

Riverside Transit Agency (RTA)
Title VI of the Civil Rights Act of 1964 Policies

The Federal Transit Administration (FTA) Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," effective October 1, 2012, requires that all FTA recipients operating 50 or more fixed route vehicles during peak service and serving a population of 200,000 or greater must evaluate service changes and their corresponding impacts on transit services. The required policies are subdivided into the following three categories:

- Major Service Change Policy
- Disparate Impact Policy
- Disproportionate Burden Policy

Major Service Change Policy

The FTA requires that funding recipients prepare and submit service and fare equity analyses for public comment in consideration of proposed major service or fare changes. The purpose of this policy is to establish thresholds that define a "major service change", and the definition of an adverse impact created by a "major service change".

The RTA Public Hearing Policy for Major Service and Fare Changes, dated October 25, 2012, complies with this policy requirement. As contained within this policy, a major service change is defined by the RTA as meeting one of the following criteria:

1. All proposed fare changes excluding ride free promotional events, and temporary fare reductions that are mitigating measures for other actions.
2. All promotional fare reductions remaining in effect after 6 months.
3. Proposed service expansions and reductions including all routing and timetable changes remaining in effect after 12 months that exceed 25 percent of their current configurations.

If a proposed major service change falls within one of the three categories above, the RTA will conduct a Title VI service and fare equity analysis for review and consideration by the Board of Directors and the public prior to implementing changes. An adverse effect is defined as a major geographical or time-based reduction in service which may include, but is not limited to, span of service changes, frequency changes, route segment elimination, re-routing, or route elimination. The RTA shall consider the degree of adverse effects in the form of an equity analysis when planning major service changes.

The following types of service changes are exempt:

- Minor route alignment, frequency, span, or time point adjustments;

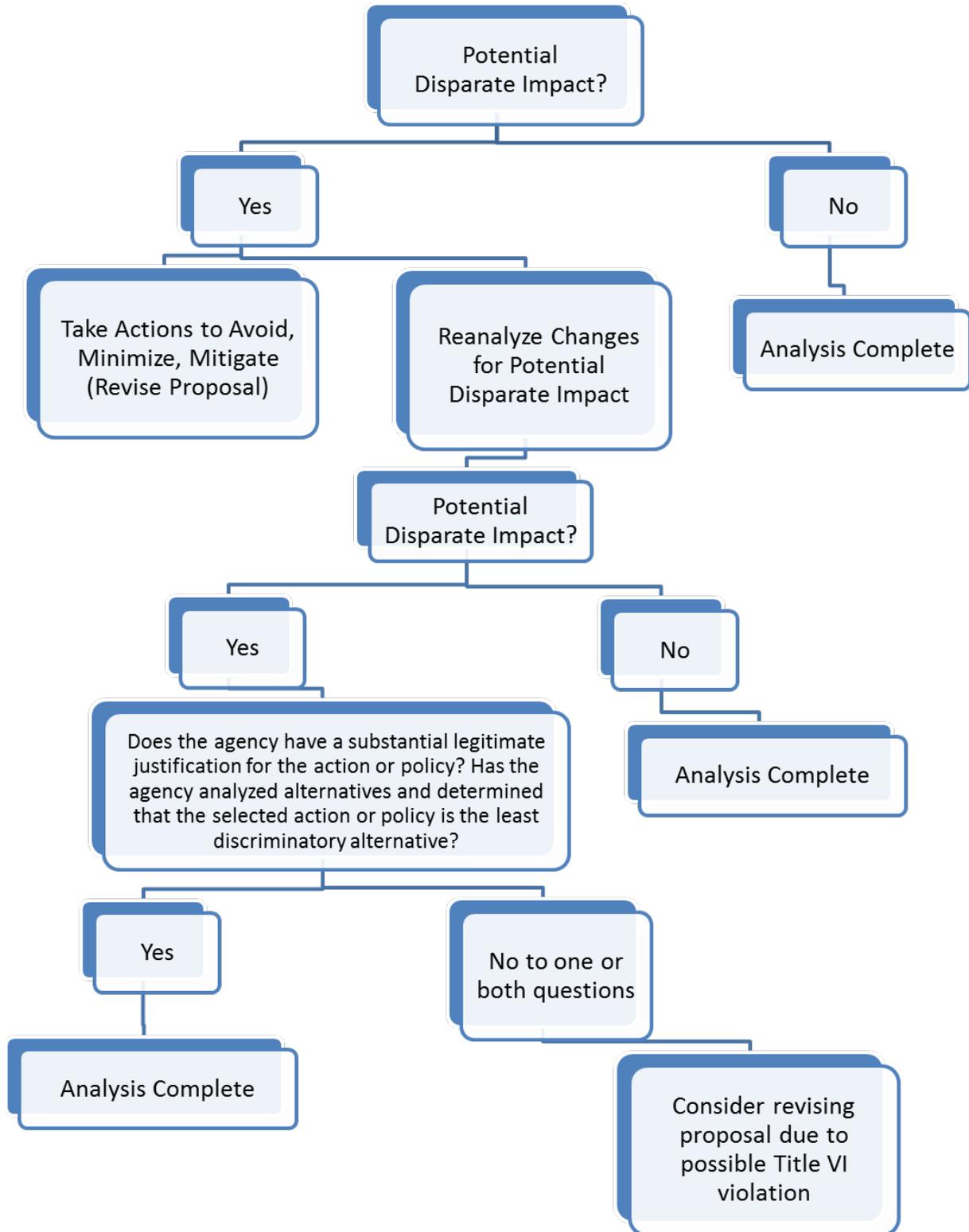
- Routing or bus stop changes due to temporary road detours caused by construction, maintenance, closures, emergencies, labor disruptions or strikes, fuel shortages, or safety concerns;
- Any temporary service addition, change, or discontinuation of a route with less than twelve months of operation;
- Changes on special service routes serving sporting events, special events, or service contracted through other cities or agencies;
- Any service change that does not meet the definition of a major service change described above.

