

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
18	07/22/13	Open	Action	06/27/13

Subject: Continuing a Public Hearing on Service and Fare Change Policies

ISSUE

Continuing a Public Hearing on Service and Fare Change Policies

RECOMMENDED ACTION

Receive comments on proposed Service and Fare Change Policies.

FISCAL IMPACT

None.

DISCUSSION

On February 25, 2013, staff presented draft Service and Fare Change Policies prepared to bring RT into full compliance with the Federal Transit Administration's (FTA's) October 1, 2012 revised guidance on Title VI of the Civil Rights Act of 1964. All documents were made available for public review and a hearing was held at the regular meeting of the RT Board of Directors on March 25, 2013.

At the March 25, 2013 Board meeting, the Board decided to continue the public hearing to July 22, 2013 to allow more time for public review. This also allowed additional time for staff to hire a consultant to provide an additional review of the draft policies, which took place in April and May.

On June 25, 2013, staff released revised draft Service and Fare Change Policies (Attachment 1) for public review. Staff recommends that the public review period remain open through Wednesday, July 31, 2013, which will provide a 30-day comment period. Staff will then bring a final document to the Board for approval on August 26, 2013.

Based on input from RT's consultant, as well as additional research and peer analysis conducted by staff, the following is a summary of changes from the February 25, 2013 document:

- Major service changes are now defined according to revenue miles only; ridership has been removed as a criteria due to the uncertain nature of ridership estimates
- The list of typical corrective actions for low-productivity routes has been moved from this document to RT's Service Standards and Policies document, which is focused more on monitoring and maintenance
- Demographic data will be computed at the level of census tracts to conform with actual capabilities from the U.S. Census Bureau's American FactFinder service
- RT's Disparate Impact/Disproportionate Burden thresholds were changed to a fixed 20 percent based on a peer review

Approved:

Presented:

Final 7/15/2013
General Manager/CEO

AGM of Planning and Transit System Development
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- A checklist prepared by FTA for service and fare equity analyses was added as an appendix
- A sample coversheet for a service change equity analysis was added as an appendix
- Minor edits have been made to make the document more concise

RT's outreach efforts have included the following:

- Documents made available for review on RT's web site
- Announcements in Spanish, Chinese, Vietnamese, Hmong, and Russian
- Non-English interpretation service provided upon request
- An email announcement to RT's mailing list
- An announcement in the July edition of *Next Stop News*
- Mini-posters on RT buses and light rail vehicles
- Three presentations to RT's Mobility Advisory Council
- Presentations or one-on-one meetings with representatives from over 40 organizations or agencies affiliated with low-income, minority, or Limited English Proficiency communities (see Attachment 2)



Regional Transit
Service and Fare Change Policies

Revised Draft

June 19, 2013

1. INTRODUCTION

It is the policy of the Sacramento Regional Transit District (RT) to provide quality service to all customers regardless of race, color, national origin, or income. This document formally establishes RT policy and describes several policies and procedures relating to fixed-route service changes and fare structure changes.

This document is intended to satisfy Title VI of the Civil Rights Act of 1964, Executive Order 12898, and related federal civil rights laws, which help ensure that RT's services are provided in a non-discriminatory manner, specifically with regards to minority populations and low-income populations. This document also provides guidelines for meeting the requirements of the California Environmental Quality Act (CEQA) as they relate to service changes.

Title VI requires RT to adopt a numerical standard defining what constitutes a major service change. This definition and policy is discussed in Section 2. RT's 2012 Transit Renewal also established a sunset clause for new routes which is incorporated in Section 3. RT policy requires a public hearing prior to adoption of major service changes or any changes to the fare structure. Section 4 describes RT's public involvement process for major service changes and fare structure changes in more detail.

Prior to adopting major service changes or any change to the fare structure, Title VI and federal environmental justice regulations require RT to prepare an equity analysis to determine if the proposed changes are likely to result in adverse and disparate impacts (DI) on minority populations and/or disproportionate burdens (DB) on low-income populations. These definitions and policies are set forth in Section 5. Sections 6 and 7 discuss their application with regards to service changes and fare changes respectively.

Section 8 discusses RT's requirements under CEQA as it relates to service changes.

2. MAJOR SERVICE CHANGE DEFINITION

RT categorizes service changes as either minor or major according to their size and likely impact. In order to maximize responsiveness, minor service changes can be authorized by RT's General Manager/CEO. Major service changes require a public hearing (discussed in Section 4 of this document), a Title VI equity analysis (discussed in Sections 5 and 6 of this document), and approval by the RT Board.

