Title VI and Transit
2016 CTS Conference

Cyndi Harper
Metro Transit, Service Development
Overview of Title VI

• Title VI of the Civil Rights Act of 1964 (race, color, national origin)
• Executive Order 12898 (income)
• Federal Transit Administration Circular 4702.1B outlines regulations for transit

• From a transit service perspective, Title VI asks:
  – Are transit services provided and facilities distributed in a non-discriminatory way?
  – Are proposed service or fare changes discriminatory?
General Title VI Requirements

• Submit **Title VI Program** every 3 years (due Feb. 2017)
• Notify customers of rights under Title VI
• Develop Title VI complaint procedures and record complaints and investigations
• Promote an inclusive public participation; provide meaningful access to Limited English Proficiency (LEP) persons
• Review facility location decisions
Requirements for Fixed Route Providers

• Set system-wide standards and policies
  – Vehicle loads, headways, on-time performance, service availability, distribution of amenities, vehicle assignment
  – Included in Transportation Policy Plan, agency policies and procedures

• Evaluate all proposed fare changes

• Collect and report demographic data
  – Sources: US Census, American Community Survey, customer survey and Travel Behavior Inventory data
  – Use to evaluate impacts of changes on current, potential riders

• Monitor transit service
Monitor Transit Service

• Measure service and facilities to standards to see if consistency with standards is balanced across different populations

• Compare minority vs. non-minority areas (service area average = 27.9% minority); low-income vs. non-low-income areas (service area average = 11.9% low-income)

• Significant aggregation across large data sets
Evaluate Service Changes (Service Equity Analysis)

• Applies to *major* service changes
• Use change in number of transit trips as measure of access to transit
• Compare aggregate change in access for minority population compared to non-minority population (and for low-income / non-low income population)
• Approach continues to evolve
Disparate Impact Definition

• When is a difference between minority and non-minority areas, or between low-income and non-low-income areas, significant enough to be a disparate impact?
• Council Policy: Four-Fifths Rule
  – Benefits should not be provided to minority or low-income populations at a rate less than 80% (four-fifths) of the benefits provided to non-minority or non-low-income populations
  – Adverse effects should not be borne by non-minority or non-low-income populations at a rate less than 80% (four-fifths) of the adverse effects borne by minority or low-income populations
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All Metro Transit and Met Council Title VI reports and policies are available online: metrocouncil.org (keyword: Title VI)

Cyndi Harper
Manager of Route Planning
Metro Transit, Service Development
Cyndi.harper@metrotransit.org
(612) 349-7723
Service Equity Analysis Results

Green Line LRT and Connecting Bus Routes (2014)

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Minority</th>
<th>Non-Minority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>167,957</td>
<td>58,110</td>
<td>109,847</td>
</tr>
<tr>
<td>Average Percent Change in Service</td>
<td>52.8%</td>
<td>51.6%</td>
<td>53.4%</td>
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</tbody>
</table>

**Four-Fifths Threshold**

(4/5 x Non-Minority Rate of Change)

4/5 x 53.4% service increase in non-minority area = 42.7% threshold. The actual increase in service for minorities is 51.6%; therefore this is an acceptable difference.