

WSTC
WASHINGTON SUBURBAN
TRANSIT COMMISSION

MICHAEL GOLDMAN
CHAIR

TODD TURNER
VICE CHAIR

DONALD DRUMMER
SECRETARY-TREASURER

Wednesday, December 15, 2021
3:00 PM

Mid-Fiscal Year Meeting
Agenda

- I. Call to Order/Introductions (Chair)**
- II. Approval of the Agenda (Chair)**
- III. Approval of the Minutes (Chair)**
 - a. June 15, 2021
- IV. Public Comment**
 - a. Comments submitted by e-mail prior to the day of the meeting shall be read into the record.
 - b. Comments shall be limited to matters that pertain to the Washington Suburban Transit Commission (WSTC) or other transit issues.
- V. Introduction of New Commissioner: Mr. Christopher Zappi**
- VI. Presentation of WSTC FY 2021 Financial Audit (Pamela Gray, SB & Company, LLC.)**
 - a. Action Item – Seeking acceptance of the FY2021 Financial Audit
- VII. WSTC Update (Director, Washington Area Transit Office)**
 - a. Action Items – Pre-filed Legislation for the 2022 Legislative Session
 - i. PG/MC 103-22 – Bicounty Commissions – Ethics – Certification of Compliance
 - ii. PG/MC 111-22 – WSTC – Montgomery County Commissioners – Repeal of Term Limit
 - b. Action Item – WSTC FY2022 Mid-Year Financial Position & End-of-Year Forecast, and Proposed Amendment to the WSTC FY2022 Administrative Budget
 - c. Fiscal Year 2023 Proposed WSTC Administrative Budget Preview
 - d. Release of Audit-Related Capital Withholdings
 - e. Public Forum Planning
 - f. Level of Interest for Spring 2022 University of Maryland iSchool Project
 - g. Preview of the WMATA Fiscal Year 2023 Budget
 - h. Update on Status of WMATA's 7000-series Railcars

VIII. County Conversation

IX. Good of the Order (Chair)

X. Closing Remarks (Director, Washington Area Transit Office)

Tuesday, June 15, 2021

3:30 PM

WSTC Bi-Annual Commissioners Meeting Minutes

Commissioners in Attendance	
Mr. Thomas Graham, Chair	
Mr. Tom Hucker, Vice-Chair	
Mr. Mike Goldman	
Mr. Todd Turner	
Mr. Donald Drummer	
Mr. Earl Lewis, Maryland Department of Transportation	
Staff in Attendance	
Mr. Pat Pscherer Jr., Director, Washington Area Transit Office	
Ms. Tammy Cooper	
Ms. Sara LeBarron	
County Representatives	
Mr. Terry Bellamy, Prince George's County	
Mr. Anthony Foster, Prince George's County	
Mr. Chris Conklin, Montgomery County	
Mr. Gary Erenrich, Montgomery County	
Open to Public	

I. Chair Graham called the meeting to order at 3:30 PM

II. Approval of the Agenda

A motion to approve the agenda was seconded and unanimously approved.

III. Approval of the Minutes

A motion to approve the minutes from the December 16, 2020 was seconded and unanimously approved.

IV. Public Comment

No public comments were submitted

V. Introduction of New Commissioner: Mr. Donald Drummer

Col. Donald Drummer (US Army, Ret.) was appointed as a Commissioner of the WSTC by Governor Hogan on April 21, 2021. Mr. Drummer will also assume a position as a principal Director on the WMATA Board of Directors as of July 1, 2021.

VI. Appointment Status of Commissioner Michael Goldman

Mr. Michael Goldman has served two full, consecutive terms as a Commissioner on the WSTC and, as such, is not eligible for reappointment to a third consecutive term according to both the State and county statutes that govern the Commission, as well as the Commission's Bylaws.

Those same regulations state that, if no successor has been appointed to fill an impending vacancy, the incumbent Commissioner shall continue to serve in that role for a period of up to 12 additional months until the appointing agency identifies, qualifies, and appoints a successor.

Mr. Michael Goldman's current appointment expires June 30, 2021, but he has agreed to continue serving as a Commissioner of the Washington Suburban Transit Commission for up to 12 more months.

VII. WSTC Update

a. Update on WSTC Finances

i. End-of-Year Financial Position

Current financial position

- Fiscal year beginning balance: \$569,888
- Current expenses as of April 30, 2021: \$321,456
- Total revenues as of April 30, 2021: \$215,639
- Current end balance: \$464,071.

Forecast End-of-Year Financial Position

- The beginning M&T Bank balance is \$569,888
- Estimated expenses: \$414,770
- Estimated revenues of \$396,300
- Projected FY2021 end balance of \$551,418

ii. Approval of FY2022 WSTC Administrative Budget

The proposed FY2022 Administrative Budget totaled \$452,524. Based on the original approved FY2021 budget, this represents a decrease of 7%. This reduction includes the removal of the annual \$15,500 amortization payment - the full amount was paid in full in July 2020. The FY2022 Administrative budget was unanimously approved.

iii. Future Audit: WSTC's audit contract with SB&Co ends with the Fiscal Year 2021 audit. The Commission agreed to working with MDOT's procurement office to open a procurement bidding process and encouraging local minority- or women-owned businesses to apply.

b. Legislative Wrap-up

Mr. Pat Pscherer presented a summary of pertinent legislation introduced in the 2021 Legislative Session of the Maryland General Assembly.

i. HB0886 – Public Safety – Elevator Inspections - Transit Compact Authority – Del. Lewis (D - Pr. George's Co.)

Status at Adjournment: 1st Reader – Assigned to Environment and Transportation.

ii. SB0935 – Public Safety – Elevator Inspections - Transit Compact Authority – Sen. Augustine (D - Pr. George's Co.)

Status at Adjournment: 1st Reader – Never Assigned

iii. HB0666 – WMATA – Metro Transit Police – Quotas and Metro Transit Police Complaints Board – Del. Barron (D – Pr. George's Co.)

Status at Adjournment: 1st Reader – Assigned to Judiciary cross-filed with:

iv. SB0280 – WMATA – Metro Transit Police – Quotas and Metro Transit Police Complaints Board – Sen. Feldman (D – Mont. Co.)

Status at Adjournment: 1st Reader – Assigned to Judicial Proceedings

v. HB1340 – WMATA – Governance, Funding, and Reporting - Chair, Appropriations Committee

Status at Adjournment: 1st Reader – Never Assigned

vi. HB86 - Maryland Metro/Transit Funding Act - Alterations - Del. Korman (D - Mont. Co.)

