

T&E COMMITTEE #4
December 2, 2020

MEMORANDUM

November 30, 2020

TO: Transportation and Environment Committee

FROM: Glenn Orlin, Senior Analyst

SUBJECT: Resolution approving the Division of Transit Services' Title VI Policies, Title VI Implementation Plan 2021-2023, and Title VI Compliance Monitoring Report¹

PURPOSE: Recommend approval of resolution

Participants:

Christopher Conklin, Director, Department of Transportation (DOT)
Dan Hibbert, Chief, Division of Transit Services, DOT
Deanna Archey, Title VI Manager, Division of Transit Services, DOT

The Federal Transit Administration (FTA) requires all major transit operators to submit the subject reports every three years. (The last set of reports were transmitted in the spring of 2018.) The purpose of the reports is to identify whether any discrimination exists in the provision of Ride On service. 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 2021-2023, and Compliance Monitoring Report for submission to the FTA. The Executive's transmittal memo is on ©1, and the draft adoption resolution is on ©2-3. **Council staff recommends approval.**

The Implementation Plan and its appendices—which include the Public Participation Plan, Language Assistance Plan, and Compliance Monitoring Report, among others—is attached following ©3. The report contains a wealth of information describing Ride On's network and vehicle fleet, and ridership characteristics from a December 2018 on-board survey. Given the County's Racial Equity and Social Justice Policy, the Compliance Monitoring Report is most relevant; see Appendix J, pp. 5-11.

The Monitoring Report organized the routes in descending order by percentage of minority ridership and then divided them into quartiles: the service characteristics of the top two quartiles were compared to the ridership as a whole to determine whether the routes carrying the higher percentage of minority riders show a negative disparity compared to all routes. The six characteristics measured are summarized in Table 1. In short, all the characteristics show no disparity within one standard deviation.

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¹ Key words: Title VI, Ride On

Table 1: Summary of Service Characteristics

Service Characteristic	Policy Standard	Quartiles 1 & 2 (highest minority routes)	System Average	Standard Deviation	Disparity Deviation	Q1 & Q2 better than Disparity Deviation?
Vehicle Load Factor	120% of seating capacity (regular routes) 100% of seating capacity (express routes)	Q1: 37.4% (am); 39.0% (pm) Q2: 49.9% (am); 71.2% (pm)	39.9% (am); 45.8% (pm)	17.6% (am); 26.5% (pm)	57.2% (am); 72.3% (pm)	Yes (am) Yes (pm)
Average Headways	30-minute maximum average headway (except in rare circumstances)	Q1: 23.4 min. (am peak) 26.7 min. (midday) 23.9 min. (pm peak) 28.3 min. (night) Q2: 21.6 min. (am peak) 25.8 min. (midday) 21.1 min. (pm peak) 29.1 min. (night)	24.6 min. (am peak) 28.7 min. (midday) 24.7 min. (pm peak) 29.4 min. (night)	10.5 min. (am peak) 10.3 min. (midday) 10.3 min. (pm peak) 3.7 min. (night)	35.0 min. (am peak) 39.0 min. (midday) 35.0 min. (pm peak) 33.0 min. (night)	Yes (am peak) Yes (midday) Yes (pm peak) Yes (night)
On-Time Performance	no more than 1 minute early or 4 minutes late	Q1:69.8% Q2:72.1%	71.9%	-7.9%	64.0%	Yes
Average Vehicle Age	N/A	Q1: 6.43 years Q2: 5.51 years	6.14 years	1.75 years	7.90 years	Yes
Service Accessibility	percentage within ¼-mile of a bus stop*	90.9% of minority population within ¼-mile of a bus stop	89.7% of total population within ¼-mile of a bus stop	N/A**	N/A**	Yes**
Amenities	N/A	0.89 shelters/1000 minority persons 1.30 benches/1000 minority persons	0.78 shelters/1000 persons 1.30 benches/1000 persons	N/A**	N/A**	Yes** Yes**

* Includes Ride On and Metrobus.

** These service characteristics do not apply the standard deviation.




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

November 12, 2020

TO: Sidney Katz, President
Montgomery County Council

FROM: Marc Elrich, County Executive
Office of the County Executive 

SUBJECT: Approval of Title VI Policies, Title VI Implementation Plan 2021-2023 and Title VI Compliance Monitoring Report Resolution

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.IB issued October 1, 2012. Each grant recipient through the approval of the recipient's governing board must 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. This plan is required to be updated every three years.

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

ACTION REQUESTED: Council Introduction and approval of the attached resolution.

ME:tn

cc: Marlene Michaelson, Council Executive Director

Resolution: _____
Introduced _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of Title VI Policies, Title VI Implementation Plan 2021-2023, and Title VI Compliance Monitoring Report

Background

1. This resolution approves the Title VI Policies, Title VI Implementation Plan 2021-2023, 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. 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, 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, 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 2021-2023 Implementation Plan follows a format prescribed by the Maryland Transit Administration and addresses each of the topics required by FTA C4702B. As a part of the Title VI Implementation Plan, County staff have 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. The plan is updated 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 disparity, which requires additional review (Appendix C), the report identified overcrowding on some routes as an issue that should be addressed.

Action

The County Council for Montgomery County approves the following resolution:

- a. Montgomery County Title VI Policies.
- b. Title VI 2021-2023 Implementation Plan.
- c. Title VI Compliance Monitoring Report.

This is a correct copy of Council action.

Selena Singleton, Esq.
Clerk of the Council

Title VI Implementation Plan

Title VI of the Civil Rights Act of 1964

Montgomery County Department of Transportation

Division of Transit Services



FY 2021-2023 Title VI Program Update

Adopted date

To be determined 2020

Contents

I. INTRODUCTION	1
II. OVERVIEW OF SERVICES	2
III. POLICY STATEMENT AND AUTHORITIES	8
IV. ORGANIZATION	10
V. OVERALL TITLE VI PROGRAM RESPONSIBILITIES	10
VI. PUBLIC OUTREACH AND INVOLVEMENT.....	14
VII. ENVIRONMENTAL JUSTICE (for All Construction Projects)	16
VIII. URBANIZED AREA CHECKLIST	18
IX. SERVICE DELIVERY AND PLANNING	19
X. Appendices	21
Appendix A – Title VI Assurances, Policy and Notice.....	21
Appendix B – Title VI Complaint Procedures and Form.....	24
Appendix C – Description of Title VI Investigations, Lawsuits and Complaints	29
Appendix D – Public Participation Plan.....	30
Appendix E – Language Assistance Plan	31
Appendix F – Minority Representation on Ride On Advisory Committees – July 2020	32
Appendix G – Title VI Policies	32
Appendix H – Title VI Policies Summary of Public Involvement Activities	36
Appendix I – Fare and Major Service Changes – 2018 to 2020.....	42
Appendix J - Title VI Monitoring Report.....	43
Appendix K - Non-discrimination Contract Clauses	44
Appendix L - FY21-22 Annual Transportation Plan Assurance	45



Appendix M - FY21-22 Annual Transportation Plan Reporting Form.....46
Appendix N - Montgomery County Council Approval.....47



I. INTRODUCTION

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).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all program and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including environmental justice in the transportation planning and programming, and providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Maryland Department of Transportation Maryland Transit Administration (MDOT 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.

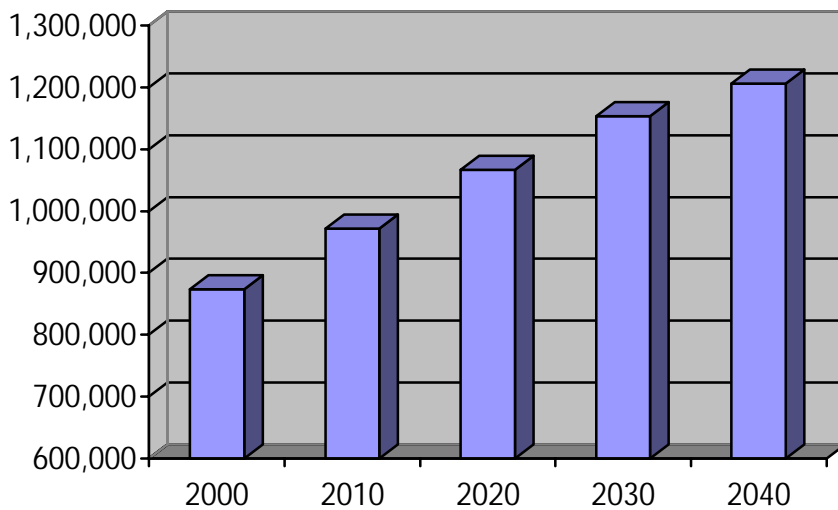
This document details how Montgomery County, Maryland incorporates nondiscrimination policies and practices in providing services to the public.



II. OVERVIEW OF SERVICES

Montgomery County is a Maryland suburb of Washington, DC located to the northwest of Washington, DC. It has been the most populous Maryland county since 1990 with a 2019 population of 1,050,668 – an 8.2 percent increase over the 2010 census figures.¹ Within the Washington, DC region the County’s population ranks second behind Fairfax County, Virginia. With a 2020 projected population of 1,067,000 Montgomery County is expected to add 139,800 persons or 13.1% by 2040.

Figure 1: Population 2000 to 2040, Montgomery County, Maryland



Source: <https://planning.maryland.gov/MSDC/Documents/county/mont.pdf>

Using the 2014 to 2018 U. S. Census American Community Survey 5-year average, Figure 2 shows the distribution of minority populations within Montgomery County.

¹ <https://www.census.gov/quickfacts/montgomerycountymaryland>



Figure 2: Montgomery County Minority Population Concentrations

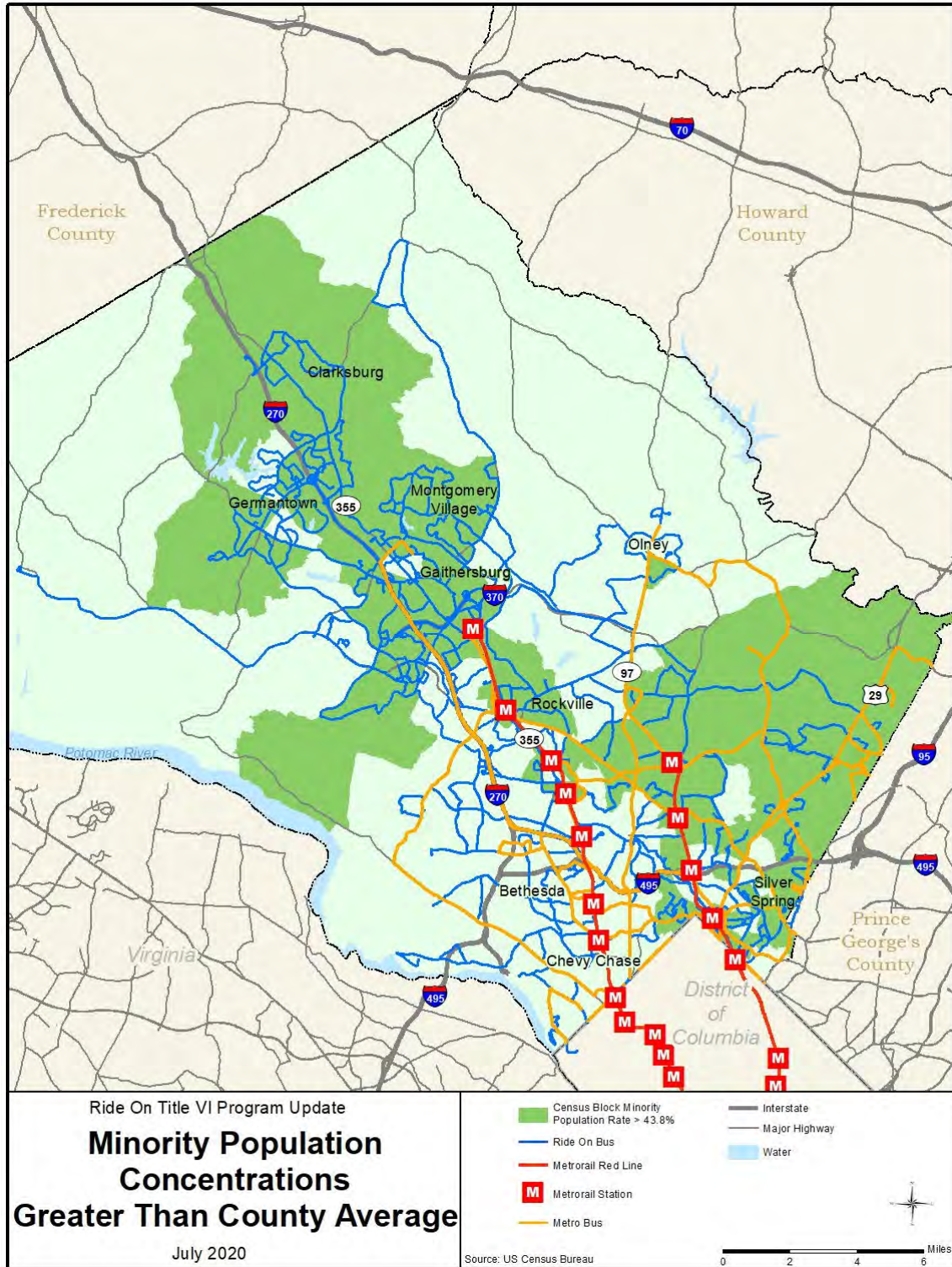
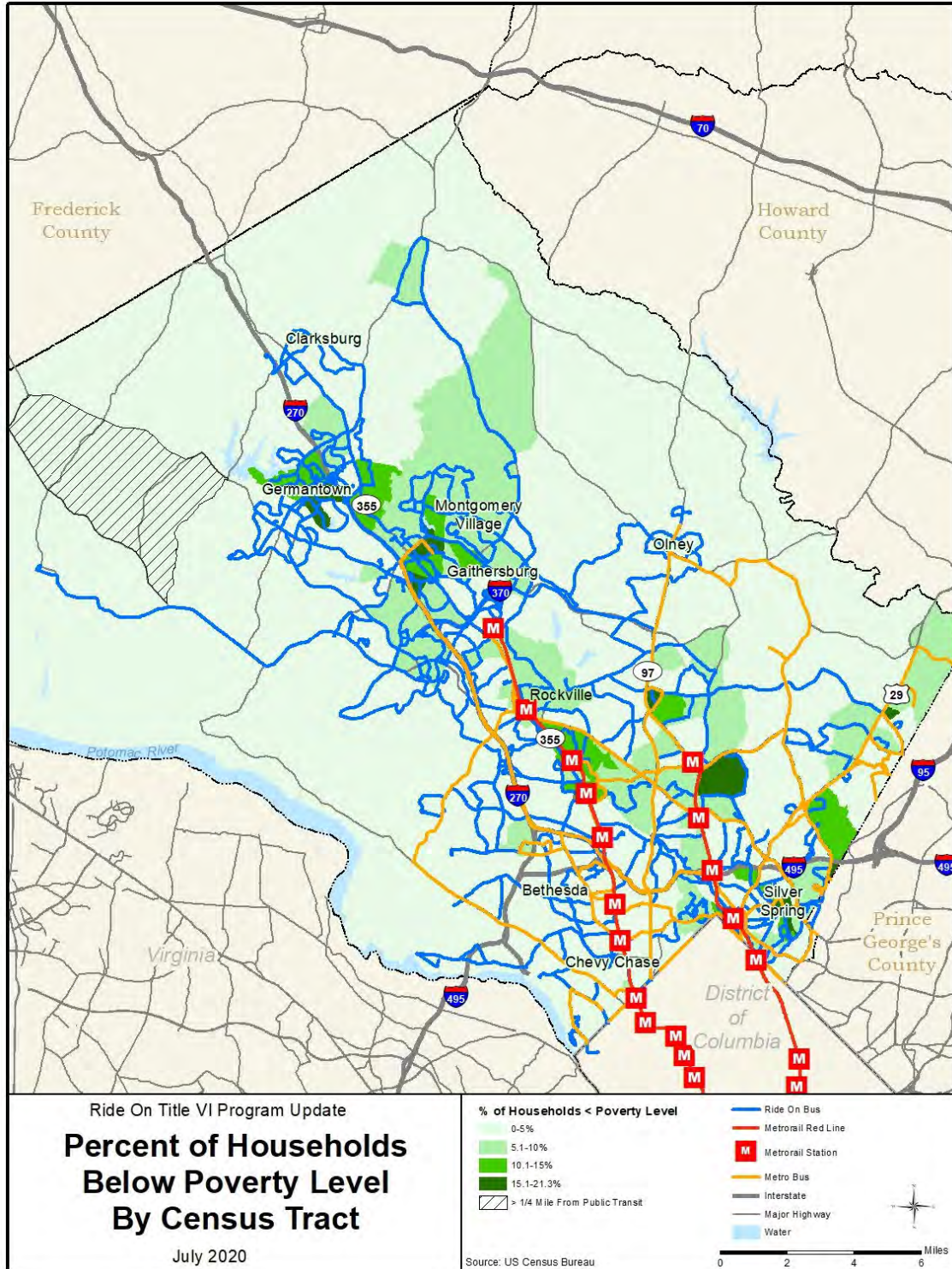


Figure 3 illustrates the low-income populations served by the Ride On and Metrobus transit services.