A major service change is defined as follows:

- Creation of any new bus route exceeding 150 daily revenue miles is considered a major service change.
- Creation of any new light rail route or extension of any existing light rail routes is considered a major service change.

- Any change to an existing bus or light rail route that affects more than 15 percent of daily revenue miles (this includes elimination, which affects 100 percent of daily revenue miles) is considered a major service change.

Minor service changes are defined as follows:

- Any service change that does not meet the criteria for a major service change is considered a minor service change.
- Automatic elimination of a bus route according to RT's route sunset process set forth in Section 3 of this document is considered a minor service change. RT will, however, notify riders prior to the route's actual elimination.
- Temporary exemption of a route from RT's route sunset process is considered a minor service change, but may only be authorized by the RT Board.
- All schedule adjustments are considered minor service changes. RT will, however, notify riders prior to schedule changes.
- Creation, alteration, or elimination of a supplemental route is considered minor change.¹
- Emergency changes made to respond to natural or man-made disasters or to a state of fiscal emergency are considered minor changes.
- Creation, alteration, or elimination of temporary or demonstration service lasting one year or less is considered a minor change.
- Creation, alteration, or elimination of special event service is considered a minor service change, although Board approval may be necessary for certain aspects of the service (e.g., acceptance of event tickets as fare media).
- Minor adjustments made to major service changes are considered minor service changes.

If an Environmental Impact Report (EIR) or an Environmental Impact Statement (EIS) has been prepared for a project, the EIR/EIS review and approval process is considered to have satisfied all review and approval requirements for a major service change, with the exception of the Title VI equity analysis, which is still required if the project meets the definition of a major service change. FTA explicitly requires a Title VI equity analysis be approved by the RT Board prior to the beginning of revenue service for any project funded by the FTA's New Starts program.

Contract service operated by RT and open to the general public is subject to RT's Title VI requirements, including RT's major service change definition, public hearing requirement, equity analysis requirement, and Board approval.

¹ Supplemental routes are peak-only routes with no more than four daily trips that are designed to accommodate heavy passenger volumes that would otherwise overload RT's regular routes. Supplemental routes usually operate only seasonally and must often be adjusted on short notice to respond to changing demand conditions.

All revenue mile calculations made for the purpose of classifying the service change shall include the cumulative impact from service changes implemented in the twelve months preceding the effective date of the proposed new changes. Light rail revenue miles are counted at the level of entire trains rather than individual light rail vehicles.

3. ROUTE SUNSET PROCESS

RT's TransitRenewal study set forth a "sunset clause" whereby newly created fixed-route bus routes must meet RT's productivity standards within two years of implementation.² This sunset clause, as an element of TransitRenewal, was accepted by the RT Board as a guideline for future service development, and has been incorporated here as RT policy.

Pursuant to this policy, RT reviews route productivity on a quarterly basis, maintains a "watch list" of deficient bus routes, and considers ways to improve productivity, as specified in RT's Service Standards document.

If a new bus route fails to meet RT's productivity standards within two years of operation, RT will initiate an automatic elimination process (sunset elimination) that consists of the following steps:

- Staff advises the RT Board of the pending route elimination during a meeting of the Board of Directors.³ At that point, the RT Board may take action to temporarily exempt the route from RT's sunset clause.
- Through a motion or a resolution, the RT Board may temporarily exempt the route in question from RT's route sunset process.
- Absent any Board action, staff will (1) determine an appropriate date for elimination,⁴ (2) notify riders of the route's pending elimination and alternative routes, if applicable, and (3) identify areas where resources could be redeployed.

Although a route elimination would ordinarily be considered a major service change, since new routes are implemented with an understanding of RT's sunset clause, elimination of a route through RT's route sunset process is considered a minor service change. It will therefore be exempt from RT's public hearing and equity analysis requirements, and all other requirements that apply only to major service changes. As noted above, RT will notify riders prior to the route's actual elimination.

² RT's productivity standards are set forth in RT's Service Standards document.

³ Previous productivity reports and watch list reports may be referenced or provided to document the failure of the route to meet RT's productivity standards.

⁴ As an example, RT may want to eliminate the route when other major changes are being made, so that outreach efforts can be consolidated, printed materials will be up-to-date, etc.

4. PUBLIC INVOLVEMENT

In order to assure meaningful public involvement, especially from minority and low-income populations, Title VI requires RT to develop a Public Participation Plan. The provisions of this section are intended to summarize RT's public involvement program as it relates to service and fare changes.

Hearing Requirement

A public hearing is required prior to the adoption of major service changes as well as prior to any fare structure change, with the exception of Spare the Air days, temporary fare reductions (e.g., mitigating measures for other actions), and promotional fare reductions lasting no more than six months. Public hearings held for either purpose are usually held during a meeting of the RT Board of Directors.

