



EXECUTIVE ORDER

2016-07

**EXECUTIVE ORDER DESIGNATING
THE ILLINOIS DEPARTMENT OF TRANSPORTATION
AS THE STATE SAFETY OVERSIGHT AGENCY**

WHEREAS, recent federal law, codified at 49 U.S.C. § 5329, requires the Federal Transit Administration (“FTA”) to assume greater responsibility for safety and security oversight of all modes of public transit; and

WHEREAS, federal law also requires each state to designate a state safety oversight (“SSO”) agency to assume greater responsibility and accountability for rail transit that is outside the jurisdiction of the Federal Railroad Administration (“FRA”); and

WHEREAS, the Regional Transportation Authority (“RTA”) and the St. Clair County Transit District (“SCCTD”) have developed and adopted system safety program standards for the Chicago Transit Authority and the Bi-State Development Agency, respectively, as required by federal regulations; and

WHEREAS, the RTA and the SCCTD are not eligible under federal law to perform statewide rail transit oversight functions because their jurisdictions are limited to their respective geographic regions; and

WHEREAS, state law, 20 ILCS 2705/2705-300, authorizes the Illinois Department of Transportation (“IDOT”) to “[p]articipate fully in a statewide effort to improve transport safety”; and

WHEREAS, on January 30, 2014, Governor Quinn designated IDOT as the SSO Agency for all rail public transit in the planning phases or in operation within the State of Illinois and not under the safety jurisdiction of the FRA; and

WHEREAS, the RTA, the SCCTD, and IDOT will enter into an intergovernmental contract, as authorized by the Intergovernmental Cooperation Act, 5 ILCS 220/5, pursuant to which IDOT will develop a statewide system safety program, as required by federal law and regulations;

THEREFORE, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 8 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

I. STATE SAFETY OVERSIGHT

1. IDOT shall take all necessary steps to effectuate the transition of SSO responsibility, including the negotiation and entry of intergovernmental contracts with the RTA and the SCCTD pursuant to the Intergovernmental Cooperation Act.
2. Pursuant to those intergovernmental contracts, IDOT will assume its role as the designated SSO Agency for the Chicago Transit Authority on July 1, 2016, and its role as the designated SSO Agency for the Bi-State Development Agency, and therefore the SSO Agency for Illinois, on January 1, 2017. In that capacity, IDOT will lead the state safety

oversight transition to ensure compliance with 49 U.S.C. § 5329 and other applicable federal laws and regulations.

3. IDOT shall work collaboratively and in partnership with current SSO providers, transit service agencies, and other public transportation stakeholders statewide to develop and adopt a statewide system safety program standard in accordance with 49 C.F.R. part 659 for the safety of rail fixed guideway systems and the personal security of the systems' passengers and employees and establish procedures for safety and security reviews, investigations, and oversight reporting.

II. SAVINGS CLAUSE

This Executive Order does not contravene, and shall not be construed to contravene, any federal law, State statute, or collective bargaining agreement.

III. PRIOR EXECUTIVE ORDERS

This Executive Order supersedes any contrary provision of any other prior Executive Order.

IV. SEVERABILITY CLAUSE

If any part of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. The provisions of this Executive Order are severable.

V. EFFECTIVE DATE

This Executive Order shall take effect immediately upon filing with the Secretary of State.



Bruce Rauner, Governor

Issued by Governor: June 24, 2016
Filed with Secretary of State: June 24, 2016

FILED
INDEX DEPARTMENT
JUN 24 2016
IN THE OFFICE OF
SECRETARY OF STATE