
Monthly Average Diesel Cost:	\$2.52			
YTD Average Diesel Cost:	\$2.93			
CNG Diesel Gallon Equivalent	\$1.60			

**MEMORANDUM**

January 24, 2024

**TO:** Lextran Board of Directors

**FROM:** John McNeel, Director of Safety & Security

**CC:** Fred Combs, General Manager

**SUBJECT:** Resolution for Adoption of Drug and Alcohol Policy

Attached is a resolution requesting the adoption of an updated drug and alcohol policy.

Drug and alcohol testing is mandated by the Federal Transit Administration (FTA) and the United States Department of Transportation (USDOT) in 49 CFR Part 40 and Part 655, as Amended. In addition, drugs are prohibited in the workplace by the *Drug-Free Workplace Act of 1988* located in 20 CFR Part 29. Lextran was audited on this policy by FTA as part of a regularly scheduled audit, and as a result was required to make revisions to its existing policy to ensure it is fully compliant with the aforementioned regulations.

Resolution 2023-21 was approved by the Lextran Board of Directors on December 20, 2023, but needed subsequent edits to the drug testing portion per the request of the Board. Upon review by the FTA's assigned auditor, the following edits were made to the Drug and Alcohol Policy:

- Addition of the following language to Section 3 (page 5): "In addition to the drugs prohibited by the FTA, hallucinogens and synthetic drugs are prohibited under the independent authority of Lextran."
- Addition of the following language to Section 5 (page 6): "Upon returning to work, Lextran Safety, Human Resources, and Payroll will validate the amount of time off by referencing the last paid day working. If applicable, Lextran Human Resources will request the proper pre-employment screening."

If you have any questions, please contact me at 859.255.7756.

**RESOLUTION 2024-01**  
**TRANSIT AUTHORITY OF LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
**JANUARY 24, 2024**

**WHEREAS**, drug and alcohol testing is mandated by the Federal Transit Administration (FTA) and the United States Department of Transportation (USDOT) in 49 CFR Part 40 and Part 655, as Amended, and;

**WHEREAS**, drugs are prohibited in the workplace by the *Drug-Free Workplace Act of 1988* located in 20 CFR Part 29, and;

**WHEREAS**, the Transit Authority of the Lexington-Fayette Urban County Government has revised its drug and alcohol policy to be fully compliant with the aforementioned regulations, and;

**WHEREAS**, the by-laws of the Transit Authority of the Lexington-Fayette Urban County Government provides that the Board of Directors shall have the power to set policies;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the Transit Authority of the Lexington-Fayette Urban County Government hereby adopts and approves the revised drug and alcohol policy which is attached hereto and incorporated herein by reference.

\_\_\_\_\_  
**MOTION**

\_\_\_\_\_  
**SECOND**

\_\_\_\_\_  
**CHAIRPERSON**

\_\_\_\_\_  
**DATE**



# Lextran

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## DRUG AND ALCOHOL POLICY

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Transit Authority of Lexington-Fayette Urban County Government

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## 1. PURPOSE OF POLICY

This policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended. Copies of Parts 655 and 40 are available in the drug and alcohol program manager's office and can be found on the internet at the Federal Transit Administration (FTA) Drug and Alcohol Program website <http://transit-safety.fta.dot.gov/DrugAndAlcohol/>.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with 49 CFR Part 655.

Portions of this policy are not FTA-mandated but reflect Lextran's policy. These additional provisions are identified by **bold text**.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

**All Lextran employees are subject to the provisions of the Drug-Free Workplace Act of 1988.**

**The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify the Director of Human Resources no later than five days after such conviction.**

**Employees must abide by the terms of the policy statement as a condition of employment.**

## Training

The Company shall conduct substance abuse awareness training for all employees. This substance abuse awareness training shall consist of the following minimum requirements:

- **Upon a conditional offer of employment with the Company, each applicant shall be provided a copy of and will be asked to read the Company's Drug & Alcohol-Free Workplace policy.**
- Employees must receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.
- Supervisors and/or other company officers authorized by the employer to make reasonable suspicion determinations shall receive at least 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.
- **Annual training shall be conducted for all employees in substance abuse awareness and shall consist of no less than sixty (60) minutes.**
- **Supervisory personnel, in addition to all the above training shall receive an additional sixty**

**(60) minutes each year of alcohol and substance abuse education and awareness training. This additional supervisory training shall consist of at least the following:**

- 1. Recognizing the signs of alcohol and substance abuse in the workplace.**
- 2. How to document signs of employee alcohol or substance abuse.**
- 3. How to refer employees to an employee assistance program or other alcohol and substance abuse treatment program; and**
- 4. Legal and practical aspects of reasonable suspicion testing for the presence of drugs and alcohol.**

## **2. COVERED EMPLOYEES**

This policy applies to every person, including an applicant or transferee, who performs or will perform a “safety-sensitive function” as defined in Part 655, section 655.4.

You are a covered employee if you perform any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver’s license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

See Attachment A for a list of covered positions by job title.

### 3. PROHIBITED BEHAVIOR

Use of illegal drugs is prohibited at all times. Prohibited drugs include:

- marijuana
- cocaine
- phencyclidine (PCP)
- opioids
- amphetamines

**In addition to the drugs prohibited by FTA, hallucinogens and synthetic drugs are prohibited under the independent authority of Lextran.**

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. If the on-call employee claims the ability to perform his or her safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

All covered employees required to take a post-accident test are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

### 4. CONSEQUENCES FOR VIOLATIONS

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and provided with contact information for Substance Abuse Professionals (SAPs).

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties until the start of their next regularly scheduled duty period (but for not less than eight hours) unless a retest results in the employee's alcohol concentration being less than 0.02.