Public Notice

All meetings of the RT Board of Directors are noticed pursuant to the Brown Act. In addition, prior to holding the public hearing, RT will prepare and distribute a notice to riders and members of the public, an example of which has been provided as Appendix A.

The public notice shall include:

- A title and one or two sentence description of the proposed changes and a statement that RT is seeking public comments
- Notice of documents available for review (e.g., draft service plan, Title VI equity analysis, and/or CEQA documents)
- All routes that may be changed, listed by number, or, in the case of light rail lines, by name, e.g., Blue Line (service changes only)
- The date, time, and location of the hearing and transit routes serving the location
- Contact information and where to find additional information
- The final date and time to submit comments

RT will post the notice on RT's web site and will accept comments on the proposed changes for at least 30 calendar days. The notice will be posted in English as well as any non-English languages determined by RT policy on language assistance.⁶ RT will also provide information on the hearing in RT vehicles, at major stops and stations, to

⁶ In addition to a Public Participation Plan, Title VI requires RT to develop a Language Assistance Plan. The provisions of this section are intended to summarize RT policy on language assistance as it pertains to service and fare changes.

applicable mailing list subscribers, and in RT's monthly newsletter, *Next Stop News*, if time permits. RT may also notify riders through press releases or through social media.

For major service changes, RT will typically hold public outreach events at major bus stops and/or light rail stations. At least one presentation will typically be made to RT's Mobility Advisory Council. RT staff may also make presentations at the meetings of other interested organizations and groups.

Language Assistance

If requested and given sufficiently advanced notice (usually 3 business days or more), RT will provide an interpreter (including sign language) at the public hearing. RT's Language Line service also provides interpretation services over the phone for patrons calling for additional information, to make comments, or to arrange interpretation services at the public hearing.

5. EQUITY ANALYSIS – GENERAL

Requirements

Prior to adopting major service changes or any change to the fare structure, Title VI and federal environmental justice regulations require RT to prepare an equity analysis to determine if the proposed changes are likely to result in disparate impacts (DI) on minority populations or disproportionate burdens (DB) on low-income populations.⁷ RT's DI and DB definitions must measure adverse effects on passengers and must be developed with public engagement. See Appendices C and D for service and fare equity analysis checklists provided by FTA.

Disparate Impacts

Title VI requires RT to analyze proposed major service changes and/or proposed changes to the fare structure to identify any possible disparate impacts on minority populations.⁸ If a statistically significant adverse effect on minority populations is found to be likely, then in order to adopt the change, Title VI requires RT to provide a substantial legitimate justification, including a finding that there are no alternatives that would have a less disparate impact on minority riders but would still accomplish RT's legitimate program goals.⁹

⁷ Due to the similarity of the DI and DB processes and definitions, both requirements are usually satisfied with a single equity analysis that addresses both requirements.

⁸ A disparate impact is defined as a facially neutral policy or practice that disproportionately affects minority populations where the policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect. (See FTA Circular 4702.1B, Chapter 1, Section 5.)

⁹ See FTA Circular 4702.1B, Chapter 4, Section 7.

FTA defines a minority person as anyone who is an American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, or Native Hawaiian or other Pacific Islander.

Disproportionate Burdens

Executive Order 12898 on Environmental Justice requires RT to analyze major proposed service changes and proposed changes to the fare structure to determine if they are likely to result in a disproportionate burden on low-income populations.¹⁰ A finding of disproportionate burden requires RT to take steps to avoid, minimize, or mitigate impacts where practicable¹¹ and to describe alternatives available to low-income passengers affected by the changes.¹²

FTA defines a low-income person as a person whose household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.¹³ The HHS definition varies by year and household size. For 2012, poverty guidelines ranged from \$11,170 for a single-person household to \$38,890 for a household of eight. The poverty guidelines for a household of four were \$23,050.

FTA encourages transit agencies to use a locally-developed threshold for low-income status, provided that the threshold is at least as inclusive as the HHS poverty guidelines. Since survey data does not always include household size or exact household income, RT shall, when necessary, define low-income status according to the poverty guideline for a household of four, rounded up to the nearest bracket boundary. For example, if household income data is available in \$15,000 brackets, RT will consider household income less than \$30,000 to be low-income.

Data Sources

In accordance with FTA guidance, when feasible, RT will use data from on-board passenger surveys for Title VI equity analyses. For service changes, if sufficient on-board survey data is not available or deemed unreliable, RT may substitute demographic data on the service area of the affected routes.

