

Title VI Fare Equity Analysis

Sound Transit Permit Parking Program

Introduction

Sound Transit is considering introducing parking permits at Sound Transit park-and-ride facilities.

Sound Transit is considering parking permits because of the following agency policy goals (Sound Transit Resolution R2013-03, System Access Policy):

- *Increase transit ridership*
- *Encourage convenient and safe connections to Sound Transit services through all access modes including vehicles requiring parking*

Transit riders who wish to drive and park a vehicle to access Sound Transit services are often faced with very crowded conditions at many of Sound Transit's park-and-ride facilities. Sound Transit's facilities are also used by non-transit riders, which is prohibited by policy but difficult to enforce without a mechanism for transit customer validation, which a permit or fee-based program would provide.

Policy

Because parking permits would impose an additional cost on a specific group of transit riders, Sound Transit is considering this a fare increase for the purposes of Title VI. It is the policy of Sound Transit to conduct a fare equity analysis during the planning phase of a potential fare change to determine whether the proposed fare change would have a disparate impact on minority populations and/or a disproportionate burden on low-income populations. If any disparate impact or disproportionate burden is found, Sound Transit will consider steps to avoid, minimize, or mitigate the adverse impacts and reanalyze the modified changes to determine if the impacts are removed or lessened.

Sound Transit's policy defines these impacts as follows:

A disparate impact occurs when the minority percentage of the population adversely affected by any fare change is greater than the average minority percentage of the population of Sound Transit's service area.

A disproportionate burden occurs when the low income percentage of the population adversely affected by any fare change is greater than the average low income percentage of the population of Sound Transit's service area.

Sound Transit's fare equity analysis policy, including a description of how the public was engaged in the development of the policy, is attached in the **Appendix**.

Definitions & Data Sources

The data used in this analysis is primarily from two surveys conducted by Sound Transit in 2011-2014. Low income data comes from the Origin-Destination survey conducted on all Sound Transit services in

2011-2012. The final sample size is 16,142 Sound Transit customers. Data were weighted to represent boardings at the corridor and route level for all services. For the purposes of this analysis, Low Income is defined as at or below 200% of the Federal poverty level. Since poverty level is defined by household size, the average household size for the Puget Sound Region of 2.4 was assumed. The Federal poverty level for two to three person households is approximately \$15,000-\$18,000. Given the data available on income for this analysis and a range of \$30,000-\$36,000 defining low income, survey respondents reporting household incomes less than \$35,000 were considered “Low Income.”

Minority data in this analysis comes from the Customer Satisfaction Survey conducted on all Sound Transit services in 2014. The final sample size is 1,323 Sound Transit customers. Data were weighted to represent boardings at the mode level for rail-based services and at the route level for Sound Transit Express bus service.

Fare Change Proposal and Parking Usage

Table 1 below displays the ranges of potential permit fees by permit type. A range of permit fees has been included to address potential future scenarios where demand-based pricing may be used. Table 2 displays the number and percent of minority, low income, and overall riders who use parking, and hence, who would be affected by a permit parking program.

Table 1. Proposed fare change by permit type

Permit Type	Cost		Change	
	Existing	Proposed	Absolute	Percentage
Monthly permit – SOV	0	\$10 - \$50	\$10 - \$50	n/a
Monthly permit – HOV	0	\$0 - \$10	\$0 - \$5	n/a

Table 2. Parking usage by group – 2014 estimate

Access Type	Percent			Count		
	Minority	Low Income	Overall	Minority	Low Income	Overall
Uses parking	26%	13%	34%	3,259,752	1,178,691	11,217,770
Does not use parking	74%	87%	66%	9,277,756	7,729,538	21,775,672
Total				12,537,508	8,908,229	32,993,442

According to rider survey results, a lower proportion of minority and low income riders use parking to access Sound Transit services than the overall Sound Transit ridership. Overall, just over one third of Sound Transit riders use parking to access service, while 26 percent of minority riders and 13 percent of low income riders use parking.