ENROLLED – Previously House Bill 86 was vetoed by the governor at the end of the 2020 Regular Session, as it could have increased costs to the State at a time when he was unwilling to increase non-covid related expenses. The General Assembly overrode the veto by vote during the 2021 Regular Session. House Bill 86 is now Chapter 22.

- c. Office Matters
 - i. Chapter 185 Reporting: Requires the Commissioners to file two annual reports, Conflict of Interest and Lobbying. Must be submitted to the governing bodies of Montgomery and Prince George's County, as well as disclose the Conflict-of-Interest report on the website. The Commissioners are deemed public officials and are not allowed to be in the business of public transportation. Must file a financial disclose form with the State Ethics Board by April 30th of each year. The due date was met, and reports were uploaded to the website accordingly.
 - ii. Website: WSTC established www.wstcmaryland.org by April 30th, 2021 as required by Chapter 185. The website explains the role of the WSTC, provides contact information for the staff, houses information and materials from the semi-annual meetings and public forums, and archives required reporting documents. The website also includes direct links to WSTC's Facebook and Twitter accounts.
 - iii. Fall WSTC Public Forums: The Commission agreed a Public Forum should take place after Labor Day. A suggestion was made for either the first Tuesday or second Wednesday of October. When the date is agreed upon, that will be the reoccurring annual date for the fall public forum. The focus for this fall's meeting will be on input/suggestions from riders regarding the incentives available for public transportation and the Bus Redesign.
 - iv. December Meeting: The date for the next WSTC Bi-Annual meeting will be decided when the Commissioner's meet again.

VIII. County Conversation

- a. Bus Network Redesign Project Update: Redesigning and realigning the bus network including feedback from jurisdictional partners. WMATA will be moving forward with an RFP to bring in consultants. This RFP will have input from Maryland, Virginia and Washington, D.C.; a representative from NVTC and Pat Pscherer, Jr will be serving on the committee.
- b. Montgomery County: Updates on a range of services provided by Montgomery County including Ride On service: regular fixed-route service; Ride On Extra service, which has limited stops; Flex Service, which provides on-demand responsive service; and, most recently, Flash service which started last year.
- c. Prince George's County: Prince George's County received new buses from Patera in April and expects them online towards the end of summer or early fall. Prince George's County Link re-activated two routes dormant since COVID-19. Prince Georges County Connect, which can be downloaded to their smartphone, is a new tracking software which will provide riders with real-time information on buses. The Bus Saturday service has been increasing.

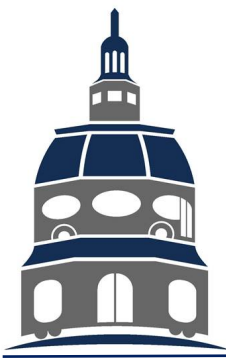
IX. Election of Officers for FY2022

- A. Mr. Goldman was unanimously approved as Chairman
- B. Mr. Turner was unanimously approved as Vice-Chair
- C. Mr. Drummer was unanimously approved as the Secretary / Treasurer

X. Good of the Order

XI. Closing Remarks

Outgoing Chair Thomas Graham adjourned the meeting at 5:10 PM



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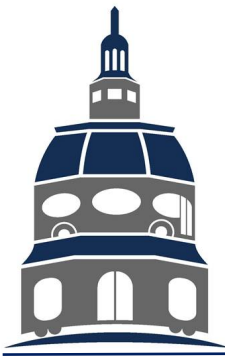
Christopher Zappi
County Executive Appointee
Montgomery County



Mr. Christopher Zappi was appointed to the Washington Suburban Transit Commission representing Montgomery County in November 2021. He is a Director at Amtrak focused on transportation policy strategy and partnerships. In prior roles at Amtrak, Mr. Zappi managed a team responsible for improving the on-time performance of Amtrak trains operating on host railroads, which account for 97% of Amtrak's route network. In addition, he led the development and implementation of a successful bid to operate the MARC Penn Line commuter rail service in Maryland, launched Amtrak's partnership with Lyft, and advised the CEO and executive team on corporate strategy. Previously, Mr. Zappi worked in infrastructure investing at Goldman Sachs and strategy and operations roles at GE Energy and Accenture.

Mr. Zappi also serves on the Washington Metropolitan Area Transit Authority Board of Directors as an Alternate Director representing the State of Maryland.

Mr. Zappi has an economics degree from Cornell and MBA from Yale. He lives in Kensington, MD with his wife and son and is active in community efforts to improve pedestrian and bicyclist safety.



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December 15, 2021

Action Item

Acceptance of the WSTC FY 2021 Financial Audit

Background:

Each year the Washington Suburban Transit Commission contracts with an independent certified public accounting firm to conduct an audit of the WSTC's financial accounts. Ms. Pamela Gray with SB & Company, LLC will present the results of the audit of the WSTC's Fiscal Year 2021 finances.

Recommendation:

Staff are seeking acceptance of the financial audit of the WSTC's Fiscal Year 2021 accounts.



December 15, 2021

Action Item

Pre-Filed Legislation for the 2022 Maryland State Legislative Session Affecting the WSTC

PG/MC 103-22 – Bicounty Commissions - Ethics - Certification of Compliance

Requested by: Delegate Carr (D - Mont. Co.)

Pursuant to the 2020 Regular Session of the Maryland General Assembly, House Bill 370 was enacted on May 8, 2020 as Chapter 185 - Bicounty Commissions – Annual Reports – Conflicts of Interest and Lobbying - PG/MC 102–20 (hereafter Chapter 185, or Ch. 185) under Article II, §17(c) of the Maryland Constitution. Chapter 185 added to the list of ethics requirements for Maryland’s three bicounty Commissions – the Washington Suburban Transit Commission (WSTC), the Washington Suburban Sanitary Commission (WSSC), and the Maryland-National Capital Park and Planning Commission (M-NCPPC) – the requirement that each bicounty Commission publish on its website an annual report on conflicts of interest and lobbying by or of the Commission and its Commissioners.

This newly proposed legislation would require each bicounty Commission to certify to the Ethics Commission that it is in compliance with the reporting requirement added by Chapter 185. This certification would be in addition to submitting copies of the reports to the governing bodies of each county in which the bicounty Commission operates (Pr. George’s and Montgomery counties) and publishing the reports the Commissions’ websites.

This proposed legislation has an effective date of October 1, 2022. Reporting due by April 30, 2022, would not be affected by this proposed change.