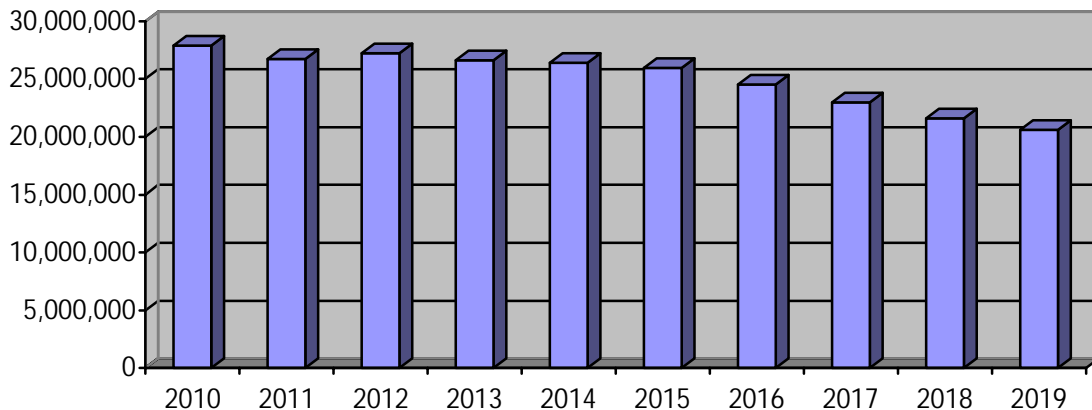
Figure 3: Montgomery County Low Income Population Concentrations



Public transportation in suburban Maryland is provided through partnerships between the Maryland Department of Transportation – Maryland Transit Administration (MDOT MTA), the Washington Metropolitan Transit Authority (WMATA) and local jurisdictions including Montgomery and Prince George’s counties. Montgomery County is served by multiple transit agencies. The Washington Metropolitan Transit Authority (WMATA) provides rapid rail service with the Red Line and local bus services on 18 bus lines. Through MDOT MTA, the MARC provides commuter rail services. The MDOT MTA Commuter Bus program also provides commuter bus services and Ride On provides local and express bus services.

The Ride On bus system is an integral part of the County’s infrastructure and resources. Ride On is the second largest bus operation in the state, next to Maryland Department of Transportation (MDOT) Maryland Transit Administration (MTA), and the second largest in the Washington Metropolitan Area. Since starting as a feeder bus service to Washington’s Metro, Ride On has grown to its current 307 peak vehicles on 79 different bus routes. During September 2019 Ride On operated 3,414 average weekday revenue hours and provided 80,743 average weekday passenger trips. Figure 4 shows Ride On unlinked passenger trips from fiscal year 2000 to fiscal year 2019.

Figure 4: Ride On Unlinked Passenger Trips 2010 to 2019



Source: National transit Database, 2018 Time Series Ride On Operating Data

Figure 5 illustrates the public transportation services in the County.

Major service changes and initiatives that have been undertaken since the Title VI Implementation Plan 2018 to 2020 include:

- The Ride On Extra - Route 101 - was added as a limited stop service along MD355 Rockville Pike. The service provides a faster service than local routes and is intended to relieve overcrowding on existing routes. The specially branded service operates at 10-minute frequencies during peak periods. The Extra has 13 stops with new branded shelters and was marketed as “Less Stop, More Go”

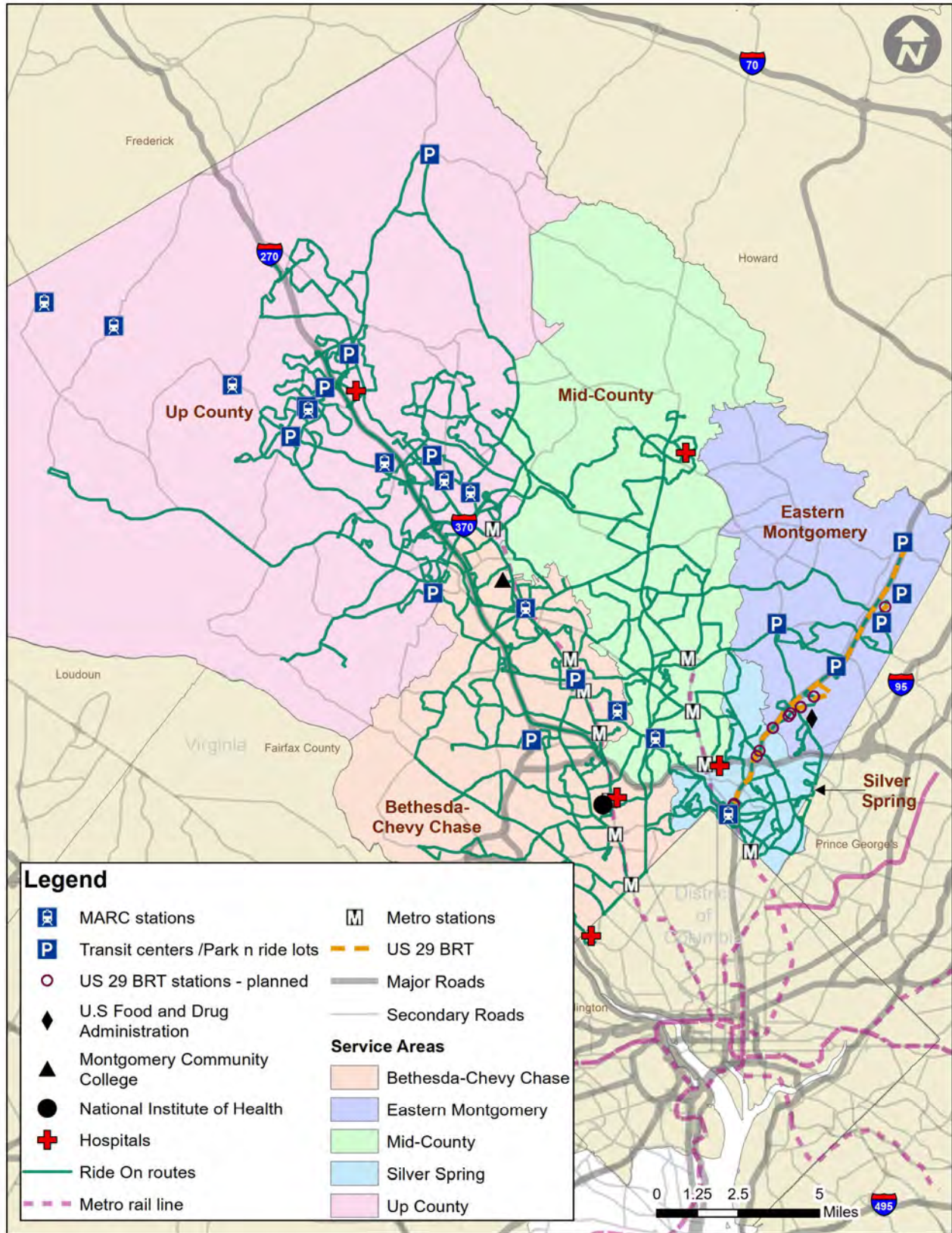


Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020

- The US 29 Flash BRT received a \$10 million 2016 USDOT TIGER grant. As of FY21, the project with 18 new BRT station platforms and 16 sixty-foot articulated buses is budgeted to cost \$31.5 million. The project, delayed by Covid-19, is now expected to open in late 2020.
- The Ride On Route 129 was added as a limited stop service along US29 between Burtonsville and Silver Spring to grow ridership along the corridor in advance of the US29 Flash BRT. The service operates during peak periods with 15-minute frequencies.
- Four electric buses have been delivered with ten additional electric buses in the procurement process. Electric bus charging infrastructure has been added to the Silver Spring Depot. The first four electric buses will begin operations in late 2020 along Routes 18 and 25 in Takoma Park.
- Microtransit - As part of Montgomery County's vision to support improved multimodal transportation options, Montgomery County Department of Transportation (MCDOT) implemented its first pilot microtransit service in the summer of 2019.
- Kids Ride Free - The hours for Montgomery County's Kids Ride Free program was expanded from 2 to 8 PM to all day effective July 1, 2019.



Figure 5: Montgomery County Transit Services 2019



III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

Montgomery County, Maryland is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

Montgomery County, Maryland's Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

Signature of Authorizing Official	Date
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Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).



Annual Nondiscrimination Assurance to MTA

As part of the Certifications and Assurances submitted each year to the MDOT MTA with the Annual Transportation Plan (ATP, the public transportation grant application) and all Federal Transit Administration grants submitted to the MDOT MTA, Montgomery County, Maryland submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

The assurance for FY's 2021-2022 is attached as Appendix L. In signing and submitting this assurance, Montgomery County, Maryland confirms to MDOT MTA the agency's commitment to nondiscrimination and compliance with federal and state requirements.



IV. ORGANIZATION

Under the authority of the Montgomery County, Maryland's County Executive, the Transit Services Division Planning & Implementation Section, Senior Planner is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

- Deanna Archey, Title VI Manager is responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education. Those responsible for overall administration coordinate with those responsible for public outreach and involvement and service planning and delivery.
- Will Kenlaw, Program Manager: Marketing, Advertising, & Customer Service is responsible for public outreach and involvement. This includes development and implementation of the Language Assistance Plan (LAP) plan. Those responsible for this area also coordinate with those who are responsible for service planning and delivery.
- Philip McLaughlin, Chief Operations Planning and Deanna Archey, Title VI Manager are responsible for service planning and delivery. This includes analysis of current services, analysis of proposed service and fare changes, and environmental justice. Those responsible for this area also coordinate with those who are responsible for service planning and delivery.

V. OVERALL TITLE VI PROGRAM RESPONSIBILITIES

Following are general Title VI responsibilities of the agency. The Title VI Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1. Data collection

To ensure that Title VI reporting requirements are met, Montgomery County, Maryland maintains:

- A database of Title VI complaints received. The investigation of and response to each complaint is tracked within the database. A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

2. Annual Report and Updates

As a subrecipient providing service in a large urbanized area, Montgomery County, Maryland is required to notify MDOT MTA immediately when a Title VI complaint has



been received. Montgomery County, Maryland is also required to submit a report that documents any Title VI complaints on a quarterly basis as part of their quarterly Request for Reimbursement and an annual report to the MDOT MTA that documents any Title VI complaints received during the preceding 12 months, as well as a summary of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

The reporting form for the FY's 2021-2022 ATP is attached as Appendix M.

Further, Montgomery County, Maryland submits to MDOT MTA updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date.

- No Title VI related compliance reviews were conducted during the prior three (3) years.
- Montgomery County, Maryland's Language Assistance Plan (LAP) Plan (Appendix E) has been updated as of July 2020.
- Montgomery County, Maryland's Public Participation Plan (PPP) (Appendix D) plan has been updated as of July 2020.
- Montgomery County, Maryland's procedures for tracking and investigating Title VI complaints has not changed.
- A list of Title VI investigations, complaints or lawsuits filed with the Montgomery County, Maryland's since the last submission (Appendix C).
- A copy of Montgomery County, Maryland's notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint (Appendix A).

The annual Title VI report and updates are submitted to the MDOT MTA each year as part of the Annual Transportation Plan (ATP), or grant application submission.

3. Annual review of Title VI program

Each year, in preparing for the Annual Report and Updates, the Title VI Manager will review the agency's Title VI program to assure implementation of the Title VI plan. Additionally, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of information related to the Title VI program

Information on Montgomery County, Maryland's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document, and in other



languages when needed according to the LAP plan as well as federal and State laws/regulations.

5. Resolution of complaints

Any individual may exercise his or her right to file a complaint with Montgomery County, Maryland's if that person believes that s/he or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. Montgomery County, Maryland will report the complaint to MDOT MTA within three (3) business days (per MDOT MTA requirements), and make a concerted effort to resolve complaints locally, using the agency's Title VI Complaint Form and Procedures, as described in Appendix B. All Title VI complaints and their resolution will be logged as described under "Data collection" and reported annually (in addition to immediately) to MDOT MTA.

6. Written policies and procedures

Montgomery County, Maryland's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of item 3 above (annual Title VI review), the Title VI Manager will determine whether or not an update is needed.

7. Internal education

Montgomery County, Maryland's employees will receive training on Title VI policies and procedures upon hiring, and on an annual basis. This training will include:

- New hire - requirements of Title VI, and Montgomery County, Maryland's obligations under Title VI (LEP requirement included).
- Bus operators and operating supervisors - Annual refresher to be conducted at bus depots by safety and training staff concerning Title VI requirements including LEP.
- Administrative staff - annual refresher on Title VI requirements including data that must be gathered and maintained and how it relates to the Annual Report and Update to MDOT MTA.

In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint (which may be for a specific individual or for the entire agency, depending the on the complaint).

8. Title VI clauses in contracts



Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020

In all procurements using federal funds, Montgomery County, Maryland's contract will include the non-discrimination clauses attached as Appendix K. The Title VI Manager will work with the Starr Montout, Procurement Specialist.

Responsibilities of the Title VI Manager

The Title VI Manager is responsible for supervising other staff assigned with Title VI responsibilities in implementing, monitoring, and reporting on Montgomery County, Maryland's compliance with Title VI regulations. In support of this, the Title VI Manager will:

- Identify, investigate, and eliminate discrimination when found to exist.
- Process Title VI complaints received by Montgomery County, Maryland, in accordance with the agency's Title VI Complaint Form and Procedures, as described in Appendix B.
- Meet with other staff assigned with Title VI responsibilities, including public outreach & involvement and service planning and delivery periodically to monitor and discuss progress, implementation, and compliance issues.
- Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with other staff assigned with Title VI responsibilities, including public outreach & involvement and service planning and delivery to develop and submit the Annual Title VI Report and Update submitted to the MDOT MTA as part of the ATP to the MDOT MTA.
- Review the Annual Title VI Report and Update to determine the effectiveness of the Title VI program and related efforts.
- Review contract documents to ensure Title VI assurance language is included.
- If Montgomery County, Maryland receives a Title VI complaint about a contractor, work with the appropriate contract oversight staff and contractor to resolve the complaint and write a remedial action if necessary.
- Review important Title VI related issues with the County Executive as needed.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when needed according to the agency's LEP plan and federal and State laws/regulations.



VI. PUBLIC OUTREACH AND INVOLVEMENT

Public outreach and involvement applies to and affects Montgomery County, Maryland’s mission and work program as a whole, particularly agency efforts and responsibilities related to Montgomery County, Maryland’s service planning. The Ride On Public Participation Plan (Appendix D) describes the County’s public participation process which is to assure and improve access to the MCDOT Division of Transit Services decision-making process for low income, minority and limited English proficient (LEP) populations. In seeking public comment and review, Montgomery County, Maryland makes a concerted effort to reach all segments of the population, including people from minority and low-income communities, and organizations representing these and other protected classes. Montgomery County, Maryland utilizes a broad range of public outreach information and involvement opportunities, including a process for written comments, public meetings after effective notice, settings for open discussion, information services, and consideration of and response to public comments.

Procedures for notifying the public of Title VI rights and how to file a complaint

Montgomery County, Maryland includes the following language on the agency’s website, on posters on the interior of each vehicle operated in passenger service (English and Spanish) and the Ride On User Guide (English, Amharic, Chinese, French, Hindi, Korean, Spanish and Vietnamese):

“Montgomery County assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. For more information or to file a complaint, please contact the Montgomery County Office of Human Rights.”

Instructions for filing Title VI complaints are posted on the agency’s website and in posters on the interior of each vehicle operated in passenger service.

<p align="center">NON-DISCRIMINATION POLICY</p> <p>We are committed to ensuring that no person is excluded from participation in or denied the benefits of the transit services we offer. This policy is consistent with the requirements of Title VI of the 1964 Civil Rights Act.</p> <p>If you believe you have been subjected to unequal treatment because of race, color, or national origin, then you have the right to file a formal complaint.</p> <p>Complaints must be filed within one hundred-eighty (180) days following the date of the alleged discriminatory action. For more information, or to file a complaint, you must submit it in writing directly to the following:</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%; background-color: #fff; padding: 5px;"> <p>Montgomery County Office of Human Rights 21 Maryland Avenue, Suite 330 Rockville, Maryland 20850 Telephone: 240.777.8450 Fax: 240.777.8460 - TTY: 240.777.8480 human-rights.commission@montgomerycountymd.gov</p> </div> <div style="width: 45%; background-color: #fff; padding: 5px;"> <p>Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor-TCR 1200 New Jersey Ave. S.E. Washington DC 20590</p> </div> </div>

Procedures for handling and recording Title VI investigations/complaints/lawsuits

Procedures for handling and recording Title VI complaints are attached as Appendix B.

Should any Title VI investigations be initiated by FTA or MDOT MTA, or any Title VI lawsuits be filed against Montgomery County, Maryland, the agency will follow these procedures:

Upon receipt of a Title VI Complaint Form, the Division of Transit Services Title VI Coordinator transmits a copy of the complaint form to MTA within three business days of receiving the completed complaint form. The Division of Transit Services Title VI Coordinator is responsible for maintaining a list of Title VI Complaints. The list shall include:

- a. Date received
- b. Type of Complaint (formal or informal)
- c. Complainant Name
- d. Contact Information
- e. Nature of Complaint
- f. Date Title VI Complaint Form received by the Office of Human Rights
- g. Response Date by the Office of Human Rights
- h. Description of the Decision by the Office of Human Rights
- i. Date of Decision by the Office of Human Rights

Strategies for Informing and Engaging Individuals with Limited English Proficiency (LEP)

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English.

As required by MTA, Montgomery County, Maryland developed a written Language Assistance Plan (LAP), included as Appendix E. The LAP includes the required four factor analysis, evaluation of LEP data from the 2018 U.S. Census American Community Survey and 2018 on-board survey results and identification of language assistance measures employed by Montgomery County including translation of vital documents.



Public Outreach and Involvement Activities

Montgomery County, Maryland has completed the Public Participation Plan, July 2020, (Appendix D) which describes the steps the County takes to ensure that minority, low-income, and LEP members of the community have meaningful access to public outreach and involvement activities, including those conducted as part of the planning process for proposed changes in services, fares, and facilities development.

The Public Participation Plan describes the public participation responsibilities of different Montgomery County offices, evaluates population demographics and survey data, outlines public participation activities and methods, and lists public participation events for FY17 to FY20.