Using survey data, staff analyzed the percentage of minority and low income riders that would experience negative impacts and benefits from the introduction of parking permits and fees, compared

to the percentage of non-minority and non-low income riders that would experience these impacts. The negative impacts of this proposal are:

- A fee (for riders who opt to purchase a permit), and
- Increased competition for unpermitted spaces (for riders who opt not to purchase a permit).

The benefit of the proposal for those who opt to purchase permits is access to reserved parking that is available throughout the highest demand period for use of parking (weekday mornings).

Table 3 displays the percentage of riders in each group that would be positively and negatively affected by parking permits, as well as the makeup of Sound Transit ridership as a whole.

Table 3. Impacts on minority and low income riders

	Sound Transit customers	Population negatively affected	Population positively affected
% minority	38%	31%	31%
% non-minority	62%	69%	69%
% low income	27%	12%	12%
% non-low income	73%	88%	88%

A lower percentage of minority and low income Sound Transit riders would be negatively affected by the fare change than the percentage of minority and low income riders on Sound Transit services as a whole. This is because low income and minority riders are less likely to use parking than non-low income and non-minority riders. However, because the benefits that result from the fee also apply to those who experience the negative impacts, and assuming that use of parking remains stable across income and ethnicity groups after parking permits/fees are introduced, a lower percentage of minority and low income riders would experience the benefits that these products offer.

Thus, while the proposal does not have any disparate negative impacts to minority riders nor do they place disproportionate burden on low income riders, a disparity exists in the receipt of benefits created by the proposal for minority and low income riders.

Permit eligibility

The proposed permit parking program would require customers to have and use the regional fare media card, One Regional Card for All (ORCA), as a condition for qualifying for and renewing parking permits. According to the Title VI Fare Equity Analysis conducted for Sound Transit General Fare Increase with Low Income Fare Discount in September 2014 (which includes the most recently available fare media usage analysis):

“A higher proportion of minority and low income riders use the cash/ticket fare type than the overall Sound Transit ridership, and a lower proportion use the Adult ORCA fare type. Low income riders are more likely to use the Regional Reduced Fare Permit (RRFP), and both minority and low income riders are more likely than the overall ridership to use the youth fare type.”

Assuming that the same fare media usage distribution applies to the low income and minority customers who use parking and would be affected by the permit parking proposal, access to permits (in terms of criteria to qualify for permits) would not be available to those minority and low income riders who use parking to access transit services and use cash to pay their fare. The primary barriers for obtaining an ORCA are a \$5 one-time card fee and access to card distribution outlets. However, it is currently a necessary and common practice for certain transit program features to be restricted to users of electronic or uniquely identifiable fare media like ORCA, including the low-income fare program (ORCA LIFT), ORCA Regional Reduced Fare Permit (RRFP), transfer credits, and access to unlimited-use fare products such as daily or monthly transit passes. The card fee barrier has been addressed by waiving the \$5 card fee, as with the ORCA LIFT program when issuing new ORCA cards to qualified low income applicants.

Mitigation/minimization of negative impacts

As an opt-in program, no customer would be required to pay the fee and incur the negative impact; however, they would then also forego the benefit of priority access to permit parking spaces. Some of the strategies to mitigate or minimize the negative impacts, or conversely to maximize the benefit received by low income and minority riders, are:

- Low cost or free HOV permit
- Any unused permitted spaces become available after morning rush hour has completed, allowing for later travelers, in particular those with non-traditional work hours, to find available parking. Rider survey data shows that low-income riders are more likely to travel during off-peak periods, so this aspect of the program may benefit low-income riders.
- Geographic distribution of program: because the program will apply to any Sound Transit owned and operated facility that meets a utilization and/or typology requirement, the benefits (and impacts) of the program will be distributed throughout Sound Transit's service area and not confined to one geographic location or geographically-concentrated demographic group.
- Low-income pricing will be considered as a mitigation strategy if feasible; Sound Transit currently offers a low-income fare for customers on its Link light rail system and is considering expanding the fare to ST Express bus service and Sounder commuter rail service. Should a feasible mechanism for identifying low income riders through the ORCA LIFT low income fare program be available, a low income permit price could be offered.
- Marketing and advertising strategies to reduce barriers to access permits for minority and low income riders will be employed.