Bill text: https://www.montgomerycountydelegation.com/2022/documents/PGMC103-22_LR0630WR.pdf

Bill History:

- The bill was heard before the Montgomery County Delegation on December 13, 2021.
- A recording of the live-streamed hearing can be on the Delegation's YouTube page at: <https://www.youtube.com/channel/UCbZz9T0h3xWo2ZWaEveO-9g>

Recommendation:

WSTC staff request guidance as to the Commission’s desire to submit a formal position on the proposed legislation. If it is the desire of the Commission to offer a position, options include:

- Support
- Support with Amendment
- Oppose

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Kufera

Typed by: Julia

Stored – 10/20/21

Proofread by _____

Checked by _____

By: **Prince George's County Delegation and Montgomery County Delegation**

Requested by: Delegate Carr

A BILL ENTITLED

1 AN ACT concerning

2 **Bicounty Commissions – Ethics – Certification of Compliance**

3 **PG/MC 103–22**

4 FOR the purpose of requiring each bicounty commission to certify to the Ethics Commission
5 that the bicounty commission is in compliance with requirements relating to conflicts
6 of interest, financial disclosure, and lobbying; and generally relating to bicounty
7 commissions and ethics.

8 BY repealing and reenacting, with amendments,
9 Article – General Provisions
10 Section 5–823, 5–829, and 5–830
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2021 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – General Provisions**

16 5–823.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) Each bicounty commission shall adopt regulations relating to conflicts of interest of its employees.

(b) At a minimum, the conflict of interest standards applicable to public officials under Subtitle 5 of this title shall apply to the employees of each bicounty commission.

(c) Each bicounty commission shall file with the Ethics Commission a copy of its regulations relating to conflicts of interest.

(d) On or before April 30 each year, each bicounty commission shall:

(1) (I) prepare an annual report on its conflict of interest issues and regulations during the previous calendar year;

[(2)] (II) submit the report to the governing body of each county in which the bicounty commission operates; and

[(3)] (III) publish the report on the website of the bicounty commission;
AND

(2) CERTIFY TO THE ETHICS COMMISSION THAT THE BICOUNTY COMMISSION IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

5–829.

(a) Each bicounty commission shall adopt regulations relating to financial disclosure by its employees.

(b) The regulations required by this section:

(1) shall be substantially similar to the State financial disclosure provisions of Subtitle 6 of this title; and

(2) may not conflict with the financial disclosure provisions for commissioners and applicants specified in §§ 5–824 through 5–828 of this subtitle.

(c) Each bicounty commission shall submit the regulations adopted under this section, and any amendments to the regulations, to:

(1) the Ethics Commission; and

(2) the governing body of each county in which the bicounty commission operates.

(D) ON OR BEFORE APRIL 30 EACH YEAR, EACH BICOUNTY COMMISSION SHALL CERTIFY TO THE ETHICS COMMISSION THAT THE BICOUNTY COMMISSION IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

5–830.

(a) Each bicounty commission shall adopt regulations relating to lobbying of that bicounty commission.

(b) At a minimum, the regulations adopted by a bicounty commission shall be similar to the provisions of Subtitle 7 of this title.

(c) Each bicounty commission shall submit to the Ethics Commission a copy of its regulations relating to lobbying.

(d) On or before April 30 each year, each bicounty commission shall:

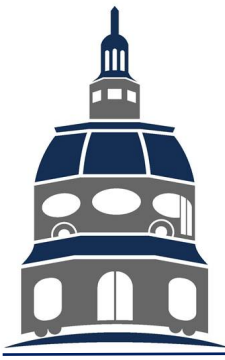
(1) **(I)** prepare an annual report on the lobbying before the bicounty commission and regulation of that lobbying by the bicounty commission for the previous calendar year;

[(2)] **(II)** submit the report to the governing body of each county in which the bicounty commission operates; and

[(3)] **(III)** publish the report on the website of the bicounty commission;
AND

(2) CERTIFY TO THE ETHICS COMMISSION THAT THE BICOUNTY COMMISSION IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.



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December 15, 2021

Action Item

Pre-Filed Legislation for the 2022 Maryland State Legislative Session Affecting the WSTC

PG/MC 111-22 – *Washington Suburban Transit Commission – Montgomery County Commissioners – Repeal of Term Limit*

Requested by: Delegate Solomon (D – Mont. Co.)

With the exception of the Maryland Secretary of Transportation, whose position is ex officio, and the Prince George's County Commissioner appointed from amongst the Councilmembers of the Prince George's County Council, whose position is contingent upon their continued membership on the Prince George's County Council (which is already limited to two four-year terms), Commissioners of the Washington Suburban Transit Commission (WSTC) are currently limited to serving two consecutive four-year terms on the WSTC. This proposed legislation would repeal the term limits on Commissioners of the WSTC appointed by the County Executive of Montgomery County. Term limits for all other Commissioners of the WSTC would remain in place.

This proposed legislation has an effective date of July 1, 2022.

Bill text: https://www.montgomerycountydelegation.com/2022/documents/PGMC111-22_LR0474WR.pdf

Bill History:

- The bill will be heard before the Montgomery County Delegation on December 15, 2021.
- The hearing will be live-streamed beginning at 7:00 PM on the Delegation's YouTube page at: <https://www.youtube.com/channel/UCbZz9T0h3xWo2ZWaEveO-9g>
- A recording of the live-streamed hearing will be available on the Delegation's YouTube page after its conclusion.

Recommendation:

WSTC staff request guidance as to the Commission's desire to submit a formal position on the proposed legislation. If it is the desire of the Commission to offer a position, options include:

- Support
- Support with Amendment
- Oppose

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Baker

Typed by: Julia

Stored – 10/25/21

Proofread by _____

Checked by _____

By: **Montgomery County Delegation and Prince George's County Delegation**

Requested by: Delegate Solomon

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Transit Commission – Montgomery County**
3 **Commissioners – Repeal of Term Limit**4 **PG/MC 111–22**5 FOR the purpose of repealing the prohibition against a Commissioner of the Washington
6 Suburban Transit Commission serving more than a certain number of consecutive
7 terms as it applies to a Commissioner appointed by the County Executive of
8 Montgomery County; and generally relating to the Washington Suburban Transit
9 Commission.10 BY repealing and reenacting, without amendments,
11 The Public Local Laws of Montgomery County
12 Section 87–5(a)(1) and (2)
13 Article 16 – Public Local Laws of Maryland
14 (2004 Edition and July–August 2021 Supplement, as amended)15 BY repealing and reenacting, with amendments,
16 The Public Local Laws of Montgomery County
17 Section 87–5(a)(10)
18 Article 16 – Public Local Laws of Maryland
19 (2004 Edition and July–August 2021 Supplement, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, without amendments,
The Public Local Laws of Prince George's County
Part III, Section 5(a)(1) and (2)
Article 17 – Public Local Laws of Maryland
(2015 Edition and 2018 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Part III, Section 5(a)(10)
Article 17 – Public Local Laws of Maryland
(2015 Edition and 2018 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article 16 – Montgomery County

87–5.