When using service area data, RT uses data from the U.S. Census Bureau's most recent five-year American Community Survey aggregated at the level of census tracts. Using GIS software, RT computes a population estimate (broken down by minority and low-income status) for each affected route and for the overall RT system. As

¹⁰ A disproportionate burden is defined as a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. (See FTA Circular 4702.1B, Chapter 1, Section 5.)

¹¹ See FTA Circular 4702.1B, Chapter 1, Section 5.

¹² See FTA Circular 4702.1B, Chapter 4, Section 7g.

¹³ See FTA Circular 4702.1B, Chapter 1, Section 5.

recommended by FTA, RT will usually assume a walk distance of a quarter mile from bus routes and a half mile from light rail stations.

For major proposed service changes, in addition to the above calculations, RT will prepare maps showing the potentially affected routes overlaid on a demographic map of the service area.

6. SERVICE CHANGE EQUITY ANALYSIS

Requirements

As discussed in Section 5 of this document, RT is required to conduct an equity analysis prior to adopting major service changes. Title VI requires RT to establish a locally-developed definition for determining disparate impacts/disproportionate burdens (DI/DB) on minority/low-income populations including thresholds for statistical significance.

Definitions and Methodology

RT uses revenue miles to measure adverse effects. Revenue miles provide an objective way of quantifying the level of service on a route as well as the impact of a proposed service change. When major service changes are proposed, RT computes the change in revenue miles for minority populations at the route level and in aggregate. This is compared to the percent minority of RT's overall ridership.

RT's Title VI goal is for minority populations to receive at least their share of the benefits in the case of a net service increase, and no more than their share of the adverse effects, in the case of net service reductions. A disparate impact may exist if there is a statistically significant deficiency from this goal. RT defines a deficiency as statistically significant if it exceeds 20 percent.

As an example, assume that RT's overall ridership is 55 percent minority and that RT proposed a major service increase. Minority populations would be expected to receive 55 percent of the benefits, measured in revenue miles. Deviations from this goal exceeding 20 percent would be considered statistically significant. Therefore, if minority populations received less than 35 percent of the benefits, this would constitute a potential disparate impact.

If a potential disparate impact on minority populations exists, then the service change may be implemented only if: (1) a substantial legitimate justification has been prepared in written form, and (2) there are no alternatives that would have a less disparate impact on minority riders but would still accomplish RT's legitimate program goals.¹⁴

¹⁴ FTA Circular 4702.1B, Chapter 4, Section 7a1f.

Disproportionate burdens on low-income populations are determined in like fashion, with the threshold of statistical significance also being 20 percent. If a potential disproportionate burden on low-income populations exists then RT must take steps to avoid, minimize, or mitigate impacts where practicable.¹⁵

A sample cover sheet summarizing all key findings for a service change equity analysis has been provided as Appendix E.

Review and Approval

The Title VI equity analysis must be approved by the RT Board prior to adoption of major service changes. Upon adoption of the equity analysis and the service changes, RT will submit a copy of the resolution to FTA documenting the RT Board's consideration, awareness, and approval of the Title VI equity analysis.

7. FARE EQUITY ANALYSIS

Requirements

As discussed in Section 5 of this document, RT is required to conduct an equity analysis prior to the adoption of fare structure changes (including fare reductions), with the exception of Spare the Air days, temporary fare reductions that are mitigating measures for other actions, and promotional fare reductions lasting no more than six months.¹⁶ Paratransit and dial-a-ride fares are also outside the scope of FTA's Title VI fare equity analysis program.¹⁷ Title VI requires RT to establish a locally-developed definition for determining disparate impacts/disproportionate burdens (DI/DB) on minority/low-income populations, including a threshold for statistical significance.

Definitions and Methodology

RT uses two different surveys to capture information on fare payment. First, an annual fare survey provides an estimate of ridership by mode and fare type, both in absolute and percent terms. Second, at least once every five years, RT conducts an on-board passenger survey that includes fare type, ethnicity, and household income.

When a fare change is proposed, RT uses data from the annual fare survey to determine ridership by fare type, media type, and mode (bus or light rail). Using data from the on-board survey, this data is further split into subsets for minority and low-income riders. RT then prepares a table comparing all fare categories to one another, including percent use by minority and low-income populations, and the proposed percent increase in fare.

¹⁵ FTA Circular 4702.1B, Chapter 4, Section 7a2g.

¹⁶ See FTA Circular 4702.1B, Chapter 4, Section 7b.

¹⁷ See FTA Circular 4702.1B, Chapter 4, Section 1.

Disparate impacts are determined by comparing the average fare for all minority riders (aggregated over all fare types) to that for RT's overall ridership. RT's Title VI goal is for the change in average fare for minority populations to be less than or equal to that for RT's overall ridership in the case of a net fare increase and equal or greater to that for RT's overall ridership in the case of a net fare decrease. A disparate impact may exist if there is a statistically significant deficiency from this goal. RT defines a deficiency as statistically significant if it exceeds 20 percent.