VII. ENVIRONMENTAL JUSTICE (FOR ALL CONSTRUCTION PROJECTS)

For new construction and major rehabilitation or renovation projects where National Environmental Policy Act (NEPA) documentation is required, Montgomery County, Maryland will integrate an environmental justice analysis into the NEPA documentation for submission to MDOT MTA. The environmental justice analysis includes:

- An identification of the low-income and minority communities within the study area affected by the project, and a discussion of the method used to identify this population (e.g., analysis of Census data, minority business directories, direct observation, a public involvements process, etc).
- For each of the identified low income or minority communities, a discussion of the adverse impacts of the project, both during and after its construction, such as:
 - Adverse effects on community cohesion or economic vitality by dividing or fracturing the community,
 - The isolation, exclusion, or separation of the community from the broader community,
 - Destruction or disruption of the availability of public and private facilities and services,
 - A change in employment opportunities,
 - Increased traffic in a residential area or decreased parking availability in a commercial area,
 - Air pollution, noise, vibration, change in storm water levels or flows, disturbance of contaminated soil or groundwater,
 - Disruption or destruction of man-made or natural resources such as parks, or Native American traditional cultural places,
 - Destruction or diminution of aesthetic or historic value, and
 - The cumulative effects of the above on the community.
- For each of the identified low income or minority communities, a discussion of all positive impacts such as an improvement in transit service, mobility, or accessibility.



Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020

- A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse impacts, including, but not limited to any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act, to address adverse community impacts such as separation or cohesion issues and the replacement of the community resource destroyed by the project.
- A discussion of the remaining impacts, if any, and why further mitigation is not proposed.
- A comparison of mitigation and environmental enhancement actions implemented in conjunction with the project and affecting predominantly low-income and minority neighborhoods with mitigation implemented in conjunction with similar construction, renovation, or rehabilitation projects located in predominantly non-minority or non-low-income neighborhoods, or with segments of a corridor project that transverse non-minority and non-low-income neighborhoods.

The development of environmental justice analyses is the responsibility of the Title VI Program Manager.



VIII. URBANIZED AREA CHECKLIST

FTA Circular 4702.1B requires providers of public transportation that operate 50 or more fixed route vehicles in peak service and are located in an urbanized area of 200,000 or more in population to complete the items listed in Table 1.

Table 1: Urbanized Area Checklist

Provision	Circular Reference	Citation	Information to be included in the Title VI report	Location in Report
Demographic Data Collection	Chapter V, Part 1	49 CFR 21.9(b);	Either demographic maps and charts prepared since the most recent decennial census, results of customer surveys that include demographic information, or demographic information on beneficiaries through locally developed procedure.	Figures 2 and 3 and tables and Public Participation Plan tables 3, 4, 5, 6, 7 and 8. Detailed demographic data by route is also included in the Title VI Survey Data Report, May 2019.
Service Standards	Chapter V, Part 2	49 CFR 21.5(b)(2); 49 CFR 21.5(b)(7); Appendix C to 49 CFR 21	System-wide service standards (such as standards for vehicle load, vehicle headway, distribution of transit amenities, on-time performance, transit availability, and transit security).	Appendix G - Title VI Policies
Service Policies	Chapter V, Part 3	49 CFR 21.5(b)(2); 49 CFR 21.5(b)(7); Appendix C to 49 CFR 21	System-wide policies (such as policies for vehicle assignment or transit security).	Appendix G - Title VI Policies
Equity Evaluation of Service and Fare Changes	Chapter V, Part 4	49 CFR 21.5(b)(2); 49CFR 21.5(b)(7); Appendix C to 49 CFR 21;	An analysis of the impacts on minority and low-income populations of any significant service and fare changes that occurred since the previous report was submitted.	Appendix I - Fare and Major Service Changes – 2018 to 2020
Monitoring	Chapter V, Part 5	49 CFR 21.5(b)(2); 49CFR 21.5(b)(7); Appendix C to 49 CFR 21;	The results of either level of service monitoring, quality of service monitoring, analysis of customer surveys, or locally developed monitoring procedure.	Appendix J - Title VI Monitoring Report



IX. SERVICE DELIVERY AND PLANNING

Following the guidelines set forth by FTA Circular 4702.1B, Montgomery County, Maryland, monitors the performance of the transit system relative to system-wide service standards and service policies on a tri-annual basis. These monitoring activities documented in the Title VI Compliance Monitoring Report (Appendix J) 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.

In addition to the Title VI Compliance Monitoring Report activities Montgomery County, Maryland has established procedures for equitable service delivery.

Procedures for ensuring equity in service provision

Vehicle Assignment: Montgomery County, Maryland operates transit service from three bus depots. As of July 2020, the active fleet includes 354 buses with five different size of buses including 25' microtransit, 30' bus, 35' bus, 40' bus and 60' bus. The fleet includes a combination of fuel types including clean diesel, diesel hybrid, compressed natural gas (CNG) and electric. The transit services include regular route - full sized bus, regular route - small bus, Ride On Extra, Electric Bus, Flex Microtransit and Flash BRT.

Specialty fleets with unique livery are used on the Ride On Extra, Electric Bus, Microtransit, and Flash BRT. Because of the unique nature of each service the buses are assigned from subfleets comprised of a small number of buses.

For regular routes, buses are first assigned by size where full-sized 40' buses are assigned to routes with high passenger loads and small 30' buses are assigned to routes with lower ridership. In these categories buses are assigned randomly from each depot. In addition, Ride On uses a substantial amount of interlining where buses are used on multiple routes during the day. The combination of random bus assignment with interlining results in equitable bus assignments for low income and minority routes.

Monitoring Title VI Complaints: As part of the complaint handling procedure (Appendix B), the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, and interconnectivity with other routes. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Quarterly and/or Annual Report and update for submission to the MDOT MTA.



Procedures for Ensuring Equity in Planning Service and Fare Changes

Appendix G - Title VI Policies describes the standards and approval process for route and fare changes. With each planned service or fare change, Montgomery County, Maryland considers the relative impacts on, and benefits to, minority and low-income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

The following steps are taken with each planning effort and documented in writing:

1. Describe proposed changes and the rationale behind them.
2. Provide a list of modes (such as fixed-route or microtransit) the service changes would impact.
3. Describe the impacts of service changes on low-income and/or minority communities. In particular, establish why the proposed service would not have a disproportionately high and adverse effect on low-income and/or minority populations. Transit Planning Staff use Remix to collect latest available Census data and determine where low income and minority populations comprise the highest number and percent of the population and compare the location of these areas to the routes or service areas for which the changes are being considered.
4. Describe transit alternatives available to riders impacted by proposed changes.
5. Identify measures, if any, that would be taken to avoid, minimize, or mitigate any adverse effects of the service, or enhancements or offsetting, if any, that would be implemented in conjunction with the service.
6. Describe how the agency intends to reach out and involve minority and low-income populations to make sure their viewpoints are considered.
7. Determine whether it is necessary to disseminate information that is accessible to LEP persons (following the agency's LAP plan). If so, describe the steps that will be taken to provide information in languages other than English.

Steps 1 through 5 are the responsibility of the Chief Operations Planning.

Steps 6 and 7 are the responsibility of the Program Manager: Marketing, Advertising, & Customer Service.




X. APPENDICES

Appendix A – Title VI Assurances, Policy and Notice

DIVISION OF TRANSIT SERVICES
STANDARD OPERATING PROCEDURE

Department of Transportation

Section: Ride On	Title: Title VI Assurances, Policy and Notice	Date: December 1, 2014
Number: OP0017	Division Chief Signature: 	Page: 1 of 2

Background:

As a condition of receiving federal transit grants, Montgomery County is required to comply with Title VI of the Civil Rights Act of 1964 and Federal Transit Administration Circular 4702.1B. These regulations require that Montgomery County provide Title VI Assurances, approve a Title VI Policy, develop a Title VI Program and update it every three years, and Notify Beneficiaries of Protection Under Title VI.

Title VI Assurances:

Montgomery County executes annually the Federal Transit Administration Certifications and Assurances which contain the current Title VI assurances.

Montgomery County Title VI Policy Statement

Montgomery County does not discriminate on the basis of based on race, color, sex, marital status, religious creed, ancestry, national origin, disability, sexual orientation, or gender identity in places of public accommodation, which includes public transportation.

Any person(s) who believe that have been subjected to unequal treatment because of race, color, sex, marital status, religious creed, ancestry, national origin, disability, sexual orientation or gender identify may file a formal complaint. Complaints may be filed within one hundred-eighty (180) days following the date of discriminatory action. Complaints may be filed with the Montgomery County Office of Human Rights.

Chapter 27 of the Montgomery County Code (2004), as amended, provides for investigations of complaints of discrimination or discriminatory practices by the Montgomery County Office of Human Rights and prosecution of cases found to have merit. A copy of Chapter 27 is available online at:



http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:montgomeryco_md_mc.

Montgomery County Title VI Program

The Montgomery County Department of Transportation, Division of Transit Service (DTS) is responsible for management of the transit operation including transit grants and compliance. In completing its responsibilities, DTS maintains the Ride On Title VI Program which is updated every three years as required by FTA regulations.

Notice to Beneficiaries

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles.

Montgomery County fulfills this requirement by:

1. Posting the Montgomery County Title VI Policy Statement on its web site including:
 - a. A statement that the agency operates programs without regard to race, color, or national origin.
 - b. A description of the procedures that members of the public should follow in order to request additional information on the recipient's Title VI obligations.
 - c. A description of the procedures that members of the public shall follow in order to file a Title VI discrimination complaint against the recipient.
2. Placing the poster below on all Ride On transit buses, at Ride On offices and operating facilities and at key transfer stations. A list of the posting locations is maintained by the Ride On Civil Rights Coordinator.



Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020

<p>NON-DISCRIMINATION POLICY</p> <p>We are committed to ensuring that no person is excluded from participation in or denied the benefits of the transit services we offer. This policy is consistent with the requirements of Title VI of the 1964 Civil Rights Act.</p> <p>If you believe you have been subjected to unequal treatment because of race, color, or national origin, then you have the right to file a formal complaint.</p> <p>Complaints must be filed within one hundred-eighty (180) days following the date of the alleged discriminatory action. For more information, or to file a complaint, you must submit it in writing directly to the following:</p>	<p>POLÍTICA PARA COMBATIR LA DISCRIMINACIÓN</p> <p>Nuestra agencia tiene un compromiso para asegurarse que ninguna persona sea excluida de la participación o se le nieguen los beneficios de transporte que ofrecemos. Esta política es consistente con los requisitos estipulados en El Titulo VI Del Acta De Los Derechos Civiles De 1964.</p> <p>Si usted cree que ha sido objeto de trato desigual debido a su raza, color o nacionalidad, entonces usted tiene el derecho de someter una querrela formal.</p> <p>Las querellas deben ser sometidas dentro de los ciento ochenta (180) días siguientes a la fecha que se alega se cometió la acción discriminatoria. Las querellas deben ser sometidas por escrito o por correo electronico al final de la pagina.</p>		
<p>Montgomery County Office of Human Rights 21 Maryland Avenue, Suite 330 Rockville, Maryland 20850 Telephone: 240.777.8450 Fax: 240.777.8460 - TTY: 240.777.8480 human-rights.commission@montgomerycountymd.gov</p>	<p>Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor-TCR 1200 New Jersey Ave. S.E. Washington DC 20590</p>	<p>Condado de Montgomery Oficina de Derechos Humanos 21 Maryland Avenue, Suite 330 Rockville, Maryland 20850 Teléfono: 240.777.8450 Fax: 240.777.8460 - TTY: 240.777.8480 human-rights.commission@montgomerycountymd.gov</p>	<p>Usted tiene que reportar a la Administración Federal de Transito a la siguiente dirección:</p> <p>Oficina de Derechos Humanos Atencion: Title VI Program Coordinator East Building, 5th Floor-TCR 1200 New Jersey Ave. S.E. Washington DC 20590</p>



Appendix A – Title VI Notice Posting Locations

The Ride On Title VI notice has been posted at the following locations:

Montgomery County DOT, Division of Transit Services
101 Monroe Street, 5th floor
Rockville, Maryland 20850

Ride On Silver Spring Garage
8710 Brookville Road
Silver Spring, MD 20910

Ride On Nicholson Court Garage
4925 Nicholson Court
Kensington, MD 20895

David F. Bone Equipment Maintenance and Transit Operations Center (EMTOC)
16840 Crabbs Branch Way
Derwood, MD 20855

In addition to these posting locations, the notice has been placed on:


- 343 Ride On buses
- Montgomery County Department of Transportation web site at <http://www.montgomerycountymd.gov/DOT-Transit/titlevi.html>.
- Ride On Twitter account at: <https://twitter.com/RideOnMCT>.
- Ride On Facebook account at: <https://www.facebook.com/RideOnMCT/info>.
- Posted in 3 newspapers (English and Spanish)
- Email blast via GovDelivery system



Appendix B – Title VI Complaint Procedures and Form

DIVISION OF TRANSIT SERVICES
STANDARD OPERATING POLICY & PROCEDURE

Department of Transportation

Section: Ride On	Title: Title VI Complaint Procedures	Date: December 1, 2014
Number: OP0018	Division Chief Signature: 	Page: 1 of 3

BACKGROUND:

It is Montgomery County’s policy that any allegation of discrimination or unequal treatment on the basis of race, color or national origin should be thoroughly investigated as described in the procedure below.

As a federal requirement Montgomery County will comply with Title VI of the Civil Rights Act of 1964 and Federal Transit Administration Circular 4702.1B. These regulations require that Montgomery County have a process for receiving Title IV complaints that may allege discrimination or unequal treatment on the basis of race, color, or national origin.

PROCEDURE:

Complaints alleging discrimination or unequal treatment on the basis of race, color or national origin (referred to as “Complaint” in this procedure) must be received within 180 days of the alleged discrimination and may be received in four ways including 1) Written and delivered to Montgomery County offices, 2) Telephonically through MC311, 3) Electronically through email, Facebook or Twitter, and 4) In person at Montgomery County Offices or at public meetings sponsored by Montgomery County. The investigation procedure for each method of receiving a Title VI Complaint follows:

Written Complaints

1. The written Complaint is forwarded to Office of Human Rights and the Division of Transit Services Title VI Coordinator.
2. If a Title VI Complaint Form has not been completed, a copy of the form is mailed to the Complainant.
3. The completed Title VI Complaint Form is mailed directory to the Office of Human Rights.



Telephone Complaints through MC311

1. Telephone Complaints are recorded in the Customer Service database.
2. The complainant is informed by the call taker that they may file a formal Title VI Complaint. If the complainant wants to file a formal Complaint they are referred to the website to download a Title VI Complaint Form or a Title VI Complaint Form is mailed to the complainant.
3. The completed Title VI Complaint Form is mailed directly to the Office of Human Rights. A copy of the Complaint as recorded in the Customer Service database is forwarded to the Division of Transit Services Title VI Coordinator.
4. If the caller does not wish to file a formal Title VI complaint, the Complaint is forwarded to Ride On Operations for normal processing. A copy of the Complaint as recorded in the Customer Service database is also forwarded to the Division of Transit Services Title VI Coordinator.

Electronic Complaints

1. Electronic complaints received through email, Facebook or Twitter are forwarded to the Division of Transit Services Title VI Coordinator.
2. The Division of Transit Services Civil Rights Coordinator replies to the electronic message and informs the complainant that they may file a formal Title VI Complaint as described at: <http://www.montgomerycountymd.gov/DOT-Transit/titlevi.html>.
3. The completed Title VI Complaint Form is mailed directly to the Office of Human Rights.

In-person Complaints

1. If a Complaint is made in person at a County office or at a public meeting, the County employee receiving the Complaint will record the contact information for the complainant and the nature of the Complaint. This information will be forwarded to the Division of Transit Services Title VI Rights Coordinator.
2. The Division of Transit Services Title VI Coordinator replies to the complainant and informs them that they may file a formal Title VI Complaint as described at: <http://www.montgomerycountymd.gov/DOT-Transit/titlevi.html>.
3. The completed Title VI Complaint Form is mailed directly to the Office of Human Rights.

Record of Complaints

Upon receipt of a Title VI Complaint Form, the Division of Transit Services Title VI Coordinator transmits a copy of the complaint form to MTA within three business days of receiving the completed complaint form. The Division of Transit Services Title VI Coordinator is responsible for maintaining a list of Title VI Complaints. The list shall include:

- j. Date received
- k. Type of Complaint (formal or informal)
- l. Complainant Name
- m. Contact Information



- n. Nature of Complaint
- o. Date Title VI Complaint Form received by the Office of Human Rights
- p. Response Date by the Office of Human Rights
- q. Description of the Decision by the Office of Human Rights
- r. Date of Decision by the Office of Human Rights

Complaint Investigation - Office of Human Rights

Once a Title VI Complaint Form is received by the Office of Human Rights it is assigned to an investigator. The investigator will contact the complainant in writing and/or by telephone. Additional information or clarification may be requested by the investigator.

Based upon receipt of all the information required, the Office of Human Rights will investigate a Title VI complaint within 90 days of receipt. The Office of Human Rights will provide a final response to the complainant, including notifying the complainant of his/her right to file a Complaint externally.

The Office of Human Rights will use its best efforts to respond to a Title VI complaint within 90 calendar days of its receipt of such complaint. Receipt of additional relevant information and/or simultaneous filing of Complaint with Montgomery County and an external entity may expand the timing of the Complaint resolution. Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the Complaint or a delay in Complaint resolution.



TITLE VI COMPLAINT FORM
Montgomery County Department of Transportation
Division of Transit Services

Montgomery County is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Office of Human Rights Enforcement Manager by calling (240) 777-8450. The completed form must be returned to the Montgomery County Office of Human Rights, 21 Maryland Avenue, Suite 330, Rockville, MD 20850.

