



SERVICE AND FARE EQUITY POLICY



SCOPE:	DART TRANSIT SERVICES
RESPONSIBLE DEPARTMENT:	PLANNING AND DEVELOPMENT
APPROVAL DATE:	MARCH 5, 2019
APPROVED BY:	DART COMMISSION

Purpose:

The purpose of this policy is to establish thresholds for analyzing and reporting potential adverse impacts of transit service or fare changes on minority and low-income communities. This policy describes the criteria for analyzing changes to service and fares, as well as the steps that will be taken as a result of the analysis.

Title VI of the Civil Rights Act of 1964 states 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. The Federal Transit Administration (FTA) has several requirements to ensure that transit agencies comply with Title VI, among them the requirement to analyze changes to transit service or fares to determine whether changes are being applied equitably to minority and low-income communities.

Minor changes to service are exempted from this analysis and reporting, but each transit agency must identify what constitutes a Major Service Change for its system, as only Major Service Changes are subject to a service equity analysis. Changes that are anticipated to last less than 12 months, such as construction detours, are considered minor service changes and not subject to equity analysis.

All changes to fare cost and payment methods are subject to this analysis and reporting, excluding temporary or promotional fares lasting 12 months or less.

Definitions:

- **Adverse Effect** is defined as a geographical or time-based reduction in service which includes but is not limited to span of service changes, frequency changes, route segment elimination, rerouting, or route elimination.
- **Disparate Impact** refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where DART's policy or practice lacks a substantial legitimate justification and where there exist one or more alternatives that would serve the same legitimate objective but with less disproportionate effect on the basis of race, color, or national origin.
- **Disparate Treatment** refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of race, color, or national origin.
- **Disproportionate Burden** refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of



SERVICE AND FARE EQUITY POLICY



disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

- **Low-income Person** means a person whose household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.
- **Low-income Population** refers to any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.
- **Minority Persons** include those persons who self-identify as being one more of the following ethnic groups: American Indian and Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian and Other Pacific Islander, as defined in the FTA Title VI Circular.
- **Minority Populations** means any readily identified group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

Major Service Change Policy:

A service equity analysis will be conducted whenever DART implements a major service change.

- A major service change is defined as when 25 percent or more of a route's revenue hours or revenue miles is added or reduced, or when the total revenue hours for the system are expanded or reduced by 10 percent or more.

Changes to service that do not meet the major service change threshold are not subject to further Title VI analysis.

Disparate Impact Policy for Major Service and Fare Changes:

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service change or any fare change are borne disproportionately by minority populations.

- DART will consider a proposed major service change to have a disparate impact if the affected route's minority population is more than 5 percentage points greater than the system average.
- DART will consider a proposed fare rate or media change to have a disparate impact if the proportion of minority customers likely to be negatively affected is more than 5 percentage points greater than the overall proportion of DART customers likely to be affected.



SERVICE AND FARE EQUITY POLICY



Disproportionate Burden Policy for Major Service and Fare Changes:

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service change or any fare change are borne disproportionately by low-income populations.

- DART will consider a proposed major service change to have a disproportionate burden if the affected route's low-income population is more than 5 percentage points greater than the system average.
- DART will consider a proposed fare rate or media change to have a disproportionate burden if the proportion of low-income customers likely to be negatively affected is more than 5 percentage points greater than the overall proportion of DART customers likely to be affected.

Service and Fare Equity Analysis Process:

If either a disparate impact to minority communities or a disproportionate burden on low-income communities is identified, DART will take the following steps:

- Consider the degree of the adverse effects to these vulnerable communities and whether any adverse effects can be avoided or mitigated.
- Conduct public outreach to share the proposed major service changes and impacts and /or fare changes and impacts. Staff will collect feedback, consistent with the methods described in DART's Public Participation Plan.
- Prepare a report regarding all Major Service Changes and/or Fare Changes for consideration by the DART Commission prior to approval and implementation,
 - The report will outline the impacts to minority and low-income communities and describe public engagement process and the rationale used to develop the recommendations.
- If the DART Commission chooses, it may implement the service or fare change despite an inequity finding if there is justification for the change AND staff have demonstrated that there are no practical alternatives that would accomplish DART's program goals and have less of an impact on minority and/or low-income communities.