

Matthew O. Tucker
Executive Director/Chief Executive Officer



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March 23, 2011

The Honorable Kevin Enright
Presiding Judge
San Diego Superior Court
220 West Broadway
San Diego, California 92101

Mr. Richard J. Carlson
Foreman
Grand Jury County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego California 92101

Re: Grand Jury Report – “North County Transit District COASTER – Passengers Unnecessarily at Risk” – March 23, 2011

Dear Judge Enright and Mr. Carlson:

On behalf of the North County Transit District, I want to thank the San Diego Grand Jury for its report related to COASTER emergency communications and its recognition of the high quality of COASTER service and professionalism of the employees who ensure that service is operated in a safe and efficient manner. The safety of our customers and employees is NCTD's top priority and we welcome input.

It is important that the riding public understands that NCTD's COASTER operations meets all applicable requirements established by the Federal Railroad Administration (FRA) which is responsible for safety oversight of COASTER operations. Specifically, since 2000, NCTD has undergone three (3) extensive FRA/American Public Transportation Association (APTA) system safety audits and those audits have not identified any significant safety issues. Moreover, our accident rate over the last two calendar years is approximately 3.7 per million train miles operated. In calendar year 2009 and 2010, only two train accidents occurred based on FRA reporting requirements. Clearly, riding the COASTER is a safe alternative to driving on our congested freeways.

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Prior to the Grand Jury's review and report, NCTD staff was already advancing initiatives **beyond** what is required by current federal law that supports improved communications with passengers during emergencies. Accordingly, NCTD is on track to implement all of the Grand Jury's recommendations prior to the end of calendar year 2011. The title of the Grand Jury's report, "North County Transit District COASTER-Passengers Unnecessarily at Risk" is inconsistent with our safety record, audits conducted by FRA and APTA, and the goal of the Grand Jury's report, which is to enhance our safety program related to passenger communications. We strongly urge the Grand Jury to reconsider the reports title to more accurately reflect their findings and avoid creating the misperception that public safety is at risk.

Following is NCTD's responses to the Grand Jury's recommendations.

Recommendation 11-01: Accelerate the installation of an emergency notification system allowing passengers to communicate with the conductor when an emergency arises.

NCTD Response: Agree with recommendation.

Recommendation is being implemented. Although the COASTER is currently in compliance with all Federal Railway Administration regulations regarding emergency intercoms, NCTD is in agreement with the assessment of the Grand Jury that these intercoms are a valuable tool to further enhance passenger safety on the COASTER.

To that point, NCTD has been working with the FRA to develop and install a new wireless emergency intercom system for the COASTER. A prototype system has been installed and successfully tested on one locomotive, coach and cab car. With the recommendation from the Grand Jury noted, NCTD was already planning to complete the project no later than December 31, 2011.

Recommendation 11-02: Post instructions onboard the COASTER for passengers to contact the conductor in an emergency.

NCTD Response: Agree with recommendation.

Recommendation implemented. NCTD Rider's Guides and the 'Rules of the Rails' placards in all COASTER cars now prominently include the following language: "In case of emergency, notify the conductor immediately".

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Recommendation 11-03: Correct website information to reflect the applicable communication requirements for an onboard emergency.

NCTD Response: Agree with recommendation.

Recommendation implemented. NCTD has launched a new website and has updated the content related to communication for onboard emergencies.

Recommendation 11-04: Design and provide posters and brochures informing commuters of the safety and security features unique to the COASTER.

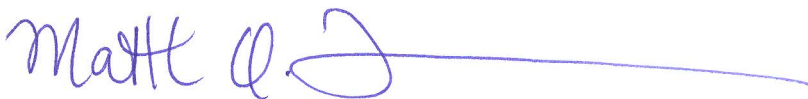
NCTD Response: Agree with recommendation.

Recommendation will be implemented by May 1, 2011. NCTD is currently in the process of designing both posters and brochures for this purpose. Specific safety and security posters and brochures will be installed and available on all COASTER coaches by May 1, 2011. Also, upon completion of the installation of the passenger emergency intercom system, customer information will be updated to offer guidance on the use of the system.

Clearly, the goal of the Grand Jury's review was to ask NCTD to set the safety bar higher than federal requirements. Fortunately, NCTD was already committed to a safety plan that exceeds federal requirements. We thank the Grand Jury for their hard work and look forward towards implementing our new, state of the art - communications system before the end of the year. We thank the Grand Jury members who are avid riders of the COASTER and appreciate the commendation regarding the high quality of COASTER service and professionalism of our conductors that they cited in their report.

Should you desire to provide any additional feedback, feel free to contact me at 760/967-2867.

Sincerely,



Matthew O. Tucker

cc: NCTD Board of Directors
County Board of Supervisors