(a) (1) The commission consists of 7 members.

(2) (i) The County Executive of Montgomery County shall appoint 2
members, subject to the confirmation of the Montgomery County Council.

(ii) Of these two appointees, one shall be designated by the County
Executive to serve as an alternate member of the Washington Metropolitan Area Transit
Authority Board of Directors.

(10) (i) Commissioners, other than the required member from the Prince
George's County Council, serve for a term of 4 years which begins on July 1 [, and].

**(II) COMMISSIONERS, OTHER THAN THE REQUIRED MEMBER
FROM THE PRINCE GEORGE'S COUNTY COUNCIL AND THE MEMBERS APPOINTED BY
THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY,** may not serve more than two
consecutive terms.

[(ii)] (III) The terms of the commissioners, other than the required

1 member from the Prince George's County Council, shall be staggered as required by the
2 terms provided for commissioners on October 1, 2012.

3 **[(iii)] (IV)** The commissioner required from the Prince George's
4 County Council serves while a member of the county council, and at the pleasure of the
5 County Executive and County Council of Prince George's County.

6 **Article 17 – Prince George's County**

7 Part III.

8 5.

9 (a) (1) The Commission consists of 7 members.

10 (2) (A) The County Executive of Montgomery County shall appoint 2
11 members, subject to the confirmation of the Montgomery County Council.

12 (B) Of these two appointees, one shall be designated by the County
13 Executive to serve as an alternate member of the Washington Metropolitan Area Transit
14 Authority Board of Directors.

15 (10) (A) Commissioners, other than the required member from the Prince
16 George's County Council, serve for a term of 4 years which begins on July 1[, and a
17 maximum of].

18 **(B) COMMISSIONERS, OTHER THAN THE REQUIRED MEMBER**
19 **FROM THE PRINCE GEORGE'S COUNTY COUNCIL AND THE MEMBERS APPOINTED BY**
20 **THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY, MAY NOT SERVE MORE THAN**
21 two consecutive terms.

22 **[(B)] (C)** The terms of the Commissioners, other than the required
23 member from the Prince George's County Council, shall be staggered as required by the
24 terms provided for Commissioners on October 1, 2012.

25 **[(C)] (D)** The Commissioner required from the Prince George's
26 County Council serves while a member of the County Council, and at the pleasure of the
27 County Executive and County Council of Prince George's County.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2022.



MICHAEL GOLDMAN
CHAIR

TODD TURNER
VICE CHAIR

DONALD DRUMMER
SECRETARY-TREASURER

December 15, 2021

Action Item

FY2022 Mid-Year Financial Position & End-of-Year Forecast, and Proposed Amendment to the FY2022 Administrative Budget

Background:

The WSTC began fiscal Year 2022 with a beginning balance of \$543,666 in its M&T Bank business account. As approved by the Commission at the June 15, 2021 semi-annual business meeting, the administrative budget for Fiscal Year 2022 totaled \$452,524. Administrative expenses as of the end of the first quarter (Q1, ending September 30, 2021) totaled \$88,113, and revenues received total \$40,530. This includes \$10,770 from MDOT MTA in payment for their portion of the FY2021 administrative budget (received after July 1, 2021). As of the end of Q1, the ending balance was \$496,083. Year-to-date actuals for administrative expenses as of November 30, 2021 amounted to \$140,429, leaving an ending balance of \$453,686.

The current forecast for FY2022 estimates total administrative expenditures of \$348,456, while the approved budget includes expenditures totaling \$452,524, a difference of \$104,068. This overbudgeting included the hiring of a Transit Analyst in FY2022, with salary and benefits budgeted at \$100,000, and \$5,000 for two intern positions. The potential use of other avenues for student assistance and continued COVID continued concerns which would have made in-person student assistance more difficult led to the decision to forgo pursuing paid student interns. The hiring of a Transit Analyst was deferred until such time as a significant need was identified.

Additionally, as per the WSTC Bylaws, "All Commission employees shall follow the Maryland Department of Transportation's personnel policies, including, but not limited to, salary guidelines and employee leave benefits." Parity with proposed MDOT salary adjustments would add \$2,578 to the wages of the WSTC's current employees for the remainder of FY2022.

In consideration of the continued high balance in the WSTC's business account, staff propose amending the FY2022 administrative budget. FY2022 expenses will decrease \$102,422, while the FY2022 subsidy requests will decline by a total of \$105,000. This reduction will decrease the subsidy requests to MDOT, Montgomery County, and Prince George's County by \$35,000 each. The difference of \$2,578 will be absorbed by the carry-over account balance.

Recommendation:

Staff seek approval of the Commission to amend the FY2022 administrative budget, reducing budgeted expenses by \$102,422 and subsidy requests by \$105,000.

**Washington Suburban Transit Commission
Fiscal Year 2022 Approved Budget**

	FY 2022 Approved Budget	ALLOCATION			
		MDOT	Montgomery	Prince George's	MTA
PERSONNEL COSTS*					
Employee Salaries	\$ 195,783	\$ 65,261	\$ 65,261	\$ 65,261	\$ -
Employee and Retiree Benefits	\$ 120,901	\$ 38,956	\$ 34,257	\$ 34,257	\$ 13,430
<i>Personnel Costs Total</i>	\$ 316,684	\$ 104,217	\$ 99,518	\$ 99,518	\$ 13,430
COMMISSIONER COMPENSATION					
State of Maryland Commissioners	\$ 40,250	\$ 40,250	\$ -	\$ -	\$ -
Montgomery County Commissioners	\$ 17,500	-	17,500	-	-
Prince George's County Commissioners	-	-	-	-	-
<i>Commissioner Compensation Total</i>	\$ 57,750	\$ 40,250	\$ 17,500	\$ -	\$ -
OPERATING EXPENSES					
Accounting/Audit fees	\$ 7,952	\$ 1,988.00	\$ 1,988.00	\$ 1,988.00	\$ 1,988.00
Bank/Payroll fees	2,000	500	500	500	500
Insurance	750	188	188	188	188
Internet service	2,400	600	600	600	600
Local travel	100	25	25	25	25
Miscellaneous	1,000	250	250	250	250
Office supplies	160	40	40	40	40
Rent	59,328	14,832	14,832	14,832	14,832
Office telephone services	2,400	600	600	600	600
Software Maintenance	1,200	300	300	300	300
Public Forums	800	200	200	200	200
<i>Operating Expenses Total</i>	\$ 78,090	\$ 19,523	\$ 19,523	\$ 19,523	\$ 19,523
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 452,524	\$ 163,990	\$ 136,541	\$ 119,041	\$ 32,953
REVENUES					
Grants and Contributions	\$ 452,524	\$ 163,990	\$ 136,541	\$ 119,041	\$ 32,953
TOTAL ADMINISTRATIVE REVENUES	\$ 452,524	\$ 163,990	\$ 136,541	\$ 119,041	\$ 32,953

* There are three permanent Washington Suburban Transit Commission (WSTC) positions: a Financial Analyst, an Office Manager, and a Transit Analyst. The Transit Analyst position is currently vacant but intends to be filled by the Commission. The personnel cost for these positions is allocated equally among Montgomery County, Prince George's County, and the Maryland Department of Transportation (MDOT).

