

**2013 TITLE VI
PROGRAM UPDATE
FTA C4702.1B**

**MIAMI-DADE TRANSIT
MIAMI-DADE, FLORIDA**



November 30, 2013

PREFACE

This document was prepared by Miami-Dade Transit (MDT), a Department of Miami-Dade County, Florida, in response to the reporting requirements prescribed by Federal Transit Administration Circular 4702.1B published on October 1, 2012. The Circular 47021B sets forth guidelines for providing information on nondiscriminatory provision of transit services and benefits, as requirement by Title VI of the Civil Rights Act of 1964. This report represents the 2013 Triennial Update of the original document submitted by Miami-Dade County in November 1988.

2013 TITLE VI PROGRAM UPDATE

November 30, 2013

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**MIAMI-DADE TRANSIT
TITLE VI CIVIL RIGHTS
2013 COMPLIANCE REPORT UPDATE**

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INTRODUCTION

Miami-Dade Transit operates the 17th largest transit system in the United States and is the largest transit system in the State of Florida. MDT is one of the largest departments in Miami-Dade County government and operates four (4) transit modes of service: bus (Metrobus), heavy rail (Metrorail), automated people mover (APM) (Metromover), and demand-response service (Special Transportation Services or STS). Metrobus service includes local, feeder, circular, limited-stop, express, and Bus Rapid Transit (BRT) (Arterial Busway). Together these modes comprise an integrated multi-modal transit system for Miami-Dade County and record more than 348,076 daily (weekday) boardings on the MDT system while STS's average daily boardings is approximately 5,651.

The 2013 Title VI Program Update Response to FTA C4702.1B was approved October 28, 2013 by Miami-Dade County's governing official. See **Attachment 1**. As an added measure, the 2013 Title VI Program will be submitted to the Miami Dade County Board of County Commissioners (BCC) as an informational report January 10, 2014.

I. GENERAL REPORTING REQUIREMENTS

A. Title VI Notice to the Public

A copy of Miami-Dade Transit's Notice to the Public informing them of their rights under Title VI of the Civil Rights Act of 1964 is attached as **Appendix A**. The information is also posted in the form of a poster throughout our fleet of MDT buses. Language for receipt of the same information in Spanish and Creole is included at the bottom of each diorama and poster.

The notice is posted as a diorama at each Metro-Rail key station location, as well as on the MDT website.

B. Title VI Complaint Procedures

MDT is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its transit program, policy or activity on the basis of race, color or national origin. The Miami-Dade Transit - Office of Civil Rights and Labor Relations (OCR/LR) has developed **Title VI Complaint Procedures** which provide instructions to the public on how to file a Title VI complaint if they feel they have been discriminated against. The **Title VI Complaint Procedures** are posted on the MDT website and are also available to individuals upon request. A copy of MDT's **Title VI Complaint Procedures** for tracking and investigating Title VI complaints are attached as **Appendix B**. Language for receipt of the same information in Spanish and Creole is included at the bottom of each diorama and poster.

Additionally, Miami-Dade Transit established Internal Standard Operating Procedures (SOP's) (**PR-AD-005 and PR-AD-007**) **Appendix C-1** specifically designed to ensure MDT's compliance with the requirement to capture and monitor complaints received from MDT's website, telephone or walk-ins and the countywide 311 system. An SOP was also created (**PR-AD-006**) to ensure MDT monitors the statistics regarding the number of persons accessing the Spanish Language content of the MDT website. The statistics regarding Spanish Language Content are included as **Appendix C-2**.

C. Title VI Complaint Form

MDT has developed a Title VI complaint form for members of the public to utilize when submitting a complaint. The complaint form (which includes both a Spanish and Creole translation) is posted on MDT's website and is also available upon request. A copy of MDT's complaint form is attached as **Appendix D**.

D. Title VI Investigations, Complaints and or Lawsuits Filed

Miami-Dade Transit prepares and maintains a list of all active investigations conducted by entities other than FTA, lawsuits, or complaints that allege discrimination on the basis of race, color, or national origin.

As indicated in **Appendix C**, MDT has multiple media for the reporting of such complaints. The 311 system serves as MDT's primary contact point for customer comments, complaints and suggestions. An active list is prepared and maintained of investigations conducted by entities other than FTA. The list includes the date of the investigation, lawsuit, or complaint, as well as actions taken by MDT in response to the investigation.

