

**Los Angeles County
Metropolitan Transportation Authority
Office of the Inspector General**

**Bus Operator Safety and
Compliance Checks for the Period
July to September 2010**

*Overall, the majority of Bus Operators are complying with Metro Policies.
However, we do continue to find violations related to the operator use of seat belts
and eating and drinking while driving.*

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Metro

**Los Angeles County
Metropolitan Transportation Authority**

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DATE: February 7, 2011

TO: Board of Directors
Chief Executive Officer

FROM: *Jack Shigetomi*
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SUBJECT: Bus Operator Safety and Compliance Checks for the Period July to September 2010, Report No. 11-AUD-09

INTRODUCTION

The Office of the Inspector General (OIG) has implemented an undercover “ride along” program to monitor bus operations, as part of our mandate to uncover fraud, waste, and abuse, as well as, to assist Metro in improving the efficiency and effectiveness of operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition on use of cell phones while driving, calling out stops if the automated system is not in use, and various American with Disability Act (ADA) compliance matters. The OIG Audit and Investigation Units jointly performed this review. This report summarizes our observations of bus operations during July through September 2010.

During this reporting period, the OIG observers began issuing written notifications¹ to bus operators who commit significant violations.² These violations include the use of cell phones, not wearing a seat belt, and not following ADA policies. The immediate notification of the violations observed provides information to operators and management in a timely manner which is in accordance with the union contract and gives management the ability to take further action, if deemed necessary.

This review focused on Metro bus lines that had the highest number of customer complaints. We have issued three previous quarterly bus operation reports, and each of these prior reviews had a different focus. One report³ focused on Metro bus lines with the greatest

¹ The OIG modified the TOS Initial Report Forms by crossing out “TOS” and adding “OIG” on the forms. One copy of the form is given to the operator and a copy is sent to the applicable division manager.

² The selection of significant violations was coordinated with Senior Operations Management.

³ Bus Operator Safety and Compliance Checks, October to December 2009 (Report No. 10-AUD-07, issued February 24, 2010)

number of customer complaints, another report⁴ focused on Metro bus operators who had received the most complaints, and the third report⁵ covered observations of contracted bus lines that had the most complaints.

OBJECTIVE AND SCOPE OF REVIEW

The objective of our review was to determine whether bus operators were complying with safety and customer service policies as well as various ADA compliance laws and regulations.

We obtained a report⁶ showing customer complaints by bus line for the period of July 1, 2009 through April 30, 2010. Based on this report, we selected 7 lines that had the most ADA related complaints for observation. We completed a total of 98 observations during this period. During the observations, we used a checklist to evaluate operator performance.

The audit portion of this review followed Government Auditing Standards. However, Government Auditing Standards were not always followed in other portions of the review, because of the nature of the observations, which included inspections conducted by OIG investigations staff.

BACKGROUND

The Operator's Rulebook and Standard Operating Procedures (SOP) contains policies and procedures governing Metro bus operations. The rules and SOPs in the manual are based on the principles of safety and customer service, and the premise that every individual who boards a bus deserves a high standard of care and deserves to be treated with respect and dignity. The manual covers areas such as vehicle operations, operator's code of conduct, customer relations, and fares.

RESULTS OF REVIEW

Our safety and compliance checks showed that the majority of bus operators complied with Metro policies and rules. We found that during 88 (90%) of 98 observations, there were no violations noted. However, violations were noted in 10 (10%) of the observations. There