**WSTC FY22 First Quarter Actuals & Fiscal Year
Forecast**

Beginning Balance \$ 543,666

FY2022		Actuals		FY2022	Increase / Decrease
<u>Administrative Budget</u>	<u>Approved Budget</u>	<u>First Quarter</u>	<u>As of 11/30/2021</u>	<u>Forecast</u>	<u>FY22 Approved budget versus FY22 forecast</u>
Personnel Costs	\$316,684	(\$54,192)	(\$87,031)	(\$216,821)	-46%
Commissioner Compensation	\$57,750	(\$10,062)	(\$18,437)	(\$53,583)	-8%
Operating Expenses					
<i>Lease</i>	\$59,328	(\$19,776)	(\$29,664)	(\$59,328)	0%
<i>Other Operating Expenses</i>	\$18,762	(\$4,083)	(\$5,297)	(\$18,724)	0%
Operating Expenses Total	\$78,090	(\$23,859)	(\$34,961)	(\$78,052)	0%
Total Administrative Expenditures	\$452,524	(\$88,113)	(\$140,429)	(\$348,456)	-30%
Total Administrative Revenues	\$452,524	\$40,530	\$50,450	\$463,294	2%
Ending Balance		\$ 496,083	\$ 453,686	\$ 658,504	17%

**Washington Suburban Transit Commission
PROPOSAL to Amend FY2022 Budget**

	FY 2022 PROPOSED AMENDMENT	ALLOCATION			
		MDOT	Montgomery	Prince George's	MTA
PERSONNEL COSTS*					
Employee Salaries	\$ 195,783	\$ 65,261	\$ 65,261	\$ 65,261	\$ -
Calendar Year 2022 Employee Salary Increases	\$ 2,578	\$ 859	\$ 859	\$ 859	
Less Vacant Position	\$ (65,000)	\$ (21,667)	\$ (21,667)	\$ (21,667)	
Less Interns	\$ (5,000)	\$ (1,667)	\$ (1,667)	\$ (1,667)	\$ -
Amended Total Employee Salaries	\$ 128,361	\$ 42,787	\$ 42,787	\$ 42,787	
Employee and Retiree Benefits	\$ 120,901	\$ 38,956	\$ 34,257	\$ 34,257	\$ 13,430
Less Vacant Position	\$ (35,000)	\$ (11,667)	\$ (11,667)	\$ (11,667)	\$ -
Amended Total Benefits	\$ 85,901	\$ 27,289	\$ 22,590	\$ 22,590	\$ -
Personnel Costs Total	\$ 214,262	\$ 70,076	\$ 65,377	\$ 65,377	\$ 13,430
COMMISSIONER COMPENSATION					
State of Maryland Commissioners	\$ 40,250	\$ 40,250	\$ -	\$ -	\$ -
Montgomery County Commissioners	\$ 17,500	-	17,500	-	-
Prince George's County Commissioners	-	-	-	-	-
Commissioner Compensation Total	\$ 57,750	\$ 40,250	\$ 17,500	\$ -	\$ -
OPERATING EXPENSES					
Accounting/Audit fees	\$ 7,952	\$ 1,988.00	\$ 1,988.00	\$ 1,988.00	\$ 1,988.00
Bank/Payroll fees	2,000	500	500	500	500
Insurance	750	188	188	188	188
Internet service	2,400	600	600	600	600
Local travel	100	25	25	25	25
Miscellaneous	1,000	250	250	250	250
Office supplies	160	40	40	40	40
Rent	59,328	14,832	14,832	14,832	14,832
Office telephone services	2,400	600	600	600	600
Software Maintenance	1,200	300	300	300	300
Public Forums	800	200	200	200	200
Operating Expenses Total	\$ 78,090	\$ 19,523	\$ 19,523	\$ 19,523	\$ 19,523
ORIGINAL ADMINISTRATIVE EXPENDITURES	\$ 452,524	\$ 163,990	\$ 136,541	\$ 119,041	\$ 32,953
LESS: Salary and Benefit Adjustments	\$ (102,422)	\$ (34,141)	\$ (34,141)	\$ (34,141)	\$ -
NET AMENDED ADMINISTRATIVE EXPENDITURES	\$ 350,102	\$ 129,849	\$ 102,400	\$ 84,900	\$ 32,953
REVENUES					
Grants and Contributions	\$ 452,524	\$ 163,990	\$ 136,541	\$ 119,041	\$ 32,953
LESS: Subsidy Reduction	\$ (105,000)	\$ (35,000)	\$ (35,000)	\$ (35,000)	\$ -
TOTAL ADMINISTRATIVE REVENUES	\$ 347,524	\$ 128,990	\$ 101,541	\$ 84,041	\$ 32,953

* There are three permanent Washington Suburban Transit Commission (WSTC) positions: a Financial Analyst, an Office Manager, and a Transit Analyst. The Transit Analyst position is currently vacant but intends to be filled by the Commission. The personnel cost for these positions is allocated equally among Montgomery County, Prince George's County, and the Maryland Department of Transportation (MDOT).