Customers are issued a Feedback number for reference which can be used to track their concerns that are forwarded to an MDT Investigator in the appropriate area for review and response. 311 staff provides the customer with follow-up. **Appendix E** shows the list of Title VI complaints received.

E. Public Outreach and Involvement Activities

Miami-Dade Transit (MDT) fully encourages public involvement and participation, conducting interactive presentations with communities across the county. As a part of the adoption of the Transportation Development Plan (TDP) November 4, 2009, MDT incorporated the language from

the Miami-Dade Metropolitan Planning Organization's 2007 Public Participation Plan as MDT's guiding document. Since the November 2009 TDP Adoption, the existing plan has been updated and now includes applicable Title VI Language **Appendix F-1** .

As an added measure, Miami-Dade Transit implemented an internal Title VI Public Involvement Transit Administrative Policy and Procedure (TAPP) **POL-AD-005 Appendix F-2** that specifically guides MDT staff with an efficient procedure for ensuring that Limited English Proficiency guidelines, as required by Title VI of the Civil Rights Act of 1964, are adhered to and reflected within the ongoing activities of Miami-Dade Transit.

Since the implementation of **POL-AD-005**, the MDT Advertising and Media Relations division posts signs indicating the need to provide language services free of charge. Signs are visible on Buses and Rail Cars (Posters); Metrorail Stations (Windscreens); and MDT retail and customer service outlets (Government Center Kiosk, Overtown Transit Village).

Additionally, MDT works with community-based organizations and other stakeholders to inform Limited English Participation (LEP) persons of MDT services and the availability of language services through career/health fairs; sporting events; Golden Passport Enrollment; elected Official sponsored events and Homeowners' Association Meetings. Notices are included in local newspapers and on local radio stations.

The TAPP also provides guidance regarding the translation of major publications in Spanish and or Creole (Public meeting and hearing notices (advertisements and flyers); all signage announcing public meetings and hearings; Sign-in sheets; comment and speakers cards and presentation materials to include fact sheets, newsletters.

Appendix F-3 includes examples of MDT's Public Involvement efforts and submission dates for publications.

F. Access for Limited English Proficiency (LEP) Persons

MDT completed a **Title VI-Program Requirements Action Plan** June 15, 2010 **Appendix G-1**, as a supplement to MDT's original Title VI program submittal on October 30, 2009. The program evaluation was based on a Four-Factor Analysis, as outlined in **(FTA C 4702.1B)**. As a result of the submission, the Office of Civil Rights and Labor Relations has administrative oversight to ensure that the requirements outlined in the Action Plan are carried out.

Since the completion of the Four-Factor Analysis, MDT has completed the following:

- a. Developed a Transit Administrative Policy and Procedure (TAPP) **No: PR-AD-005 (Appendix F-2)** regarding the LEP specifically designed for all staff within the Advertising, Media Relations and External Affairs divisions to ensure departmental compliance with federal requirements. Specifically, the TAPP was written to provide an efficient procedure for ensuring that the Limited English Proficiency guidelines, as required by Title VI of the Civil Rights Act of 1964, are adhered to and reflected within the activities of MDT's Public Involvement Program.

PR-AD-005 delineates MDT's adopted procedure for the translation of major publications, i.e., Route Guides, System Maps, and Outreach Materials. The TAPP provides guidance to MDT internal staff on information collection (sign-in sheets and comment cards) in three languages, English, Spanish and Creole), including public rider alert notices , schedule change information and other marketing materials in Spanish and Creole. As a result information is now translated into Spanish and Creole as a matter of procedure **Appendix G-2**.

- b. Implemented a Title VI Working Committee (meets monthly) to address issues regarding LEP, Service and or Fare Analysis, Training, Outreach efforts;
- c. Added a general information Spanish language information page. Route information is also available in Spanish;
- d. Additionally, web visitors are directed, in Spanish to call the County's Transit dedicated line, (305) 891-3131, for one-on-one personal customer service to help riders plan their trips;
- e. Quarterly compilation of key metric information regarding website views/usage;
- f. Monthly compilation English/Spanish speaking calls at 311 System;
- g. Developed a Transit Administrative Policy and Procedure (TAPP) regarding the Evaluation of Service and Fare changes. To date, MDT has completed two fare Equity Analysis and is currently undertaking an initiative to improve Metrobus service efficiency through a restructuring of the Metrobus route system. As a result, an analysis regarding Service is being conducted. The newly proposed modified grid system is based upon ridership data obtained from the Automated Passenger Counter (APC), Easy Card, as well as coordination with local municipal transit services and the Miami-Dade Metropolitan Planning Organization (MPO) to maximize interconnectivity and efficiency.