#### Zero Tolerance

**Per Lextran policy, any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will be terminated from employment.**

## 5. CIRCUMSTANCES FOR TESTING

### Pre-Employment Testing

Pre-employment alcohol tests are conducted after making a contingent offer of employment or transfer. All pre-employment alcohol tests will be conducted using the procedures set forth in 49 CFR Part 40. An alcohol test result of less than 0.02 is required before an employee can first perform safety-sensitive functions. If a pre-employment alcohol test is cancelled, the individual will be required to undergo another test with a result of less than 0.02 before performing safety-sensitive functions.

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

**If a covered Lextran employee has not performed a safety-sensitive function for 30 or more consecutive calendar days and has not been in the random testing pool during that time, the employee must take and pass a pre-employment non-DOT test before he or she can return to a safety-sensitive function.**

**Upon returning to work, Lextran Safety, Human Resources, and Payroll will validate the amount of time off by referencing the last paid day working. If applicable, Lextran Human Resources will request the proper pre-employment screening.**

A covered employee or applicant who has previously failed or refused a DOT drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

### Reasonable Suspicion Testing

All covered employees shall be subject to a drug and/or alcohol test when Lextran has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

## Post-Accident Testing

Covered employees shall be subject to post-accident drug and alcohol testing under the following circumstances:

### Fatal Accidents

As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by Lextran using the best information available at the time of the decision, will be tested.

### Non-fatal Accidents

As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (2) One or more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (3) The vehicle is a rail car, trolley car or bus, or vessel, and is removed from operation, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by Lextran using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

## Random Testing

Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at [www.transportation.gov/odapc/random-testing-rates](http://www.transportation.gov/odapc/random-testing-rates).

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site.

**In the case of random testing, all employees shall be considered “on the clock” and shall be compensated at their applicable rate of pay for the time spent in undergoing such random testing.**

**The Company shall provide to its corresponding Union, if requested, information regarding the scientifically valid method of random selection for comment.**

## **End of Shift**

**Random testing may occur anytime an employee is on duty so long as the employee is notified prior to the end of the shift. Employees who provide advance, verifiable notice of scheduled medical or childcare commitments will be random drug tested no later than three hours before the end of their shift and random alcohol tested no later than 30 minutes before the end of their shift. Verifiable documentation of a previously scheduled medical or childcare commitment, for the period immediately following an employee’s shift, must be provided at least 48 hours before the end of the shift.**

## **6. TESTING PROCEDURES**

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

### **Dilute Urine Specimen**

If a Pre-Employment test results in a negative dilute test result, Lextran will conduct one additional retest. The result of the second test will be the test of record. If there is a negative dilute test result and the test type was not a Pre-Employment test, Lextran will accept the test result and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

## Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. Lextran guarantees that the split specimen test will be conducted in a timely fashion. If the split sample reveals no measurable presence of the drug in question, the former positive test will be canceled.

**If the split sample reveals the same positive result, Lextran will seek reimbursement for the cost of the split sample.**

## 7. TEST REFUSALS

As a covered employee, you have refused to test if you:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by Lextran.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to provide a specimen for a drug or alcohol test. An employee who does not provide a specimen because they have left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient specimen for a drug or alcohol test without a valid medical explanation.
- (6) Fail or decline to take a second drug test as directed by the collector or Lextran.
- (7) Fail to undergo a medical evaluation as required by the MRO or Lextran's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly observed urine drug test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.



As a covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions and provided with contact information for SAPs.

## **8. VOLUNTARY SELF-REFERRAL**

Any employee who has a drug and/or alcohol abuse problem and has not been notified of the requirement to submit to reasonable suspicion, random or post-accident testing, or has not refused a drug or alcohol test may voluntarily refer themselves to the Director of Human Resources, who will refer the individual to a substance abuse counselor for evaluation and treatment.

Alcoholism and controlled substance addiction are recognized as diseases responsive to proper treatment. The Company provides a level of care through its Employee Assistance Program (EAP) with a contracted provider. Any employee wishing to voluntarily seek assistance with drug/alcohol problems may contact the contracted EAP provider.

All employees of Lextran are strongly encouraged to voluntarily contact the Employee Assistance Program if they believe they have a problem with drug or alcohol abuse.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from their safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.

Employees who voluntarily report a substance abuse problem prior to being required to take a controlled substance or alcohol test as defined in this policy, will not be subject to disciplinary action if they voluntarily and conscientiously seek substance abuse assistance and agree to a treatment plan. However, such an employee must understand that if the problem is not corrected and satisfactory job performance is not maintained, he or she will be subject to disciplinary action up to and including termination of employment. Failure to seek such assistance, or failure to abide by the terms of the treatment plan, shall be grounds for termination. Upon voluntarily reporting a substance abuse problem, the employee will be required to sign a Substance Abuse Treatment Plan/Return to Work Agreement Form that will further define conditions of continued employment.

## **9. PRESCRIPTION DRUG USE**

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to the Director of Human Resources or the Director of

**Safety and Security.** Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

Prior to initiating usage after such medications are prescribed, the employee shall submit a *Prescription Drug Notification Form* to their immediate supervisor who shall in turn, submit it to the Director of Human Resources or their designee as soon as possible.

After receiving such form, the Director of Human Resources may request written medical authorization showing the employee may possess/use such medication, that it was used in the prescribed manner and showing the employee is fit to safely perform HSAL assigned duties. If the use of such medication could compromise the safety of the HSAL employee, fellow employees, or the public at large, it is the HSAL employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty and notify their supervisor) to avoid unsafe workplace practices. No prescription drugs shall be brought onto Company property or consumed on Company property by anyone other than the individual for whom the drugs have been prescribed by a licensed medical practitioner. The illegal or unauthorized use of prescription drugs is strictly prohibited. It is a violation of the Company's Drug Free Workplace Policy to intentionally misuse and/or abuse prescription medications.