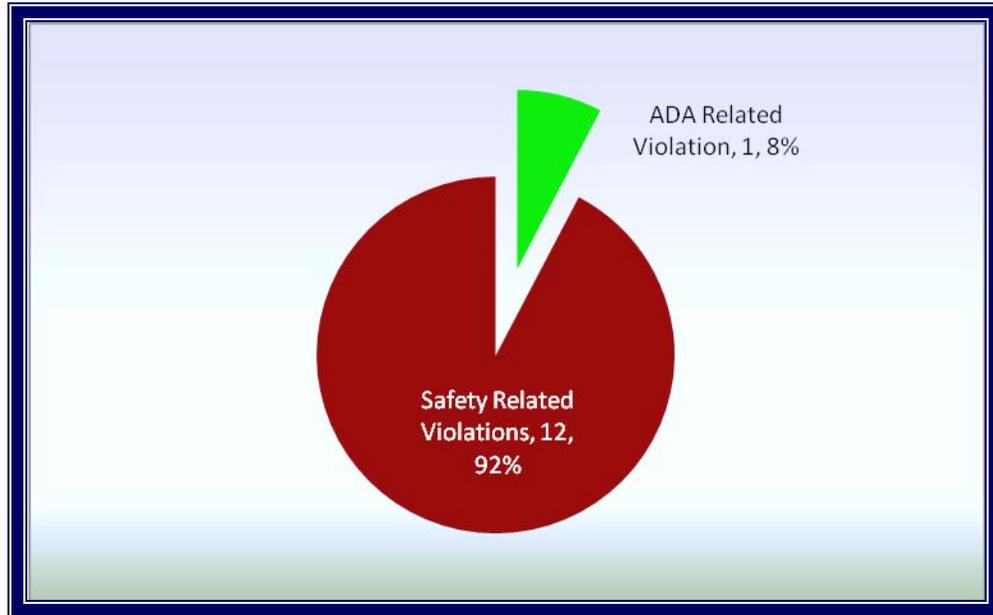
⁴ Bus Operator Safety and Compliance Checks, January to March 2010 (Report No. 11-AUD-02, issued August 20, 2010).

⁵ Bus Operator Safety and Compliance Checks, April to June 2010 (Report No. 11-AUD-06, issued October 29, 2010).

⁶ Report was prepared by the Metro Customer Relations Department.

were a total of 13 violations; some observations had more than one violation. Observers issued 9 written notifications of violations; some notifications contained more than one violation.

Chart 1 – Breakdown of Violations



We found that the percentage of observations with violations has declined since the inception of our “Ride Along Program” in October 2009. For example, the number of violations observed has declined from 20% in the 2nd quarter of FY 2010 to 10% in the 1st quarter of FY 2011.

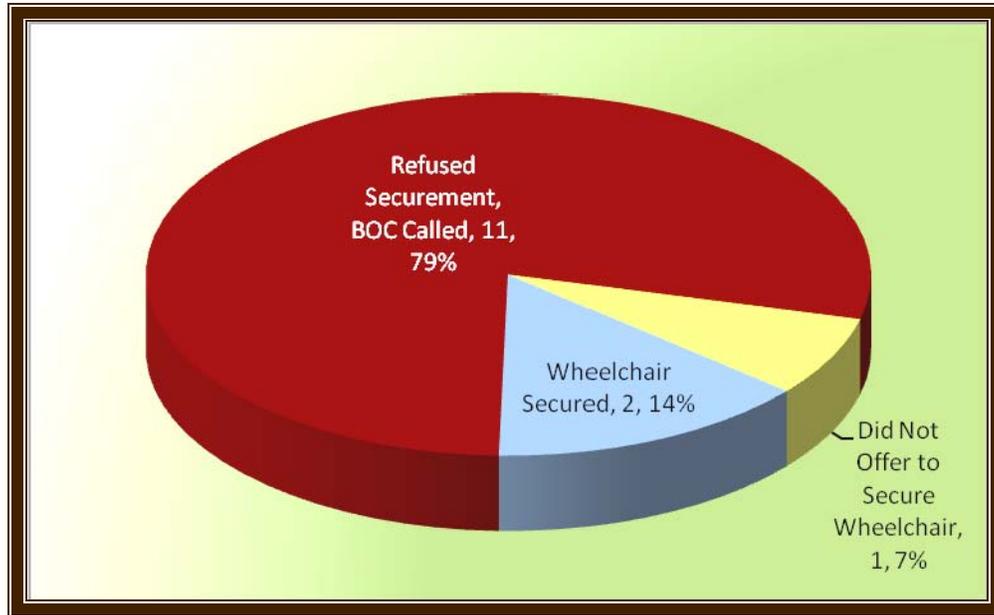
1. Wheelchair Securement

During the safety and compliance checks, we observed the following instances concerning wheelchair patrons:

- One bus operator did not offer to secure a patron in a wheelchair. Section 7.110 of the Operator’s Rulebook and Standard Operating Procedures states: “It is the responsibility of the Operator to ask whether the customer is secure, both on the lift and in the securement area. Operators are required to ask every boarding customer who uses a wheelchair whether they need assistance in reaching the securement area or using the securement devices. At minimum, this offer of assistance must include the words; “Do you need help....?”
- Two patrons in wheelchairs were secured.

- Eleven wheelchair patrons declined to have their wheelchair secured. In all 11 instances, the operators called Bus Operation Control (BOC) as required by the Operator’s Rulebook and Standard Operating Procedures.