G. Minority Representation on Planning and Advisory Boards.

Miami-Dade County is a political sub-division of the State of Florida and is governed by an Executive Mayor, elected at-large, and 13 Commissioners elected from single-member districts. The day-to-day operations of the government are overseen by the Executive Mayor.

All functions, responsibilities and services of the County are provided through 25 departments headed by department directors. ***Miami-Dade Transit is one of these departments.***

On November 5, 2002, Miami-Dade County voters approved a half penny increase in the sales surtax to support the People's Transportation Plan (PTP), which is a publicly-supported transportation improvement program established to develop an integrated mass transportation network and to complete roadway improvements in Miami-Dade County and its municipalities. The plan required that the proceeds from the Surtax be overseen by the Citizens' Independent Transportation Trust (CITT) and that the funding be used for transit and transportation projects only. In approving the PTP ordinance (Ordinance 02-116) in 2002, the Board included the list of planned improvements along with expanding Golden Passport, providing free fare on Metromover, and setting aside 20% of surtax revenues to the original 31 participating municipalities.

Pursuant to Ordinance 02-117, the CITT was established to monitor, audit, oversee and investigate the use of the Surtax proceeds and the implementation of the PTP.

Transportation Trust Member Recruitment Process

The Transportation Trust is made up of 15 members who are appointed by each member of the Board of County Commissioners (BCC), the County Mayor (Mayor) and the Miami-Dade League of Cities (MDLC). Persons applying for a seat on the Transportation Trust must be a Miami-Dade County registered voter and have a reputation for civic involvement and an interest or experience in transportation issues.

The Transportation Trust Nominating Committee (Nominating Committee) screens applications and submits four name slates of nominees to members of the BCC, the Mayor and the MDLC as vacancies occur. They, in turn, have the option to appoint an individual from the slate or to reject it and request a new slate of names for further consideration.

The Transportation Trust staff implements a recruitment plan designed to reach all segments of the community through English, Spanish and Creole print ads, radio buys, direct mailing, television interviews and direct contact with community and business leaders.

Print ads are placed in major Spanish language publications and smaller community based periodicals, radio interviews conducted on Spanish language radio programs and television interviews on the application process are broadcast in Spanish by Miami-Dade Television.

Applications are accepted year round and are available online and can be requested in person and by phone at the Transportation Trust office and remain active for two years. Applicants are also given the opportunity to reactivate their application for an additional two years, if desired. Trust members are volunteers and must not have any interest, direct or indirect, in any contract with the County.

Though every effort has been made to solicit Hispanic members to serve on the Trust, the level of Hispanic members has varied over the years. In 2007 and 2008 there were 5 Hispanic members on the Trust, however, there are two on the current board including the Chairperson, Paul J. Schwiep, Esq.

A Chart depicting the minority representation on the CITT is included as **Appendix H**.

H. Sub-Recipient Monitoring

In compliance with the FTA reporting requirements, the Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) is responsible for ensuring that each participating municipality is in compliance with the requirements of Title VI.

Since March of 2012, the OCR/LR has provided notice to each participant of their responsibilities that include the completion/adherence of a Title VI Municipality Information Questionnaire/Checklist that ensures Title VI compliance **Appendix I-1**. Furthermore, MDT provides training to participating municipalities upon request. Site visits are scheduled for November of 2013 and will occur annually **Appendix I-2**.

Additionally, it is Miami-Dade Transit's plan to provide two Standard Operating Procedures (SOP's) ***PR-FB-008 Rev.0 - MDT Oversight Procedures for Sub-recipient Compliance for Rolling Stock*** and ***PR-FB-009 Rev.0 - MDT Oversight Procedures for Sub-recipient Oversight for Non-mobile Equipment*** which will be administered by the MDT Grants Division in conjunction with OCR/LR as an extra measure to ensure that the sub-recipients are compliant with federal regulatory requirements, and that Federal awards are used for authorized purposes in accordance with laws, regulations, and provisions of contract or grant agreements. The SOP's are currently in draft form and are attached as **Appendix I-3**.