## 10. CONTACT PERSON

For questions about Lextran's anti-drug and alcohol misuse program, contact the **Director of Human Resources** or the **Director of Safety and Security**.

## Attachment A: Covered Positions

This policy is intended to apply whenever anyone is representing or conducting business for the Company. Accordingly, this policy applies during all working hours, on call or paid standby and while performing work on behalf of the Company while on or off Company property. The policy applies to all Company employees with special provisions designated to those employees identified as a safety-sensitive function. Those positions identified as requiring a heightened safety awareness level include:

Operating a revenue service vehicle, including when not in revenue service;  
Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License;  
Controlling dispatch or movement of a revenue service vehicle;  
Maintaining (including repairs, overhaul, and rebuilding) a revenue service vehicle or equipment used in revenue service.

- Operators
- Mechanics
- Service Workers
- Utility Workers
- Dispatchers
- Road/Street Supervisors
- Maintenance Supervisors
- Director of Maintenance
- Director of Operations
- Director of Safety
- Training Manager

**NOTE:** The positions identified above as having a safety-sensitive function include those regulated under 49 CFR Part 40 and Part 655 as amended. While this program includes those federally mandated employees, this Drug and Alcohol-Free Workplace Policy is not intended to replace and shall be separate from any Drug and Alcohol-Free Workplace Policy previously adopted and implemented by Lextran, which may have included only federally regulated employees.

The Company's Drug & Alcohol-Free Workplace Program shall include controlled-access maintenance in the Office of the Director of Human Resources of business records, including the names and position titles of all employees and supervisory personnel trained under the program as described above and the names of all persons who presented alcohol and substance abuse awareness training, for review by the Office of Worker's Claims.

## Attachment B: SAP - EAP Program Providers

### SAP Provider

Dave Thomas, MS, LCADC, SAP  
Roaring Brook Recovery Center  
600 Perimeter Dr. Suite 125  
Lexington, KY 40517

Regina Gullette, PHD, SAP  
1400 West North Bend Rd.  
Cincinnati, OH 45223

### EAP resources:

859 225-1212 ..... Alcoholics Anonymous Bluegrass Intergroup  
888 370-5639 ..... Al-Anon  
859 977-2504 ..... Chrysalis House, Inc.  
800 928-8000 ..... Comprehensive Care-Lexington  
859 885-6315 ..... Comprehensive Care-Jessamine Co.  
859 225-4673 ..... Hope Center for Men  
859 252-2002 ..... Hope Center for Women  
859 373-0077 ..... Morton Center  
859 253-4673 ..... Narcotics Anonymous  
859 224-2022 ..... St Joseph Behavioral Medicine  
859 269-2325 ..... The Ridge Behavioral Medicine  
800 527-5344 ..... American Council on Alcoholism  
800 662-4347 ..... Center for Substance Abuse Treatment  
800 967-5752 ..... Drug Free Workplace Helpline

**MEMORANDUM**

January 24, 2024

**TO:** Lextran Board of Directors

**FROM:** John McNeel, Director of Safety and Security

**CC:** Fred Combs, General Manager

**SUBJECT:** Approval of Lextran's 2024 Agency Safety Plan

Resolution 2024-02, attached, requests the Board's approval of Lextran's 2024 Agency Safety Plan. The Board's approval is required annually for submittal to the Federal Transit Administration (FTA).

This plan, which is a requirement of United States Code, Title 49 Transportation, Subtitle III General and Intermodal Programs, Chapter 53 Public Transportation, Section 5307 Urbanized Area Formula Grants provides that public transportation agencies prepare and maintain an agency safety plan.

On July 19, 2018, Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS).

This plan builds on previous versions of Lextran's Safety Management System and Health and Safety Mission Statement. The regulations require the designation of an Accountable Executive and a Chief Safety Officer. Resolution 2022-01 previously designated Jill Barnett, General Manager, as the Accountable Executive, and John Givens, Director of Risk Management, as the Chief Safety Officer, designations that were reaffirmed by resolution 2023-01. These designations will change with resolution 2024-02 naming Fred Combs, General Manager, as the Accountable Executive and John McNeel, Director of Safety and Security, as the Chief Safety Officer.

Further, this resolution incorporates an updated budget number and updated Safety Performance Targets (SPTs) within the agency safety plan.

The plan is to be approved annually by January 31.

If you have any questions, please call me at 859.255.7756

**RESOLUTION 2024-02****TRANSIT AUTHORITY OF LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT****JANUARY 24, 2024**

**WHEREAS**, United States Code, Title 49. Transportation, Subtitle III General and Intermodal Programs, Chapter 53 Public Transportation, Section 5307 Urbanized Area Formula Grants provides that public transportation agencies prepare and maintain an agency safety plan; and

**WHEREAS**, on July 19, 2018, Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS); and

**WHEREAS**, this final rule requires the Authority to designate an individual to serve as the Accountable Executive and to designate an individual to serve as a Chief Safety Officer, and requires annual approval of the Agency Safety Plan;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TRANSIT AUTHORITY OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**; hereby authorizes the designation of Fred Combs, General Manager, as the Accountable Executive; and John McNeel, Director of Safety and Security, as the Chief Safety Officer, and hereby approves the 2024 Agency Safety Plan.

