

**GOVERNMENT OF PUERTO RICO  
LA FORTALEZA  
SAN JUAN, PUERTO RICO**

Administrative Bulletin No. OE-2000-54

**EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO**

**DESIGNATION OF THE STATE EMERGENCY AND DISASTER  
MANAGEMENT AGENCY AS THE AGENCY THAT WILL  
CARRY OUT PROVISIONS OF THE FEDERAL TRANSIT  
ADMINISTRATION'S RULE ON STATE SAFETY OVERSIGHT  
OF FIXED GUIDEWAY SYSTEMS**

**WHEREAS:** On July 5, 1994, the United States Congress enacted P.L. 103-272, which required the Federal Transit Administration to issue regulations creating a State Oversight Program for Rail Fixed Guideway Systems.

**WHEREAS:** On December 27, 1995, the Federal Transit Administration promulgated a final rule codified at 49 CFR, Part 659, and entitled, "Rail Fixed Guideway Systems; State Safety Oversight; Final Rule".

**WHEREAS:** These federal regulations require each state having an operational fixed guideway system not regulated by the Federal Railroad Administration to designate an Agency to be responsible for overseeing said system's safety practices.

**WHEREAS:** The Commonwealth of Puerto Rico is approaching completion of a fixed guideway system, specifically a rail transit system known as Tren Urbano, which is not regulated by the Federal Railroad Administration.

**WHEREAS:** The Commonwealth of Puerto Rico must therefore designate a Safety Oversight Agency, to be charged with preparing and submitting annual reports to the Federal Transit Administration, and further certify the Commonwealth's compliance and progress in safety oversight, or the Commonwealth risks loss up to 5 percent of each fiscal year's apportionment of federal funding under Federal Transit Administration's formula program for urbanized areas.

**WHEREAS:** The Commonwealth of Puerto Rico's designated Safety Oversight Agency must develop fixed guideway systems' safety oversight standards, investigate accidents and hazardous conditions, and conduct periodic safety reviews.

**THEREFORE:** I, PEDRO ROSSELLO, Governor of Puerto Rico, by virtue of the authority vested in me by the Constitution and laws of the Commonwealth of Puerto Rico, do hereby order as follows:

**FIRST:** The State Emergency and Disaster Management Agency of the Commonwealth of Puerto Rico is hereby designated as the agency to carry out the Federal Transit Administration's Regulations on State Safety Oversight of Fixed Guideway Systems' provisions for the Commonwealth of Puerto Rico. This Agency is empowered to protect and promote the public health, safety and welfare, and is responsible for the oversight of fixed guideway systems not regulated by the Federal Railroad Administration.

**SECOND:** The State Emergency and Disaster Management Agency shall carry out its responsibilities as directed by and in compliance with 49 C.F.R., Part 659, and shall promulgate Fixed Guideway Safety Standards and attending procedures for use by agencies in developing their safety programs.

**THIRD:** The State Emergency and Disaster Management Agency is authorized to enter into such agreements and delegate its powers as necessary to effectuate the purposes of this Order.

**FOURTH:** Each fixed guideway transit system not regulated by the Federal Railroad Administration and operating within the Commonwealth of Puerto Rico shall comply with the State Emergency and Disaster Management Agency's Fixed Guideway Safety Standards and all rules, directives, and requirements issued pursuant thereto.

**FIFTH:** This Executive Order shall take effect immediately upon its promulgation.

IN WITNESS WHEREOF, I sign the present and affix thereto the Great Seal of the Commonwealth of Puerto Rico, in the city of San Juan, on this 16 day of October of the year 2000.



*Pedro Rosello*  
**PEDRO ROSSELLÓ**  
GOVERNOR

Promulgated according to law, today 16 day of October 2000.

*Angel Morey*  
Secretary of State