As an example, assume an increase is proposed to RT's single, daily, and monthly fares, and it is projected to increase RT's average fare per boarding by 10 percent overall. The overall average fare per boarding for minority populations would be expected to increase by 10 percent as well. Deviations from this goal exceeding 20 percent would be considered statistically significant. Therefore, if the overall average fare for minority populations was projected to increase by more than 30 percent, this would constitute a potential disparate impact.

If a potential disparate impact on minority populations exists, then the fare change may be implemented only if (1) a legitimate justification has been prepared in written form, and (2) there are no alternatives that would have a less disparate impact on minority riders but would still accomplish RT's legitimate program goals.¹⁸

Disproportionate burdens on low-income populations are determined in like fashion. If a potential disproportionate burden on low-income riders exists then RT must take steps to avoid, minimize, or mitigate impacts where practicable and must also describe alternatives to low-income passengers affected by the fare change.¹⁹

Review and Approval

The Title VI fare equity analysis must be approved by the RT Board prior to adoption of any fare change, except as exempted above. Upon adoption of the equity analysis and the fare change, RT will submit a copy of the resolution to FTA documenting the RT Board's consideration, awareness, and approval of the Title VI equity analysis. See Appendix D for a fare equity analysis checklist provided by FTA.

8. CEQA GUIDELINES FOR SERVICE CHANGES

The California Environmental Protection Act (CEQA) requires an Initial Study be prepared prior to adoption of any major service changes (defined by RT in Section 2 of this document) to determine if the changes are likely to have significant effects on the environment.

¹⁸ See FTA Circular 4702.1B, Chapter 4, Section 7b3d.

¹⁹ See FTA Circular 4702.1B, Chapter 4, Section 7b3f.

If the Initial Study finds that there would be no significant effects, the RT Board may adopt a Negative Declaration (ND) affirming this finding. If the Initial Study finds that there would be potentially significant effects but that they can be avoided or mitigated, a Mitigated Negative Declaration (MND) may be adopted. If the Initial Study finds that there would be one or more significant effects which cannot be avoided or mitigated, an Environmental Impact Report is required.²⁰

A ND/MND consists of a one-page project summary and declaration that is attached to the front of the Initial Study, both of which must be approved by the RT Board prior to adoption of the major service changes.²¹

Public Review

CEQA requires a public review and comment period of at least 20 calendar days for an Initial Study prior to adoption of a ND/MND. RT accepts comments by phone, mail, email, or testimony before the RT Board.

CEQA also requires RT to file a Notice of Intent with Sacramento County at least 20 calendar days prior to adoption of a ND/MND. If the Initial Study finds that there are no effects on biological resources, then a No Effect Determination waiver must also be requested from the California Department of Fish and Wildlife (DFW).²²

Upon adoption of a ND, MND, or EIR, RT files a Notice of Determination with Sacramento County within five business days.

Minor Service Changes

If a minor service change is determined by the RT General Manager/CEO, or his/her designee, to be exempt from CEQA under Section 15061(b)(3) of the California Code of Regulations, a Notice of Exemption may be filed with Sacramento County within five business days of Board adoption.

²⁰ Most transit service changes will require only a ND or MND. It would be unusual to find an EIR necessary for transit service changes.

²¹ The ND/MND will customarily be part of the same agenda item as the service changes.

²² DFW charges a higher administrative fee for a No Effect Determination waiver if it is not requested prior to the filing of the Notice of Intent with Sacramento County.

Public NoticeRT to Hold Public Hearing
On Service Changes

NOTICE IS HEREBY GIVEN that the Sacramento Regional Transit District (RT) will hold a public hearing to receive comments regarding proposed changes to RT's bus and light rail system, including Bus Routes X, X, and X and the [Blue, Gold, Green] Line. If adopted by the RT Board of Directors on [Month DD, YYYY], the proposed changes would take effect on [Month DD, YYYY]. The hearing will be held on [Day, Month DD, YYYY] at the RT auditorium at 1400 29th Street. This location is served by Routes 38, 67, 68 and light rail at the 29th Street light rail station. The meeting will be streamed live on www.sacrt.com and will be replayed on Metrocable Channel 14 and at www.sacmetroable.tv.

Additional information, including the draft plan, a Title VI equity analysis, and an Initial Study prepared in accordance with the California Environmental Quality Act is available at www.sacrt.com or by request. A Notice of Intent to Adopt a Negative Declaration has also been filed with the County of Sacramento. Comments may be submitted in writing or by phone but must be received within 48 hours from the closing of the hearing. RT will provide language interpretation services if requested prior to 5:00 p.m. on [Day, Month DD, YYYY].