I. Title VI Equity Analysis for Determining Site or Location of Facility

Miami-Dade Transit has not constructed any facilities, such as a vehicle storage facility, maintenance facility or operations center since the last Title VI program submission.

J. Annual Certifications and Assurances

As a federal grant recipient, MDT files its annual Certifications and Assurances with FTA. The most recent Annual Certification and Assurance was signed March 5, 2013. A copy of MDT's Title VI assurances is provided as **Appendix J**.

II. PROGRAM SPECIFIC REQUIREMENTS AND GUIDELINES FOR RECIPIENTS SERVING LARGE URBANIZED AREAS

A. Service Standards and Policies

The Miami Dade County Board of County Commissioners (BCC) adopted **Resolution No. R-1282-09** regarding **The Annual Update of the 2009 Transit Development Plan 2010-2019. (Attachment 2)** The Miami-Dade Transit Service Standards, the framework for guiding the decisions on which transit services are created and evaluated were a part of the approved plan. Each year an update is provided to the Board of County Commissioners as information. **Appendix K** is a copy of the Service Standards.

MDT's service standards provide consistent and fair evaluation of both existing and proposed activities. Following the Standards will ensure that there is no discriminatory service design or discriminatory operations decisions.

The Miami-Dade Transit Service Standards Report is comprehensive. It contains a service planning process that evaluates current service against current issues of route efficiency, cost effectiveness, operational feasibility, and availability of resources. MDT applies its service standards to:

- Improve route productivity while keeping customer impact to a minimum
- Assure that service is provided in a fair, consistent and equitable manner, considering transit-dependent area regions
- Provide a baseline for service planning of bus route alignments, and scheduling frequencies for all transit modes.

The Service Standards are concurrent with the Mass Transit Element of the Comprehensive Development of the Master Plan (CDMP). The Master Plan (October 2006 edition) adopted by Miami-Dade County establishes the following minimum service levels:

The average combined population and employment density along the corridor between the existing network and the area of expansion exceeds 4,000 persons per square mile, and the corridor is 0.25 miles on either side of any necessary new routes or route extensions to the area of expansion. Areas with lower density will be provided with lower-frequency peak only bus service, or have access to park-and-ride lots within 15 miles.

Service will be provided along major arterials at a route spacing of one mile and one-half mile space for the urban core. The urban core or “the mainland” is defined as, inclusive of NW/NE 79th Street on the north, NW/SW 42 Avenue (Le Jeune Road) on the west, Coral Way on the south and Biscayne Bay on the east, including the area south of 96 Street in Miami Beach.

Miami-Dade Transit Service Standards are qualitative standards for the following indicators:

Vehicle Load

As seen on page 17 of the Service Standards, vehicle load is expressed as the ratio of passengers to the number of seats on a vehicle during the vehicle’s maximum load point. Vehicle load is measured at peak and off-peak times and on the different modes of transit, Metrobus, Metrorail and Metromover.

Vehicle Headway

Pages 18 of the Service Standards define vehicle headway as the time interval between two vehicles traveling at the same direction on the same route. The frequency of a service is a general indication of the level of service provided along a route and a component of the amount of travel time expended by a passenger to reach his/her destination. MDT sets different vehicle headway standards for different modes of transit service (such as Metrobus, Metrorail and the Metromover).

MDT has set standards based on headway as it also relates to vehicle load. This is delineated on page 20 of the Standards.

MDT Standards:

Passenger per Mile: Number of passengers carried in one bus mile, with a minimum of 0.7 passengers per vehicle mile or minimum of 70% system-wide average passengers per vehicle mile.

Passengers per Trip:

All bus route trips that exceed a one-way trip time of one hour shall not have less than 8 boardings on any trip. If the route is shorter than a one hour one-way trip, the minimum acceptable boarding for the trip is a rate of five passengers per hour.

Minimum 15 passengers average load for all routes;

Minimum Average load on express trips is 30 passengers.

Any trip not meeting the minimum ridership level for an individual trip (for mature routes > 2 years) shall be considered for elimination unless the trip cannot be modified because it would result in an ineffective or inefficient schedule.

On-time performance

On-time performance is a key performance indicator used to measure a run completed as scheduled. MDT buses are considered on-time if the scheduled time is no more than 59 seconds before actual departure and no more than 4 minutes and 59 seconds (the on-time window) past the scheduled time of departure. See page 21 of the Standards for further information on 'on time performance'.