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**MOTION**

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**SECOND**

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**CHAIRPERSON**

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**DATE**

# AGENCY SAFETY PLAN 2024



Effective: May 20, 2020

Last Revised: January 01, 2024



## DOCUMENT INFORMATION AND REVISIONS

Title:	Agency Safety Plan
Description:	Summary document of required elements of Lextran’s Safety Plan, formerly Safety Management System
Prepared by:	John McNeel Director of Safety and Security
Issuing Department:	Safety, Security, and Training
Issue Date:	This plan was approved by the Board of Directors for the Transit Authority of the Lexington-Fayette Urban County Government on January 24, 2024 and reflected in the official, approved board minutes.
Revision Number:	4
Approvals:	Lextran Board of Directors Resolution 2024-02 on January 24, 2024
Name and Title of Accountable Executive:	Fred Combs General Manager
Signature:	
Name and Title of Chief Safety Officer:	John McNeel Director of Safety and Security
Signature:	

Number	Date	Responsible Person	Description of Change
0	May 15, 2020	John Givens	New document
1	Jan 01, 2021	John Givens	Document updates; Accountable Executive, Safety Performance Targets
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## 1 TRANSIT AGENCY INFORMATION

### 1.1 Background

Lextran, the Transit Authority of Lexington-Fayette Urban County Government, as it is known today was established in 1973 by the Commonwealth of Kentucky as a Mass Transportation Authority per Kentucky Revised Statutes, Title IX – Counties, Cities and Other Local Units, Chapter 96A, Mass Transit Authorities. Our mission “We serve people and our community with mobility solutions” is accomplished by focusing on three key pillars: Deliver High Quality Product and Service, Demonstrate Value to the Community, and Manage and Sustain Resources.

Lextran provides more than 3 million trips annually with service to residents and visitors of Lexington-Fayette County on 25 fixed routes and county-wide paratransit, seven days a week, 365 days a year. The annual combined operating and capital budget of \$51.5 million (FY2024) includes more than 200 team members and a fleet of 120 vehicles (fixed-route and paratransit). The fleet includes compressed natural gas, zero emission battery electric buses, diesel, and gasoline-powered vehicles. Wheels, our door-to-door paratransit service for people with disabilities, is operated by RATPDev.

### 1.2 Applicability

As a recipient of funds under 49 U.S.C. 5307, the Transit Authority of the Lexington-Fayette Urban County Government (Lextran) is required to develop a Public Transit Agency Safety Plan or ASP. This document will serve as the ASP for Lextran.

### 1.3 Policy

Lextran has adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing safety and will follow the principles and practices of SMS in the delivery of service to our community.

### 1.4 Transition from SSPP to ASP

Lextran previously utilized a System Safety Program Plan (SSPP), which documented the overall safety program for Lextran fixed-route bus service. That SSPP was constituted by safety elements that outlined and described the policies, processes, and procedures associated with the safety program.

On July 19, 2018, FTA published the Public Transportation Agency Safety Plan (ASP) Final Rule. It requires individual operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). The effective date of this rule is July 19, 2019. As a result, Transit operators must certify they have a safety plan in place, meeting the requirements of the standard by July 20, 2020. The plan must be updated and approved by the transit agency annually.

As of approval and certification of this Plan, Lextran will transition from the System Safety Program Plan model and system safety to the Agency Safety Plan, which incorporates safety management systems.

### 1.5 Safety Management System (SMS) Implementation

To implement the Safety Management System, the Authority has taken a four-phase approach based upon a continuous improvement cycle of Plan, Do, Check, and Act. Within these four phases are twenty-nine identified



tasks. To aid in implementation and annual reviews, Lextran has created an Excel Workbook called G.A.T.I.S. for Gap Analysis Tool for Implementing SMS. The gap analysis tool contains questions based upon the needs and requirements of each of the SMS components; answering these questions aided in discovering any needed procedures, processes, and documentation. Identified needs then became tasks within the SMS Implementation Plan tab. The Safety department is responsible for leading implementation with assistance from the Safety Review Committee, which also serves as the SMS implementation team.

### 1.6 Accountable Executive and Board of Directors Approvals

Under 49 U.S.C. 5329(d)(1)(A), the Accountable Executive and Lextran Board of Directors must approve this plan. Accomplishment by the signature of the Accountable Executive will be affixed to this plan and by the formal Board of Directors Motion. A copy of that Motion will be included in the Appendices of this document. Additionally, the ASP will be submitted for approval to the Accountable Executive and Board of Directors annually.

### 1.7 Modes Covered by this Plan

This ASP covers Lextran's Fixed Route bus service and Wheels Paratransit service.

## 2. SAFETY PLAN DEVELOPMENT, UPDATE, AND CERTIFICATION

The Safety and Security Department of Lextran developed this plan under 49 U.S.C. 5329(d)(1)(A). It will be reviewed for compliance on an annual basis. Annually, the Chief Safety Officer (or Designee) will lead a review of the ASP in conjunction with affected departments and update the ASP, as necessary. Route extensions, significant changes to the operational practices, or other events may be cause for a review at any time. The ASP and any updates must be reviewed and approved by the Lextran Board of Directors.

### 2.1 ASP Review Schedule

The ASP will be reviewed annually and submitted to the Lextran Board of Directors for review and approval before January 31.

### 2.2 ASP Control and Update Procedure

The Chief Safety Officer is responsible for the control and update of the ASP. Input for annual reviews will be solicited from all Lextran departments by the end of the calendar year (December 31) and before submission to the Board of Directors.

### 2.3 ASP Review and Approval by Lextran Board of Directors

Under 49 U.S.C. 5329 (d)(1)(A) the Lextran Board of Directors is required to review and approve the ASP, including updates.

### 2.4 ASP Change Management

Any changes to the ASP will be documented in the Change Record. This Change Record will contain a summary that identifies and explains the modifications for submittal to the Board of Directors annually.

### 2.5 Compliance

This plan is certified compliant by Lextran as of the issue date.