(Please print)

Section I:	
Name:	
Address:	
Telephone (Home):	Telephone (Work):
Electronic Mail Address:	
Accessible Format Requirement? <input checked="" type="checkbox"/> Large Print <input type="checkbox"/> Audio Tape <input type="checkbox"/> TDD <input type="checkbox"/> Other (specify)	

Section II:	
Are you filing this complaint on your own	<input checked="" type="checkbox"/> Yes* (if yes, go to Section III) <input type="checkbox"/> No
If not, please supply the name and relationship of the person for who you are filing the complaint.	
Please explain why you have filed for a third-party:	
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third-party.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Section III:
I believe the discrimination I experienced was based on (check all that apply):
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Other (specify)
Date of the Alleged Discrimination (Month, Day, Year):
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person (s) who discriminated against you (if known) as well as names and contact information for any witnesses. If more space is needed, please use the back of

Complete reverse side of form



Section IV:	
Have you previously filed a Title VI complaint with this agency? Please explain.	<input checked="" type="radio"/> Yes <input type="radio"/> No

Section V:	
Have you filed this complaint with any other Federal, State, or local agency or with any Federal or State	<input checked="" type="radio"/> Yes <input type="radio"/> No
If you have filed this complaint with another entity, please provide the information below:	
Agency:	Contact Name:
Address:	Telephone Number:

Agency:	Contact Name:
Address:	Telephone Number:

You may attach any written material or other information that you think is relevant to your complaint.

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Complainant's Signature Date

Please submit this complaint form to:
 Montgomery County Office of Human Rights, 21 Maryland Avenue, Suite 330, Rockville,
 MD 20850



Appendix C – Description of Title VI Investigations, Lawsuits and Complaints

During the period July 1, 2017 through June 30, 2020 the Montgomery County Department of Transportation, Division of Transit Services filed quarterly Title VI logs with the Maryland Department of Transportation Maryland Transit Administration. During the period there were no Title VI Investigations, Lawsuits and complaints.

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color or national origin)	Status	Action(s) taken
Investigations	No investigations during the period July 1, 2017 to June 30, 2020			
1.				
Lawsuits	No lawsuits during the period July 1, 2017 to June 30, 2020			
1.				
Complaints	No complaints during the period July 1, 2017 to June 30, 2020			
1.				



Appendix D – Public Participation Plan





Public Participation Plan July 2020

Accessible Formats

This document will be made available in accessible formats and other languages upon request. Paper copies of this document as well as information regarding accessible formats may be obtained by contacting the Title VI Coordinator, Division of Transit Services.

Montgomery County Department of Transportation
Division of Transit Services
101 Monroe Street, 5th Floor
Rockville, Maryland 20850
240-777-5800 * <http://www.montgomerycountymd.gov/dot-transit>



Table of Contents

1. Overview and Recommendations 3

2. Montgomery County Transit Services 3

3. Public Participation Responsibilities..... 4

4. Federal Requirements 7

5. Public Participation Plan Goals..... 7

5. Population Demographics 8

 Minority Populations 8

 Low Income Populations..... 10

 Limited English Proficiency Populations 11

6. Public Participation Survey Data and Analysis..... 19

 Ride On On-board Survey 19

7. Regional Planning and Cooperation 24

 Maryland Transit Administration Public Participation Plan..... 24

 WMATA Public Participation Plan – August 2014..... 25

8. Key Findings 25

9. Public Participation Activities and Methods 26

 Public Participation Activities 26

 Public Participation Methods 27

Appendix A – Public Participation Events FY 17 – FY 20 30

Appendix B – Montgomery County Community Based Organizations 38



1. Overview and Recommendations

The purpose of the Ride On Public Participation Plan is to assure and improve access to the Montgomery County Department of Transportation (MCDOT) Division of Transit Services decision-making process for low income, minority and limited English proficient (LEP) populations. Ride On's Public Participation Plan is intended to comply with FTA requirements as described in Section 4.

COVID-19 and social distancing requirements have affected transit agencies' public involvement methods. Electronic communication has become even more important and virtual meeting software has made it possible to reach a larger audience.

MCDOT Division of Transit Services plans to add online participation capability by using MS Teams in conjunction with regular onsite public forums in the future. MS Teams will be an "option" for residents and interest parties to participate. The format of the public forums is not anticipated to change: 1) located in a public facility, usually a school, 2) handouts in English, Spanish, Amharic, Chinese, and/or French as needed by local demographics, 3) Language Interpreter if requested in advance, 4) Transcription service, 5) PowerPoint presentation if appropriate, 6) Poster board displays on easels, and 7) Public testimonies.

2. Montgomery County Transit Services

Montgomery County is a Maryland suburb of Washington, DC located to the northwest of Washington, D.C.. It has been the most populous Maryland county since 1990 with a 2018 population of 1,052,567 – an 8.3 percent increase over the 2010 census figures.¹ Within the Washington, DC region, the county's population ranks second behind Fairfax County, Virginia.

The Ride On bus system is an integral part of the County's infrastructure and resources. Ride On is the second largest bus operation in the State, next to Maryland Department of Transportation (MDOT) Maryland Transit Administration (MTA), and the second largest in the Washington Metropolitan Area.

The County's Department of Transportation manages three primary programs:

1. Transit Services – The Ride On system is a fixed route system that operates primarily in neighborhoods. It acts as a feeder system to major transfer points and transit centers in the County. This service is intended to support and complement WMATA's Metrorail and Metrobus services. In 2019 Ride On operated 79 routes, 1,176,642 platform hours, and carried 24,806,348 passengers. One route is also operated through a contractual agreement with a private operator.
2. Commuter Services - This program promotes the use of transit, car/vanpooling, biking, walking, and teleworking. The services are concentrated in five Transportation Management Districts: Silver Spring, Friendship Heights, North

¹ U.S. Census Bureau Quick Facts; Population; Montgomery County, Maryland



Bethesda, Greater Shady Grove, and the Wheaton Transportation Planning and Policy area.

3. Medicaid and Senior Programs – These services provide Medicaid transportation to eligible riders and a user-side subsidy program known as Call-n-Ride that provides transportation for low income, elderly, and people with disabilities.

Additionally, the MCDOT is responsible for seven support programs including passenger facilities, taxi regulation, customer service, transit planning and implementation, transit parking facility maintenance, fixed costs and administration.

Montgomery County is served by multiple transit agencies. The Washington Metropolitan Transit Authority (WMATA) provides rapid rail service with the Red Line and local bus services on 17 bus lines. Through Maryland Transit Administration (MTA), the MARC provides commuter rail services. The MTA Commuter Bus program also provides commuter bus services while Ride On provides local and express bus services. Figure 1 on the following page illustrates the public transportation services in the County as of May 2019.

3. Public Participation Responsibilities

Montgomery County is committed to providing inclusive public participation for all of the county services and programs provided to Montgomery County citizens. For the Ride On transit program, public participation responsibilities are shared among County departments and offices. Public participation responsibilities include:

MCDOT – Division of Transit Services - The MCDOT - Division of Transit Services through the Marketing & Customer Innovation Services Section has the primary responsibility for developing the Public Participation Plan; conducting outreach to minority, low-income and LEP communities; organizing and conducting public participation activities for the Ride On fare policy and major service changes; and marketing Ride On services.

Montgomery County Public Information Office - The Montgomery County Office of Public Information (MCOPI) handles media inquiries and processes press releases for Ride On and other County divisions and departments. The MCOPI consists of a Media Relations section that works with the news media to inform residents about the programs and services available to them. A Publications and Graphics section provides graphical support to the office and oversees the content and design of the County web site so that it is informative and easy to navigate. A Cable Programming section produces cable television shows for the Executive branch of County government on cable channel 6 – County Cable Montgomery, as well as video interviews and announcements.

MC311 - MC311, the County's Customer Service Center, is where residents can call or go online to find information or submit service requests (compliments, complaints, concerns, etc.). MC311 provides the following features:

- 311 allows customers to call one easy-to-remember number to access Montgomery County information and services.



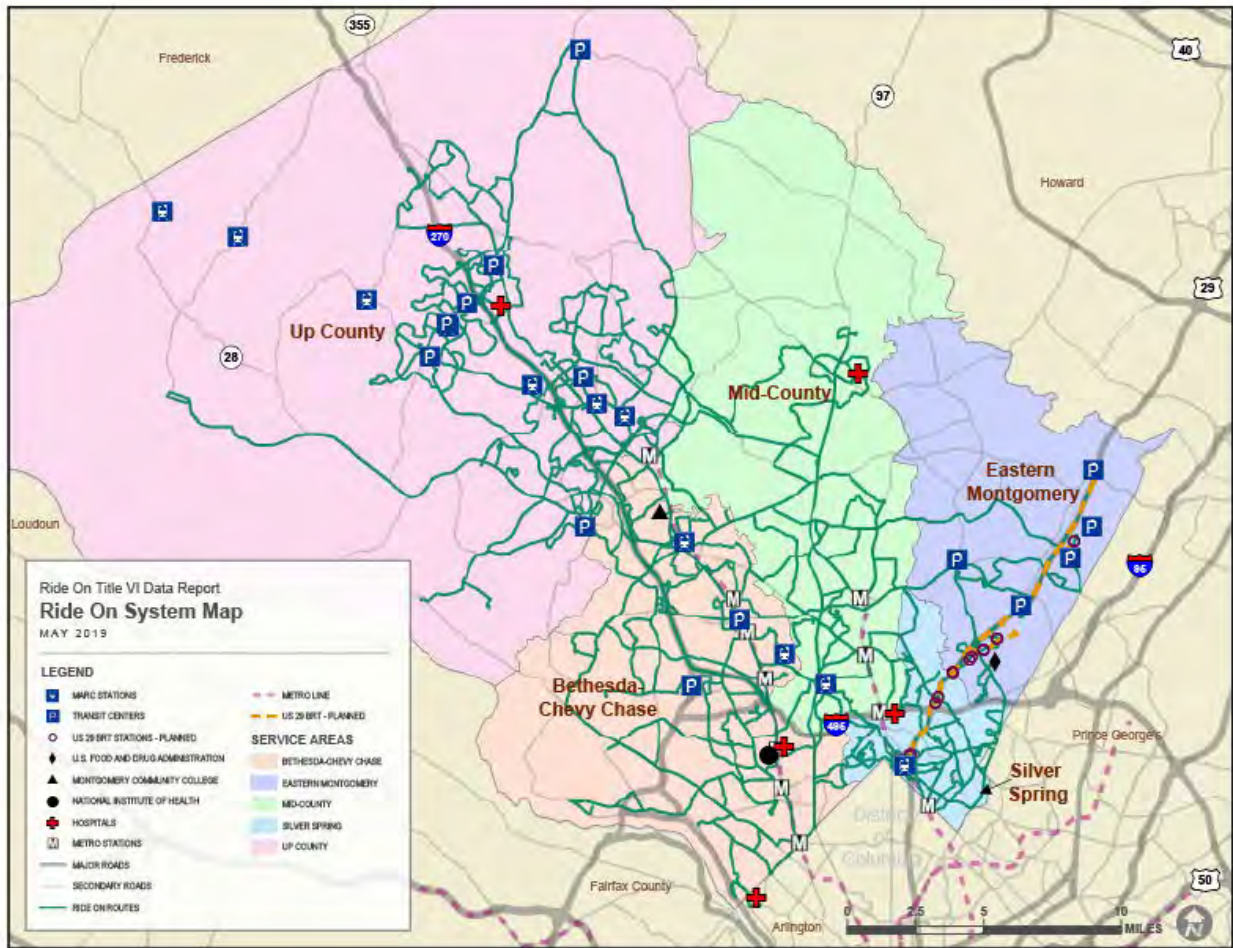
- Customers can also access information and create or track service requests on the website at www.montgomerycountymd.gov/311.
- Hours of operation are Monday through Friday, 7 a.m. to 7 p.m. The call center is closed on Saturdays, Sundays and holidays.
- Trained representatives who speak Spanish are available, as is a language interpretation service for other languages.
- Maryland Relay 711 for hearing impaired.
- Customer service representatives and the online system use a state-of-the-art database of information and services about County government that can be continually updated so the most current facts are available.
- The 311 system can quickly incorporate real time information in the event of a community event/emergency, like a water main break, H1N1 flu epidemic or weather-related incident.

Montgomery County Office of Community Partnerships - The mission of the Office of Community Partnerships (OCP) is to strengthen relationships between the Montgomery County government and the residents it serves, with special focus on underserved and emerging communities and our neighbors in need. The OCP serves as a bridge builder between the County government and community organizations serving the residents of Montgomery County, working across the barriers of race, ethnicity, income, and religion that too often diminish communities. OCP's mission is to carry out the County Executive's commitment to build a larger policy table with participation by a more diverse range and greater number of residents as we work to become America's most welcoming community. The OCP has liaison representatives serving the following communities: African American, African and Caribbean, Asian, Faith, Latino, Middle Eastern, and Seniors.

MCDOT Community Outreach Unit - The MCDOT Community Outreach unit exists to inform communities of major transportation programs and services, solicit community comment on transportation policies and needs, resolve citizen issues concerning safety or service delivery needs, and coordinate pedestrian safety education, enforcement, and engineering work to achieve the County Executive's announced Pedestrian Safety Initiative.



Figure 1: Montgomery County Public Transportation Services



4. Federal Requirements

Federal Transit Administration regulations require inclusive public participation in transportation decision making. These requirements are contained in multiple circulars that apply to Montgomery County's transit services including:

- FTA C 4702.1B, **Title VI Requirements and Guidelines for Federal Transit Administration Recipients**,
 - Chapter 3, paragraph 8, **Promoting Inclusive Public Participation**
 - Chapter 3, paragraph 9, **Requirement to Provide Meaningful Access to LEP Persons**.
- FTA C 4703.1, **Environmental Justice Policy Guidance for Federal Transit Administration Recipients**.
- 49 U.S.C. Sections 5307(b) which requires programs of projects to be developed with public participation and 5307(c)(1)(I) which requires a locally developed process to consider public comment before raising a fare or carrying out a major reduction in transportation service.
- Executive Order 13166, "**Improving Access to Services for Persons with Limited English Proficiency**" (65 FR 50121, Aug. 11, 2000), which requires that recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP).

This Ride On Public Participation Plan is intended to document Montgomery County's activities to meet or exceed these federal requirements.

5. Public Participation Plan Goals

The Division of Transit Services endeavors to provide meaningful opportunities for the public to assist staff in identifying social, economic, and environmental impacts of proposed transportation decisions. This includes input from low income, minority and limited English proficient populations.

Specific goals and outcomes include:

- **Quality Input and Participation** – Comments received by Division of Transit Services are useful, relevant and constructive, contributing to better plans, projects, strategies and decisions.
- **Consistent Commitment** – Division of Transit Services staff communicates regularly, develops trust with communities and builds community capacity to provide public input.
- **Diversity** – Participants represent a range of socioeconomic, ethnic and cultural perspectives, with representative participants including residents from low income neighborhoods, ethnic communities and residents with limited English proficiency.
- **Accessibility** – Effort is made to ensure that opportunities to participate are



accessible physically, geographically, temporally, linguistically and culturally.

- **Relevance** – Issues are framed in such a way that the significance and potential effect is understood by participants.
- **Participant Satisfaction** – People who take the time to participate feel it is worth the effort to join the discussion and provide feedback.
- **Clarity in Potential for Influence** – The process clearly identifies and communicates where and how participants can have influence and direct impact on decision-making.

Division of Transit Services’ public participation activities are based on the following principles:

- **Flexible** – The engagement process accommodates participation in a variety of ways and is adjusted as needed.
- **Inclusive** – Division of Transit Services proactively reaches out and engages low income, minority and LEP populations.
- **Respectful**— All feedback received is given careful and respectful consideration.
- **Tailored** – Division of Transit Services’ public participation methods are tailored to match local and cultural preferences as much as possible.
- **Trustworthy** – Information provided is accurate and trustworthy.
- **Responsive** – Division of Transit Services strives to respond to and incorporate appropriate public comments into transportation decisions.

5. Population Demographics

Minority Populations

Using the 2010 census the Division of Transit Services has utilized GIS to estimate the numbers of persons in Montgomery County that are within the transit service area for the Ride On and Metrobus services. As shown in Table 1, for the entire county, minorities comprise 50.7 percent of the population while in the combined Ride On / Metro Bus transit service area, minorities represent 52.4 percent of the population.