Chart 2 - Observations Related to Wheelchair Securement



2. Disobeying Traffic Signals

We observed one bus operator who ran a red light (i.e., entered intersection against red light). We provided the operator and division management with a written notification concerning this instance. The Division Transportation Manager informed us that he gave the operator a warning and counseling. Section 3.118 of the Operator’s Rulebook states: “When approaching an intersection, operators must be operating under control so that a safe stop can be made before entering the crosswalk, passing the limit line, or entering the intersection, should the signal change to red.”

3. Eating or Drinking While Driving

On two different occasions, we observed an operator who was eating and drinking while operating the bus. This operator had a bag by his seat and periodically took food items and drinks out of the bag to consume, while the bus was in motion. We provided the operator and division management with written notifications concerning these two instances. The division manager advised us that this operator received a two day suspension. Section 4.14

of the Operator's Rulebook States: "Operators must not consume food and/or beverages at any time while operating any Metro vehicle or while riding as a passenger, whether vehicle is in or out of service."

4. Not Wearing Seat Belt

During 9 observations, we observed that bus operators were not wearing a seat belt. In two instances, the same operator was observed not wearing a seat belt. We provided the operator and division management with written notifications concerning these instances. Subsequently, four Division Transportation Managers advised us that they counseled six operators on the rule violation and posted the matter on their records. Another operator who had two seat belt violations received a two day suspension. Using seat belts helps prevent serious injury to the operator in event of an accident or sudden stop. Section 2.39 of the Operator's Rulebook states: "The use of seatbelts and shoulder belts (if equipped) is mandatory when operating any Metro vehicle..."

OTHER RELATED REVIEW

Metro hired a consultant⁷ to conduct bus operator performance assessments which cover the observation of operator behavior, including passenger relations, ADA procedures, and safety. The consultant reported the trend of 10 operator performance areas for the period May to October 2010. The bus operator evaluation results of the consultant and OIG showed improvements in some areas. For example:

- The consultant reported that operator cell phone usage declined from 4.4% in June 2010 to 0.9% in October 2010. For the period July to September, the OIG did not observe any cell phone usage by operators. In two prior reviews, the OIG observed three operators using cell phones while operating their bus.
- The consultant reported that operators running red lights declined from 3.8% in June 2010 to 0.9% in October 2010. For the period July to September, the OIG observed one operator who ran a red light. In two prior reviews, the OIG observed nine incidents where operators drove unsafely or did not obey traffic laws.
- The consultant reported that operator use of seat belts increased from 91.2% in June 2010 to 97.3% in October 2010. For the period July to September, the OIG observed nine incidents where operators did not use seat belts, as required by Metro policies.

⁷ Metro has a contract with consultant to perform bus operator assessments from September to November 2009. Metro also has a second contract with the contractor to perform assessments from December 1, 2009 to November 30, 2010.

In a prior review, the OIG observed 14 incidents where operators did not use seat belts.

CONCLUSION

We found that most operators performed their duties in accordance with Metro policies and rules. However, we found rule violations in approximately 10% of the observations made. Based on the results of our review, Operations management needs to continue to emphasize compliance with rules related to:

- wheelchair securement,
- wearing seat belts, and
- not eating or drinking while driving.

On January 4, 2011, we provided Metro management with a draft report for their review. Management did not have any comments to this report. On February 3, 2011, we discussed this report with the Chief Executive Officer, Chief Operations Officer, and Interim Executive Director, Transportation. Metro management stated that the OIG reviews were beneficial and operations managers will continue to emphasize compliance with the operator rules.

Summary of Violations Observed

The OIG made 98⁸ observations during the period July to September 2010, and found 13 rule violations.

Observation Areas	Instances Observed
ADA Related Areas	
Operator did not ask to secure wheelchair patron	1
Wheel chair patron denied boarding, BOC not called	0
Wheel chair patron passed-up	0
Stops not announced when AVA not in use	0
Patron appeared to have special needs, no assistance offered	0
Operator Safety Areas	
Using personal cell phone while driving bus	0
Driving unsafely	0
Eating or drinking while driving	2
Not wearing seat belt	9
Not obeying Traffic Laws	1
TOTAL	<u>13</u>

⁸ During the prior quarter (April to June 2010), we made 130 observations. Fewer observations were conducted in the current quarter because of staff reductions.

Final Report Distribution

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