Transit Amenities

Amenities selectively placed at bus stops can increase the demand for transit by increasing the passenger's comfort, perception of safety, and image of the attractiveness of the system. For example, seating and/or shelters reduce the inconvenience of waiting at the stop, while lighting can make the passenger feel safer when utilizing the system at night. In addition, amenities such as route maps, permanent structures, or bus bays convey the stability of the system and its presence in the community to both current and potential riders. MDT has set different service standards for the different modes of service provided. The policy is better defined on the chart in page 24 of the Standards. The chart shows the basis and standards of how these amenities are distributed within the transit system; equally distributed amenities determine that all transit users have equal access to these amenities.

Service Availability

As previously stated, Miami-Dade Transit service follows the standards set forth in the Mass Transit Element of the Comprehensive Development of the Master Plan (CDMP). The standard policy indicates the maximum distance between routes and how the coverage varies by population density. One quarter mile is considered the average length that a person would walk to a bus stop. This graphic shows that MDT services almost the entire population within the Urban Development Boundary (88% of the area within the Urban Development Boundary).

The following is a series of facts, for monitoring compliance with Title VI requirements. As noted, transit service is provided by MDT to minority communities and minority users consistent with the objectives of the FTA Title VI program.

- A total of 68 out of 95 Metrobus routes operated by MDT are considered minority routes, nearly 72% (a minority route is defined as “a route that has at least one third of its total route mileage in a census tract(s) with a percentage of minority population greater than the percentage of minority population in the transit service area).
- Nearly 82% of Miami-Dade County’s population, according to the 2010 Census belongs to a minority group.
- Because of Miami-Dade County’s minority composition and because 27 of MDT’s 95 routes are non-minority routes, equitability is easily achieved.
- All bus purchases since 1990 have included wheelchair lifts or ramps as of March 2003, all buses in service are wheelchair accessible.

B. Demographic Analysis

Miami-Dade Transit has prepared demographic and service profile maps and charts which can easily help to determine whether transit service is available equitably to minority and low-income populations within MDT’s service area. The maps were prepared using Geographic Information System (GIS) technology. The maps assist Miami-Dade Transit in determining statistical information with Title VI.

The following maps are included:

A base map of Miami-Dade Transit’s service area that includes each Census tract, major streets and highways, fixed transit facilities (including the alignment of the fixed guideways (Metrorail/Metromover) and transit stations, maintenance and garage facilities, and administrative buildings) and major activity centers or transit trip generators. These include: the Central Business District, Major Employment Areas, Major Shopping Centers, Colleges and Universities and Hospitals. **Appendix L-1**

A demographic GIS Map that plots the above information and also shades those Census tracts where the percentage of the total minority population residing in those areas exceeds the average minority for the service area as a whole. A corresponding chart is also included. Minority population in Miami-Dade County, according to the 2010 Census is 82 %.

Appendix L-2

A demographic GIS map that plots the same information provided but shading those 2010 Census tracts where the percentage of the total low-income population residing in these areas exceeds the average low-income population for the service area as a whole. According to the 2010 Census the low income or poverty level in Miami-Dade County is 15.7%. A corresponding chart is also included. **Appendix L-3**

Demographic Map/Chart Highlights

- Miami-Dade County is comprised of a minority/majority service area. Routes designated as 'minority routes' are actually the 'majority' of the routes comprising 68.8% of MDT Service.
- Conversely, 'non-minority routes' make up the smallest number of routes.
- An adverse impact may occur if the percentage of service reductions or passenger amenities exceeds 69% of the proposed reductions.

C. Title VI Monitoring Program

Miami-Dade Transit monitors the transit service provided throughout Miami-Dade County. Periodic service monitoring activities are undertaken to compare the level and quality of service provided to all areas of the County to ensure that the end result of policies and decision making is equitable service to all.

MDT routinely performs on-board surveys, mainly to monitor its ridership on different routes throughout the County. This allows MDT to check not only the ridership, but also the quality of service being provided.

Appendix M - 1 includes copies of recently completed surveys.

For every lineup which occurs twice a year, MDT evaluates routes verses service standards. It is the basis for the proposed service changes which is driven by the budget. MDT evaluates all routes during this process. MDT's service is based on population density and demographic factors. Therefore areas with higher densities and lower incomes will have more service than areas with low density and higher incomes.