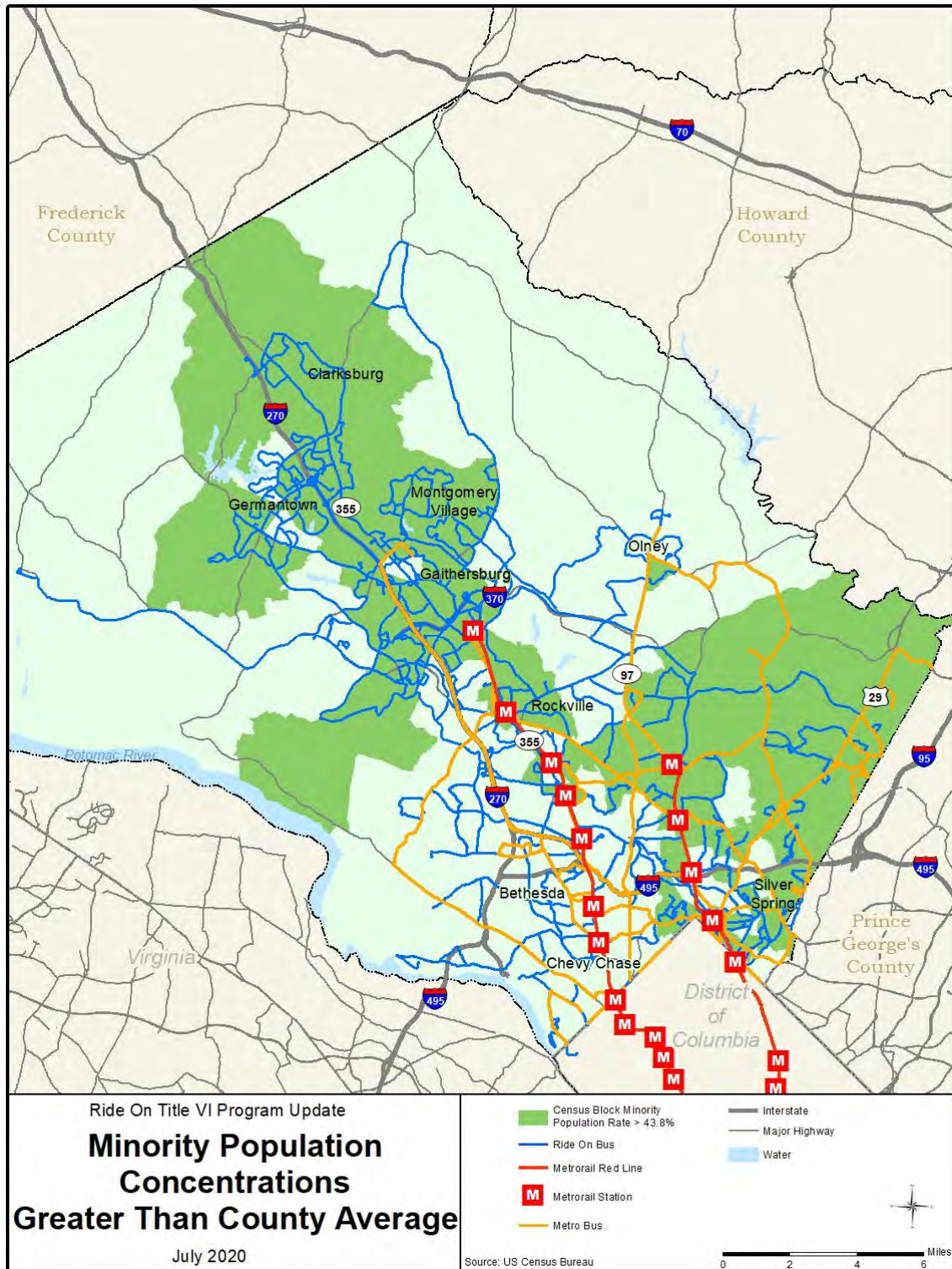
Table 1: Montgomery County Minority Population

	Total Population	Minority Population	Non-Minority Population	Percent Minority
Montgomery County	971,777	493,012	478,765	50.7%
Transit Service Area	854,312	447,350	406,962	52.4%
% of population within transit service area	87.9%	90.7%	85.0%	



Figure 2 illustrates the minority populations served by the Ride On and Metro Bus transit services.

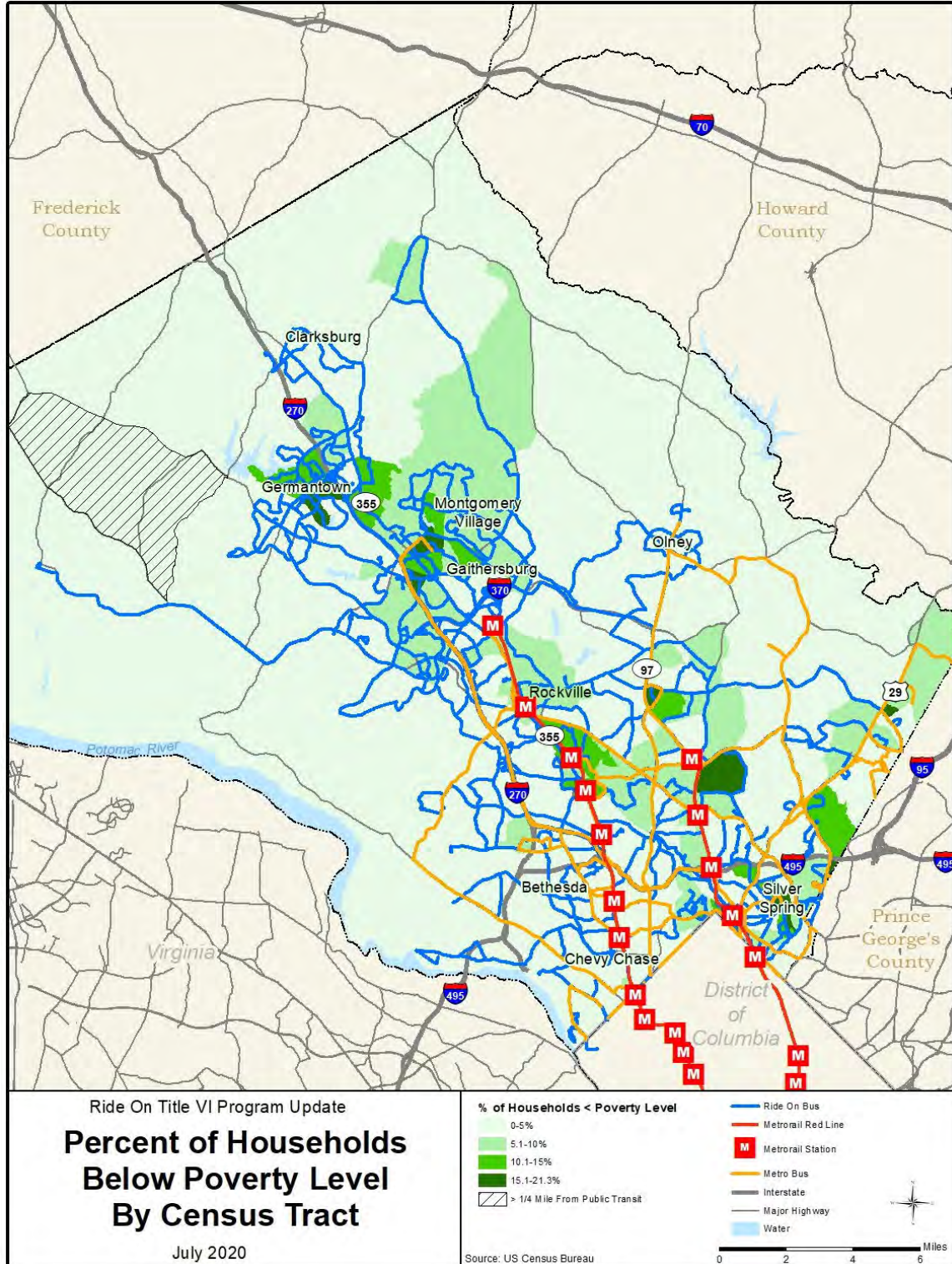
Figure 2: Montgomery County Minority Population Concentrations



Low Income Populations

Figure 3 illustrates the low-income populations served by the Ride On and Metro Bus transit services.

Figure 3: Low Income Population Concentrations



Limited English Proficiency Populations

The United States Census' most recent American Community Survey (ACS) 5-year estimates (2013-2018) and 2018 one-year estimate offer current and reliable estimates of the number, proportion, and geographic distribution of LEP persons in the Ride On service area. This analysis of LEP individuals uses data estimates for the "county subdivision" census-defined areas (shown in Figure 1). The county subdivision geography was chosen because the estimates at this level provide the best balance between detail and statistical significance of the data.

According to the ACS 2018 one-year estimate, of the total Montgomery County population over the age of five (986,740), approximately 14.3% (140,833) speak English less than "very well."

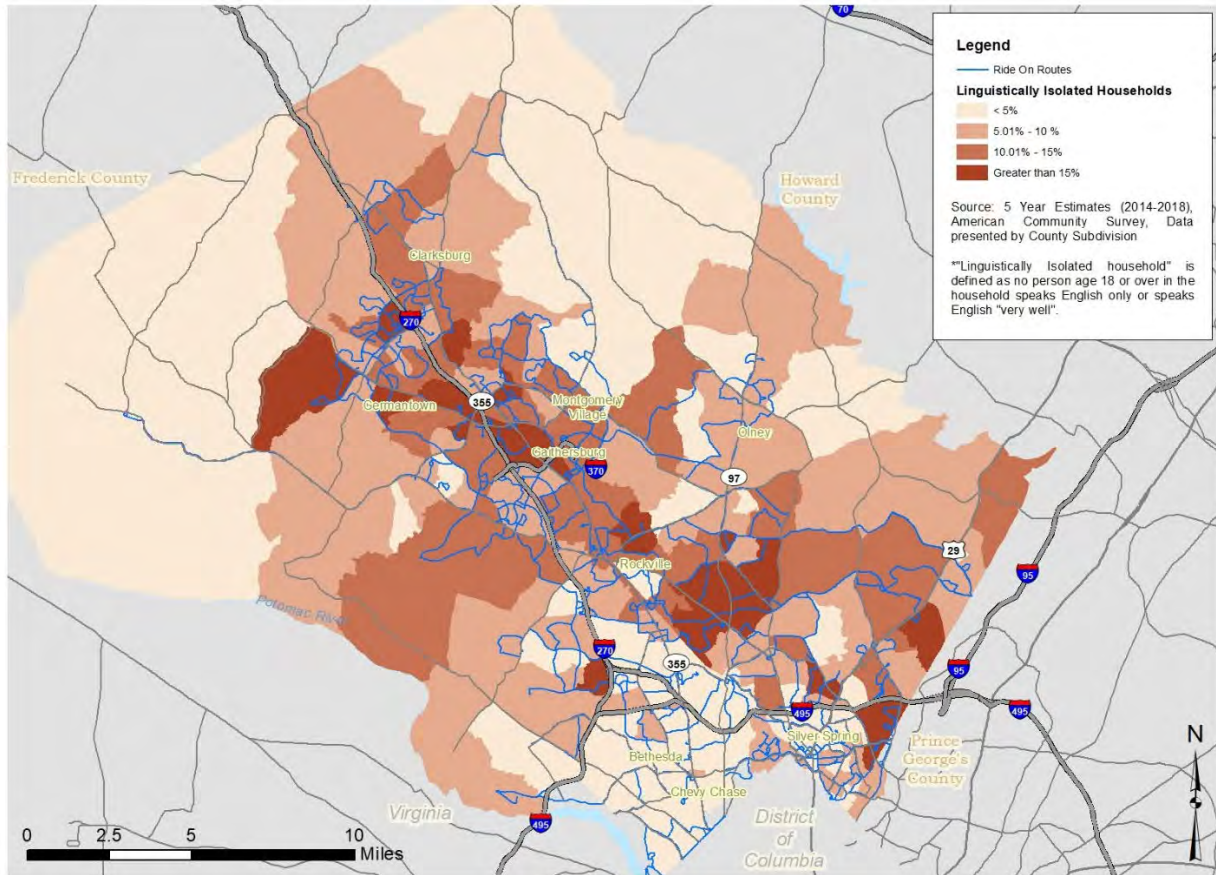
The Spanish speaking population has the largest number of persons (68,541) within the county who speak English less than "very well" with Chinese speakers having the second largest segment (16,836 persons) who speak English less than "very well."

Figure 4, shows that the highest concentrations of linguistically isolated households² are located in and around the Germantown/Gaithersburg area in the center of the county and the Wheaton-Glenmont/College Park area just north of Washington, D.C.

² households where no person age 18 or older in the household speaks English only or speaks English "very well".



Figure 4: Percent Linguistically Isolated Households, Montgomery County



Of the Montgomery County population age 5 and over that speaks a language other than English at home, approximately 139,000 speak English less than “very well.” Spanish/Spanish Creole, Chinese, Korean, African languages, Vietnamese, and French (including Patois and Cajun) speakers make up the majority (approximately 80%) of the languages spoken at home among the subpopulation of people 5 years and over who speak English less than “very well.” Table 2 shows the number and proportion of all languages spoken.



Table 2: Language Spoken at Home of Persons that Speak English Less than "Very Well" in Montgomery County (Population 5 Years and Over)

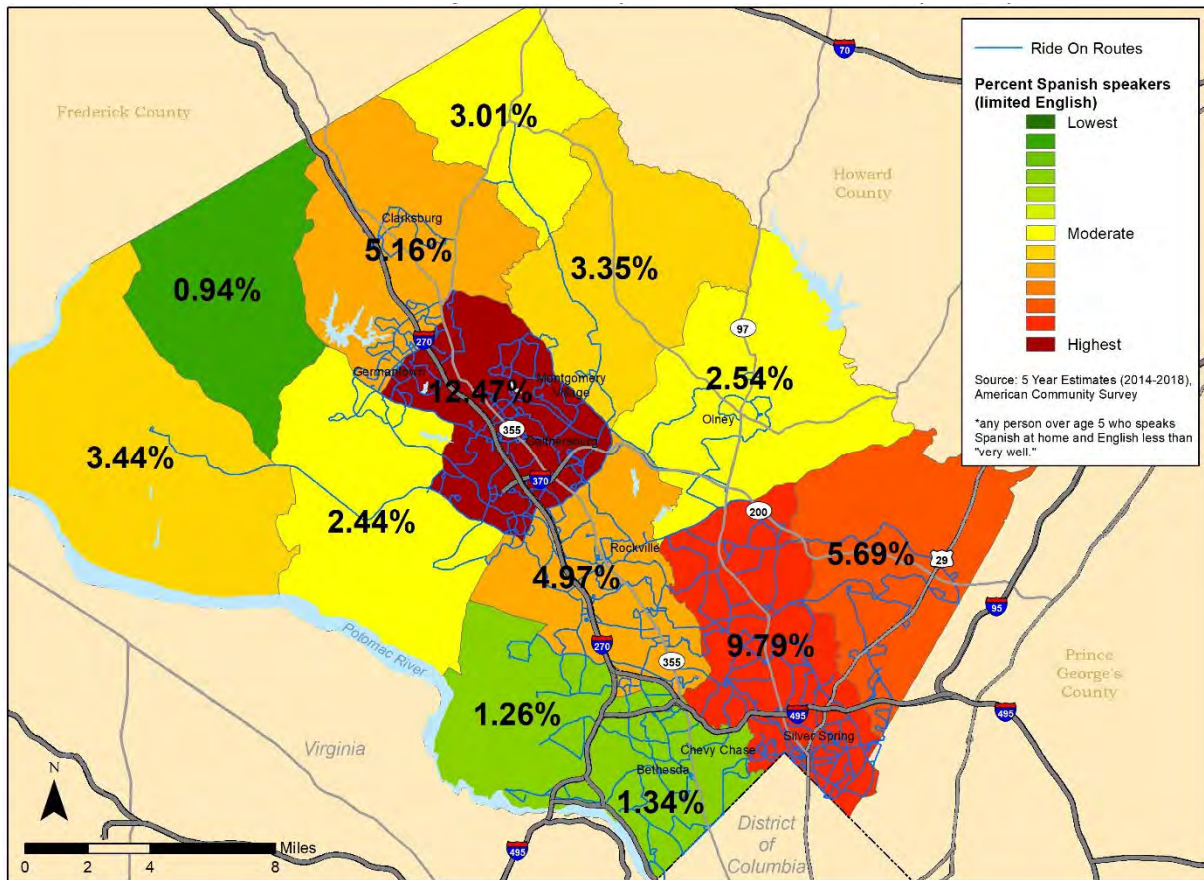
Montgomery County			
Language	Number of LEP Population	Percent of County Population Speaking Language	Percent of LEP Population Speaking Language
Spanish	68,541	6.9%	48.7%
Chinese (incl. Mandarin, Cantonese)	16,836	1.7%	12.0%
Amharic, Somali, or other Afro-Asiatic languages	6,881	0.7%	4.9%
Korean	6,131	0.6%	4.4%
French (Cajun)	5,602	0.6%	4.0%
Vietnamese	4,663	0.5%	3.3%
Russian	3,927	0.4%	2.8%
Portuguese	3,028	0.3%	2.2%
Bengali	2,518	0.3%	1.8%
Persian (incl. Farsi, Dari)	2,117	0.2%	1.5%
Tagalog (incl. Filipino)	2,030	0.2%	1.4%
Swahili or other languages of Central, Eastern, and Southern Africa	1,844	0.2%	1.3%
Nepali, Marathi, or other Indic languages	1,417	0.1%	1.0%
Urdu	1,274	0.1%	0.9%
Japanese	1,226	0.1%	0.9%
Yoruba, Twi, Igbo, or other languages of Western Africa	1,108	0.1%	0.8%
Haitian	1,037	0.1%	0.7%
Gujarati	1,009	0.1%	0.7%
Ilocano, Samoan, Hawaiian, or other Austronesian languages	1,006	0.1%	0.7%
Other Slavic languages	994	0.1%	0.7%
Hindi	979	0.1%	0.7%
Arabic	964	0.1%	0.7%
Other languages of Asia	951	0.1%	0.7%
Thai, Lao, or other Tai-Kadai languages	878	0.1%	0.6%
Tamil	576	0.1%	0.4%
Other and unspecified languages	551	0.1%	0.4%
Malayalam, Kannada, or other Dravidian languages	536	0.1%	0.4%
Other Indo-European languages	393	0.0%	0.3%
Telugu	370	0.0%	0.3%
Italian	333	0.0%	0.2%
Polish	250	0.0%	0.2%
German	235	0.0%	0.2%
Khmer	191	0.0%	0.1%
Punjabi	154	0.0%	0.1%
Serbo-Croatian	150	0.0%	0.1%
Armenian	104	0.0%	0.1%
Greek	29	0.0%	0.0%
Total LEP Population	140,833	14.3%	100.00%
Total County Population	986,740	100.00%	

Source: American Community Survey 2018 1-year estimate



Using American Community Survey 5-year Estimates 2013 – 2018, Figures 5 – 10 help identify where the highest concentration of each of the top six languages of LEP persons (Spanish/Spanish Creole, Chinese, Korean, African languages, Vietnamese, and French (including Patois and Cajun)) are spoken. The figures show the percent of the population of each county subdivision that speaks the given language at home and speaks English less than “very well.” Those subdivisions shown in red have the greatest percentage of the population with limited English proficiency that speaks the given language. These figures give reasonable guidance regarding the areas likely to have higher language assistance needs and for which languages the assistance is needed; we can be confident that those county subdivisions shown in red tones have higher concentrations of the given LEP population than those county subdivisions in green, but the rankings among subdivisions that have closer percentages may not hold true in reality.³

Figure 5: Spanish Speakers with Limited English Proficiency (percent of population by county subdivision)



³ Note regarding data limitations: This calculation deals with some sub-populations that are small and in some cases the estimates come with a significant margin of error; therefore, the percentages presented in Figures 2-7 can be considered good enough to identify the areas with highest percentages of LEP, non-English speakers, but percentages should not be used as concrete figures to compare with other data.