Amended Proposal of the FY22 WSTC Budget

Beginning Balance	\$	543,666
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FY2022			Increase / Decrease
<u>Administrative Budget</u>	<u>Approved Budget</u>	<u>Proposed Budget</u>	<u>Approved vs Proposed</u>
Personnel Costs	\$ 316,684	\$ 214,262	-48%
Commissioner Compensation	\$ 57,750	\$ 57,750	0%
Operating Expenses			
<i>Lease</i>	59,328	59,328	0%
<i>Other Operating Expenses</i>	\$ 18,762	\$ 18,762	0%
Operating Expenses Total	78,090	78,090	0%
Total Administrative Expenditures	\$ 452,524	\$ 350,102	-29%
Total Administrative Revenues	\$ 452,524	\$ 350,102	<u>-29%</u>
Ending Balance	\$ 658,504	\$ 543,666	-21%



MICHAEL GOLDMAN
CHAIR

TODD TURNER
VICE CHAIR

DONALD DRUMMER
SECRETARY-TREASURER

December 15, 2021

Information Item

Fiscal Year 2023 Proposed WSTC Administrative Budget Preview

Background:

The proposed WSTC administrative budget for FY2023 totals \$459,689. This reflects a 1.6% increase over the approved FY2022 administrative budget. While employee salaries include a presumptive cost of living adjustment to be applied at the beginning of the next calendar year, the line item decreases by 0.3% overall as a result of removing the previously estimated intern stipends. Total personnel costs, including salaries and benefits, totals \$320,110. This is the largest category in the budget, representing 70% of the anticipated administrative expenses of the office. The FY2023 fully funds the Transit Analyst position, which the Director intends to fill. The formal kick-off of WMATA's Bus Network Redesign Project creates a need for this skill set not provided by current Commission staff.

Commissioner compensation is back to its full amount (\$57,570) now that all Commission seats are once again full. This budget category covers payment to two Gubernatorial appointees to the Commission and one Commissioner appointed by the County Executive from Montgomery County. The Prince George's County Executive's appointee is remunerated directly by the County, and their compensation is not included in the WSTC administrative budget. One additional appointee from each county is currently an elected official and, hence, serves on the Commission pro bono. The Secretary of Transportation is likewise not additionally compensated for their service on the WSTC.

The Fiscal Year 2022 administrative budget included the final year in the multi-year contract for audit services from SB & Company. This contract will go out for bid for the next audit year. The estimated cost represents an increase of 3% over the FY2022 costs – an average of the annual cost increases from SB & Co over the last three years. The projected cost of insurance reduced to more closely reflect current expenditures. The cost for telephone services for the office was also reduced, by almost 20%, as a result of cancelling an additional phone line that had not seen use in over five years, saving over \$400 annually.

Other notable increases in the operating expenses include a modest increase in office supplies (a direct result of returning, even if less than full-time) to the office, and reinstating the WSTC's membership in the American Public Transportation Association (APTA). The WSTC allowed its APTA membership to lapse a few years ago. The membership was reactivated in FY2022 (total cost: \$1,425).

Rent, totaling \$59,328 annually and representing 76% of non-personnel related office expenses, is locked in through December 30, 2023.

Recommendation:

This is an information item. This preview is for discussion purposes only. The final WSTC FY2023 Administrative Budget must be approved by the June 30, 2022.

**Washington Suburban Transit Commission
Fiscal Year 2023 PROPOSED Administrative Budget**

DRAFT	FY 2023	ALLOCATION			
	PROPOSED	MDOT	Montgomery	Prince George's	MTA
PERSONNEL COSTS*					
Salaries	\$ 195,231	\$ 65,077	\$ 65,077	\$ 65,077	\$ -
Fringe and Benefits	124,880	40,282	35,584	35,584	13,430
<i>Personnel Costs Total</i>	\$ 320,110	\$ 105,359	\$ 100,660	\$ 100,660	\$ 13,430
COMMISSIONER COMPENSATION					
State of Maryland Commissioners	\$ 40,250	\$ 40,250	\$ -	\$ -	\$ -
Montgomery County Commissioners	20,000	-	20,000	-	-
Prince George's County Commissioners	-	-	-	-	-
<i>Commissioner Compensation Total</i>	\$ 60,250	\$ 40,250	\$ 20,000	\$ -	\$ -
OPERATING EXPENSES					
Accounting/Audit fees**	\$ 8,191	\$ 2,048	\$ 2,048	\$ 2,048	\$ 2,048
Bank/Payroll fees	2,000	500	500	500	500
Insurance	550	138	138	138	138
Internet service	2,400	600	600	600	600
Local travel	100	25	25	25	25
Miscellaneous	2,625	656	656	656	656
Office supplies	200	50	50	50	50
Rent	59,328	14,832	14,832	14,832	14,832
Office telephone services	1,935	484	484	484	484
Software Maintenance	1,200	300	300	300	300
Public Forums	800	200	200	200	200
<i>Operating Expenses Total</i>	\$ 79,329	\$ 19,832	\$ 19,832	\$ 19,832	\$ 19,832
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 459,689	\$ 165,441	\$ 140,493	\$ 120,493	\$ 33,262
REVENUES					
<i>Grants and Contributions</i>	\$ 459,689	\$ 165,441	\$ 140,493	\$ 120,493	\$ 33,262
TOTAL ADMINISTRATIVE REVENUES	\$ 459,689	\$ 165,441	\$ 140,493	\$ 120,493	\$ 33,262

* There are three permanent Washington Suburban Transit Commission (WSTC) positions: a Financial Analyst, an Office Manager, and a Transit Analyst. The Transit Analyst position is currently vacant but intends to be filled by the Commission. The personnel cost for these positions is allocated equally among Montgomery County, Prince George's County, and the Maryland Department of

** Estimate based on 3% increase from prior year pending new audit contract.



December 15, 2021

Information Item

Release of Withheld WMATA Capital Subsidy Funds

Background:

In response to separate issues, the Maryland Department of Transportation (MDOT) withheld portions of capital subsidy payments to WMATA.

MDOT's Office of Audits encountered resistance in its attempts to complete an audit of WMATA's Fiscal Year 2016/2017 finances and subsidy calculations. In order to incentivize compliance with this audit, MDOT temporarily withheld \$1,189,264 from its FY2018 fourth quarter capital payment.

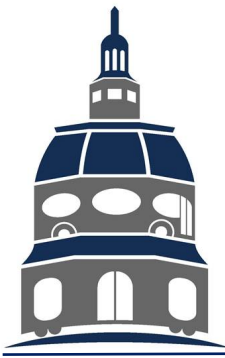
Again experiencing problems completing its audit, MDOT withheld \$13.8 million in capital funding from its FY2020 Quarter 1 capital subsidy payment, and \$21.8 million from its Quarter 2 capital payment – a total of \$35,586,809 – pending completion of its audit of FY2018 finances and subsidy calculations.

With the completion of these audits, MDOT has prepared to release the withheld funding. To offset overpayments totaling \$2,167,302 identified in the FY2018 audit findings, \$34,608,771 of the total \$36,776,073 in withholdings will be released. The payment is scheduled to be made on or before January 1, 2022.

