

**Subject: Light Rail Regulatory Monitor and Compliance Officer Annual Report
for 2024**

File Number: ACS2025- CMR-OCM-0002

Report to Transit Committee 10 April 2025

and Council on 16 April 2025

**Submitted on April 1, 2025 by Sam Berrada, Light Rail Regulatory Monitor and
Compliance Officer and Wendy Stephanson, City Manager**

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Ward: City Wide / À l'échelle de la ville (0)

**Objet : Rapport annuel de l'agent de surveillance de la conformité
réglementaire du train léger pour 2024**

Dossier : ACS2025- CMR-OCM-0002

Rapport au présenté au Comité du transport en commun

Le 10 avril 2025

et au Conseil le 16 avril 2025

**Soumis le 1 avril 2025 par Sam Berrada, Agent de vérification de la conformité
réglementaire du train léger, et Wendy Stephanson, Directrice municipale**

**Personne ressource : Sam Berrada, Agent de vérification de la conformité
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REPORT RECOMMENDATION

That the Transit Committee recommend Council receive the Light Rail Regulatory Monitor and Compliance Officer Annual Report, attached as Document 1.

RECOMMANDATION DU RAPPORT

Que le Comité du transport en commun recommande que le Conseil prenne connaissance du Rapport annuel de l'Agent de vérification de la conformité réglementaire du train léger, ci-joint comme le Document 1.

BACKGROUND

On July 14, 2011, Council approved the implementation plan for the Ottawa Light-Rail Transit (LRT) project ([ACS2011-ICS-RIO-0002](#)). At that time, the City of Ottawa and Transport Canada had been working together on the regulatory regime for the City to regulate its light rail system. As a result of those discussions, Council also authorized the City to finalize a regulatory agreement with the federal government.

The Transport Canada Delegation Agreement, made effective on October 1, 2011, included provisions for the development, adoption, monitoring and enforcement of City rail transit regulations pursuant to a delegated regulation model that ensure compliance with the regulations is monitored and reported on by the Regulatory Monitor and Compliance Officer, whose duties include monitoring and reporting on compliance with the LRT regulations.

On September 23, 2015, Council approved the governance and reporting requirements for the Regulatory Monitor and Compliance Officer ([ACS2015-CMR-OCM-0018](#)). This report provided that the Regulatory Monitor and Compliance Officer would submit a multi-year initial work plan to Council for approval three months prior to revenue service.

At its meeting of [February 28, 2018](#), Council approved Motion No. 65/6 appointing Sam Berrada (SAB Vanguard Consulting Inc.) as the Regulatory Monitor and Compliance Officer.

Council approved the Regulatory Monitor and Compliance Officer's initial work plan ([ACS2018-CCS-OCC-0017](#)) on September 12, 2018. Council has received five annual reports from the Regulatory Monitor and Compliance Officer: on February 26, 2020 ([ACS2020-OCC-TRA-0002](#)), April 14, 2021 ([ACS2021-OCC-GEN-0009](#)), April 13, 2022 ([ACS2022-OCC-GEN-0008](#)) April 26, 2023 ([ACS2023-OCC-GEN-0001](#)), and April 17, 2024 ([ACS2024-OCC-GEN-0006](#)).

DISCUSSION

The Regulatory Monitor and Compliance Officer prepared the sixth annual compliance report, presented for the Transit Committee and Council's receipt, as set out in Document 1. This is consistent with the mandate approved by Council in 2018 and re-confirmed through the [Light Rail Regulatory Monitor Compliance Officer Contract report](#) in April 2023. In accordance with the Regulatory Monitor and Compliance Officer's mandate, regulatory compliance monitoring activities started during the fourth quarter of 2019, shortly after revenue service inception of O-Train Line 1.

In accordance with the mandate provided by the City, the Regulatory Monitor and Compliance Officer conducted monitoring activities throughout 2024 by reviewing the following key areas:

- Inspections and repairs of bridges and structures
- Hours of service regulations

The first area was selected given the importance of effective and complete inspections and repairs for safe and reliable operations. The responsibility for the inspections and repairs of bridges and structures is divided between the City's Infrastructure and Water Services Department, OC Transpo, and Rideau Transit Maintenance (RTM).

The second area, hours of service regulations, was selected for its role to ensure safe operations by setting the maximum amount of time that safety critical employees can be on duty within a given period, and by mandating rest periods. These rules help employees working in safety critical positions for OC Transpo, RTM, and Alstom stay safe and alert while on-duty.

These two areas had not previously been monitored by the Regulatory Monitor and Compliance Officer following the start of revenue service.

The Regulatory Monitor and Compliance Officer's sixth annual compliance report describes the specific areas that were monitored, including the work undertaken to verify compliance with LRT regulations and related requirements, as well as the compliance assessment findings for each area monitored.

As indicated in the annual compliance report, the City's LRT Regulations are comprised of City plans, programs, standards, practices and other requirements ("City requirements") relating to O-Train Line 1, the Confederation Line that have been adopted and imposed by the City through various means.