### 3. SAFETY PERFORMANCE TARGETS

#### 3.1 Development

Safety Performance Measures aid Lextran in monitoring performance. Safety performance measures also focus on improving safety performance through the reduction of safety events, fatalities, and injuries. The performance targets are based on the history of the system, as documented in the National Transit Database (NTD) Safety and Security Time Series, from the start of revenue service in January 2019 through December 2023. Per the National Public Transportation Safety Plan the following annual Safety Performance Targets have been identified:

Table 1 - Safety Performance Targets

Mode of Transit Service	Fatalities (Total)	Fatalities (Rate)	Injuries (Total)	Injuries (Rate)	Safety Events (Total)	Safety Events (Rate)	System Reliability
Fixed Route	0	0	16	0.87	17	0.92	12,145
Paratransit	0	0	5	0.46	4	0.37	N/A

\*Rates calculated as occurring per 100,000 revenue miles.

#### 3.2 Coordination with the Metropolitan Planning Organization (MPO)

Annually Lextran will create Safety Performance and State of Good Repair Measures and Targets for Lextran Fixed Route service as well as Wheels paratransit service based upon the principle of continuous improvement. These measures and targets will be provided to the MPO via electronic communication by January 31 annually.

### 4. SAFETY MANAGEMENT POLICY

Safety Management Policy establishes necessary organizational structures, roles, and responsibilities. It also ensures safety is on the same priority level as other organizational functions. And it provides direction for effective safety risk management, assurance, and promotion. Lastly, it provides and ensures sufficient resources.

#### 4.1 Safety Management Policy Statement

The safety goal of Lextran is to provide the safest possible environment for our employees, passengers, and the interacting public. To accomplish this, we will dedicate the needed resources to ensure the safest possible delivery of service to our community. All levels are accountable for the delivery of the highest level of safety performance, starting with the Board of Directors, Executives, Directors, Managers, Supervisors, employees, and contractors.

Lextran is committed to supporting the reporting of identified safety hazards and risks in day-to-day duties by employees to senior management without fear of reprisal so that the hazards and risks can be mitigated or eliminated. Lextran encourages all employees to participate in the Safety Reporting System (SRS) without fear of retaliation. Except for illegal activities or intentional disregard for regulations, policies, or procedures, no employee will be disciplined for reporting safety hazards or events.



## 4.2 Safety Management Policy Communication

The Safety Management Policy Statement is communicated to the Board of Directors through the annual review and approval process. It is also communicated to employees through the use of communication boards, located at each of the facilities, as well as on our website [www.lextran.com](http://www.lextran.com). An employee may also request a printed copy through the Lextran Safety Department. A signed copy of the Safety Management Policy Statement is contained in the Appendices.

## 4.3 Employee Safety Reporting Program

Lextran has established a Safety Reporting System for the public and employees to report identified hazards or safety concerns. Employees are encouraged to report safety concerns and may do so through the following means including but not limited to: Employee Safety Committee, immediate Manager/Supervisor, Senior Management, Operator Report, Employee Safety Concern form, and via electronic communication directly to the Lextran Safety Department. The public may report concerns to the customer service department, who will notify Lextran Safety and document the concern in their communications log software. To close the feedback loop, Lextran will provide an update to employees regarding the results of any investigations and (or) action taken arising out of their report.

## 4.4 Authorities, Accountabilities, and Responsibilities

### 4.4.1 Accountable Executive

The General Manager serves as the Accountable Executive for Lextran and is ultimately responsible for the Safety Program. The Accountable Executive is responsible for ensuring there are adequate resources to develop and maintain both the Agency Safety Plan and Transit Asset Management Plan and approving the ASP annually.

### 4.4.2 Chief Safety Officer

The Director of Safety and Security serves as the Chief Safety Officer, reports directly to the Accountable Executive, and is responsible for the following: Developing and maintaining SMS documentation; Directing hazard identification and safety risk assessment; Monitoring safety risk mitigation activities; Providing periodic reports on safety performance; Briefing the Accountable Executive and Board of Directors on SMS implementation progress; and planning safety management training.

### 4.4.3 Agency Leadership and Executive Management

In addition to the GM, who serves as the Accountable Executive and Director of Safety and Security, who serves as the Chief Safety Officer, the Lextran Executive Management Team has Authority and responsibility for the day-to-day implementation of the Safety Management System for the Authority.

### 4.4.4 Key Staff

The Safety and Security Department, along with the Safety Security Review Committee (SSRC), are designated as key staff to support the Accountable Executive and Chief Safety Officer in developing, implementing, and operating the Authority's SMS. Additionally, the SSRC will serve as SMS Ambassadors to promote the SMS program through communication and training.

### 4.4.5 Safety Security Review Committee

The Safety and Security Review Committee (SSRC) is a multi-disciplinary working group that serves as a high-level committee to address all safety and security issues as well as review and approval of configuration



management items. Committee membership includes representation from the following functional areas: safety, security, planning, operations, and maintenance. The committee chair is the Chief Safety Officer. For more detailed information about the SSRC, please refer to the Lextran Safety Security Review Committee procedure.

## 5. SAFETY RISK MANAGEMENT

Safety Risk Management (SRM) is vital to the success of the SMS. And before an SMS can be effectively built or improved, safety hazards must be identified and mitigations in place to manage the safety risk. Safety risk management is a continuous process, which includes the following activities: Safety hazard identification, safety risk assessment, and safety risk mitigation. The Safety Risk Management Process identifies and analyzes hazards and potential consequences. It then expresses safety risks for each consequence in terms of probability and severity to determine if the risk is acceptable and if not utilizes safety risk mitigation to lower the safety risk. The process also includes interaction with safety assurance to ensure hazards are tracked after safety risk mitigation has taken place. In all cases, safety risk mitigation activities are documented.