All comments and inquiries can be directed to RT Planning Dept., P.O. Box 2110, Sacramento, CA 95812-2110 or emailed to servicechanges@sacrt.com. To comment by phone please call 916-556-XXXX. To request documents or arrange interpretation services only please call 916-556-XXXX.



Service and Fare Change Policies
Appendix B - Example Route Sunset Exemption

RESOLUTION NO. YY-MM-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

Month DD, YYYY

**TEMPORARILY EXEMPTING ROUTE X FROM
SACRAMENTO REGIONAL TRANSIT DISTRICT'S SUNSET CLAUSE**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

WHEREAS, Route X is designated to be eliminated, pursuant to Section 3 of Regional Transit's Service and Fare Change Policies; and

WHEREAS, the Board of Directors finds that special circumstances justify that Route X be temporarily exempted from this policy,

THAT, Route X shall be exempt from the sunset clause provisions of Section 3 of Regional Transit's Service and Fare Change Policies for a period of _____.

[CHAIR'S NAME], Chair

A T T E S T:

[GENERAL MANAGER], Secretary

By: _____
[BOARD CLERK], Assistant Secretary

APPENDIX K**SERVICE AND FARE EQUITY ANALYSIS QUESTIONNAIRE CHECKLIST
(REQUIREMENT FOR TRANSIT PROVIDERS THAT OPERATE 50 OR MORE
FIXED ROUTE VEHICLES IN PEAK SERVICE AND ARE LOCATED IN
URBANIZED AREAS (UZA) OF 200,000 OR MORE PEOPLE, OR THAT
OTHERWISE MEET THE THRESHOLD DEFINED IN CHAPTER IV)****Background**

Transit providers that operate 50 or more fixed route vehicles in peak service and are located in urbanized areas (UZA) of 200,000 or more people, or that otherwise meet the threshold defined in Chapter IV, must conduct a Title VI equity analysis whenever they plan a fare change and/or a major service change. Equity analyses are required regardless of whether proposed changes would cause positive or negative impacts to riders. In other words, transit providers must conduct an equity analysis for all fare changes and for major service reductions and major service expansions. Financial exigencies and other special circumstances (e.g., economic hardships, size of transit provider's service area or staff) do not exempt transit providers from the requirement to conduct equity analyses.

The checklist below is provided for the purposes of guidance only.

Service and Fare Equity Questionnaire Checklist**(1) Considerations for Service Equity Analysis*****A. Major Service Change Policy***

- We have briefly and clearly stated our Major Service Change Policy.
- We have briefly and clearly explained how this particular service change meets or exceeds our Major Service Change Policy.
- Our Major Service Change Policy is presented as a numerical standard, applies to both service reductions and service increases, and is not set so high as to never require an analysis.
- We have included a description of the public engagement process for setting the major service change policy.
- We have included a copy of board meeting minutes or a resolution demonstrating the board's or governing entity or official(s)'s consideration, awareness, and approval of the major service change policy.

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FTA C 4702.1B

B. Adverse Effects

- We have defined and analyzed adverse effects related to major service changes, paying attention to the fact that elimination of a route will likely have a greater adverse effect than a reduced frequency (headway change) in service. We have analyzed service between the existing and proposed service, and have considered the degree of the adverse effects when planning service changes.

C. Disparate Impact Policy

- We have briefly and clearly stated our policy to determine when a “disparate impact” occurs in the context of major service changes, including both service reductions and/or expansions. In particular, our agency has established a threshold for determining whether adverse effects are borne disproportionately by minority populations.
- Our agency applies the disparate impact policy uniformly to all major service changes, regardless of mode.
- Our policy describes how we engaged the public in developing our policy for measuring disparate impacts.
- We have included a copy of board meeting minutes or a resolution demonstrating the board’s or governing entity or official(s)’s consideration, awareness, and approval of the disparate impact policy.

D. Disproportionate Burden Policy

- We have briefly and clearly stated our policy to determine when a disproportionate burden occurs in the context of major service changes. In particular, our agency has established a threshold for determining whether adverse effects are borne disproportionately by low-income populations.
- Our agency applies the disparate impact policy uniformly to all major service changes, regardless of mode
- Our policy describes how we engaged the public in developing the disproportionate burden policy.
- We have included a copy of board meeting minutes or a resolution demonstrating the board’s or governing entity or official(s)’s consideration, awareness, and approval of the disproportionate burden policy.