Disparate Impact Policy

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service or fare change are borne disproportionately by minority populations. For the purpose of this policy, a minority population is defined as any readily identifiable group of minority persons who live in geographical proximity, and if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed program, policy, or activity.

The RTA defines a “disparate impact” as occurring when an adverse effect of a major service or fare change on minority populations is at least 20 percent greater than the adverse effect on the average minority population of RTA’s service area. In order to identify a potential impact, the RTA will follow the process illustrated within the flow chart below:

Title VI Service and Fare Equity Analysis Process to Identify Potential Disparate Impacts



Source: FTA, Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients, October, 1, 2012.

Should a proposed major service change result in a disparate impact, the RTA will consider modifying the proposed change to avoid, minimize, or mitigate the disparate impact of the change. If the RTA finds potential disparate impacts and then modifies the proposed changes in order to avoid, minimize, or mitigate potential disparate impacts, the RTA will reanalyze the proposed changes in order to determine whether the modifications actually removed the potential disparate impacts of the changes.

If the RTA chooses not to alter the proposed changes, the RTA may implement the service or fare change if there is substantial legitimate justification for the change and the RTA can show that there are no alternatives that would have less impact on the minority population and would still accomplish program goals.

Disproportionate Burden Policy

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service or fare change are borne disproportionately by low-income populations. For purposes of this policy, low-income population is defined as any readily identifiable group or households who are at or below 150 percent of the U.S. Department of Health and Human Services Poverty Guidelines listed below.

2013 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Persons in family/household	Poverty guideline
1	\$11,490
2	15,510
3	19,530
4	23,550
5	27,570
6	31,590
7	35,610
8	39,630

For families/households with more than 8 persons, add \$4,020 for each additional person.

Source: Department of Health and Human Services, Office of the Secretary, Annual Update of the HHS Poverty Guidelines (Federal Register / Vol. 78, No. 16 / Thursday, January 24, 2013 / Notices)

The RTA defines a “disproportionate burden” as occurring when the low-income population adversely affected by a major service or fare change is 20 percent more than the average low-income population of RTA’s service area.

Similar to the approach in identifying a potential disparate impact, should a proposed major service or fare change result in a disproportionate burden, the RTA will consider modifying the proposed change to avoid, minimize, or mitigate the disproportionate burden of the change. If the RTA finds potential disproportionate burdens and then modifies the proposed changes in order to avoid, minimize, or mitigate potential disproportionate burdens, the RTA will reanalyze the proposed changes in order to determine whether the modifications actually removed the potential disproportionate burdens of the changes.

If the RTA chooses not to alter the proposed changes, the RTA may implement the service or fare change if there is substantial legitimate justification for the change and the RTA can show that there are no alternatives that would have less impact on the low-income population and would still accomplish program goals.