

T&E COMMITTEE #5
April 29, 2015

MEMORANDUM

April 27, 2015

TO: Transportation, Infrastructure, Energy and Environment Committee

FROM: ^{GO} Glenn Orlin, Deputy Council Administrator

SUBJECT: Resolution to approve the Division of Transit Services' Title VI Policies, Implementation Plan 2015-2017, and Compliance Monitoring Report

The Executive requests that the Council approve a resolution, to be signed by both the Executive and Council, that states that the Council approves Division of Transit Services' Title VI Policies, Implementation Plan 2015-2017, and Compliance Monitoring Report. Paper copies of these documents have been circulated to Councilmembers; the public can view them by going to the following webpage and clicking on the reports: <http://www.montgomerycountymd.gov/DOT-Transit/titlevi.html>. The Executive's transmittal memo is on ©1, and the draft adoption resolution is on ©2-3.

Jim Ritchey of Whitman, Requardt & Associates (WR&A), Transit Services' consultant who authored the reports, will brief the Committee. His presentation is on ©4-11.



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850
MEMORANDUM

Isiah Leggett
County Executive

March 23, 2015

TO: George Leventhal, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Resolution – Transit Services’ Title VI Policies, Title VI Implementation Plan 2015 – 2017 and Title VI Compliance Monitoring Report

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 U.S.C. Section 2000d).

Recipients of public transportation funding from the Federal Transit Administration (FTA) and the Maryland Transit Administration (MTA) are required to develop policies, programs, and practices that ensure that Federal and State transit dollars are used in a manner that is nondiscriminatory as required under Title VI. FTA Circular 4702.1B issued October 1, 2012 requires that each grant recipient through the approval of the recipient’s governing board establish Title VI policies and service standards, and prepare a Title VI program demonstrating how the recipient is complying with Title VI requirements and monitoring compliance of their transit services.

MTA requires that a resolution be signed by both the Montgomery County Executive and the County Council, approving the Montgomery County Transit Services’ Title VI Policies, the Transit Services’ Title VI 2015 – 2017 Implementation Plan and the Transit Services’ Title VI Compliance Monitoring Report. The Title VI Program and Title VI Compliance Monitoring Report must be reviewed and approved by the County Council every three years.

I am requesting introduction and approval by the County Council of the attached Transit Services’ Title VI Program Resolution. I look forward to working with the County Council in adopting this resolution. A signed resolution should be returned to Carolyn Biggins, Chief, Division of Transit Services. Thank you in advance for your cooperation. If you have any questions or require additional information, please contact Ms. Biggins at 240-777-5806.

IL:kmm

Attachments:

1. County Council Draft Resolution
2. Montgomery County Transit Services’ Title VI Policies – December 2014
3. Transit Services’ Title VI 2015 – 2017 Implementation Plan
4. Transit Services’ Title VI Compliance Monitoring Report – December 2014
5. Ride On Public Participation Plan
6. Language Assistance Plan

Resolution: _____
Introduced _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of Title VI Policies, Title VI Implementation Plan 2015 – 2017, and Title VI Compliance Monitoring Report

Background

1. This is a resolution approving the Title VI Policies, Title VI Implementation Plan 2015 – 2017, and Title VI Compliance Monitoring Report.
2. Recipients of public transportation funding from the Federal Transit Administration (FTA) and the Maryland Transit Administration (MTA) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI of the Civil Rights Act of 1964. FTA Circular 4702.1B issued October 1, 2012 requires that each grant recipient, through the approval of the recipient's governing entity, establish Title VI policies and service standards, prepare a Title VI program demonstrating how the recipient is complying with Title VI requirements, and monitor compliance of their transit services.
3. The Title VI Policies include definitions for Fare Change, Major Service Change, Disparate Impact, Disproportionate Burden, and Minority Route and service standards, including measures for Vehicle Load, Headways, Schedule Adherence and Service Coverage. These definitions and service standards will be used to monitor the actual provision of the transit service to ensure no disparate treatment of minorities or low income populations and to evaluate fare and service changes so that disproportionate burdens and disparate impacts are identified and mitigated to the extent possible.
4. The Title VI 2015 – 2017 Implementation Plan follows a format prescribed by the Maryland Transit Administration and addresses each of the topics required by FTA C 4702.1B. As a part of the Title VI Implementation Plan, County staff has developed a Public Participation Plan and Language Assistance Plan.
5. The Title VI Compliance Monitoring Report monitors the performance of the transit system relative to system-wide service standards and service policies on a tri-annual basis. These monitoring activities are used to compare the level of service provided to predominantly minority areas with the level of service provided to predominantly non-minority areas to ensure that the result of policies and decision-making is equitable. While the Title VI Compliance Monitoring Report did not identify any of

disparity which requires additional review, the report identified overcrowding on some routes as an issue that should be addressed.

6. These documents have been submitted to the Maryland Transit Administration for preliminary review and they are now ready for County Council consideration.