### 5.1 Safety Hazard Identification

Valid Hazard Identification is supported by sources, training on proper identification and reporting, and promotion of the safety reporting program to employees and the public. Potential sources for hazard identification and their consequences include the following: Safety Reporting System (employee program and public reporting), Safety Event (accidents, incidents occurrences), internal audits, safety committees, Government Sources (FTA, NTSB), Industry Partners (APTA) operational observations, review of historical data, scenario development and review, Job Hazard Analysis (JHA)/Job Safety Analysis (JSA), Accident/Incident Investigations Data review and ad hoc hazard reporting.

Lextran has established a Hazard Tracking Log, which reflects the consolidation of information in the hazard management process. The Hazard Tracking log will contain all hazards identified through the methods applied by Lextran. The Hazard Tracking log will be submitted to the Accountable Executive or their designee on the 15th day after the end of the month. In addition to the Hazard Tracking Log, Lextran will maintain an ongoing Operating Hazard Analysis (OHA). The purpose of the OHA is to identify hazards associated with operation-related, safety-critical elements, which will be mitigated to their lowest acceptable levels and continually monitored to ensure no new hazards are introduced.

### 5.2 Safety Risk Assessment

To assess risk Lextran will identify the hazard and analyze the potential (future) events that may negatively impact individuals, assets, and or the environment. The process then determines which hazards are unacceptable based on their severity and probability of occurrence. The hazard severity, probability, and cost combination for unacceptable risks are then ranked. Lextran Management will prioritize and allocate the resources available to eliminate or correct the unacceptable hazards.

### 5.3 Safety Risk Mitigation

To reduce the likelihood and severity of consequences related to hazards, Lextran will employ the following risk mitigation strategies as appropriate. Hazard elimination, reduction of risk through alteration, incorporation of engineered features or devices, provision of warning devices, or the incorporation of signage, procedures, training, and personal protective equipment. Safety risk mitigation may include more than one measure to achieve the most acceptable result. Any employed risk mitigation measure will be monitored for its



effectiveness. This will be accomplished through regular review of performance measures and event reports determining recurrence and or trends.

## 6. SAFETY ASSURANCE

Safety Assurance, in SMS, gives Lextran the ability to know if and how well our mitigations are working by providing essential information for data-driven informed decision making, by the collection and analysis of safety performance data, and the provision of timely safety performance information. Finally, it provides safety performance verification and validates the effectiveness of our safety risk mitigation activities.

### 6.1 Safety Performance Monitoring and Measurement

Safety performance monitoring and measurement involves continual monitoring of our activities to understand safety performance. This is accomplished through monitoring and evaluating adherence to operational and maintenance procedures, risk mitigations, and safety event investigation to identify causal factors and to monitor internal safety reporting programs.

#### 6.1.1 Roles and Responsibilities

The Safety and Security Department has the responsibility to monitor the safety performance of operations and maintenance. Safety data is collected and analyzed to determine if safety performance meets established safety goals. This data includes injuries to passengers, Safety Department personnel, and public; potentially hazardous equipment failures; unacceptable hazardous conditions, and rules and procedure violations. A closed-loop reporting system for identifying and monitoring safety-related items has been established. To close out each incident, safety verification activities and results are reviewed and audited by the Chief Safety Officer or their designee.

#### 6.1.2 Data Acquisition process

The Safety and Security Department is responsible for information regarding accidents, incidents, hazardous conditions, and operations obtained from several different reporting mechanisms. These include, but are not limited to: Email, text messages, accident/incident reports, daily operations report, employee occupational injury reports. Employees are also encouraged to bring any safety-related issues to the attention of managers and supervisors.

#### 6.1.3 Data Analysis

The tracking of data is used to identify trends. These trends are further analyzed and investigated to determine causal factors. This is accomplished by interviews with personnel in the affected department(s) and analysis of pertinent documentation. Identified hazards are submitted with corrective action recommendations or requests for corrective action development.

#### 6.1.4 Reports

Safety performance trend and analysis reports are provided to the Safety Security Review Committee for review and discussion. All other departments receive safety trend and analysis reports relative to the area of interest. The safety trend and analysis reports are also the basis for the annual safety performance report to the Accountable Executive and Board of Directors. The annual report includes collision data, passenger and employee injury data, injury data affecting the public, program audit findings and trends, and corrective action plans. The annual report also describes the strategies for the achievement of the stated safety and security objectives.

### 6.1.5 Procedures Monitoring and Measuring

Procedures monitoring and measuring are initiated through the capture of safety event data, which includes collisions, injuries (employee and passengers), and near-miss occurrence for both operations and maintenance. Examples of procedures monitoring, and measuring include, but are not limited to, turn procedures, mobility device securement, and distracted driving. This type of data is then captured, analyzed, and reported to affected departments.

### 6.1.6 Safety Risk Mitigation Monitoring and Measurement

The following activities will take place to determine if safety risk mitigations are effective, appropriate, and implemented as intended: 1) monitoring of safety performance target trends, 2) feedback from the employee safety program, 3) feedback from the public, and 4) observations.

### 6.1.7 Safety Event Investigations

Safety Events are investigated in the context in which they occur. Collision events are investigated by the Safety and Security Department to administer protection of liability. The Safety and Security Department evaluates the collision based upon the preventability and root cause of the event. Likewise, employee injuries, whether in service or while maintaining facilities or equipment, are investigated by the worker's compensation claims adjuster to determine compensability. The Safety and Security Department investigates the event, in coordination with the department supervisor, to determine the root cause to prevent a recurrence.

### 6.1.8 Internal Programs Monitoring and Measurement

The monitoring and measurement of internal safety reporting programs are accomplished through the review and analysis of accident/incident reports, employee injury reports, and employee safety reporting. The Safety, Risk Management Process, will address any new hazard identified through this activity.

## 7. SAFETY PROMOTION

Safety Promotion improves safety performance by increased awareness through communication and training. It also displays continuous management commitment to communication. One of management's most important responsibilities of management is to encourage and motivate others to want to communicate openly, authentically, and without concern of reprisal. Training also documents executive management responsibilities to allocate resources to training and maintain the relationship between safety training and safety risk management and safety assurance.

