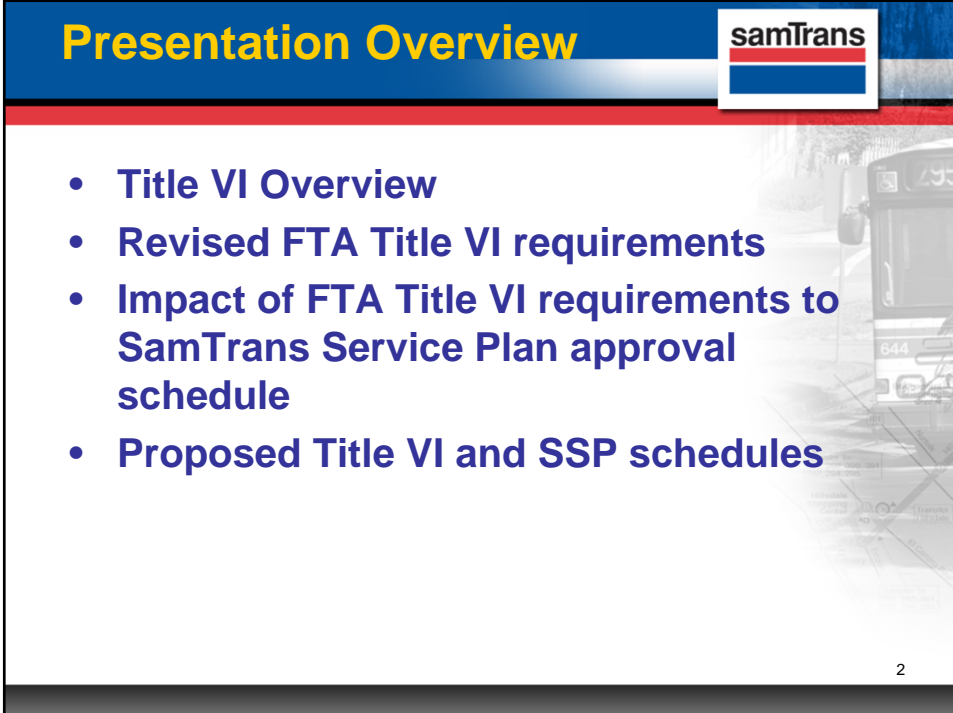



# FTA Title VI Requirements and SamTrans Service Plan Approval Schedule

Board of Directors  
January 9, 2013

## Presentation Overview



- Title VI Overview
- Revised FTA Title VI requirements
- Impact of FTA Title VI requirements to SamTrans Service Plan approval schedule
- Proposed Title VI and SSP schedules

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## Title VI Overview



- Title VI of the Civil Rights Act of 1964 states:
  - *“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”*
- Title VI ensures public services, including transportation, are provided in a non-discriminatory manner
- Requires opportunities for public participation in decision-making without regard to race, color, or national origin, including populations with *Limited English Proficiency (LEP)*

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## Does Title VI apply to SamTrans?



- **Yes: SamTrans is eligible for and does receive federal assistance for its transit and other programs**
- **Federal Transit Administration (FTA) monitors transit providers for Title VI compliance**
- **Non-compliance with Title VI can cause federal funding to be conditioned or withheld**

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## FTA Title VI Requirements: (New Primary Requirements)



- **Conduct updated survey of passengers**
  - **Collect customer demographic and travel pattern data through passenger surveys at least every five years**
- **Develop formal Public Participation Plan**
- **Report racial breakdown of membership of District-appointed membership advisory committees; encourage and solicit minority participation**
- **Adopt policy on major service changes**
- **Adopt policies on disparate impact and disproportionate burden for specific populations**

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## FTA Title VI Requirements: Service Standards and Policies



- **Adopt system-wide service standards and policies**
  - **Quantitative standards, qualitative policies**
  - **Requires Board approval and submission to FTA by March 31, 2013**
- **Monitor compliance with standards and policies**
  - **Present service monitoring results to Board at least every three years**
  - **Board is required to approve results and provide input on mitigations for potential negative findings**

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## FTA Title VI Requirements: New Policies



- **Requires public participation process to adopt new policies**
  - **Major Service Change Policy**
    - Determine threshold when equity analysis for service changes is needed
  - **Disparate Impact, Disproportionate Burden Policies**
    - Determine threshold when fare or service changes would have a disparate impact on race, color, national origin (including LEP), or disproportionate burden on low-income populations

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## FTA Title VI Requirements: New Policies (cont'd)



- **Requires equity analyses of major service changes and all fare changes to determine whether adverse impact is present prior to Board adoption**
  - Use demographic data from passenger survey
  - Agency may *not* adopt fare or service change with disparate impact if there is no “substantial legitimate justification”
  - If no alternative with lesser effects, must mitigate
  - Board must also approve any mitigations before or at time fare or service changes are adopted

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## FTA Title VI Requirements: Monitoring Program

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### FTA role includes:

- Review Title VI Programs submitted by transit agencies every three years
  - Includes documentation showing compliance, development and implementation of required policies and plans
- Investigate Title VI complaints
- Perform Title VI audits

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## SamTrans Service Plan

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- August 2012: Released draft SSP recommendations
- September, October 2012: Conducted outreach and received public comments
- November, December 2012: Reviewed comments to determine what changes to recommend for the final draft plan

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## SamTrans Service Plan

- Transit operators implementing major service changes after 4/1/13 must conduct service equity analysis in accordance with the new FTA requirements
- Proposed SSP changes are considered major service changes and are proposed to be implemented after 4/1/13
- Title VI Major Service Change, Disparate Impact and Disproportionate Burden policies should be in place before we finalize SSP recommendations
- Staff will conduct service equity analysis on the proposed SSP changes in accordance with the new requirements and policies

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## Proposed Title VI Schedule

- January 2013: Inform Board of new Title VI requirements
- February 2013: Review proposed Title VI policies with Board
- February - March 2013: Conduct public outreach on proposed Title VI policies
- March 2013: Board approves Title VI policies
- March 31, 2013: Submit board approved Service Standards and Service Policies to FTA

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## Proposed SSP Schedule

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- **March 2013: Release Final Draft SSP recommendations**
- **March 2013: Call for public hearing on the SSP to be held at the April 2013 Board meeting**
- **March – April 2013: Public outreach on the Final Draft SSP**
- **April 2013: Conduct public hearing**
- **May 2013: Board adoption of SSP, Title VI Equity Analysis and Environmental Assessment**

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