



## Motion No. M2019-94

### Adopting the Service Monitoring Results for Title VI

Meeting:	Date:	Type of action:	Staff contact:
Rider Experience & Operations Committee Board of Directors	09/05/2019 09/26/2019	Recommend Final action	Bonnie Todd, Executive Director of Operations <b>Brian de Place, Director of Support Services</b>

### Proposed action

Approval of the Title VI service monitoring results prior to the submittal of Sound Transit's 2019 Title VI Program to the Federal Transit Administration.

### Key features summary

- As a recipient of federal financial assistance, primarily from the Federal Transit Administration (FTA), on an ongoing basis, Sound Transit must 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.
- As a part of its Title VI obligations, Sound Transit must submit a Title VI Program for FTA approval every three years. One major component of this program is the Title VI service monitoring report, which identifies disparate impacts or disproportionate burdens on its service.
- Sound Transit has board-adopted Service Standards and Performance Measures to identify service levels and performance. This policy requires that any disparate impact or disproportionate burden be mitigated in some fashion.
- In its service monitoring report, Sound Transit analyzes passenger overcrowding rates, on-time performance, customer complaints, as well as the percentage of scheduled trips operated. Additional service standards which were compared in this report include the frequency and span of bus and rail service as well as vehicle assignment based on route.
- Disparate impacts were found on the following services:
  - ST Express bus services where the proportion of minority riders are higher than the ST system average. Specifically, on-time performance and the rate of passenger overcrowding, and scheduled headways were found to be underperforming on routes serving populations with a higher proportion of minority riders.
  - Sounder Commuter rail where the proportion of minority riders are higher than the ST system average. Specifically, on-time performance was found to be underperforming on the line serving populations with a higher proportion of minority riders.
  - ST Express bus services where the proportion of low income riders are higher than the ST system average. Specifically, on-time performance, scheduled headways, and span of service were found to be underperforming on routes serving populations with a higher proportion of low-income riders.

- Service changes to address disparate impacts and disproportionate burdens will occur in 2020.
- Mitigation strategies to address disparate impacts and disproportionate burdens will focus on near-future improvements (schedule adjustments, changes in vehicle allocation, trip additions as budget allows) as well as medium term capital projects (bus on shoulder operations) that can provide some relief around the region's congested highway system.

## **Background**

Sound Transit is required to measure the quality of service delivered to communities, and to demonstrate that resources are distributed in an equitable manner. The FTA is responsible for ensuring that federally supported transit services and related benefits are distributed by applicants and recipients of FTA assistance in a manner consistent with Title VI, Section 601 of the Civil Rights Act of 1964.

Sound Transit gathers data from operating partners on a monthly basis in order to understand the degree to which service aligns with targets set forth in the established performance standards. Pursuant to rules established by the Federal Transit Administration, this data must be analyzed, presented to, and approved by Sound Transit's board of directors every three years in order to demonstrate the degree to which service and amenities are distributed equitably.

Service was analyzed based on board-adopted service standards and performance measures which identify the level and type of service that should be provided, as well as a process to implement any changes needed to meet established priorities. Standards which services are measured against include passenger overcrowding rates, on-time performance, customer complaints, as well as the percentage of scheduled trips operated. Additional policies which were compared in this analysis include the frequency and span of bus and rail service as well as vehicle assignment based on route.

The analysis highlighted areas of Sound Transit service that need to be improved. The disparate impact analysis process showed that average on-time performance was lower for minority routes compared to non-minority routes on ST Express and Sounder, resulting in a disparate impact. Additionally, passenger overcrowding on ST Express routes was higher for minority routes compared to non-minority routes. Similar to the findings of Minority/Non-Minority routes, on-time performance and average span of service were worse for Low Income routes compared to Non-Low Income ST Express routes, resulting in a disproportionate burden.

Mitigation strategies will focus on near-future improvements (schedule adjustments, changes in vehicle allocation, trip additions) as well as medium term capital projects (bus on shoulder operations) that can provide some relief around the region's congested highway system. Schedule adjustments will be implemented in 2020 as part of the regular service change process. As new high-capacity transit lines are implemented, the ST Express network will evolve around it to the benefit of enhanced reliability.

## **Fiscal information**

Not applicable to this action.

## **Title VI compliance**

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 (FTA) of the U. S. Department of Transportation. 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 a part of its ongoing Title VI obligations, 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.

Included among the Title VI obligations, Sound Transit must submit a Title VI Program for FTA approval, every three years, which now requires that “the Title VI Program must be approved by the recipient’s board of directors...prior to submission to FTA.”

The Sound Transit Title VI Program is to be submitted to the FTA on or before October 1, 2019, and the current Title VI Program submitted in 2016, is set to expire on November 30, 2019.

## **Public involvement**

Public involvement is an integral part of the Service Planning process. The Service Planning process includes Measuring & Reporting on Results; Proposing Adjustments; Gathering Feedback through public involvement; and Implementing Changes as part of the annual service planning process.

## **Time constraints**

This document is required to be included with the 2019 Title VI Submittal, which is due to the FTA on or before October 1, 2019. A delay would compromise meeting the required deadline and risk FTA not approving the Title VI Submittal prior to the November 30, 2019 expiration of the 2016 program.

## **Prior Board/Committee actions**

Motion No. M2016-92: Approved the submittal of Sound Transit’s 2016 Title VI Program to the Federal Transit Administration.

Motion No. M2014-20: Adopted the Sound Transit Service Standards and Performance Measures–2014 Edition as guidelines for the on-going evaluation of Sound Transit’s express bus, commuter rail and light rail services, and replaced the Sound Transit Service Standards and Performance Measures–2010 Edition.

Resolution No. R2013-18: Established policies for conducting equity analyses of Major Service Changes impacting minority and low income populations, in accordance with Title VI requirements and guidelines for Federal Transit Administration recipients.

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**Environmental review** – KH 8/13/19

**Legal review** – RM 8/29/19



## Motion No. M2019-94

A motion of the Board of the Central Puget Sound Regional Transit Authority approving the Title VI service monitoring results prior to the submittal of Sound Transit's 2019 Title VI Program to the Federal Transit Administration.

### Background

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As a part of its Title VI obligations, Sound Transit must submit a Title VI Program for FTA approval every three years. One major component of this program is the Title VI service monitoring report, which identifies disparate impacts or disproportionate burdens on its service.

Sound Transit has board-adopted Service Standards and Performance Measures to identify service levels and performance. This policy requires that any disparate impact or disproportionate burden be mitigated in some fashion.

In its service monitoring report, Sound Transit analyzes passenger overcrowding rates, on-time performance, customer complaints, as well as the percentage of scheduled trips operated. Additional service standards which were compared in this report include the frequency and span of bus and rail service as well as vehicle assignment based on route.

Disparate impacts were found on the following services:

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## Motion

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Title VI service monitoring results are approved prior to the submittal of Sound Transit's 2019 Title VI Program to the Federal Transit Administration.

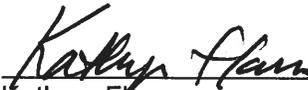
APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 26, 2019.



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John Marchione  
Board Chair

Attest:



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Kathryn Flores  
Board Administrator