Figure 6: Chinese Speakers with Limited English Proficiency (percent of population by county subdivision)

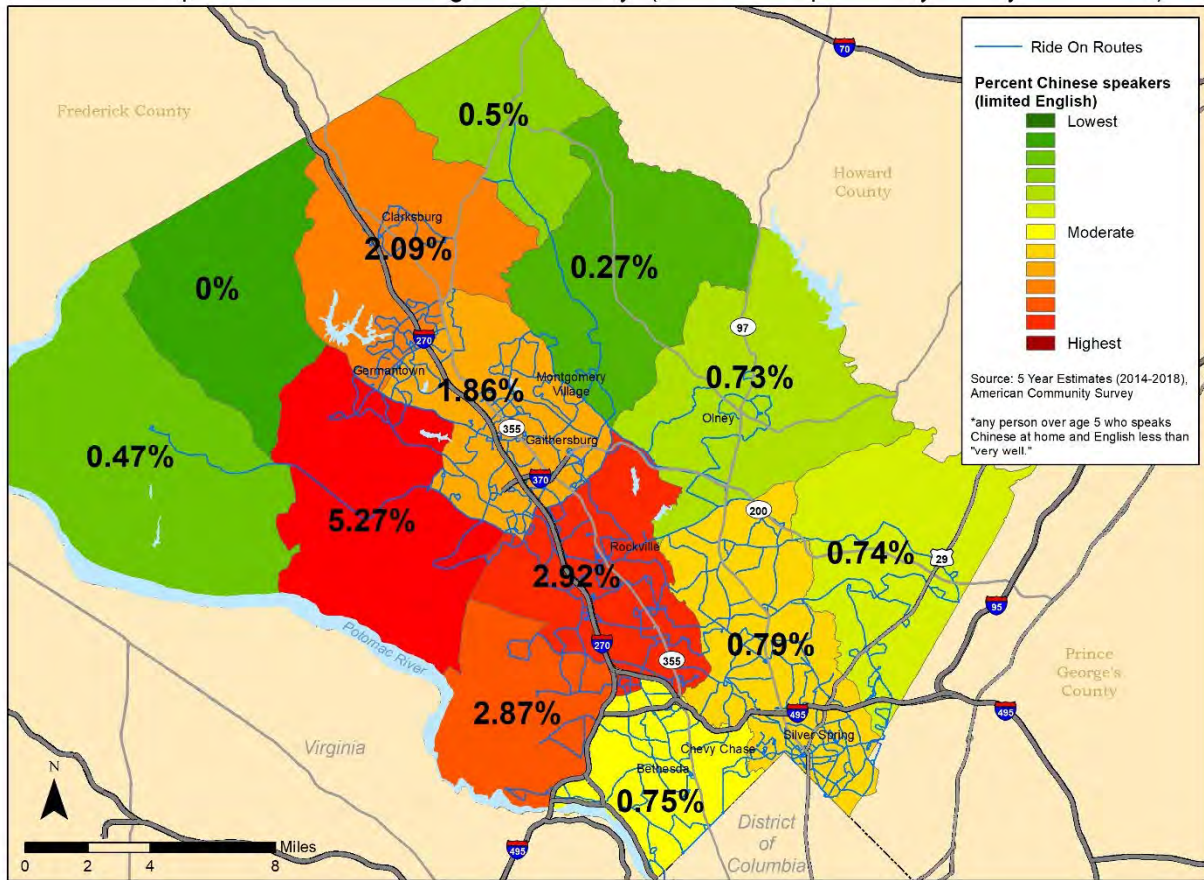


Figure 7: Korean Speakers with Limited English Proficiency (percent of population by county subdivision)

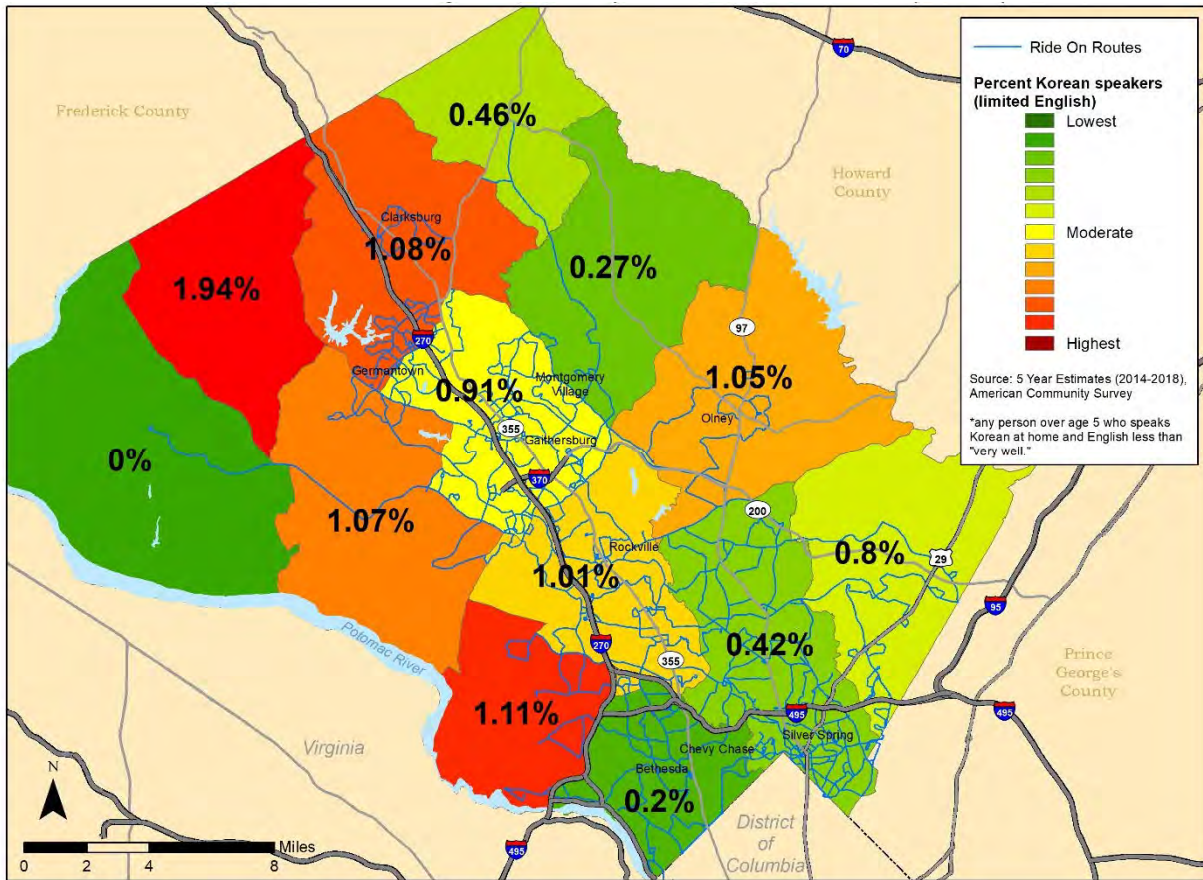


Figure 8: African Language Speakers with Limited English Proficiency (percent of population by county subdivision)

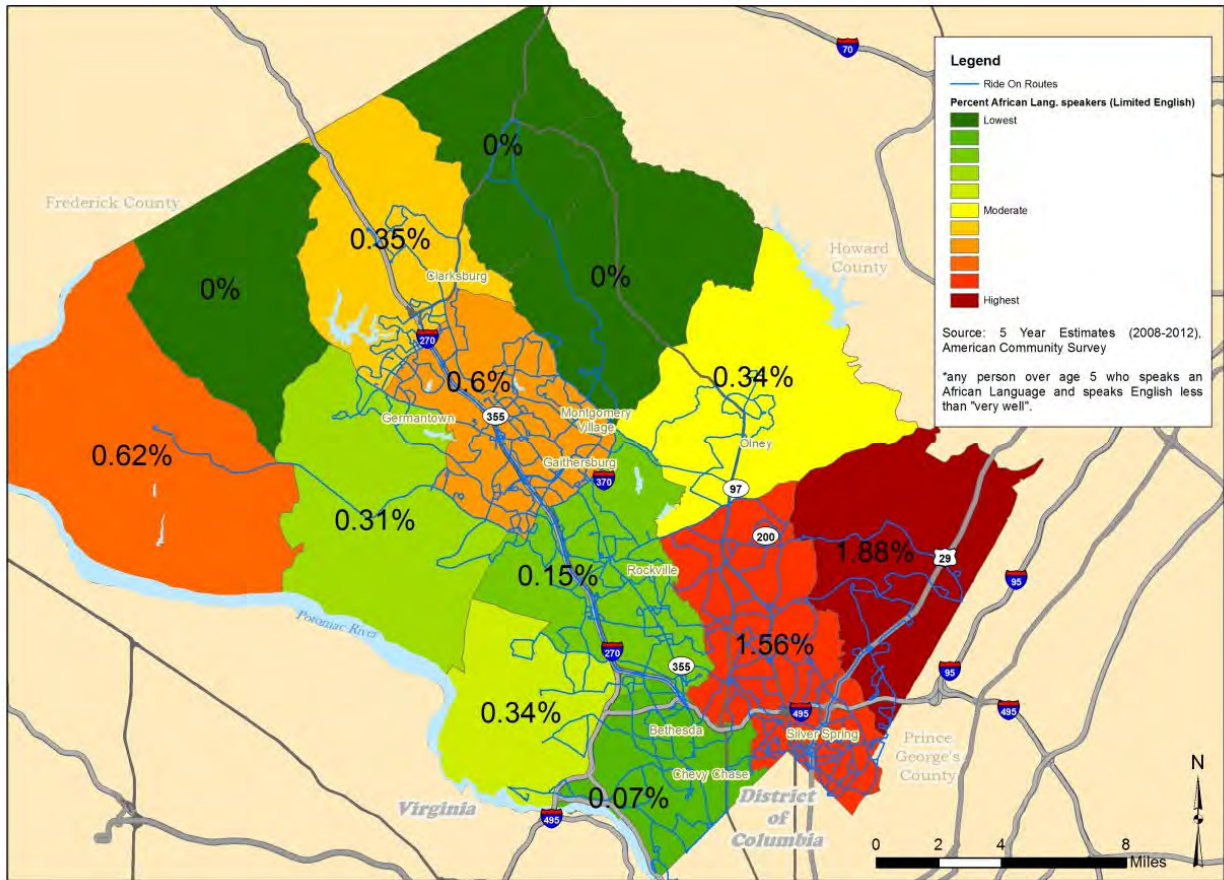


Figure 9: Vietnamese Speakers with Limited English Proficiency (percent of population by county subdivision)

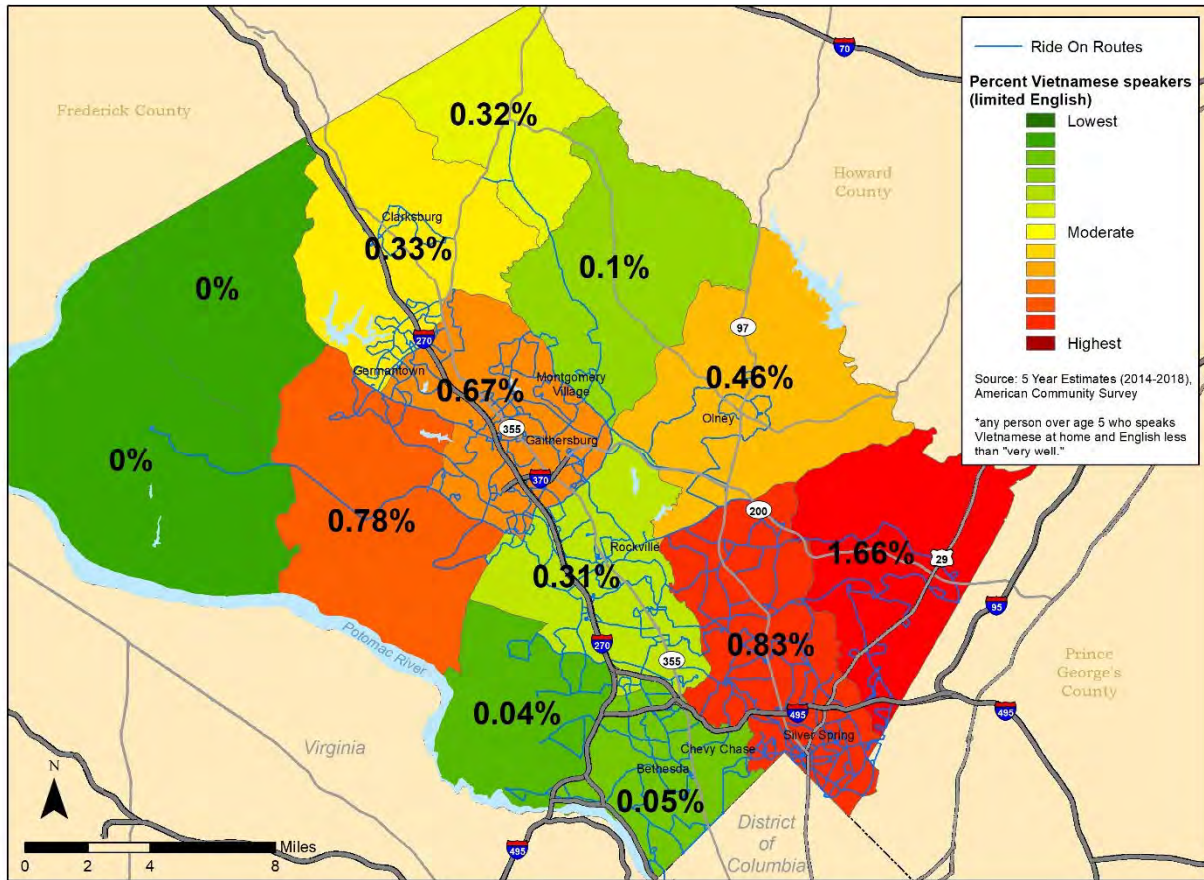
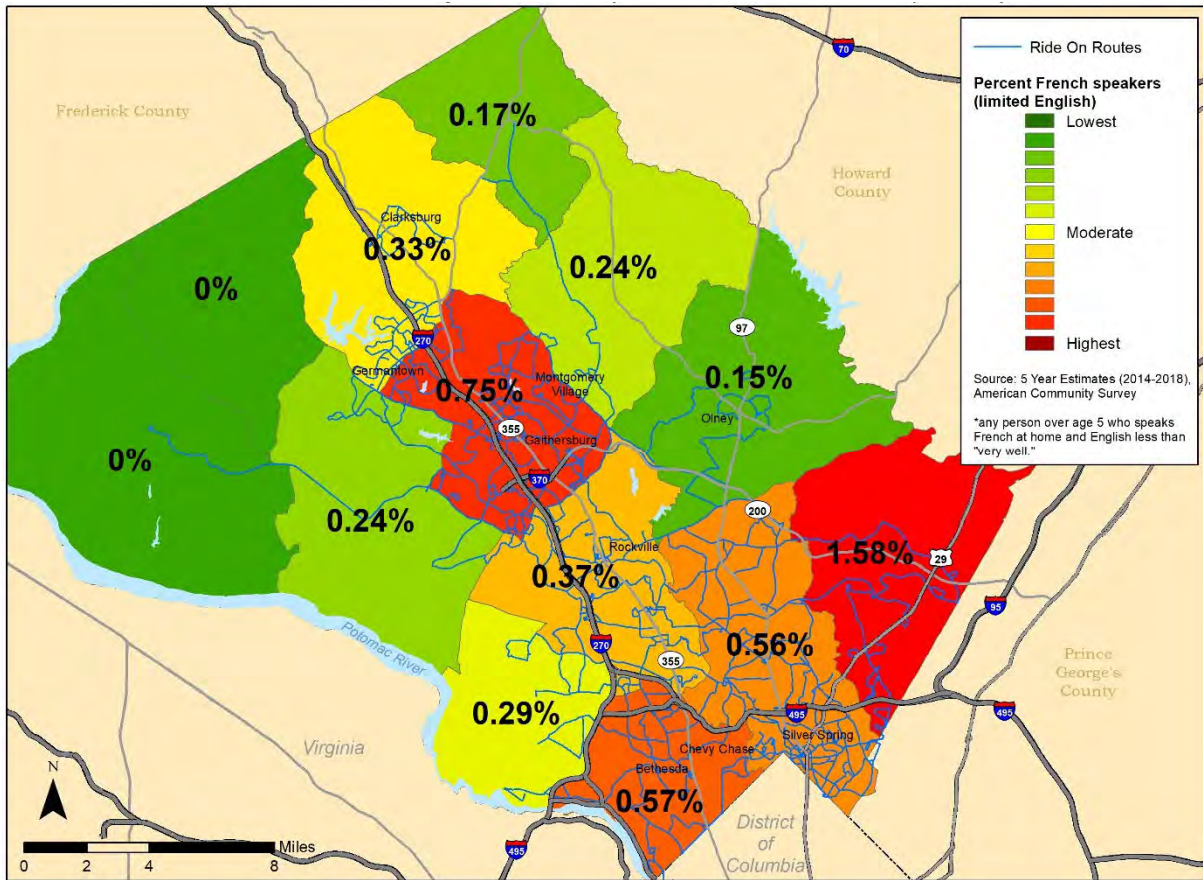


Figure 10: French Speakers (including Patois, Cajun) with Limited English Proficiency (percent of population by county subdivision)



6. Public Participation Survey Data and Analysis

The Ride On On-Board Survey and WMATA’s Speak Up! It’s Your Ride Survey and Outreach Campaign have been utilized to assist in developing public participation strategies.