Outreach Plan

Sound Transit will launch an extensive outreach plan and public comment period to educate riders and the general public about potential parking fees and to collect public feedback on the proposal. The public will be contacted through varied outreach, publication, and communication efforts, including communications in languages other than English. A variety of feedback mechanisms will be available during the outreach phase, including an online survey, telephone, email, and traditional mail. The outreach phase will conclude with a Public Hearing to ensure members of the public, community groups

and project stakeholders have the opportunity to comment on the proposal. The official comment period is August 1 through September 24, 2015. The Board will take final action at their September 24th meeting.

Objectives

Activities during the comment period related to the proposal will:

- Reduce confusion by clearly articulating information about potential parking fee options;
- Recognize that parking and access issues affect all riders (regardless of whether they use parking or not); provide access to the information to engage riders directly affected by the proposal;
- Offer a variety of methods for providing comments on the proposal;
- Provide opportunities for members of the public to engage directly with project staff;
- Showcase Sound Transit's responsiveness to other agencies' policies and collaboration on parking and access across the region;
- Directly inform and engage existing riders on Sound Transit services; and seek engagement venues that are easily accessible by transit;
- Conduct outreach in geographically-relevant locales, where key audiences may be inclined to gather; and
- Comply with and go beyond Title VI intents related to engaging traditionally under-represented populations.

Comment Methods

Formal comment methods

Formal comments will be gathered and provided verbatim to the Sound Transit Board.

- Email: parking@soundtransit.org
- Phone: 1-888-889-6368
- Mail: Sound Transit | Attn: Brian Brooke | 401 S. Jackson St. | Seattle, WA 98104
- Online: Questionnaire/survey to be posted, accessed via www.soundtransit.org/permitparking
- At information sessions: Comment form / printed survey
- At public hearing on 9/3/2015
- Foreign Language Line: 1-800-823-9230
- Accommodations for persons with disabilities: 1-888-889-6368 / TTY Relay 711

Information sessions

An information session will be held at each of the proposed permit locations public meetings over a two-week period in August. The proposed format would include a staffed information table with comment forms, printed surveys, and informational displays.

Table 4. Information session schedule

Dates	Time	Location
Aug 18-20	6:00 – 9:00 a.m. or 3:30 – 6:30 p.m.	Auburn Station, Kent Station, Puyallup Station, Sumner Station, Issaquah Transit Center, Overlake Station
Aug 25-26	6:00 – 9:00 a.m. or 3:30 – 6:30 p.m.	Federal Way Transit Center, Mercer Island Park-and-Ride, Tukwila Int’l Blvd Station
Sep 12-13	All day	SeaTac International Festival at Angle Lake Park (will provide supplemental information about permit parking at previously-scheduled customer outreach booth)

In addition to information sessions, the Sound Transit Board will hold a formal public hearing on Thursday, September 3. The hearing will take place in the Sound Transit Ruth Fisher Board Room, Union Station, 401 South Jackson St, Seattle at 12:00 p.m.

Notifications

The staff will employ a robust notification strategy, summarized in Table 5, to ensure the public is aware of the opportunity to comment during the comment period. The following types of notification represent a broad combination of materials and notification vehicles to reach out to the community as a whole and invite feedback during the comment period.

Table 5. Comment period notification plan

Date(s)	Notice	Detail
Ongoing (starting late July)	Briefings to jurisdictions, stakeholder groups, and organizations	Proposed parking program is a component of major jurisdictional/ organizational briefings with key stakeholder groups
8/3	Web announcement(s)	Project web page on Sound Transit’s website; home page/parking page announcements
8/3 (begins)	Coach posters	Placed on Sounder/ST buses/Link to advertise proposal
8/4	Press Release	Distributed by Sound Transit using regular media protocol (MRPI), launch of comment period.
8/5	E-update	Rider alert email distributed by Sound Transit via GovDelivery subscription service at launch of comment period Approx. number of recipients: 31,000
8/3, 8/18, 9/14	Sound Transit Facebook/Twitter	Brief announcements of Permit Parking Program comment period and public meetings. Running throughout comment period, likely two per channel.