### 7.1 Training and Certification Program

Bus Operators, Mechanics, and Service Workers all receive initial training in bus operations and then move on to occupational skill-related as well as safety-related training. Bus Operators are trained on all types of buses driven, and Mechanics receive bus-specific training. All employees receive, either through initial orientation or through refresher training, instruction on safety data sheets, severe weather, and response to emergencies such as fires, bomb threats, and evacuations.

### 7.2 Bus Operators

Lextran utilizes the Transit and Paratransit Company (TAPTCO) program for bus operator training. Training is conducted by the Lextran Training Department, and Bus Operators receive eight weeks of initial training. The training culminates in a final evaluation trip, which starts the 90 regularly scheduled workday probationary period. After the probationary period, they become regular bus operators.

### 7.3 Maintenance Team Members

Maintenance personnel receive occupational safety training on various topics including, but not limited to, hazard communication, powered industrial lift trucks, the control of hazardous energy (lockout tagout), fall protection, and bloodborne pathogens.

### 7.4 Refresher Training

All employees receive some form of ongoing refresher training. Bus Operators may receive up to 16 hours of a refresher, including but not limited to: customer service, emergency egress, bloodborne pathogen awareness, defensive driving, farebox, and mobility device securement. Maintenance personnel receives refresher training in equipment and OSHA-required subjects on an annual basis. Specialized training may occur on an as-needed basis such as coach operation, updates to policies such as mobility devices, service animals, etc.

### 7.5 Contractor Training

All bus-related projects require the completion of a safety orientation before beginning work. Other requirements may apply as outlined in the Lextran Contractor Safety Program and/or Lextran Procurement guidelines.

### 7.6 Safety Communication

Communication of safety and safety performance information is posted on safety-dedicated bulletin boards located in common areas as well as video monitors located throughout all facilities. The safety communication boards have general safety and security bulletins posted monthly. The provided information includes, but is not limited to, general safety bulletins, seasonal hazards, ongoing traffic issues, the results of incidents, audits, and inspections at specific locations and other topics pertinent to employees' roles and responsibilities. Other communication actions include, but are not limited to, employee meetings such as tool talks and awareness activities such as safety meetings where employees receive supplemental information related to ongoing hazards. Safety actions taken in response to reports submitted through an employee safety reporting program are also communicated via the safety communication boards.

## 8. RECORDKEEPING

Per 49 CFR Part 673.31, Lextran must maintain the documents utilized to create the Agency Safety Plan, including those related to the implementation of the Safety Management System (SMS), and results from SMS processes and activities. Lextran must also maintain documents (e.g., procedures, plans) that are included in whole, or by reference, that describe the programs, policies, and procedures that are used to carry out the Agency Safety Plan. These documents will be made available upon request by the Federal Transit Administration or other Federal entities. All these documents require minimum retention of three years after creation.

## 9. APPENDICES

### 9.1 Definitions of Special Terms Used in the Safety Plan

*Accident* means any happening or occurrence on or near a Lextran vehicle involving a passenger, another vehicle, bicycle, pedestrian, domestic animal, or stationary object which might result in a claim against Lextran. Additionally, this could result in a claim made by Lextran or result in damage to Lextran property, and any happening, occurrence, or injury to an employee.

*Accountable Executive* means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency. Responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

*Chief Safety Officer* means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part or a public transportation provider that does not operate a rail fixed guideway public transportation system.

*Consequence* means a potential outcome of a safety hazard.

*Equivalent Authority* means an entity that carries out duties similar to that of a Board of Directors, for a recipient or sub-recipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient Authority to review and approve a recipient or sub recipient's Public Transportation Agency Safety Plan.

*Event* means any Accident, Incident, or Occurrence.

*FTA* means the Federal Transit Administration, an operating administration within the United States Department of Transportation.

*Hazard* means any real or potential condition that can cause injury, illness, or death, damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system, or damage to the environment.

*Incident* means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

*Investigation* means the process of determining the causal and contributing factors of an accident, incident, or hazard, to prevent recurrence and mitigating risk.

*National Public Transportation Safety Plan* means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

*Occurrence* means an event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

*Operator of a public transportation system* means a provider of public transportation as defined under 49 U.S.C. 5302(14).

*Performance measure* means an expression based on a quantifiable indicator of performance or condition that

is used to establish targets and to assess progress toward meeting the set goals.

*Performance target* means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration (FTA).

*Public Transportation Agency Safety Plan* means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and this part.

*Risk* means the composite of predicted severity and likelihood of the potential effect of a hazard.

*Risk mitigation* means a method or methods to eliminate or reduce the effects of hazards.

*Safety Assurance* means processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

*Safety Deficiency* means a condition that is a source of hazards and allows the perpetuation of the hazards in time.

*Safety Management Policy* means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees regarding safety.

*Safety Management System (SMS)* means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

*Safety Management System (SMS) Executive* means a Chief Safety Officer or an equivalent.

*Safety performance target* means a Performance Target related to safety management activities.

*Safety Promotion* means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

*Safety risk assessment* means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

*Safety Risk Management* means a process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risks.

*Serious injury* means any injury which:

- Requires hospitalization for more than 48 hours, commencing within seven days from the date of the injury was received;
- Results in a fracture of any bone (except simple fractures of fingers, toes, or noses);
- Causes severe hemorrhages, nerve, muscle, or tendon damage;
- Involves any internal organ; or
- Involves second or third-degree burns, or any burns affecting more than 5 percent of the body surface.

*Small public transportation provider* means a recipient or sub-recipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail

fixed guideway public transportation system.

*State* means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

*State of good repair* means the condition in which a capital asset can operate at a full level of performance.