Ride On On-board Survey

The Ride On on-board survey was conducted from September through December 2018. Surveys were available in the seven primary languages spoken in Montgomery County including English, Spanish, Chinese, Korean, Vietnamese, Amharic, and French. Data collectors were instructed to ask customers to participate in the survey and hand each participating customer a small clipboard with the survey so that it could be completed on-board the bus. Of the 10,897 returned surveys, 10,033 were English, 695 were Spanish and 169 were in other languages. Not all respondents responded to each question so the number of responses by question varies. Table 3 tabulates the results by ethnic background. Of the respondents, 80% were minorities including 36% Black or African descent, 18% Hispanic, and 9% Asian.



Table 3: Ride On Ridership Ethnic Background

Ethnic Background	# of Responses	% of Responses
White	2,078	19.6%
American Indian or Alaskan Native	88	0.8%
Black or African American Descent	3,828	36.0%
Asian	973	9.2%
Hawaiian or other Pacific Islander	39	0.4%
Hispanic	1,956	18.4%
Middle Eastern Descent	78	0.7%
Two or More Races	622	5.9%
Rather not say	958	9.0%
Total Responses	10,620	100.0%
No response	277	
Source: Ride On On-board Survey – December 2018		

Table 4 tabulates the results by household income. Note that 47% of respondents had annual household incomes less than \$30,000.

Table 4: Ride On Ridership Household Income

Household Income	# of Responses	% of Responses
Less than \$20,000	2,483	27.3%
\$20,00 to \$29,999	1,760	19.4%
\$30,000 to \$49,999	1,755	19.3%
\$50,000 to \$74,999	1,052	11.6%
\$75,000 to \$99,999	687	7.6%
\$100,000 to \$149,999	701	7.7%
\$150,000 to \$199,999	400	4.4%
\$200,000 or more	249	2.7%
Total Responses	9,087	100.0%
No response	1,810	
Source: Ride On On-board Survey – December 2018		



Table 5 tabulates the results by language usage

Table 5: Language Spoken at Home Other than English

Response	# of Responses	% of Responses
Yes	4,547	42.7%
No	6,084	57.2%
Other	10	0.1%
Total Responses	10,641	100.0%
Blank or no response	256	
Total Surveys Returned	10,897	100.0%
Source: Ride On On-board Survey – December 2018		

Tables 6 and 7 tabulate language skill.

Table 6: Ability to Read English

Read English	# of Responses	% of Responses
Very Well	8,091	75.5%
Well	1,702	15.9%
Not Well	721	6.7%
Not at All	206	1.9%
Total Responses	10,720	100.0%
Blank or no response	177	
Total Surveys Returned	10,897	
Source: Ride On On-board Survey – December 2018		



Table 7: Ability to Speak English

Speak English	# of Responses	% of Responses
Very Well	7,779	73.1%
Well	1,817	17.1%
Not Well	836	7.9%
Not at All	209	2.0%
Total Responses	10,641	100.0%
Blank or no response	256	
Total Surveys Returned	10,897	
Source: Ride On On-board Survey – December 2018		

The data results are summarized that:

- 42.7% of respondents reported that they speak a language other than English at home
- 8.7% indicated that they read English not well or not well at all
- 9.9% indicated that they speak English not well or not well at all

The Ride On On-Board Survey asked questions about the use of smart phones and apps as well as the customer’s preferred methods of communication. Table 8 tabulates the responses concerning the use of smart phones, Table 9 lists the preferred method of communication and Table 10 analyses the preferred method of communication by income group.

Table 8: Use of Smart Phones and Apps

Smart Phones and Apps	Yes	%	No	%	Total Responses	No Response
Do you use a smart phone and apps?	6,989	79.2	1,838	20.8	8,827	2,070
Do you use the Ride On Real Time App?	4,029	47.6	4,440	52.4	8,469	2,428
Do you use another transit app for Ride On Info?	2,168	27.5	5,703	72.5	7,871	3,026
Do you get text messages for Ride On bus times?	1,652	19.8	6,676	80.2	8,328	2,569



Table 9: Preferred Method of Communication

Preferred Communication	Responses	% of Responses
Twitter	551	6.8%
Facebook	1,044	12.8%
Email	2,119	26.0%
Text Message	2,065	25.4%
NextDoor.com	153	1.9%
Other	1,220	15.0%
Multiple Answers	987	12.1%
Total Responses	8,139	100.0%
No response	2,758	
Total Surveys Returned	10,897	

Source: Ride On On-board Survey – December 2018

Table 10: Preferred Method of Communication by Income Group

Preferred Communication	Less than \$30,000	More Than \$30,000	No Response to Income Question	All Responses
Email	32.9%	38.1%	35.1%	35.7%
Facebook	24.0%	13.2%	14.6%	17.6%
Twitter	8.7%	9.5%	10.3%	9.3%
Text	31.8%	36.8%	37.0%	34.9%
Next Door	2.6%	2.5%	3.0%	2.6%

Source: Ride On On-board Survey – December 2018

For Ride On’s transit customers that answered the question, 79% indicated that they use smart phones and apps. The customers that provided an answer indicated that email was the preferred method of communication with 36% of responses, while Facebook had



18% of responses, Twitter had 9% of responses, Text had 35% of responses and Next Door had 3% of responses.

7. Regional Planning and Cooperation

Because of the multiple transit services within Montgomery County, coordination of public participation activities between the transit agencies is important. Marketing and public outreach staff of the MTA, WMATA and the Division of Transit Services should maintain regular communication and coordinate their outreach activities.

Maryland Transit Administration Public Participation Plan

The Maryland Transit Administration (MTA) developed its Public Participation Plan to guide the decision-making process when proposing certain service changes and fare increases subject to public comment. MTA developed the PPP with the flexibility to adjust appropriately and as needed to accommodate public involvement. Several MTA departments and offices have responsibilities for carrying out the plan including:

The Customer Relations Department serves as an advocate for customers regarding policies, service information, customer service-related issues, recommendations, and system-wide construction and rehabilitation projects. Inclusive of this department is the Transit Information Contact Centers who work to resolve ongoing customer issues. InfoCom, a customer tracking system, is used to document customer comments, recommendations and suggestions. The Customer Relations Department also provides oversight of the Citizens Advisory Committee (CAC) and the Citizens Advisory Committee on Accessible Transportation (CACAT). community.

The **Community Relations Department** ensures the agency maintains a presence in the community by identifying low income, minority, and Limited English Proficient (LEP) populations, coordinating informational meetings, public forums, and public outreach efforts. When MTA proposes service changes the department informs customers and communities, provides opportunities for public involvement and input, and responds to community-initiated concerns regarding transit issues. Community Relations staff is responsible for providing ADA accessible locations for all public meetings, translated written material, language interpretation service, and written material in alternate formats when requested (such as Braille and documents recorded on CDs).

The **Office of Public Affairs and Marketing** provides and produces multimedia marketing and communications materials that promote Maryland Transit Administration. Office of Public Affairs and Marketing uses state-of-the-art multimedia resources and tools to position the MTA as one of the nation's premier public transit providers. Office of Public Affairs and Marketing's services support the MTA's strategic mission to offer riders excellence in transportation, communication, and public outreach. Office of Public Affairs and Marketing provides a wide array of services.

The **Office of Governmental Affairs** primarily focuses on legislative activities (State, Federal, and Local), Transit Policy and Technical Support, Constituent Services, Strategic Community Development, Administration of MDOT Workflow Correspondence System and Special Projects.



WMATA Public Participation Plan – 2017 - 2020

WMATA identified proactive strategies that engage minority, low-income, and LEP communities; created a process and set of procedures that will facilitate inclusive participation; and developed a set of performance measures that will track whether the agency is reaching its desired outcomes. WMATA's PPP includes recommended strategies to ensure that Metro's public participation activities are effective, efficient and compliant with federal requirements for inclusive public participation. The strategies include:

- Public Participation Toolkit & Project Communications / Outreach Plan
- Performance Measures
- Public Participation Training
- Centralized Public Participation Office

The 2017 - 2020 plan recommendations include:

- Expand strategies and internal processes for reaching Limited English Proficient (LEP) communities.
- Consider new and innovative ways to collect feedback and communicate about planned projects to hard-to-reach communities especially those techniques that save resources.

Division of Transit Services staff has participated in the development of WMATA's PPP and will coordinate Ride On's public participation activities with WMATA.

8. Key Findings

1. Compared to the County's population, Ride On's ridership is more diverse, lower income and has a higher percentage of LEP persons. Key comparisons include:
 - While Montgomery County is very diverse with the minority population comprising 51% of the total county population, Ride On's ridership is significantly more diverse than the county as a whole with 80% minority.
 - According to the 2010 US Census, 6.5% of the County's residents are in poverty while in the 2018 survey 47% of Ride On riders reported a household income less than \$30,000 per year.
 - The American Community Survey estimates that 14% of the county's population speaks a language other than English at home while the 2018 Ride On ridership survey reported 43% speaking a language at home other than English.
2. The use of smart phones and apps is very high for the transit riders with 79% of the 2018 survey respondents indicating that they use a smart phone with apps. This is significantly higher than the 2014 survey when 64% reported using smart phone with apps.



3. When analyzed by income, the 2018 survey indicated that 67% of riders with household incomes less than \$30,000 make use of the smart phones with apps, while 74% of households with higher incomes reported use of smart phones with apps. While the use of smart phone with apps is high, there are still a significant number of Ride On customers who do not utilize the technology.
4. There are multiple ways to communicate with Ride On customers. According to the 2018 Ride On On-Board Survey, 36% prefer email, 35% prefer text message, 18% prefer Facebook and 9% prefer Twitter.

9. Public Participation Activities and Methods

The Division of Transit Services' public involvement activities and methods will vary depending upon the type of project or public decision.

Public Participation Activities

Generally, there are five types of public involvement activities including:

- **Ongoing Customer Communication** – Regular communication is needed to maintain dialogue with existing customers and to recruit new customers. Ongoing communication will focus on the website, Facebook page, periodic electronic newsletters, on-board advertising, and communication with community-based organizations. The ongoing customer communication activities will seek to increase the number of email list serve participants.
- **Fare Policy Changes** – Ride On fare policy changes are approved and conducted by the Montgomery County Council. The fare policy changes are coordinated with WMATA. Depending on the nature of the fare policy change, public participation strategies will be coordinated with WMATA.
- **Major Service Changes** – Public participation activities for major service changes will be directed to the affected customers. For new services, outreach will be focused through MNCPPC certified civic associations / HOAs and Montgomery County regional service centers. For service reductions communication will be focused on existing customers that will be adversely affected.
- **Capital Projects** – Each capital project is expected to require a different public participation strategy customized for the proposed project. Capital project public participation strategies will focus on communicating with citizens that may be adversely affected by the proposed project.
- **Planning Projects** – Short and long-range planning projects may require public involvement and community outreach. Ride On planning projects may be coordinated with the Maryland National Capital Parks and Planning Commission and the Metropolitan Washington Council of Governments. Planning project public participation strategies will focus on communicating with all citizens, especially minority, low income and LEP populations.



Public Participation Methods

The Division of Transit Services strives to proactively promote public involvement and to inform the public of current initiatives, issues and programs. The following methods include those used to inform, reach out to invite participation, and to seek input public input. They identify how each method could best be used and is based on input collected from the community and Division of Transit Services staff experience. The methods are not listed in priority order.

- 1. Printed Materials Produced by Division of Transit Services** - Outreach information can be publicized in printed materials produced by the Division of Transit Services such as rider notices, car cards, flyers, posters, and banners. Based on experience, the Division of Transit Services has found a combination of these methods, along with e-notifications, to be the most effective forms of notification.
- 2. Ride On Website** - The Ride On website, is a communications tool providing substantial information about Ride On policies, strategies, plans, and methods. Ride On's website <http://www.montgomerycountymd.gov/DOT-Transit/> provides the option to translate many of the web pages into 84 different languages. Ride On also uses social networking applications such as Facebook and Twitter. Visit Ride On's Facebook page at <https://www.facebook.com/RideOnMCT> or Twitter feed at <https://twitter.com/RideOnMCT> for more sources of updated information.
- 3. Postcards and Letters Distributed by Mail** - Participation methods are occasionally publicized by letter or postcard distributed by mail. This can be an effective method for reaching a specific geographic area or population group.
- 4. Station Information Resources** - Information resources may be located in WMATA stations and Ride On Transit Centers to communicate schedule and service information. Fixed and electronic postings in the transit stations and centers are also used to conduct outreach.
- 5. Media Targeted to Ethnic Communities** - Participation opportunities are publicized through newspaper publications serving primarily English and Spanish speaking audiences. The Division of Transit Services also publicizes in other ethnic community media when applicable.
- 6. Coordination with Community Events** – The Division of Transit Services hosts information booths to provide materials regarding its service and outreach methods at community events.
- 7. Meetings with Civic and Community Organizations** – The Division of Transit Services works with civic associations / HOAs certified by the MNCPPC. As needed, the Division of Transit Services provides updates on its policies, projects, strategies, and methods by accepting invitations to participate in scheduled meetings of civic associations. These gatherings provide an opportunity to make a presentation, answer questions, and address issues.
- 8. Informational Public Meetings** – The Division of Transit Services conducts several different types of meetings. Some meetings are designed to engage the



public to provide their input, testimony, or comments regarding proposed changes. Venues for meetings should be fully accessible for persons with disabilities, and in general served by public transit. It is typical to conduct a series of meetings on a single topic. The Division of Transit Services considers the best areas or communities to conduct meetings and hearings by first examining the topic and/or the issues that may affect riders and communities. The Division of Transit Services secures meeting venues with consideration to time of day, length of time required for the meetings, and the number of expected attendees.

8a. Meeting Formats

- **Informational Open House** - This format provides opportunities for participants to receive information at their own pace by visiting a series of information stations that may include table-top displays, maps, Power Point presentations, photographs, visualizations, and other tools. Participants have the opportunity for one-on-one conversations with the appropriate Division of Transit Services staff. Occasionally open houses include a short educational presentation followed by a discussion period for comments and questions and answers. Participants are often given comment forms to provide written comments. Division of Transit Services staff is available to take verbal comments and transcribe them to provide a written record.
- **Public Forums** – Public forums are conducted to obtain formal comments for the public record. They are normally conducted with a hearing officer and a court reporter who transcribes the public comments. Public forums may be conducted as a part of Montgomery County Council meetings.

8b. Community Meeting Considerations

- **Meeting Locations** - Locations are selected for the convenience and comfort level of the public. Typical venues include public libraries, local schools, colleges, and state or city owned buildings. The Division of Transit Services conducts all public participation activities at locations fully accessible to persons with disabilities and preferably, the venues should be served by public transit.
- **Meeting Times** - Public participation methods are scheduled at varying times of day and preferably on different days of the week. Typically meetings are conducted on weeknights after traditional work hours. Meetings conducted in the central business district are scheduled during traditional lunch hours with an additional hour or from noon until 6:00 PM.

9. Partnerships with Community Based Organizations - The Office of Community Partnerships has developed working relationships with several Community Based Organizations. These relationships expand the reach of the County’s public involvement activities.

10. Translation and Interpretive Services – The Division of Transit Services works with translation services to translate written public information into other languages as needed. Prearranged onsite language interpretation service is provided upon request at public meetings/forums.



11. Ride On's Ongoing Public Participation Methods - The Division of Transit Services promotes ongoing public participation with emphasis on outreach to low income, minority, and LEP populations. The Division of Transit Services conducts proactive outreach to expand the reach, inclusivity, and effectiveness of its transit services. Examples of ongoing methods include:

- Ride On website <http://www.montgomerycountymd.gov/DOT-Transit/>
- Ride On Facebook page <https://www.facebook.com/RideOnMCT>
- Ride On communications via Twitter <https://twitter.com/RideOnMCT>
- E-notification system: www.montgomerycountymd.gov/govdelivery
- Regular communications with media
- Press briefings and news releases
- Rider bulletins in WMATA stations at Ride On transit centers and on vehicles
- Language Line Services (LLS)
- Language interpreters at public meetings (when requested)



Appendix A – Public Participation Events FY 17 – FY 20

Meetings/Event	Locations	Date & Time	Attendees (approximate)
FY17			
Note: Highlighted cells included event interpreters			
Customer Appreciation Day	Forest Glen Metro Station	July 23; 4:30-6:30	200
Tobytown Service Public Forum	Travilah Elementary School	July 28	25
MC Agricultural Fair	Booth on Main Street	August 8-18	2000
Silver Spring Citizens Advisory Group	Silver Spring Civic Building	August 24; 7-8 pm	40
Customer Appreciation Day	Grosvenor Metro Station	August 26; 4:30-6:30	300
Christ Episcopal School	sent collateral materials	August 27; 9-10 am	25
Victory Christian Church International (African/African American) August 26th, 30 people	staffed table at their Community Day	August 26; 6-8 pm	50
Seneca Valley School Cluster Day	Back-To-School Fair	August 27; 10 am - 2 pm	300
Customer Appreciation Day	Twinbrook Metro Station	August 26; 4:30-6:30	500
Customer Appreciation Day	Lakeforest Transit Center	September 22; 4:30-6:30	300
Route 301 Soft Launch	Tobytown Community Center	October 2; 7 am - Noon	30
Customer Appreciation Day	Germantown Transit Center	October 27; 4:30-6:30	300



**Ride On Public Participation Plan
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Youth Transitioning Fair	Takoma Park	October 8; 2-14 pm	75
Impact Silver Spring Meeting	East County Community Center	October 27; 10-11 am	10
East County Community Village Senior Citizens meeting	East County Community Center	November 7; 7-8 pm	15
Rte 33 Public Forum	Highland Elementary School	March 2	40
Clarksburg new route/changes Public Forum	Rocky Hill Middle School	March 7	25
Rte 31 Public Forum for Popular Run	Poplar Run Community Center	March 9	35
Ride On extRa soft launch	Medical Ctr Metro Station	April 10th; 4:30-6:30 pm	150
Ride On extRa soft launch	Lakeforest Transit Ctr	April 11th; 4:30-6:30 pm	150
Give And Ride	On All Buses	April 19-25; all hours of service	6000
Bike To Work Day	Dawson's Market, Rockville	May 19; 6-9 am	100
GreenFest	Bohrer Park, Gaithersburg	May 6th; 10 am - 4 pm	300
Ride On extRa Public Forum	Executive Office Building	May 24	25
Customer Appreciation Day	White Oak Transit Center	June 29; 4:30-6:30 pm	300
FY18			
Bethesda/Chevy Chase RSC CAB	Bethesda Regional Services Ctr	July 6; 8-9 pm	25



