

Working through the gray areas of Title VI equity analysis

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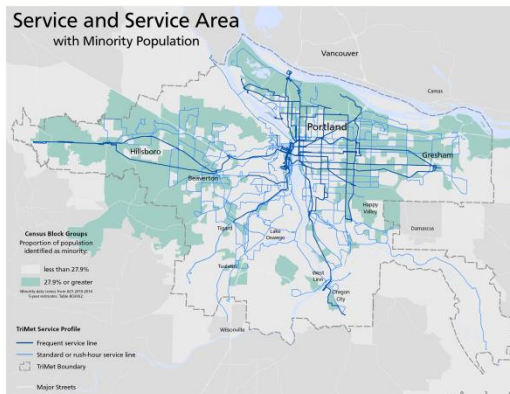




Image source: Wikipedia

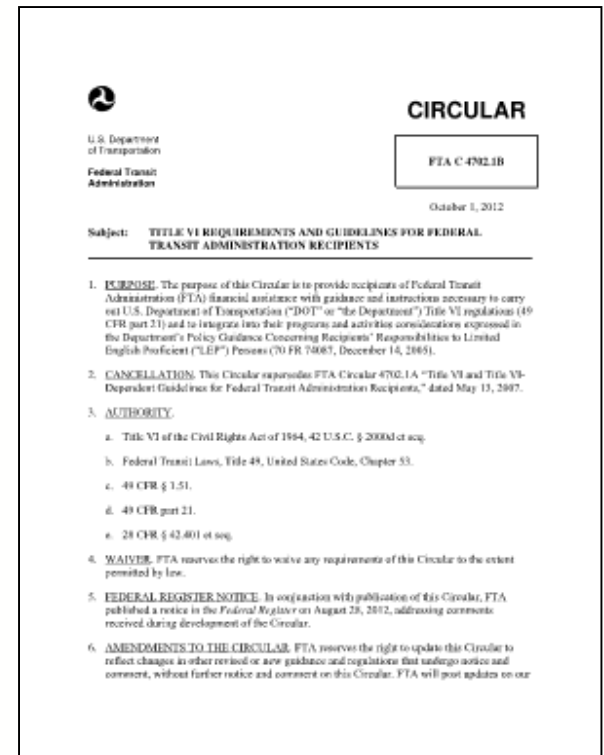
Some Background

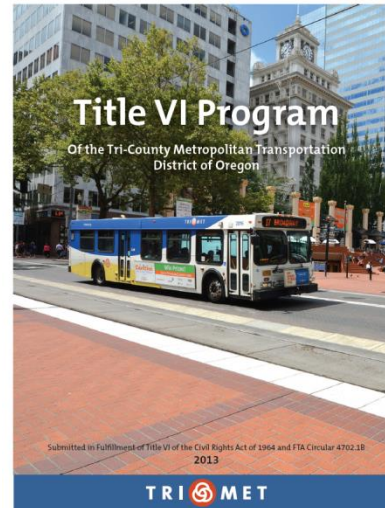
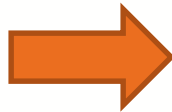
2012: A NEW HOPE CIRCULAR

FTA Circular 4702.1B

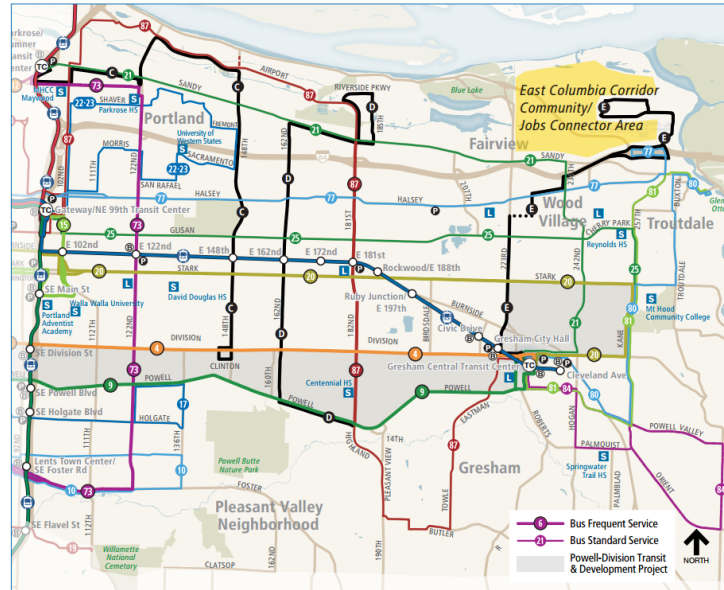
New/updated requirements:

- “Disproportionate Burden” – new term for disparate impacts on low-income populations
- Equity analysis – more stringent/specific
- Data collection through surveys – required at least every 5 years
- Governing board responsibilities
- Public participation





Future Vision for Eastside Bus Service



Gray Area #1:

SERVICE IMPROVEMENTS

What does the Circular say?

Heavier focus on *adverse effects*, but these guidelines are provided in the checklist in Appendix K:

“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.”

Questions begged

What does benefitting “as much” mean?

What is an appropriate timeframe to consider as fuller context?

Should DI/DB thresholds for analysis of improvements be equivalent to analysis of cuts?

Do current service levels matter?

Example: Weekend Frequent Service restoration

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TriMet News

TriMet restores MAX frequent service on weekends beginning Sunday, June 7

June 2, 2015 by Roberta Altstadt

Agency's \$1.1 million investment means more MAX trips on weekends

MAX riders will see increased frequency on Saturdays and Sundays beginning Sunday, June 7 as TriMet restores weekend frequent service on the light rail system to pre-recession levels. With a \$1.1 million investment and the addition of 135 trips, MAX lines will run about every 15 minutes or better most of the day, every day. Service is less frequent in the early morning and late evening based on the lower ridership.



With the restoration of weekend MAX frequent service, TriMet will have invested \$14 million in service improvements since September 2014. The agency has restored service hours systemwide to pre-recession levels, focusing service and frequency on our busiest bus lines and MAX.



Gray Area #2:

FARE DECREASES

What does the Circular say?

“The fare equity analysis requirement applies to all fare changes regardless of the amount of increase or decrease.”

“The transit provider shall develop a policy for measuring disparate impact [and disproportionate burden] to determine whether minority [and/or low-income] riders are bearing a disproportionate impact of the change between the existing cost and the proposed cost. The impact may be defined as a statistical percentage.”

Questions begged

Should DI/DB policies for analysis of fare decreases be equivalent to analysis of increases?

If so, might reductions to certain fare types change fare payment patterns, thereby addressing potential disparities?

Are there times where it would be better to keep fares constant as opposed to an inequitable fare decrease?

Example: Reduction of Youth fares





Gray Area #3:

OTHER TYPES OF FARE CHANGES

What does the Circular say?

“For proposed changes that would increase or decrease fares on the entire system, or on certain transit modes, or by fare payment type or fare media, the transit provider shall analyze any available information 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 payment media that would be subject to the fare change.”

Questions begged

What about fare changes that do not increase or decrease fares, but change payment options?

If minority and/or low-income riders would be disproportionately impacted due to an unintended benefit, might that constitute DI/DB?

Ex: Round trips on a single fare

Example: Changes to transfer window



Example: Migration to eFare



LESSONS LEARNED

Lessons Learned

- Adherence to Title VI regulations and policies is rarely cut-and-dry
 - Understanding spirit of the law is key
- Engaging the community can help answer questions/fill in gaps
- Can be difficult to communicate process and findings to colleagues, leadership, and the public
- Title VI Program update is an opportunity to incorporate real world experience into policy



Thank you!

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