The MDT Office of Planning and Scheduling Division is responsible for the first phase of this evaluation. The process for identifying possible service changes to MDT routes begins by collecting data from a variety of sources and includes the following key steps:

- 1) A review of Service Improvement Reports (SIR) reports submitted by MDT Bus Operators;
- 2) Meetings with Union officials and MDT Bus Operators;
- 3) Reviews of customer comments and emails submitted to the 311-call center;
- 4) Observations by bus operations staff;
- 5) Input from Miami-Dade elected officials;
- 6) Analysis of unproductive routes by management;
- 7) Comments/suggestions from community stakeholders;
- 8) Service request from riding public;
- 9) Running time reports;
- 10) Analysis of Omnibus reports;
- 11) Analysis of APC reports;
- 12) Requests from FDOT, Broward County Transit and SFRTA;
- 13) Requests from MDT Service Planning and Scheduling Staff;
- 14) Consultant recommendations;
- 15) Grant applications.

The Service Planning and Scheduling Division reviews the potential suggestions from these sources for consistency with adopted plans, service standards, and available funding (for service improvements).

The proposed changes to bus service are compared against Miami-Dade County Code Sec. 2-150. (Fixing and changing fares, service, rates or charges). The Miami-Dade code determines what constitutes a “major service change” for the system to determine whether the proposed changes require a public hearing and BCC approval before implementing. If BCC approval is required, the County Attorney Office will review the BCC agenda item.

Once the list of preliminary changes is finalized, a draft Title VI analysis is prepared and submitted to the MDT OCR/LR Manager to the MDT OCR/LR Chief, who reviews the analysis, as described below.

Title VI Analysis of Proposed Service Changes

Once a finalized draft of proposed service changes is developed, Planning/Scheduling staff develops a table listing all proposed changes to bus routes along with the designations of whether it is a minority or non-minority route, and a poverty or non-poverty route. The MDT Information Technology Section uses GIS data and the 2010 Census data to determine the designation as to the status of the route. This analysis is then forwarded to the MDT Office of Civil Rights and Labor Relations for review.

The analysis includes all the routes that are proposed to receive a service reduction and/or a Service Improvements or changes to passenger amenities. The Manager, MDT Civil Rights & Labor Relations reviews the analysis and determines if any further changes are needed.

MDT also provides for transit amenities in unincorporated Miami-Dade County. For any changes to MDT passenger amenities within unincorporated Miami-Dade County the MDT Manger of Passenger Amenities provides a list of recommend changes along with a draft Title VI analysis to the Section Chief.

Adverse Effects - Assessing Potential Service Impacts

The impacts of proposed service changes on minority populations are analyzed. The purpose of the preliminary review is to ensure compliance with Title VI, which states that that no person or group of persons shall be discriminated against with regard to the routing, scheduling, distribution of transit amenities, bus assignments, or quality of service of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin in order to prevent a disparate Impact.

Management considers the degree of the adverse effects when doing this analysis. The service change analysis is expressed as percentage change in table format. Minority routes comprise 68.8% of MDT service.

As such, MDT is unique in that routes designated as “minority routes” comprises the majority of the system and “non-minority routes” comprise the minority of the routes.

An adverse impact may occur if the percentage of service reductions or passenger amenities exceeds 69% of the proposed reductions. MDT also reviews the service improvements to analyze their impact, so the analysis also considers areas where improvements to services will occur as well.

If this analysis determines there is a potential disparate impact, either the Planning Section Supervisor or Manager of Passenger Amenities will look at the alternatives to determine whether those alternatives would have less of a disparate impact and then modifies the proposed changes in order to avoid, minimize, or mitigate potential disparate impacts.

Planning Management will then reanalyze the proposed changes in order to determine whether the proposed adjustments will remove the potential disparate impacts. Planning Management will take actions to avoid, minimize or mitigate the proposed changes.

Planning Management resubmits the proposed changes to the Chief, Office of Civil Rights and Labor Relations, for final approval before submitting the changes to the MDT Director.

When proposing major service changes, Miami-Dade Transit, an entity of Miami-Dade County is governed by County Ordinance Part III, Sec. 2-150 – Fixing and changing fares, service, rates or changes. This ordinance was approved November 5, 1998, and is a part of the Miami-Dade County, Florida, Code of Ordinances.