7/31, 9/4	Weekly CEO Report	Write-up in CEO report concerning fare proposal, comment period and meeting schedule
8/20, 8/27	Legal notice for public hearing	Placed by Board Administration in Daily Journal of Commerce

Public Outreach Report & Board Decision Schedule

A preliminary public outreach report compiling the results of the information sessions, stakeholder meetings and formal public comment will be completed by September 16. The Operations and Administration Committee of the Sound Transit Board of Directors will consider the fare change proposals at their September 3 meeting, and a final Board decision is scheduled for September 24.

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Appendix

Sound Transit Fare Equity Analysis Policy (R2013-19) & Staff Report

RESOLUTION NO. R2013-19

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority establishing policies for conducting equity analyses of Fare Changes impacting minority and low income populations, in accordance with Title VI requirements and guidelines for Federal Transit Administration recipients.

WHEREAS, the Central Puget Sound Regional Transit Authority, hereinafter referred to as Sound Transit, has been created for the Pierce, King, and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, Sound Transit is authorized to plan, construct, and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the central Puget Sound region; and

WHEREAS, in general elections held within the Central Puget Sound Regional Transit Authority district on November 5, 1996 and November 4, 2008, voters approved local funding to implement a regional high-capacity transportation system for the central Puget Sound region; and

WHEREAS, Sound Transit has made a commitment to the people within its 3-county region to seek community involvement as it plans, designs, builds, and operate a regional transit system; and

WHEREAS, Sound Transit is a recipient of federal funding primarily from the Federal Transit Administration; and

WHEREAS, consistent with Title VI of the Civil Rights Act of 1964, Sound Transit is committed to:

- Providing services without regard to race, color, or national origin,
- Promoting the full and fair participation of affected populations in transit decision making,
- Preventing denial, reduction, or delay in benefits related to programs and activities that benefit minority or low-income populations, and

WHEREAS, in accordance with Title VI requirements and guidelines for FTA recipients, Sound Transit conducts an equity evaluation of major service changes and all fare changes to determine whether such changes result in adverse impacts on minority populations or impose burdens on low-income populations; and

WHEREAS, Sound Transit is to then evaluate whether the major service change or whether the fare change results in disparate impacts on minority populations or disproportionate burdens on low-income populations; and

WHEREAS, Sound Transit is to ensure inclusive public participation and take all reasonable steps to remove, explore alternatives or otherwise mitigate and reduce the disparate impacts on minority populations or disproportionate burdens on low-income populations; and

WHEREAS, in accordance with the FTA's Title VI requirements and guidelines, Sound Transit is to establish a policy defining the threshold to determine whether any Fare Change results in disparate impacts to minority populations or disproportionate burdens to low-income populations; and

WHEREAS, Sound Transit engaged the public in developing these policies in a manner consistent with Sound Transit's inclusive public participation policy.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Central Puget Sound Regional Transit Authority, that in accordance with Title VI of the Civil Rights Act of 1964, and FTA requirements and guidelines, this policy is enacted to establish policies to conduct an equity analysis of fare changes to assess the impact of such changes on Minority and Low-Income populations.

BE IT FURTHER RESOLVED that all fare changes regardless of the amount of the increase or decrease (and including changes in payment type or payment media, and availability or duration of

paper or electronic transfers) will be subject to an equity analysis which includes an analysis of potential adverse effects on minority and low-income populations with the following exceptions:

1. Instances where Sound Transit has declared that all passengers will ride free.
2. Temporary fare reductions that are mitigating measures for other actions.
3. Promotional or temporary fare reductions lasting no more than six months.