FTA C 4702.1B

App. K-3

E. Analysis Framework

- We have described the dataset(s) used in the analysis and provided the reason for the dataset(s) selected, as well as the techniques and/or technologies used to collect the data.
- If using general population for the comparison population, we have described the geographic level (e.g., Census block, Census block group, TAZ, etc.) at which we have measured minority and low-income concentrations.
- If using ridership as the comparison population, we have described how we determined the minority and low-income ridership of affected routes and the system as a whole.

F. Assessing Impacts

- We have shown how the proposed major service changes would impact minority and low-income populations at the geographic level by including the following:
 - **Overlay maps** showing proposed service changes as well as demographic data in order to study the affected population
 - **Tables** showing impacts associated with each type of route or service change (e.g., routing, frequency, span of service, addition or elimination of routes).
 - We have used our adverse effects definition and our disparate impact policy and compared the proportion of minorities adversely affected to the proportion of non-minorities adversely affected.
 - We have provided a step-by-step description of the analytical methodology we followed to determine whether the proposed change(s) would have a disparate impact on minority populations.
 - We have identified whether minority populations will experience disparate impacts.
 - If we have determined that a disparate impact exists, we have considered modifying our proposal to remove these impacts. If we modified our proposal, we have analyzed the modified proposal to determine whether minority populations will experience disparate impacts.
 - If we have determined that a disparate impact exists and we will make the service changes despite these impacts, we have also:
 - Clearly demonstrated that we have a substantial legitimate justification for the proposed service changes; and
-

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FTA C 4702.1B

- Clearly demonstrated that we analyzed alternatives to determine whether the proposed service changes are the least discriminatory alternative.
 - We have used our adverse effects definition and our disproportionate burden policy and compared the proportion of low-income persons adversely affected to the proportion of non-low-income persons adversely affected.
 - We have provided a step-by-step description of the analytical methodology we followed to determine whether the proposed change(s) would have a disproportionate burden on low-income populations.
 - We have identified whether low-income populations will experience disproportionate burdens.
 - If we have determined that a disproportionate burden exists, we have also taken steps to avoid, minimize, or mitigate impacts where practicable. We have also described alternatives available to low-income passengers affected by the service changes.
 - Note: Alternatives could include the availability of other lines or services, potentially involving transfers and/or other modes, which connect affected riders with destinations that they commonly access. Depending on the nature of impacts, service-related mitigation could include strategies such as alignment or frequency changes to nearby lines or services to offer more convenient access to affected areas.
 - If we are proposing a service improvement, we have analyzed accrual of benefits for minority populations as compared to non-minority populations, and low-income populations as compared to non-low-income populations, using the comparison population we selected (i.e., ridership or service area).
 - If service is proposed to be increased and/or expanded, but minority and/or low-income populations are not expected to benefit from the expansion as much as non-minority and/or non-low-income populations, then we have explained how our agency plans to improve service to the minority and/or low-income populations.
 - We have described any plans our agency has developed to restore service as additional funds become available.
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(2) Considerations for a Fare Equity Analysis

- We have briefly and clearly stated our policy to determine when a “disparate impact” occurs in the contexts of fare changes. In particular, our agency has developed policy thresholds (in terms of absolute numbers or proportions) for identifying disparate impacts.
- Our policy specifies how we engaged the public in developing our policy for measuring disparate impacts.
- We have briefly and clearly stated our disproportionate burden policy, and our policy describes how we engaged the public in developing the disproportionate burden policy.
- We have analyzed the fare media generated from ridership surveys indicating whether minority and/or low-income riders are disproportionately more likely to use the mode of service, payment type, or fare media that would be subject to the fare increase or decrease (see sample, page K-12).
- We have determined the number and percent of users of each fare media proposed for increase or decrease.
 - Our analysis includes a profile of fare usage by group—minority, low-income, and overall ridership—as shown below.
 - If the proposed changes would only affect certain fare media, the analysis should address whether focusing changes on those fare media may lead to a disparate impact or disproportionate burden.
- We have clearly depicted the information in tabular format.
 - The table depicts the fare media comparing the existing cost, the percent change, and the usage of minority groups as compared to overall usage and low-income groups as compared to overall usage. We have clearly analyzed fare media for minority groups distinct from low-income.
- We have compared the differences in impacts between minority users and overall users.
- We have compared the differences in impacts between low-income users and overall users.
- We have analyzed any alternative transit modes, fare payment types, or fare media available for people affected by the fare change.
 - Analysis compared the fares paid by the proposed changes with fares that would be paid through available alternatives.

