

## **Central New York Regional Transportation Authority (CNYRTA)**

### **Title VI of the Civil Rights Act of 1964 Policies**

Title VI of the Civil Rights Act of 1964 states that “no person 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.”

CNYRTA (Centro) is committed to the principles embodied in Title VI. Analysis of services provided by the Authority indicates a consistent history of excellent distribution of transit resources for the various populations in its service area. Centro serves a wide range of social, geographic and economic disparity, including most areas with higher populations of minorities, limited English proficiency and low-income populations. No particular group in the Centro service area is excluded from transit services.

Should changes be considered, Centro will adhere to the following Objectives and Policies:

#### **Objectives**

The CNYRTA Title VI objectives are as follows:

- To ensure that transit benefits and related services are equitably distributed without regard to race, color, or national origin.
- To ensure that the level and quality of transit services are sufficient to provide equal access and mobility for any person without regard to race, color, or national origin.
- To ensure that opportunities to participate in the transit planning and decision-making processes are provided to persons without regard to race, color, or national origin.
- To ensure that decisions on the location of transit services and facilities are made without regard to race, color, or national origin.
- To ensure that corrective and remedial action is taken to prevent discriminatory treatment based on race, color, or national origin.

#### **Major Service Change Policy**

CNYRTA defines a Major Service Change as a change in any route, other than a school tripper, specialized service or experimental route, that 1) changes the number of service hours operated on any route by 25% or more, or, 2) changes the length of a route<sup>1</sup> by 25% or more. All Major Service Changes will be subject to an equity analysis including an analysis of adverse effects on minority and low-income populations.

An adverse effect is defined as a geographical or time-based change in service which includes but is not limited to: span of service changes, frequency changes, route segment elimination, re-routing, or route elimination. An adverse effect is measured by the changes between the existing and proposed service levels that are deemed significant.

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<sup>1</sup> The length of a route is based on map length rather than vehicle miles.

## **Disparate Impact Policy**

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

For the purpose of this policy, minorities are defined as persons self-identified as any race other than white only by Census race classifications including those persons self-identified as Hispanic in ethnicity regardless of race.

Centro defines a disparate impact as occurring when there is a difference in adverse effects of plus or minus 20% between minority and non-minority populations.

When a disparate impact is identified, Centro will consider modification of the proposal in order to avoid, minimize, or mitigate the impacts. This Disparate Impact Policy will be applied to all major service, and fare changes.

## **Disproportionate Burden Policy**

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

For the purpose of this policy, a household is considered low-income if the median household income does not exceed 50% of the median household income for the service area.

Centro defines a disproportionate burden as occurring when there is a difference in adverse effects of plus or minus 20% between low-income and non-low-income households.

When a disproportionate burden is identified, Centro will consider modification of the proposal in order to avoid, minimize, or mitigate the impacts. This Disproportionate Burden Policy will be applied to all major service and fare changes.

## **Analysis Framework**

Centro may use any and all datasets available, applicable and appropriate in conducting equity analysis for Major Service Changes and fare/fare-type changes. While Centro does not preclude the use of any dataset, ridership data by route and bus trip is the best data available for analysis of equity impacts on the riding public, therefore, when possible, route and trip specific data will be used. Ridership data is obtained through farebox counts, monitoring cameras or Automated Passenger Counters. However, these sources have limitations with respect to equity analysis, therefore, when resources are available, Centro will conduct periodic or “spot” rider surveys by route, which will enable an accurate assessment of impacts on the riding public with regards to race, color, national origin, income level and English proficiency.

Rider surveys can be labor intensive and, therefore, costly. When rider surveys are not readily available and/or cannot be obtained in a timely or cost-efficient manner to complete an equity analysis, data

generated by the U.S. Census Bureau, either from the Decennial Census or American Community Survey (ACS) may be combined with Census tract, block group, or block level data, whichever is the best representation of the affected area using the smallest geographic area available. The demographic datasets regarding race, color, national origin, income and English proficiency, as applicable to the analysis of those areas, will be the datasets used. This method is also appropriate where surveys of existing ridership do not yield a statistically valid assessment, such as when service is proposed for a new corridor or neighborhood not previously served.

### **Service Equity Analysis**

Centro will show how the proposed Major Service Change impacts minority and low-income populations at the geographic level by including:

- Overlay maps showing proposed service changes as well as demographic data in order to study the affected population;
- Tables showing impacts associated with each type of route or service change (e.g., routing, frequency, span of service, addition or elimination of routes).