Appendix M- 2

Specifically, the Miami-Dade County Board of County Commissioners has the authority to make service changes, regulate all fares, rates or charges for the use of the transit system. This authority takes place only after the public has been granted an opportunity to be heard through the public participation process.

There are six key instances that dictate a public hearing. Numerals 2-6 (highlighted below) are specific to service changes:

- 1) Any fare, rate or charge for transit service or for ancillary to transit;**
- 2) Any change in service of twenty-five (25) percent or more of the number of route miles of a route;**
- 3) If, in a fiscal year, the cumulative changes on a route add up to twenty-five (25) percent or more change in the number of route miles of a route;**
- 4) A change in the interval between peak period of transit services on a route of more than ten (10) minutes;**
- 5) A change in the interval between off-peak period transit services on a route of more than thirty (30) minutes; or**
- 6) A new transit service is established or an existing service is abolished.**

This definition mirrors MDT's governing ordinance **Part III, Section 2-150 for Fixing and changing fares, service, rates or charges.**

D. Public Engagement Process for setting the Major Service Change Policy, Disparate Impact Policy, and Disproportionate Burden Policy

As a result of the requirements governing Title VI Compliance, Miami-Dade Transit implemented Transit Administrative Policy and Procedure (TAPP) **POL-CL-001 – Title VI Service and Fare Changes Appendix N** that was approved and implemented April 25, 2012. Specifically, MDT outlined internal procedures that describe MDT's Title VI procedural requirements for both Service and Fare changes. The Title VI Service and Fare Changes TAPP was approved by the MDT Director and implemented April 25, 2012.

As a result of the changes to the Circular governing Title VI, effective October 1, 2012, the existing TAPP is currently being revised and will include the opportunity for public comment by the following organizations prior to implementation. The MDT Policy for Major Service Change, Disparate Impact and Disparate Treatment are listed separately to ensure the opportunity for public involvement. Information was forwarded to the following organizations to ensure a wider distribution. Miami-Dade Transit Public Website (<http://www.miamidade.gov/transit/>), Citizens Independent Transportation Trust (CITT) (<http://www.miamidade.gov/citt/>), Metropolitan Planning Organization (MPO) (<http://www.miamidade.gov/mpo/>) and Transit Miami (<http://www.transitmiami.com/>).

The public is also able to view the information and provide comments.

The current TAPP POL-CL-001 includes definitions for Major Service Change, Disparate Impact and Disproportionate Burden; however this information will be updated to include specific approved policies regarding the three critical areas.

The proposed policies for inclusion in POL-CL-001 are as follows:

MAJOR SERVICE CHANGE POLICY

According to the provisions of Title VI of the Civil Rights Act of 1964, (FTA C4702.1B), No person in the United States shall, on the grounds of race, color, or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

To comply with FTA C 4702.1B, MDT will implement the following policy regarding a Title VI Analysis of proposed impacted routes and/or schedule changes prior to the implementation of any significant service changes or fare increases.

A mandated Service Change (TWU Local 291, CBA V24) Line Up occurs no more than twice a year, unless necessitated by service adjustments and or other operational requirements.

- The General Line Up
- Divisional Line Up (June of each year if necessary).

1. A major service change is defined by MDT as:
2. A change in the interval peak period transit services on a route of more than 30 minutes
3. A change in the interval between off-peak period transit services on a route of more than 30 minutes;
4. Route changes of 25% or greater within a year;
5. Establishment of a new transit service or abolishment of an existing service.

If any of the criteria listed above are met, MDT shall consider the adverse effects and analyze those effects when planning major service changes.

MDT TITLE VI DISPARATE IMPACT POLICY

According to the provisions of Title VI of the Civil Rights Act of 1964, (FTA C4702.1B), No person in the United States shall, on the grounds of race, color, or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

FTA Circular 4702.1B requires that recipients of FTA funding prepare and submit a service/fare equity analyses for proposed major service and all fare increase/decrease changes (defined in MDT's Major Service Change Policy). The purpose of the policy is to establish a threshold which identifies when the adverse effects (defined by MDT's Major Service Change Policy) of a major service change occurs and thereby require a Title VI Analysis of proposed impacted routes and/or schedule changes prior to the implementation of any significant service changes or fare increases.