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- Analysis shows whether vendors that distribute/sell the fare media are located in areas that would be convenient to impacted populations.
- We have identified whether minority populations will experience disparate impacts.
- If we have determined that a disparate impact exists, we have considered modifying our proposal to remove these impacts. If we modified our proposal, we have analyzed the modified proposal to determine whether minority populations will experience disparate impacts.
- If we have determined that a disparate impact exists and we will make the fare changes despite these impacts, we have also:
 - Clearly demonstrated that we have a substantial legitimate justification for the proposed fare changes; and
 - Clearly demonstrated that we analyzed alternatives to determine whether the proposed fare changes are the least discriminatory alternative.
- If we have documented a disparate impact or a disproportionate burden, we have explored alternatives and mitigation, including the timing of implementing the fare increases, providing discounts on passes to social service agencies that serve the impacted populations, and other alternatives as appropriate.



Service and Fare Change Policies
Appendix E - Service Change Equity Analysis Template

Project Title/Description _____

CURRENT SYSTEM STATISTICS

RT Average Weekday Ridership: _____
Bus and Light Rail

Minority Ridership: _____ % (A1)

Low-Income Ridership: _____ % (B1)
Household income less than \$30,000

Data Source for Demographics: _____
Ex: 2010 On-Board Survey

SERVICE CHANGE IMPACTS

Data Source for Demographics: _____
Ex: 2010 On-Board Survey
(should match above)

Net Revenue Miles: All Riders: _____
Annualized

Minority: _____ % (A2)

Low-Income: _____ % (B2)

Disparate Impact: Yes No Is there an adverse disparity between A1 and A2 exceeding RT's 20 percent threshold of statistical significance?
If yes, then the change may be implemented only if (1) a substantial legitimate justification has been prepared in written form and (2) there are no alternatives that would have a less disparate impact on minority riders but would still accomplish RT's legitimate program goals.

Disproportionate Burden: Yes No Is there an adverse disparity between B1 and B2 exceeding RT's 20 percent threshold of statistical significance?
If yes, then RT must take steps to avoid, minimize, or mitigate impacts where practicable and must also describe alternatives available to low-income passengers affected.

Prepared by: _____
Analyst Date

Reviewed by: _____
Senior Staff Date

**RT Title VI Policy Documents
Outreach Activities
February - June 2013**

Over the past several months, RT's Service Planning Department presented the proposed service standards and policies to 41 organizations and agencies. An overview of the discussion items includes standards for vehicle loading, productivity, on-time performance, and service area coverage. Policies discussed included vehicle assignment, stop/station amenity distribution, monitoring process, major service change definition, route sunset process, public involvement guidelines, equity analysis process, service and fare change DI/DB thresholds, and CEQA guidelines.

Participating agencies and organizations provided comprehensive representation of minorities as well as persons with low income. Spanish, Russian, Ukrainian, and a large number of Asian groups provided enthusiastic input. The meetings presented opportunities to discuss their respective organizations' specific concerns including transit service needs, fares, recommended publications for non-English speaking outreach, minority sponsored events for outreach opportunities, and contact referrals to other minority and low income organizations. Participants fully appreciated the opportunity to ask questions regarding the proposed standards and policies. No modifications were suggested at any of the meetings.

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| <ul style="list-style-type: none"> • Asian Community Center • Asian Pacific American Public Affairs Association (APAPA) • Asian Real Estate Association of America • Asian Resources, Inc. • Assisted Transition • California State Assembly, District 7 • California State University, Sacramento • Capital Cities Communications • Center for Fathers and Families • City of Sacramento, Neighborhood Services • Council of Asian Pacific Islanders Together for Advocacy and Leadership (CAPITAL) • Crossings TV • CSU Sacramento, Ethnic Studies Department • Hmong Women's Heritage Association • Interpreting for California • La Familia Counseling Center, Inc. • McGeorge School of Law, Victims of Crime Resource Center • My Sister's House • Organization of Chinese Americans • Pacific Rim Heritage Foundation (PRHF) • Paratransit, Inc. • Philippine National Day Association | <ul style="list-style-type: none"> • RiderShip for the Masses • RT Mobility Advisory Council • Russian American Media • Sacramento Area Council of Governments • Sacramento Black Chamber • Sacramento Chinese Community Service Center • Sacramento City Council, District 4 • Sacramento County Department of Human Assistance • Sacramento Employment and Training Agency • Sacramento Hispanic Chamber of Commerce • Sacramento Housing Alliance • Sacramento Housing Alliance, Transportation Equity Workgroup • Sacramento Metropolitan Air Quality Management District • Search Asia • Slavic American Chamber of Commerce • To'utupu'o e 'Otu Felenite Association (TOFA) • United Lu-Mien Community, Inc. • Vision Service Plan • WalkSacramento |
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