BE IT FURTHER RESOLVED that when Sound Transit conducts an Equity Assessment of Fare Changes, the threshold for determining that the changes in question result in Disparate Impacts for minority populations or Disproportionate Burdens for low income populations are as follows:

1. Disparate Impact—a disparate impact occurs when the minority percentage of the population adversely affected by any fare change is greater than the average minority percentage of the population of Sound Transit's service area. As appropriate, Sound Transit will analyze any available information generated from ridership surveys indicating whether minority riders are disproportionately more likely to use the mode of service, payment type or payment media that would be subject to the fare change as a comparison in the analysis.
2. Disproportionate Burden—a disproportionate burden occurs when the low income percentage of the population adversely affected by any fare change is greater than the average low income percentage of the population of Sound Transit's service area. As appropriate, Sound Transit will analyze any available information generated from ridership surveys indicating whether 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 as a comparison in the analysis.

BE IT FURTHER RESOLVED that if it finds that the fare change results in a potential disparate impact or potential disproportionate burden, then in accordance with Title VI of the Civil Rights Act

of 1964 and FTA requirements and guidelines, Sound Transit will consider steps to avoid, minimize or mitigate the adverse impacts and reanalyze the modified change(s) to determine if the impacts were removed or lessened.

BE IT FURTHER RESOLVED that prior to adopting the fare change(s), Sound Transit will include in its report the equity evaluation of the fare change(s), and that the public and Title VI stakeholders will be invited to provide comments regarding the change(s) including the steps to avoid, minimize or mitigate the adverse impacts and the modified change(s) to determine if the impacts were removed or lessened.


BE IT FURTHER RESOLVED that If Sound Transit chooses not to alter the proposed fare change(s), the implementation of the fare change(s) may proceed if there is a substantial legitimate justification for the fare change(s) and Sound Transit can demonstrate that there were no alternatives that would have less of an impact on minority or low income populations and would still accomplish Sound Transit's legitimate program goals.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 26, 2013.



Pat McCarthy
Board Chair

ATTEST:



Marcia Walker
Board Administrator



RESOLUTION NOs. R2013-18 and R2013-19

Establishing policies for conducting equity analyses of Major Service Changes and Fare Changes impacting minority and low income populations

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Executive Committee Board	09/05/2013 09/26/2013	Recommend to Board Final Action	Leslie Jones, Diversity Programs Director Alec Stephens, Diversity Technical Advisor	206-398-5047 206-398-5019

PROPOSED ACTION

Resolution No. R2013-18: Establishing policies for conducting equity analyses of Major Service Changes impacting minority and low income populations

Resolution No. R2013-19: Establishing policies for conducting equity analyses of Fare Changes impacting minority and low income populations.

KEY FEATURES SUMMARY

- As a recipient of federal financial assistance, primarily from the Federal Transit Administration, Sound Transit must continue to ensure that it complies with Title VI of the Civil Rights Act of 1964, which protects individuals from discrimination on the basis of race, color and national origin in any program receiving federal funds.
- The resolutions address how Sound Transit will proceed with major service changes or fare changes in a manner that complies with Title VI.
- The resolutions incorporate practices that Sound Transit has used in the past in assessing major service changes and fare changes. In compliance with Title VI Guidelines by the Federal Transit Administration, Sound Transit is to set forth those practices as policies adopted by the agency’s policy-making body.
- Major Service Changes. A Title VI “equity evaluation” shall be conducted for all major service changes, which are defined as any single change in service on an individual bus or rail route that would add or eliminate more than 25 percent of the route’s weekly platform service hours, *and/or* move the location of a stop or station by more than a half mile.
- Fare Changes. A Title VI “equity evaluation” shall be conducted for all fare changes except for:
 1. Instances where Sound Transit has declared that all passengers will ride free.
 2. Temporary fare reductions that are mitigating measures for other actions.
 3. Promotional or temporary fare reductions lasting no more than six months.
- The resolutions establish thresholds for determining whether proposed major service changes or fare changes indicate disparate impacts to minority populations or disproportionate burdens to low income populations, and outlines efforts to be made to mitigate such impacts, and conduct outreach activities to affected populations to ensure the inclusion of affected people in the process prior to the adoption of the proposed changes.
- The resolutions provide that the Title VI equity evaluation, mitigation efforts, and outreach activities will be included as a part of the record for consideration by Sound Transit prior to final action on the proposed major service change or fare change.