*State Safety Oversight Agency* means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations outlined in 49 CFR part 674.

*Transit agency* means an operator of a public transportation system.

*Transit Asset Management Plan* means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, to provide safe, cost-effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR part 625.

## 9.2 List of Acronyms Used in the Safety Plan

APTA – American Public Transportation Association

ASP – Agency Safety Plan

CFR – Code of Federal Regulations

FTA – Federal Transit Administration

NTSB – National Transportation Safety Board

SMS – Safety Management System

SPT – Safety Performance Targets

SSRC – Safety Security Review Committee

MPO – Metropolitan Planning Organization





## Safety Management Policy Statement

The safety goal of the Transit Authority of the Lexington-Fayette Urban County Government (Lextran) is to provide the safest possible environment for our employees, passengers, and the interacting public. To accomplish this, we will dedicate the needed resources to ensure the safest possible delivery of service to our community.

All levels of management and all employees, including contractors, are accountable for the delivery of the highest level of safety performance, starting with the Board of Directors, Executives, Directors, Managers, Supervisors, Employees, and Contractors.

Lextran is committed to supporting the reporting of identified safety hazards and risks in day to day duties by employees to senior management without fear of reprisal so that the hazards and risks can be mitigated or eliminated. To that end, Lextran encourages all employees to participate in the Safety Reporting System without fear of retaliation. Unacceptable behavior, which would be considered an exception to this policy, would be knowingly making a false report.

This Safety Management Policy Statement is communicated to the Board of Directors via the annual review and approval process. It is also communicated through the use of communication boards, located at each of Lextran's facilities, as well as on our website at [www.lextran.com](http://www.lextran.com). An employee may also request a printed copy through the Lextran Safety Department.

Signature by the Accountable Executive \_\_\_\_\_ Date \_\_\_\_\_

Fred Combs

General Manager

Signature by the Chief Safety Officer \_\_\_\_\_ Date \_\_\_\_\_

John McNeel

Director of Safety and Security



**MEMORANDUM****January 24, 2024**

**TO: Lextran Board of Directors**

**FROM: Nikki Falconbury, Director of Finance & HR**

**CC: Fred Combs, General Manager**

**SUBJECT: Designation of Signatory**

Attached is a resolution requesting authority to designate Christopher Withrow, Director of Maintenance, as an additional signatory for checking accounts established for the operation of the Transit Authority of Lexington-Fayette Urban County Government (Lextran). This action will return the number of authorized check signers to four.

If you have any questions, please call me at 859.255.7756.

**RESOLUTION 2024-03****TRANSIT AUTHORITY OF LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT****JANUARY 24, 2024**

**WHEREAS**, Christopher Withrow is the Director of Maintenance of the Transit Authority of Lexington-Fayette Urban County Government;

**WHEREAS**, Christopher Withrow, Director of Maintenance, should be named a signatory for checking accounts established for the operation of the Transit Authority business;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TRANSIT AUTHORITY OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**; that Christopher Withrow, Director of Maintenance, be and hereby is a designated authorized signatory for checking accounts established for the operation of Transit Authority business, effective immediately.

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**MOTION**

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**SECOND**

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**CHAIRPERSON**

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**DATE**

**MEMORANDUM**

January 24, 2024

**TO: Lextran Board of Directors****FROM: Fred Combs, General Manager****SUBJECT: Resolution for Joinder Agreement update for Kentucky Deferred Compensation Plan**

Resolution 2024-04, attached, requests the Board's approval to update the Joinder Agreement for the Kentucky Public Deferred Compensation Plan. This plan is for employees' 457 and 401(k).

The original Joinder Agreement was signed on September 28, 1988. The agreement allowed all eligible employees of the Transit Authority of Lexington-Fayette Urban County Government to defer a portion of their compensation under the Kentucky Public Employees Deferred Compensation Plan. It named Patrick Hamric, General Manager, and Geraldine Davidson, Director of Finance, as the project officers.

Resolution 2024-04 requests to update this agreement by naming Fred Combs, General Manager, and Nikki Falconbury, Director of Finance and Human Resources, as the project officers.

If you have any questions, please call me at 859.255.7756.

**RESOLUTION 2024-04****TRANSIT AUTHORITY OF LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT****JANUARY 24, 2024**

**WHEREAS**, the General Assembly of the Commonwealth of Kentucky has enacted Sections 18A.230-18A.275 of the Kentucky Revised Statutes authorizing the creation of the Kentucky Public Employees' Deferred Compensation Authority Board of Trustees and the establishment of the Kentucky Public Employees' Deferred Compensation Authority (KDC); and

**WHEREAS**, the Commonwealth by KDC sponsors the Kentucky Employees' 457 Deferred Compensation Plan and the Kentucky Public Employees' 401(k) Deferred Compensation Plan which includes KDC's Deemed IRA Program (the Plans) for adoption by local governmental political subdivisions and units; and

**WHEREAS**, Lextran wishes to adopt and enter that certain Joinder Agreement attached hereto, dated January 24, 2024.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Directors of the Transit Authority of the Lexington-Fayette Urban County Government, Commonwealth of Kentucky, hereby enters and adopts the Joinder Agreement with KDC for participation in the 457 Plan and the 401(k) Plan for the benefit of its eligible employees; and,

**FURTHER RESOLVED**, that Fred Combs, General Manager, and Nikki Falconbury, Director of Finance and Human Resources, be and hereby are, authorized and directed the by Lextran Board of Directors to execute the Joinder Agreement with KDC, which authorizes KDC to administer the Plans on behalf of Lextran, and to do all further acts and things, and to execute all further documents in writing, which the authorized signatory determines to be necessary or desirable in order to effect this Resolution.

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**MOTION**

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**SECOND**

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**CHAIRPERSON**

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**DATE**