The compliance assessment involves the Regulatory Monitor and Compliance Officer reviewing:

- City requirements
- Related documentation from applicable City departments and contractors
- Practices and procedures followed by the people required to perform the services, tasks and activities related to the City requirements

MANAGEMENT RESPONSE

The City received the compliance report submitted by the Regulatory Monitor and Compliance Officer. The Regulatory Monitor and Compliance Officer examined six elements related to inspections and repairs of bridges and structures, and seven elements related to hours-of-service regulations. Regulatory compliance monitoring activities and findings are summarized in Sections 5 and 6 of Document 1.

The Regulatory Monitor and Compliance Officer provides findings to the City of Ottawa and OC Transpo according to the following criteria:

- Compliant: Monitoring activities identified compliant results in accordance with City requirements, as reflected in the related documents
- Mostly compliant: Monitoring activities identified predominantly compliant results, with some exceptions
- Partially compliant: Monitoring activities identified mixed results, with some compliant areas and some non-compliant areas
- Not compliant: Monitoring activities identified either fully non-compliant results or mostly non-compliant results
- Opportunity: Monitoring activities identified an opportunity for improvement relative to City requirements and Good Industry Practice

A similar scale is used for contractors with the term conformant rather than compliant since such findings relate to contractual requirements (i.e. Project Agreement) rather than City LRT Regulations.

Inspections and repairs of bridges and structures

The Infrastructure and Water Services Department (IWSD) was evaluated on six elements related to its regulatory responsibilities for inspections and repairs of bridges

and structures and was found to be compliant with two elements, mostly compliant with three elements, and partially compliant with one. The Regulatory Monitoring Compliance Officer noted that IWSD has demonstrated excellent collaboration by developing remedial actions with the support of external experts. Much progress has been made with the expectation that all items will be closed later this year.

OC Transpo was evaluated on five elements and was found to be compliant with three elements, and mostly compliant with two. OC Transpo has already taken actions to enhance its 2025 oversight plan to include the monitoring of bridge repairs performed by RTM.

Rideau Transit Maintenance (RTM) was evaluated on five elements and was found to be conformant with three elements, mostly conformant with one, and partially conformant with one. The Regulatory Monitoring Compliance Officer noted that RTM is implementing a process to systematically log and address repairs identified in Ontario Structure Inspection Manual reports to be completed in the first half of 2025.

Hours of service regulations

OC Transpo was evaluated on seven elements related to hours-of-service regulations and was found to be compliant with all but one element, oversight of external contractors, which was evaluated as partially compliant. OC Transpo has already taken actions to enhance its 2025 oversight plan to include the monitoring of RTM conformance with hours-of-service regulations.

Rideau Transit Maintenance (RTM) was evaluated on four elements and was found to be mostly conformant with one, partially conformant with two, and not conformant with one. The Regulatory Monitor and Compliance Officer noted that the findings for RTM are the result of not following direction provided by OC Transpo regarding federal hours of service regulations. The Regulatory Monitor and Compliance Officer further noted that the findings need to be distinguished from safety and fatigue risks because the work schedule implemented by RTM are consistent with the Canada Labour Code (eight hours per day and 40 hours per week) and are substantially lower than those allowed by federal hours of service regulations (13 hours of driving per day and 70 hours per week).

REMEDIAL ACTIONS

City staff will continue to ensure that, through the contract administration of the Project Agreement, RTM undertakes all appropriate steps to achieve full conformance. OC

Transpo has formally requested corrective action plans for each of the findings. To ensure structured and timely follow-up, a list of remedial actions has been developed and will continue to be reviewed at regular meetings with the Regulatory Monitor and Compliance Officer, RTM, Alstom and City staff.

FINANCIAL IMPLICATIONS

There is no financial implication to receiving this report for information.

LEGAL IMPLICATIONS

There are no legal impediments to receiving this report for information.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report.

CONSULTATION

Consultation was not required for this report.

ACCESSIBILITY IMPACTS

No specific accessibility impacts have been identified in the preparation of this report.

DELEGATION OF AUTHORITY IMPLICATIONS

No additional delegated authority is being sought by staff as part of this report.

ASSET MANAGEMENT IMPLICATIONS

Activities of the Regulatory Monitor and Compliance Officer support comprehensive asset management by review of process, assets and oversight.

ECONOMIC IMPLICATIONS

No specific economic implications have been identified in the preparation of this report.

RISK MANAGEMENT IMPLICATIONS

Risk implications of the Light Rail Regulatory Framework have been identified and explained in previous reports and are being managed by appropriate staff.

RURAL IMPLICATIONS

No specific rural implications have been identified in the preparation of this report.

TECHNOLOGY IMPLICATIONS

No specific technology implications have been identified in the preparation of this report.

TERM OF COUNCIL PRIORITIES

The 2023-2026 Term of Council priorities include:

- A city that is more connected with reliable, safe, and accessible mobility options.
- A city that it is green and resilient

SUPPORTING DOCUMENTATION

Document 1: Regulatory Monitor and Compliance Officer Annual Compliance Report for 2024

DISPOSITION

The Light Rail Regulatory Monitor and Compliance Officer will proceed according to Council direction.

*Note: A Minor correction was made to this report further to the City Clerk's Delegated Authority, as set out in Schedule C, Section 8 of Delegation of Authority By-Law 2024-265 as an incorrect version of Document 1 was previously included.