FY2018 Q4 Capital withholding due to resolution of the WMATA FY2016/2017 Audit.	\$ 1,189,264
FY2020 Q1 and Q2 Capital withholding due to completion of the WMATA FY2018 Audit.	\$35,586,809
Reduction of one-time payment to offset overpayments identified in the FY2018 audit	<u>(\$2,167,302)</u>
MDOT Payment for CIP Payments withheld by MD	\$ 34,608,771

Recommendation:

This item is for information only.



WSTC

WASHINGTON SUBURBAN
TRANSIT COMMISSION

MICHAEL GOLDMAN
CHAIR

TODD TURNER
VICE CHAIR

DONALD DRUMMER
SECRETARY-TREASURER

December 15, 2021

Information Item

WSTC Public Forum Planning

Background:

The Washington Suburban Transit Commission (WSTC) has endeavored to increase its visibility and improve information sharing with the public on transit-related issues over the last few years. To this end, the Commission convened Public Forums in the fall of 2018 and 2019, and in February 2021. At the request of the Commission, a Public Forum will again be conducted in the winter of 2022.

In order to minimize the meeting burden on WSTC Commissioners who also serve as members of the Board of Directors for the Washington Metropolitan Area Transit Authority (WMATA), possible Public Forum dates were constrained to avoid overlap with weeks in which there are already WMATA Board obligations scheduled (Board and Committee meetings, Compact public hearings). Additionally, Monday, January 17, 2022 is not recommended as it is the federal observance of Rev. Dr. Martin Luther King, Jr. Day. In consideration of the fact that two Commissioners of the WSTC are county elected officials, and County Council meetings are typically scheduled for Tuesdays, January 18, 2022 was likewise not considered.

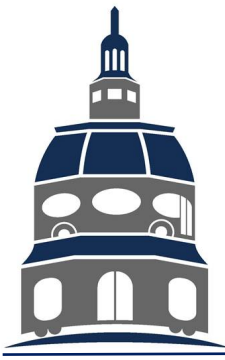
The remaining dates in January proposed for the winter 2022 WSTC Public Forum include:

- Wednesday, January 19, 2022
- Thursday, January 20, 2022
- Friday, January 21, 2022

Other dates suggested and/or preferred by the Commission may be considered. Topics and guest presenters will be determined pursuant to establishing the meeting.

Recommendation:

If it is the will of the Commission to convene a Public Forum, WSTC staff recommend the Commission select from among January 19 – 21, 2022 for a date on which to hold a Public Forum, to be held virtually and coordinated by the WSTC, to present transit-related topics to the public.



WSTC
WASHINGTON SUBURBAN
TRANSIT COMMISSION

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DONALD DRUMMER
SECRETARY-TREASURER

December 15, 2021

Information Item

WSTC Interest in Collaborating with the University of Maryland College of Information Studies for a Spring 2022 Student Project

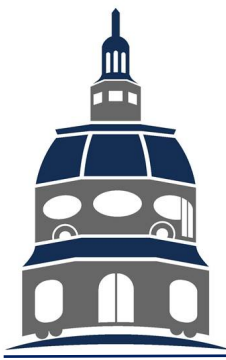
Background:

During the spring 2021 semester, a team of undergraduate students from the University of Maryland's College of Information Studies (iSchool) conducted a capstone course project sponsored by the WSTC. Working with data provided by the Prince George's County Department of Public Works and Transportation (DPW&T) and the Montgomery County Department of Transportation (MCDOT), the students attempted to analyze changes in bus ridership pre-pandemic versus the current state and help determine the efficacy of certain fare and ridership initiatives.

Mr. Andrew Fellows, Faculty Research Specialist and capstone course advisor with the UMCP iSchool, has once again reached out inquiring about the desire and willingness of the WSTC to engage in another student data analysis project. As before, the project would need to be data oriented, and that data would need to be provided by the jurisdictions (MCDOT and DPW&T).

Recommendation:

While this is an information item, WSTC staff request guidance from the Commission and the jurisdictions as to their interest level in further pursuing a partnership with the UMCP iSchool, and ideas for potential student projects.



WSTC

WASHINGTON SUBURBAN
TRANSIT COMMISSION

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December 15, 2021

Information Item

Preview of the WMATA Fiscal Year 2023 Budget

Background:

OPERATING BUDGET

WMATA's proposed FY2023 operating budget includes expenses totaling \$2.282 billion. This includes \$1.515 billion in personnel-related costs, and \$737 million in non-personnel expenses.

Service levels built into Operating expenses

Rail (headways):

	AM/PM Peak	All Day	Late Night
	5:00AM-9:30AM	9:30AM-3:00PM	
	<u>3:00PM-7:00PM</u>	<u>7:00PM-9:30PM</u>	<u>9:30PM-Close</u>
Red Line	5 minutes	6 minutes	10 minutes
Other Lines	10 minutes	12 minutes	15 minutes

Bus: 129 bus lines, 12 minute frequency on 20 lines, and 20 minute frequency 16 lines

Paratransit: 766 vehicle fleet (539 vans, 227 sedans)

Fares:

- Continuation of September 2021 Board-approved fare discounts
 - \$2 weekend flat fares
 - Free rail-to-bus transfer (\$2 discount)
 - \$12 seven-day regional bus pass
- Newly proposed fare discounts
 - \$2 late night flat fare (like weekend flat fare)
 - Discount monthly passes
 - Discount 7-day Unlimited pass (6-month pilot)
 - Add Value bonus (6-month pilot)

Covering the FY2023 Operating Expenses

Total Expenses: \$2,282.2 million

Revenues

Passenger	\$ 293.1 million (based on return to 53% of pre-pandemic ridership)
Non-passenger	\$ 81.5 million
Jurisdictional Subsidies	\$1,191.9 million
Federal Relief Funds	<u>\$ 715.8 million</u>
Total Revenues	\$ 2,282.2 million

Jurisdictional Operating Subsidies

	FY2023 Base	Legislative Exclusions*	FY2023 Total
Maryland	\$ 435,863,655	\$16,258,080	\$ 452,121,735
DC	\$ 410,552,664	\$16,157,015	\$ 426,709,679
Virginia	<u>\$ 296,525,572</u>	<u>\$16,538,573</u>	<u>\$ 313,064,145</u>
Total	\$1,142,941,891	\$48,953,668	\$1,191,895,559

*Legislative Exclusions programmed above the 3% cap on operating subsidy increases:

- Juneteenth: \$3.2 million
- WMSC safety mandates: \$3.4 million
- Beginning of service on Silver Line Phase 2: \$40.8 million
- Opening of Potomac Yard station (Yellow Line): \$1.5 million

CAPITAL BUDGET

WMATA's proposed FY2023 Capital Improvement Program (CIP) budget includes \$2.3 billion in capital improvements, \$12 million in assumed revenue losses applied to the operating budget as a direct result of capital projects, and \$101 million in debt service payments. This combined Capital Program totals \$2.425 billion. The WMATA's six-year CIP (from FY2023 – FY2028) includes \$12.4 billion in capital improvements, \$60 million in revenue losses, and \$1.5 billion in debt service payments.