It is the policy of MDT to minimize the adverse effects of fare and major service changes so that they are not borne disproportionately by minority populations. The threshold to determine adverse disparate impact is established at 20% based on the cumulative impact of the proposed fare and/or service change.

If disparate impact is identified, MDT shall take actions to mitigate the situation, unless there is a substantial legitimate justification that prevents such actions.

MDT TITLE VI DISPROPORTIONATE BURDEN POLICY

According to the provisions of Title VI of the Civil Rights Act of 1964, (FTA C4702.1B), No person in the United States shall, on the grounds of race, color, or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

FTA Circular 4702.1B requires that recipients of FTA funding prepare and submit a service/fare equity analyses for proposed major service and all fare increase/decrease changes. The purpose of the policy is to establish a threshold which identifies when the adverse effects of a major service change or fare increase occurs thereby requiring a Title VI Analysis of proposed impacted routes and/or schedule changes prior to the implementation of any significant service changes or fare increases.

It is the policy of MDT to minimize the adverse effects of fare and major service changes so that they are not borne disproportionately by minority populations. The threshold to determine adverse disproportionate burden is established at 20% based on the cumulative impact of the proposed fare and/or service change.

If disproportionate burden is identified, MDT shall take actions to mitigate the situation, unless there is a substantial legitimate justification that prevents such actions.

E. Results of service and/or fare equity analysis

Title VI Analysis - SERVICE

Since the finalization and implementation of **POL-CL-001 on April 25, 2012**, no line-ups have necessitated a comprehensive Title VI Analysis.

However, a major initiative to improve Metrobus service efficiency through a restructuring of the Metrobus route system is currently underway and a Title VI Analysis is being performed. The newly proposed modified grid system is based upon ridership data obtained from the Automated Passenger Counter (APC), Easy Card, as well as coordination with local municipal transit services and the Miami-Dade Metropolitan Planning Organization (MPO) to maximize interconnectivity and efficiency.

As reported in the 2010 Title VI Update, MDT implemented service route adjustments to improve overall service performance while maintaining existing service area coverage.

In November of 2012, MDT issued a notice to proceed to a consultant to begin work on the Transit Service Evaluation Study – Phase 2. The results of this study will identify a service plan that maximizes the efficiency and effectiveness of the system.

The final product, which is expected during the third quarter of 2013 will be a schedule ready detailed plan which includes a comprehensive Title VI Analysis, an estimated impact on ridership, resources, and operating cost. The study, including the Title VI Analysis will be approved by the governing body of Miami-Dade Transit prior to implementation and results will be included as an addendum to this 2013 Title VI Plan Update.

Title VI Analysis – FARES

In May of 2011, Miami-Dade Transit conducted a Title VI Fare Equity Analysis as a result of the impending implementation of a transfer fee for commuters transferring from the South Florida Regional Transportation Authority (SFRTA)/ Tri-Rail System into the Miami Dade Transit (MDT) system. The

implementation of a transfer fee for commuters transferring from SFRTA into the MDT system represented the first proposed transfer policy change since the inception of Tri-Rail in 1989.

Prior to the proposed change, SFRTA customers were not required to pay a fee to transfer into MDT's system when accompanied with any valid SFRTA station located within the County. The proposed fare policy change, which was approved by the Federal Transit Administration (FTA) on September 28, 2011, had both countywide and regional impacts and included a mitigation plan prior to implementation. **(Appendix O)**

Per **Resolution No. R-238-11 (Handwritten page 6) Appendix P**, approved April 4, 2011 *Authorizing the Establishment of a Regional EASY Card Link-Up Product and Transfer Fare to the Miami-Dade Transit Schedule of Transit fares, Rates and Charges for Patrons Transferring from South Florida Regional Transportation Authority (SFRTA)/Tri-Rail into the Miami-Dade Transit System*, MDT transit fares and charges are adjusted every three years without the need for further action from the Board of County Commissioners in accordance with the average rate of the Consumer Price Index for the preceding three years. Prior to any adjustment action a Title VI Analysis is performed on each proposed fare increase.

In accordance with the 2013-14 FY Budget approval process, fares were increased in accordance the stipulations in **Resolution No. R-238-11**. Per the requirements outlined in FTA C4702.1B, a Title VI Fare Analysis was completed. **(Appendix Q)** While the findings of the analysis did not yield a significant impact countywide, MDT instituted a Mitigation Plan as an extra effort to address the needs of the riding public.