Action

The County Council for Montgomery County approves the following resolution:

1. The County Council approves the:
 - a. Title VI Policies;
 - b. Title VI 2015 – 2017 Implementation Plan;
 - c. Title VI Compliance Monitoring Report.
2. The County Executive is requested to endorse this resolution, thereby indicating his approval of the aforementioned policies, plan, and report.
3. Copies of the resolution will be sent to the Maryland Transit Administration of the Maryland Department of Transportation.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Approved:

Witness of County Executive

County Executive Date



Montgomery County
Department of
Transportation



April 29, 2015

MONTGOMERY COUNTY

RIDE ON TITLE VI POLICIES

WR&A WHITMAN, REQUARDT
& ASSOCIATES, LLP
ENGINEERS · ARCHITECTS · PLANNERS EST. 1915

Title VI Program Update



- FTA required Title VI Program Update every three years
- County Council approval includes:
 - Implementation Plan 2015 – 2017
 - Definitions, Service Standards and Policies
 - Compliance Monitoring Report
- Information supporting the Title VI Plan
 - Language Assistance Plan
 - Public Participation Plan
- (<http://www.montgomerycountymd.gov/DOT-Transit/titlevi.html>)

Title VI Approval Process



- Title VI On-board Survey – August to October 2014
- Draft Title VI Policies – August 2014
- Public Comment and Community Outreach – September 2014
- MTA Issues Guidelines and Template – October 22, 2014
- Implementation Plan Draft Submission to MTA – December 2014
- MTA Review and Comment – February 2, 2015
- **T&E Committee – April 29, 2015**
- **County Council – May 12, 2014**
- MTA and FTA Final Approval

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Title VI Definitions



- **Fare Change** – Fare Change Equity Analysis is required
- **Major Service Change** - any new route or a reduction or increase in a route's revenue vehicle hours greater than 25%. Service Change Equity Analysis is required
- **Disparate Impact** - When the minority population adversely affected by a Major Service Change is twenty percent (20%) more than non-minority population adversely affected by the Major Service Change. For a Fare Change, average fare increase for minority populations is 5% greater than non-minority populations.
- ① • **Disproportionate Burden** - When the low-income population adversely affected by a Major Service Change is twenty percent (20%) more than non-low income population adversely affected by the Major Service Change. For a Fare Change, average fare increase for low-income populations is 5% greater than non low-income populations.
- **Minority Route** - A Minority Route is a route that serves an area with a population with a higher percentage of minorities than the Montgomery County average as determined by the most recent and available US Census.

Service Standards



Standard	Definition	Calculation
Vehicle Load	Average ratio of passengers per seat per bus during a service hour at the maximum load point	Peak period maximum load factor of 1.2 on regular routes and 1.0 on express routes. Off-peak service maximum load factors of 1.0 on all service types.
Headway	Maximum scheduled time interval between buses	Maximum 30 minutes peak headway during peak and off-peak periods.
Schedule Adherence	Percent adherence to scheduled service.	Goal 85 % on time performance for delivered trips, difference between scheduled time and actual time arriving at a time point based on a window of no more than 2 minute early or 7 minutes late.
Service Coverage	Traffic Analysis Zones (TAZ) that have 3+ households per acre and/or 4+ jobs per acre are served by Ride On and / or Metro Bus routes.	Using the most recent data, TAZs meeting the threshold are analyzed for the presence of Ride On and / or Metro Bus service.

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Service Policies



Service Policy

Montgomery County Policy

Vehicle Assignment

Vehicles are assigned to routes based on ridership demands, road conditions, service type, and maintenance garage capacity and vehicle technologies (e.g., CNG fueling only provided at EMTOC). Ride On will equitably provide amenities such as shelters and kneewalls at bus stops where Ride On has decision-making authority.

Distribution of Transit Amenities

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Title VI Compliance Monitoring Report



- Compliance Monitoring Report required every three years
 - Report evaluates Ride On's Compliance with the service standards and policies
 - Vehicle Load
 - Service Headways
 - On-time Performance
 - Service Accessibility
 - Age of Vehicles
 - Distribution of Transit Amenities
 - ✓ Using a statistical test, there is no disparity in the provision of Ride On services
- During fiscal year 2014 there were four routes that exceed Ride On's PM Peak Hour Load factor policy of 120%:
 - Route 55 - 174%
 - Route 59 - 125%
 - Route 61 - 122%
 - Route 1 - 125%
- Additional budget resources should be considered for peak hour buses and trips.

On-Board Survey and User Profile



- 2014 On-Board Survey
 - 10,759 completed surveys
 - Overall survey margin of error .8%
- Survey Results
 - Women are majority (58%)
 - Most riders are aged 25-54 (57%)
 - English is predominant language; 22% speak Spanish at home; 7.2% speak English not well or not at all
 - Over 64% are Black/African descent (42%) or Hispanic (22%)
 - 76% have less than \$50,000 household income
 - 64% use Ride On daily