BACKGROUND

Section 601 of Title VI of the Civil Rights Act of 1964 states that:

No person in the United States shall, on the grounds 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.

Sound Transit receives federal financial assistance to design and build the regional transit system through grants primarily awarded and administered by the Federal Transit Administration. As an FTA grant recipient, Sound Transit cannot, on the basis of race, color, or national origin, either directly or through contractual means:

- Deny an individual any service, financial aid or benefit provided under the program to which he or she might otherwise be entitled;
- Make distinctions in the quality, quantity or manner in which the service or benefit is provided; or
- Segregate or separately treat individuals in any matter related to the receipt of any service or benefit.

As Sound Transit operates its transit services—Link Light Rail, Regional Express Bus, and Sounder Commuter Rail, and associated facilities—it must ensure that such services are provided in an equitable manner. This includes decisions by Sound Transit to make major changes to its transit services or changes in its fare structures.

The two resolutions set a policy framework under which Sound Transit will evaluate proposed major service changes or fare changes that may be recommended for Sound Transit Board approval as follows:

1. Sound Transit includes in its evaluation whether such changes adversely affect minority or low income populations;
2. Determine if the adverse effects result in “Disparate Impacts to Minority Populations”, setting as a threshold effects that for the minority populations subject to the major service change are greater than the minority population in the Sound Transit District (currently, 31.13%); and/or result in “Disproportionate Burdens to Low Income Populations”, setting as a threshold effects that for the low income populations subject to the major service change are greater than the low income population in the Sound Transit District (currently, 11.24%);
3. If the proposed changes result in disparate impacts to minority populations and/or disproportionate burdens to low income populations Sound Transit will examine and develop ways to mitigate or lessen the effect, and alert the affected Title VI stakeholders of the proposed changes to allow them to comment on the change and the impacts.
4. The Title VI evaluation of the proposed major service changes or fare changes, the impacts, mitigation efforts, outreach to impacted stakeholders, and public comments will be a part of the record before the Sound Transit Board when it makes its decision to approve the major fare change or fare change in question.
5. The Sound Transit Board may approve the change unaltered and Sound Transit may proceed to implement the change “if there is a substantial legitimate justification for the change(s) and Sound Transit can demonstrate that there were no alternatives that would have less of an impact on minority or low income populations and would still accomplish Sound Transit’s legitimate program goals.”

FISCAL IMPACT

Not applicable to this action.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

EQUAL EMPLOYMENT WORKFORCE PROFILE

Not applicable to this action.

APPRENTICE UTILIZATION COMMITMENT

Not applicable to this action.

PUBLIC INVOLVEMENT

Over 60 organizations and individuals in the Sound Transit region, representing minority and low income advocacy, interest and community based organizations, were sent a letter notifying recipients of the proposed policies and soliciting comments. The letter included a summary of the proposed actions along with copies of the draft resolutions, and offering to provide further information or respond to questions. The information also contained a discussion of Title VI, and the process for public comment not only to staff, but also the dates and times of the Executive Committee and the Sound Transit Board meetings when consideration of the policies is scheduled should they decide to provide comments directly to Boardmembers. In addition, this information was provided to Sound Transit's Diversity Oversight Committee for discussion and comments at their meeting, held on August 23, 2013.

As set forth in the policies, more extensive outreach will take place regarding proposed major service changes or fare changes to populations affected by the particular change.

TIME CONSTRAINTS

The policies will be included in the Sound Transit 2013 Title VI Submittal to FTA. The Board is scheduled to take final action on a motion to approve the submittal at its September 26, 2013 meeting. Submittal is to be sent to FTA by October 1, 2013. It would be preferable to include the adopted policies, however, draft policies pending Board approval could be included if further consideration is required by the Board.

PRIOR BOARD/COMMITTEE ACTIONS

Resolution No. R2011-15—Adopted an inclusive public participation policy to assure meaningful access to public involvement and community outreach programs for minority, low-income and limited English proficient populations.

ENVIRONMENTAL REVIEW

Jl 8/28/2013

LEGAL REVIEW

RM 8/29/2013