



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

September 11, 2026

Mr. Jeremy McDiarmid
Chair
Department of Public Utilities
Commonwealth of Massachusetts
One South Station
Boston, MA 02110

Dear Mr. McDiarmid:

On August 31, 2022, the Federal Transit Administration (FTA) issued Special Directive (SD) 22-13, entitled "Required Actions to Address Findings from the Safety Management Inspection conducted at the Massachusetts Bay Transportation Authority." SD 22-13 required the Massachusetts Department of Public Utilities (DPU) to undertake nine required actions associated with four findings to increase DPU's "technical capacity and ability to oversee the [Massachusetts Bay Transportation Authority's (MBTA)] corrective actions to address the pattern of safety incidents and safety findings concerning lapsed training certification of safety-sensitive rail personnel, workforce management, prioritization of safety management information, effectiveness of safety communication, and operating conditions and policies, procedures, and training."

Specifically, SD 22-13 included the following findings:

- **Finding 1:** DPU does not use its available resources as effectively as it could to support field observations, audits, and inspections of MBTA's rail transit system to identify safety deficiencies and require their immediate resolution.
- **Finding 2:** DPU must examine and ensure its organizational and legal independence from the MBTA.
- **Finding 3:** DPU has not validated MBTA's fatigue management approach for rail transit officials and maintenance and engineering personnel.
- **Finding 4:** DPU has not demonstrated an ability to address safety issues and concerns identified during FTA's 2022 Safety Management Inspection (SMI).

To address these four findings, DPU added 13 full-time staff between 2022 and 2025 and implemented a comprehensive technical training plan to provide staff the training and qualifications required to perform critical safety oversight activities. DPU also updated its processes for overseeing MBTA corrective actions, safety event investigations, safety rules compliance, fatigue management, and safety management.

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DPU has participated in FTA activities specific to SDs issued to MBTA and independently undertaken safety performance monitoring activities of MBTA's rail transit operations.

Over the last four years, FTA has issued formal closure letters for four of the nine required actions in SD 22-13,⁶ determining that DPU has demonstrated improved organizational capacity, including workforce assessment, hiring, training, and independence. Each of these actions was reviewed and closed following FTA's verification of submitted documentation and observation of DPU's performance through biweekly and monthly coordination meetings, onsite observations, records reviews, and ongoing field verifications with DPU at MBTA.

DPU also requested that FTA close DPU's remaining five open requirements in SD 22-13.⁷ These requirements relate to DPU's enforcement authority, oversight of MBTA fatigue management and hours of service, and oversight coordination with FTA and MBTA related to the SDs FTA issued to MBTA. As it considered this request, FTA conducted a comprehensive set of oversight activities, including biweekly and monthly coordination meetings with DPU to conduct oversight of MBTA. FTA also conducted extensive reviews of documentation and data submitted by DPU. Additionally, FTA participated in joint onsite reviews and inspections to assess DPU's oversight of MBTA and further validated DPU's use of enforcement authority, execution of oversight responsibilities, and implementation of fatigue monitoring processes.

Based on this review and analysis, FTA finds that DPU has satisfied the remaining requirements of SD 22-13, and SD 22-13 is now closed. As MBTA continues to work to satisfy its requirements under SDs 22-4, 22-5, 22-6, 22-9, 22-10, 22-11, and 22-12, which remain open, DPU will assume direct responsibility for overseeing MBTA's progress.

If you have any questions, please contact Joseph P. DeLorenzo, Associate Administrator for Transit Safety Oversight and Chief Safety Officer at joseph.delorenzo@dot.gov.

Sincerely,



Jamie D. Pfister
Acting Executive Director

Enclosure

⁶ Required actions FTA-22-DPU-CAT5-1.A, FTA-22-DPU-CAT5-1.B, FTA-22-DPU-CAT5-1.C, and FTA-22-DPU-CAT5-2.

⁷ Required actions FTA-22-DPU-CAT5-3, FTA-22-DPU-CAT5-4.A, FTA-22-DPU-CAT5-4.B, FTA-22-DPU-CAT5-4.C, and FTA-22-DPU-CAT5-1.D.