If a disparate impact or disproportionate burden exists and the proposed service changes must take place despite such impact:

- Centro will clearly demonstrate that a substantial legitimate justification for the proposed service changes exists; and
- Centro will clearly demonstrate that alternatives were analyzed to determine whether the proposed service changes are the least discriminatory alternative; and
- Centro will take steps to avoid, minimize, or mitigate impacts where practicable. Alternatives available to minority and low-income passengers affected by the service changes will be considered.
- In the case of a proposed service improvement, Centro will analyze the accrual of benefits for minority populations as compared to non-minority populations, and low-income populations as compared to non-low-income populations, using the comparison population selected (i.e., ridership or service area).
- If a service is proposed to be increased and/or expanded, but minority and/or low-income populations are not expected to benefit from the expansion as much as non-minority and/or non-low-income populations, then Centro will explain any plans to improve service to the minority and/or low-income populations.
- Centro will describe any plans to restore service if/when additional funds become available.

### **Fare Equity Analysis**

Centro will show how the proposed fare change or fare-type change impacts minority and low-income populations by conducting a comprehensive Fare Equity Analysis. Centro will utilize data generated from ridership surveys to conduct the analysis.

- For all proposed fare changes, Centro will compare the percentage change in the average fare for minority riders and riders overall and for low-income riders and riders overall.

- When a fare-type change is proposed, Centro will analyze the fare media usage to determine the number and percent of users of each fare media being changed. Centro will identify whether minority and/or low-income riders are disproportionately more likely to use the payment type or fare media that would be subject to the change.
- Centro will include a profile of fare usage by group – minority, low-income and overall ridership.
- If the proposed changes would only affect certain fare media, the analysis should address whether focusing changes on those fare media may lead to a disparate impact or disproportionate burden.
- Centro will depict the information in tabular format. The table will depict the fare media comparing the existing and proposed cost, the absolute change, the percent change, and the usage of minority groups as compared to overall usage and low-income groups as compared to overall usage. Centro will analyze fare media for minority groups distinct from low-income.
- Centro will compare the differences in impacts between minority users and overall users and analyze any alternative fare payment types, or fare media available for people affected by the fare change. The analysis will compare the fares paid by the proposed changes with fares that would be paid through available alternatives.

If a disparate impact or disproportionate burden exists and the proposed fare changes must take place despite such impact:

- A modification to the fare change proposal will be considered to remove the impacts. Centro may seek public comment on any proposed mitigation measures, including any less discriminatory alternatives that may be available.
- If the proposal is modified, Centro will analyze the modified proposal following the same procedure as previously stated.
- Centro will also explore alternatives, including the timing of implementing the fare increases, providing discounts on passes to social service agencies that serve the impacted populations, and other alternatives as appropriate.

## Public Participation

Centro policy is to disseminate information and to solicit and respond to public comment on bus service and fare changes to the extent reasonable and practical. Specific elements of this policy are as follows:

- Except when impossible because of an emergency condition, advance notice of not less than one week will be given to the affected public of minor route and schedule changes. Methods of providing such notice include, but are not limited to, distribution of revised timetables, handouts, posted notices and/or media releases.
- Major service changes (as described in the Major Service Change Policy) and any change in the fare structure will be made available for public input and CNYRTA Board consideration prior to implementation. School tripper, specialized or experimental service may be changed without recourse to a formal hearing process.
- A notice of the proposed change(s) will be published in a newspaper of general circulation or their affiliated website and also, if applicable, in newspapers oriented to the specific groups or communities affected, and in buses. Such published notices will include information as to the date,

time and location of any public hearings. Not sooner than twenty-one (21) days after the notices are published and posted at least one public hearing shall be held. Special promotional fares are not included in the requirements of this section.

- Staff will conduct a Service and Fare Equity Analysis required by FTA for compliance with Title VI of the Civil Rights Act of 1964 to assess the effects of a proposed fare or major service change on minority and low-income populations during the planning of such changes. The analysis may also address alternatives available for people affected by the changes. The results of the analysis will be reported to CNYRTA's Board prior to any public discussion or implementation of the proposed changes.
- A report of all public comments received, and the responses given will be submitted to the Board. Recommended changes in the proposal as a result of public comment may also be presented.
- Following completion of the process described above, the CNYRTA Board may authorize staff to implement the changes or may direct other action. Final public notice of major changes in service or any changes in the fare structure will be given at least ten days in advance of the effective date of the change.