WMATA's plans for funding the FY2023 and six-year CIP look include:

	<u>FY2023</u>	<u>6-yr CIP</u>
• Federal Grants	\$ 491 million	\$ 2.3 billion
• Jurisdictional Contributions	\$ 934 million	\$ 5.7 billion
• Reimbursable Projects	\$ 40 million	\$ 0.1 billion
• MWAA	\$ 10 million	\$ 0.04 billion
• <u>Debt & Other</u>	<u>\$ 949 million</u>	<u>\$ 5.8 billion</u>
• Total Funding Sources	\$2,425 million	\$14.0 billion

Jurisdictional Capital Subsidies

	<u>FY2023</u>	<u>6-yr CIP</u>
• Maryland	\$313,126,607	\$1.924 billion
• DC	\$330,653,621	\$2.018 billion
• <u>Virginia</u>	<u>\$290,087,116</u>	<u>\$1.793 billion</u>
• Total	\$933,867,344	\$5.735 billion

Maryland's Proposed Fiscal Year 2023 Total Subsidy Request

• Operating	\$452,121,735
• Capital	\$313,126,607
• <u>Debt Service</u>	<u>\$ 31,229,125</u>
• Total	\$796,477,467



MICHAEL GOLDMAN
CHAIR

TODD TURNER
VICE CHAIR

DONALD DRUMMER
SECRETARY-TREASURER

December 15, 2021

Information Item

Status Update on WMATA's 7000-series Railcars

Background:

On October 12, 2021, WMATA railcar 7200 derailed outside the Arlington Cemetery Metrorail station. The National Transportation Safety Board (NTSB) investigation discovered that the wheel gauge on the fourth car of the trainset was out of compliance, resulting in the axle derailing. The initial investigation also discovered that this train had derailed on at least two other occasions earlier that day. Subsequent inspections by WMATA technicians found other 7000-series railcars with similar wheel gauge problems. Further information later disclosed that this same gauge issue had been detected on other 7000-series railcars on 18 occasions already that year.

As a result, on October 17, 2021, the Washington Metrorail Safety Commission (WMSC), the state safety oversight agency (SSOA) charged with oversight of WMATA's rail system, issued a Safety Order (attached) requiring WMATA to remove all 7000-series railcars from revenue service. The Order further requires WMATA to assess the root cause of the October 12 derailment and establishes a plan for detecting and preventing the wheel gauge issues on other 7000-series railcars in WMATA's fleet prior to the 7000-series cars being returned to revenue service.

Since that time, WMATA has relied largely upon its 2000- and 3000-series railcars configured in six-car trainsets to provide rail system revenue service. Concurrently, WMATA has been inspecting and testing the 7000-series railcars and working to develop a plan for returning them to the revenue fleet.

At the meeting of the WMATA Board of Directors on December 9, 2021, WMATA General Manager and Chief Executive Officer Paul Wiedefeld offered remarks on the status of the 7000-series fleet. Mr. Wiedefeld's comments included the following information:

- In November, WMATA conducted testing of two 7000-series trains under simulated passenger service conditions to establish the correct, data-driven inspection interval for these railcars.
- The test period has ended. Metro's Safety Department and Railcar Maintenance engineers are reviewing the data and incorporating observations from the test period into a final inspection plan.
- The proposed final inspection plan will include more frequent wheelset inspections.
- The proposed final inspection plan must be reviewed and accepted by the WMSC before the 7000-series can return to service.
- WMATA hopes to know more about the timing of the return of the 7000-series before the Christmas holiday, but all steps in the process must be satisfied before it can proceed forward.

- The reintegration of the 7000-series railcars will be gradual. WMATA is planning for incremental service improvements as the 7000-series railcars become available for revenue service.
- WMATA wants to increase train arrivals to every 8 minutes on the Red Line and every 15 minutes on all other lines.
- 7000-series railcars returning to service will replace older railcars to provide a better overall customer experience and help reduce the number of railcar-related delays.

WMATA had previously announced that it will retain current rail system service levels until at least December 31, 2021. This includes:

- Red Line trains arriving every 12 minutes
- Green and Yellow Line trains arriving every 20 minutes
- Blue, Orange, and Silver Line trains arriving every 24 minutes
- Resumption of Silver Line service between Wiehle-Reston East and Largo Town Center



**ORDER OF THE
WASHINGTON METRORAIL SAFETY COMMISSION**

On this day, October 17, 2021, the Washington Metrorail Safety Commission ("WMSC") issues the following order removing specified rail cars from revenue service:

WHEREAS, the WMSC is the designated State Safety Oversight Agency for the WMATA Rail System, as required by 49 U.S.C. § 5329(e)(3)(C);

WHEREAS, the WMSC's powers are established by the Washington Metrorail Safety Commission Interstate Compact (P.L. 115-54; 131 Stat. 1093) ("WMSC Compact"), passed into law by the Commonwealth of Virginia, State of Maryland, and District of Columbia and approved by Congress on August 22, 2017;

WHEREAS, among the powers granted to the WMSC under the WMSC Compact is the authority to "[r]emov[e] a specific vehicle, infrastructure element, or hazard from the WMATA Rail System....." WMSC Compact § 31(c)(4);

WHEREAS, the WMSC Bylaws Art. VI.C.2. authorizes the Chief Executive Officer to act pursuant to WMSC Compact § 31(c)(4);

WHEREAS, the National Transportation Safety Board investigation into the derailment of WMATA Railcar 7200 on October 12, 2021, near Arlington Cemetery Station found that the fourth axle of Railcar 7200 was out of compliance with the 7000 Series specifications for the wheel and axle assembly;

WHEREAS, railcar inspections conducted as part of the derailment investigation have found similar defects in 7000 Series railcars that were not involved in the October 12 accident; and

WHEREAS, the prevalence of this defect throughout the 7000 Series railcar fleet is unknown and an inspection interval that is adequate to detect this defect before a safety event occurs has not been determined.

IT IS HEREBY ORDERED that WMATA will:

- (1) Remove from revenue service all 7000 Series railcars by 5:00 a.m. Monday October 18, 2021; and
- (2) Develop a plan, under the oversight of the WMSC, to assess the cause, and to provide for the detection and prevention of wheel gauge anomalies in 7000 Series railcars; and
- (3) Implement a plan that provides for the safe return to revenue service of each 7000 Series railcar.