

2010 TITLE VI FARE ASSESSMENT UPDATE

Countywide Planning & Development
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Title VI of the Civil Rights Act of 1964

- Provides that "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." (42 U.S.C. Section 2000d).

DOT/FTA Regulations and Guidance for Title VI

Recipients of federal financial assistance, such as the MTA, must adhere to:

- Title VI Regulations (49 CFR part 21)
- Environmental Justice (Order 5610.2)
- Limited English Proficient (“LEP”) Persons (70 FR 74087, December 14, 2005)
- Federal Transit Administration (FTA) Circular 4702.1A, “Title VI and Title VI-Dependent Guidelines for FTA Recipients”, dated May 13, 2007.

FTA Circular 4702.1A Guidance

For proposed fare adjustments that would increase or decrease fares on certain transit modes or by fare payment type or payment media, recipients must:

- Evaluate significant changes to determine whether they have a discriminatory impact on minority and low-income populations;
- Address inclusive public participation requirements when evaluating such fare changes and in determining their impacts; and
- Implement comprehensive and effective measures that would ensure that minority and low-income populations are involved in public participation activities.

FTA Circular 4702.1A Guidance

The FTA Circular also notes that:

- *“Recipients [such as the MTA] can implement a fare increase ... that would have disproportionately high and adverse effects provided that the recipient demonstrates that the action meets a substantial need that is in the public interest and that alternatives would have more severe adverse effects than the preferred alternative.”*

MTA Actions Consistent With C4701.1A

- *Evaluated significant changes to determine whether they have a discriminatory impact on minority and low-income populations:*
 - Prepared May/June 2007 Title VI Assessment before Board adopted fare changes in 2007.
 - Analyzed MTA's transit ridership profile and impacts on fare changes on minority, non-minority, low-income, non-low income, and demonstrated non-discriminatory systemwide impacts.

MTA Actions Consistent With C4701.1A

- Fare structures and their changes adopted in 2007 were to be implemented on July 1, 2007 (for FY 2008) and on July 1, 2009 (for FY 2010).
- Board later postponed FY 2010 fare structure (starting July 1, 2009) for one year (until July 1, 2010) with LA County voter approval of Measure R half-cent sales tax in November 2008.

MTA Actions Consistent With C4701.1A

- *Addressed inclusive public participation requirements when evaluating fare changes and in determining their impacts:*
 - Scheduled seven regional fare forums in May 2007, including one on a Saturday
 - Public Hearing was held on Thursday, May 24, 2007

MTA Actions Consistent With C4701.1A

- *Implemented comprehensive and effective measures that would ensure that minority and low-income populations are involved in public participation activities:*
 - Assisted LEP persons by making available information in 10 languages and making available translators upon advanced request.
 - Disseminated information to list of over 6,000 names/addresses of individuals, organizations and agencies, to ensure that information on proposed fare changes and on Regional Fare Forums and Public Hearing would reach those local community groups and individuals who represent or advocate for minority and low-income populations.

Key Results of 2007 May/June Title VI Assessment

- **Proposed Fare Structures results in no equity issues with or adverse effects on minority and low-income populations:**
 - ✓ **Would not cause minority and low-income group riders to bear a higher average fare burden than non-minority and higher-income group riders.**
 - ✓ **Would distribute fare increases across various constituents evenly.**

Key Results of 2007 May/June Title VI Assessment

- Proposed fare changes would generate additional revenues to mitigate MTA's significant, multi-million dollar Structural Deficit that must be addressed in the public interest.
- Proposed fare changes are needed to avoid alternatives, such as major reductions in services or elimination of services that would have severe adverse effects on minority and low-income populations.

2010 Review to Ensure Title VI Compliance

- The fare changes to be implemented on July 1, 2010 for FY 2011 are essentially the same as the Board-adopted fare structure that was to be implemented on July 1, 2009, and has been fully addressed in the May/June 2007 Title VI Assessment.
- The MTA has scheduled a Special Board Meeting on the FY 2011 fare structure for Saturday, May 8, 2010 to receive additional public input.

2010 Review to Ensure Title VI Compliance

- In May 2007, seven regional fare forums were conducted to provide public an opportunity to comment on the proposed fare changes.
- As no adverse impacts on minority and low-income populations were determined due to the adopted fare structure and its changes to be implemented in FY 2011, there are no actions needed to minimize, mitigate, or offset any adverse effects.
- Information regarding fare structure changes was disseminated in 2007 and will be again before July 1, 2010 to low-income and minority populations, and steps were taken and will be again to notify individuals who are Limited English Proficient (LEP) of the fare changes.

2010 Review to Ensure Title VI Compliance

- A process for investigating and tracking Title VI complaints has been established and has been made available to members of the public before the fare changes.
- Efforts have been made that are compliant with federal regulations designed to ensure that MTA's fare structure and its changes have no discriminatory impact on minority and low-income transit riders.
- In addition to providing fare discounts for the senior, disabled and student segments of minority and low-income populations (as well as to senior, disabled and student segments generally in Los Angeles County), the MTA has developed Special Needs programs (including a new Rider Relief Program) that reach out to other specific segments of minority and low-income populations.

2010 Review to Ensure Title VI Compliance

- Since 2007, a nationwide economic recession has exacerbated the MTA's significant, multi-million dollar Structural Deficit with fewer than expected revenues from non-fare sources. The FY 2011 fare changes to be implemented on July 1, 2010 would generate additional revenues to mitigate MTA's Structural Deficit that must be addressed in the public interest.
- The FY 2011 fare changes are needed to avoid alternatives, such as major reductions in services or elimination of services that would have severe adverse effects on minority and low-income populations.