**Ride On Public Participation Plan
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
RO extRa outreach	Bethesda office building	July 11; 1-3 pm	75
Transportation Options for Mentally Disabled Persons	Center for Behavioral Health	July 11; 1-3 pm	11
UpCounty RSC CAB meeting	Germantown Regional Svcs Ctr	July 17; 7-9 pm	30
Bethesda TMD/BUP meeting	Bethesda Urban Partnership office	July 21; 8-9 am	15
NIH Transportation Team meeting	NIH Building 31	July 25; 9:30-11 am	10
Transit Advisory Group meeting	Executive Office Building	July 27; 6-8 pm	15
Ride On extRa Outreach	Bethesda Metro Station	August 1; 3-7 pm	300
Ride On extRa Outreach	Medical Center Metro Station	August 2; 3:30 - 7:30 pm	200
Ride On extRa Outreach	Rockville Metro Station	August 3; 4-7 pm	250
Ride On extRa Outreach	Lakeforest Transit Center	August 4; 5:30 - 9:30 am	300
Ride On extRa Outreach	Medical Center Metro Station	August 7; 3:30 - 7:30 pm	200
Ride On extRa Outreach	Shady Grove Metro Station	August 8; 5:30 - 9:30 am	250
Ride On extRa Outreach	Twinbrook Metro Station	August 10; 4-7 pm	200
Booth at County Ag Fair	Montgomery County Fair	August 11-19; Every Day	5000
Ride On extRa Outreach	Route 124 Park & Ride	August 15; 4-7 pm	150
Ride On extRa Outreach	Lakeforest Transit Center	August 21; 5:30 - 9:30 am	200



**Ride On Public Participation Plan
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Ride On extRa Outreach	Montgomery College	August 22; 7-11 am	125
Ride On extRa Outreach	White Flint Metro Station	August 24; 4-7 pm	150
Ride On extRa Outreach	Seneca Valley Back-To-School Day	August 26; 10 am - 2 pm	200
Ride On extRa Outreach	Grosvenor Metro Station	August 28; 4-7 pm	150
Ride On extRa Outreach	Route 124 Park & Ride	August 29; 6-8 am	100
Ride On extRa Outreach	Montgomery County Council	September 5; 7 - 7:30 pm	20
Ride On extRa Outreach	Lakeforest Transit Center	September 6; 5:30 - 9:30 am	15
Ride On extRa Outreach	Medical Center Metro Station	September 7; 3:30 - 7:30 pm	100
Ride On extRa Outreach	Rockville City Council	September 11; 7-7:30 pm	20
Ride On extRa Outreach	Friendship Heights TMD	September 12; 10-10:30 am	20
Ride On extRa Outreach	NIH Transportation Day	September 12; 12-2 pm	150
Ride On extRa Outreach	Shady Grove Metro Station	September 13; 5:30 - 9:30 am	250
Ride On extRa Outreach	Richard Montgomery High School	September 15; 11-Noon	500
Ride On extRa Outreach	Silver Spring TMD	September 14; 8:30 - 9:30 am	20
Ride On extRa Outreach	Gaithersburg City Council	September 18; 7-7:30 pm	20
Ride On extRa Outreach	Lakeforest Transit Center	September 19; 3:30 - 7:30 pm	250



**Ride On Public Participation Plan
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Ride On extRa Outreach	Gaithersburg High School	September 20; 11-Noon	700
Ride On extRa Outreach	Rockville Metro Station	September 21; 5:30 - 9:30 am	200
Ride On extRa Outreach	Bethesda Naval Walter Reed	September 21; 5:30 - 9:30 am	200
Ride On extRa Outreach	Medical Center Metro Station	September 22; 6-10 am	200
Ride On extRa Outreach	Montgomery College	September 26; 4:30 - 7:30 pm	150
Ride On extRa Outreach	Route 124 Park & Ride	September 28; 4-7 pm	100
Ride On extRa Outreach	Media Event at Lakeforest Transit Center	October 2; 1-2 pm	100
Ride On extRa Outreach	Kentlands OctoberFest	October 8; Noon - 5 pm	150
Route 129 Public Forum	East County Regional Service Center	November 29	25
Give And Ride	On All Buses	April 15-21	6,000
Bike To Work Day	Dawson's Market, Rockville	May 18; 6-9 am	75
GreenFest	Montgomery College Takoma Park	May 5; 10 am - 3 pm	250
Customer Appreciation Day	Lakeforest Transit Center	May 15; 4:30 - 6:30 pm	300
FY19			
Customer Appreciation Day	Bethesda Metro Station	July 31	200



**Ride On Public Participation Plan
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Customer Appreciation Day	Rockville Metro Station	October 30	250
Route 75 Public Forum	Up County Regional Service Center	November 1	10
Public Forum for Route 52	Ross Body Community Center	November 19	4
Flex Outreach Efforts:			
**Focus Group I – Glenmont/Wheaton Community	Wheaton Library/Rescue Station	January 28	6
**Focus Group II – Rockville/Wheaton/Glenmont Communities; 8 attendees; February 11	Executive Office Building	February 11	8
**Commission on Aging – 11 attendees; March 12	CoA Offices	March 12	11
**Transit Advisory Group – 12 attendees; March 19	Executive Office Building	March 19	12
**COG committee – 14 attendees; April 23	Council of Governments Building	April 23	14
**Public Forum	Mario Loiederman Middle School	April 25	23
Give And Ride	On All Buses	April 21-27; all hours of service	5500
GreenFest	Brookside Gardens	April 28	200
**Commission on Disabilities – 22 attendees	Executive Office Building	May 8	22
**Glenmont Forest Neighbors Civic Association	Highland Elementary School	May 13	50
Bike To Work Day	Dawson's Market, Rockville	May 19; 6-9 am	100



**Ride On Public Participation Plan
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Customer Appreciation Day	Takoma Metro Station	June 18	100
**CE's Age-Friendly Montgomery Advisory Workgroup	Executive Office Building	June 19	22
FY20			
MC Ag Fair	County Fairgrounds	August 9-17	2500
MCPS Back-To-School Fair	Westfield Wheaton Mall	August 24	2000
FLEX EVENTS:			
Flex Launch Events	Rockville Town Square	June 26	100
Flex Launch Events	Westfield Wheaton Mall	June 26	200
Flex Launch Events	Westfield Wheaton Mall	July 20	150
**Friendship Heights TMD July 9 - 12 ppl	Friendship Heights Community Ctr	July 9 - 12 ppl	12
**Silver Spring TMD July 11 - 20 ppl	Discovery Communications Bldg	July 11 - 20 ppl	20
**Bel Pre-Community Association	Bel Pre Swim Center	July 11	1
Flex & Kids Ride Free Outreach	Richard Montgomery High School	September	500
Flex & Kids Ride Free Outreach	Wheaton High School	September	200
Flex & Kids Ride Free Outreach	Thomas Edison High School	September	200
Customer Appreciation Day	Silver Spring Transit Center	July 29	100



**Ride On Public Participation Plan
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Montgomery County Council of PTA Presidents Annual Meeting	Blake High School	September	200
Customer Appreciation Day	Forest Glen Metro Station	September	100
National Institutes of Health Commuter Day	Rockledge Drive Campus	September	100
MCPS/MCCPTA Kids Ride Free Outreach	Norwood High School	October	40
NIH Clinical Research Ctr Transportation Day	Clinical Sciences Building Lobby	October 22	200
Clarksburg Public Forum	Rocky Hill Middle School	December 12	40
US 29 Route Restructuring Workshop for the FLASH	Blair High School	January 27	74
US 29 Route Restructuring Workshop for the FLASH	East County Regional Services Center	January 29	25



Appendix B – Montgomery County Community Based Organizations

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
African Immigrant & Refugee Foundation	11350 Baroque Road	Silver Spring	African Comm.				
American Cancer Society - Silver Spring Office	11331 Amherst Avenue	Silver Spring	Medical	Disabilities			
Asian American LEAD	10111 Colesville Road	Silver Spring	Asian Comm.				
Asian American LEAD (AALEAD)	11141 Georgia Avenue - Suite 515	Wheaton	Asian Comm.				
Asian Pacific American Legal Resource Center	11141 Georgia Avenue - Suite 215	Silver Spring	Asian Comm.	Legal Resources			
Bethel World Outreach Church	8242 Georgia Avenue	Silver Spring	Comm. Help Org.	General	Education	Religious	African Comm.
Caribbean Help Center	10140 Sutherland Road	Silver Spring	Comm. Help Org.	Caribbean Comm.			
CentroNia - Maryland	1345 University Boulevard E.	Takoma	Spanish Comm.	Education			
Charles W. Gilchrist Center for Cultural Diversity - Maryland	11319 Elkin Street	Wheaton	Community Ctrs	Government			
Chinese Cultural and Community Service Center	9366 Gaither Road	Gaithersburg	Asian Comm.				



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
Church of the Redeemer	19425 Woodfield Road	Gaithersburg	Women/ Family	General	Youth Org.	Religious	Education
Community Family Life Services - Milestone Place	1010 Grandin Avenue, Suite A	Rockville	Community Ctrs	Medical	Religious		
Community Ministries of Gaithersburg	9075 Comprint Ct.	Gaithersburg	Community Ctrs	Religious			
Community Ministries of Rockville	1010 Grandin Avenue	Rockville	Community Ctrs	Religious			
Community Support Services	9075 Comprint Ct.	Gaithersburg	Community Ctrs	Disabilitie s			
Covenant Life	7501 Muncaster Mill Road	Gaithersburg	Women/ Family	General	Youth Org.	Religious	Skills/ Job Training
African Immigrant & Refugee Foundation	11350 Baroque Road	Silver Spring	African Comm.				
American Cancer Society - Silver Spring Office	11331 Amherst Avenue	Silver Spring	Medical	Disabilitie s			
Asian American LEAD	10111 Colesville Road	Silver Spring	Asian Comm.				
Asian American LEAD (AALEAD)	11141 Georgia Avenue - Suite 515	Wheaton	Asian Comm.				
Asian Pacific American Legal Resource Center	11141 Georgia Avenue - Suite 215	Silver Spring	Asian Comm.	Legal Resources			



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
Bethel World Outreach Church	8242 Georgia Avenue	Silver Spring	Comm. Help Org.	General	Education	Religious	African Comm.
Caribbean Help Center	10140 Sutherland Road	Silver Spring	Comm. Help Org.	Caribbean Comm.			
CentroNia - Maryland	1345 University Boulevard E.	Takoma	Spanish Comm.	Education			
Charles W. Gilchrist Center for Cultural Diversity - Maryland	11319 Elkin Street	Wheaton	Community Ctrs	Government			
Chinese Cultural and Community Service Center	9366 Gaither Road	Gaithersburg	Asian Comm.				
Church of the Redeemer	19425 Woodfield Road	Gaithersburg	Women/Family	General	Youth Org.	Religious	Education
Community Family Life Services - Milestone Place	1010 Grandin Avenue, Suite A	Rockville	Community Ctrs	Medical	Religious		
Community Ministries of Gaithersburg	9075 Comprint Ct.	Gaithersburg	Community Ctrs	Religious			
Community Ministries of Rockville	1010 Grandin Avenue	Rockville	Community Ctrs	Religious			
Community Support Services	9075 Comprint Ct.	Gaithersburg	Community Ctrs	Disabilities			
Maryland Multicultural Youth Centers	1320 Fenwick Ln. Suite 600	Silver Spring	Education	Youth Org.			



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
Montgomery County Health and Human Services	8818 Georgia Avenue	Silver Spring	Government	Medical	Social Services		
Montgomery Aquatic Center	5900 Executive Boulevard	North Bethesda	Government	Community Ctrs			
Montgomery Coalition for Adult English Literacy (MCAEL)	12320 Parklawn Drive	Rockville	Skills/ Job Training	Education			
Montgomery County Refugee Center (Montgomery College)	8561 Fenton Street, Suite 210	Silver Spring	Skills/ Job Training	Education	Social Services		
Montgomery County Transit - RIDE ON	101 Monroe Street - 5th Floor	Rockville	Government				
Montgomery County, Office of Community Affairs	401 Hungerford Drive, Fifth Floor	Rockville	Government				
Montgomery County, Office of Community Partnerships	225 Rockville Pike	Rockville	Government				
NST Myosenji Temple	310 University Boulevard, West	Silver Spring	Religious	Asian Comm.			
Office of Community Partnerships	2424 Reedy Drive	Wheaton	Spanish Comm.	Comm. Help Org.	Government		
Organization of Chinese Americans	P.O. Box 10433	Rockville					
Parent Encouragement Program (PEP)	10100 Connecticut Ave.	Kensington	Women/ Family				



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
PSI Family Services	8401 Connecticut Avenue	Chevy Chase	Comm. Help Org.	Women/ Family			
Rockville Volunteer Fire Department	P.O. Box 1547	Rockville	Government				
Self Help for Hard of Hearing	7910 Woodmont Avenue, Suite 1200	Bethesda	Disabilities	Skills/ Job Training	Social Services		
Sligo Seventh Day Adventist Church	7700 Carroll Avenue	Takoma Park	Youth Org.	General	Women/ Family	Religious	
Spinal Cord Injury Network of Metropolitan Washington	14 Wolf Drive	Silver Spring	Disabilities	Medical			
The Arc Montgomery County - Maryland	11600 Nebel Street	Rockville	Disabilities	Senior Comm.			
The Nature Conservancy of Maryland/DC Office	5410 Grosvenor Lane	Bethesda	Government				
Washington Ear	12061 Tech Rd.	Silver Spring	Disabilities	Medical			
Washington International Japanese Church	13008 North Commons Way	Potomac	Religious	Asian Comm.			
Congregation Or Chadash	24800 Kings Valley Rd	Damascus	Religious	Jewish Comm.			
Washington Buddhist Temple	20900 New Hampshire Ave	Brookeville	Religious	Asian Comm.			



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
Beth Messiah Congregation	20300 Pleasant Ridge Dr	Montgomery Village	Religious	Jewish Comm.			
Kehilat Shalom	9915 Apple Ridge Rd	Gaithersburg	Religious	Jewish Comm.			
Ohev Sholom Talmud Torah	18320 Georgia Ave	Olney	Religious	Jewish Comm.			
B'Nai Shalom	18401 Burtfield Dr	Olney	Religious	Jewish Comm.			
Chabad Of Olney	17320 Georgia Ave	Olney	Religious	Jewish Comm.			
Shaare Tefila Congregation	16620 Georgia Ave	Olney	Religious	Jewish Comm.			
Tikvat Israel Congregation	2200 Baltimore Rd	Rockville	Religious	Jewish Comm.			
American Zen College	16815 Germantown Rd	Germantown	Religious	Education			
Shaare Torah Congregation	1409 Main St	Gaithersburg	Religious	Jewish Comm.			



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
Temple Beth AMI	14330 Travilah Rd	Rockville	Religious	Jewish Comm.			
Chabad Lubavitch	11520 Darnestown Rd	Gaithersburg	Religious	Jewish Comm.			
Kemp Mill Synagogue	11910 Kemp Mill Rd	Silver Spring	Religious	Jewish Comm.			
Service Jewish Center	11703 Monticello Ave	Silver Spring	Religious	Jewish Comm.			
Silver Spring Learning Center	1401 Arcola Ave	Silver Spring	Education	Jewish Comm.			
Young Israel Shomrai Emunah	1132 Arcola Ave	Silver Spring	Religious	Jewish Comm.			
Congregation Har Tzeon Agudath Achim	1840 University Blvd W	Silver Spring	Religious	Jewish Comm.			
Burma-America Buddhist Association	1708 Powder Mill Rd	Silver Spring	Religious	Asian Comm.			
Shirat Hanefesh	8814 Kensington Pkwy	Chevy Chase	Religious	Jewish Comm.			
Beth Sholom Congregational and Talmud Torah	11825 7 Locks Rd	Potomac	Religious	Jewish Comm.			
Shri Mangal Mandir	17110 New Hampshire Ave	Silver Spring	Religious	Asian Comm.			



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
Vedanta Center of Greater Washington, DC	3001 Bel Pre Rd	Silver Spring	Religious	Asian Comm.			
ISKCON of Washington, D.C.	10310 Oaklyn Dr	Potomac	Religious	Asian Comm.			
Islamic Center of Maryland	19411 Woodfield Rd	Gaithersburg	Religious	Community Ctrs			
Muslim Community Center Mosque	15200 New Hampshire Ave	Silver Spring	Religious	Community Ctrs			
Idara-e-Jaferia Islamic Center	3140 Spencerville Rd	Burtonsville	Religious	Community Ctrs			
Islamic Society of the Washington Area	2701 Briggs Chaney Rd	Silver Spring	Religious	Community Ctrs			
Islamic Education Center	7917 Montrose Rd	Potomac	Religious	Education			
Bait-ur-Rehman Mosque	15000 Good Hope Road	Silver Spring	Religious				
United Korean Presbyterian Church	7009 Wilson Ln	Bethesda	Religious	Asian Comm.			
Korean Baptist Church	310 Randolph Rd	Silver Spring	Religious	Asian Comm.			
Hahnuri Baptist Church	800 Randolph Rd	Silver Spring	Religious	Asian Comm.			
New Hope Korean Church	15121 McKnew Rd	Burtonsville	Religious	Asian Comm.			



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
First Korean Presbyterian Church	1011 Maple Ave	Rockville	Religious	Asian Comm.			
Korean Presbyterian Church of Rockville	800 Hurley Ave	Rockville	Religious	Asian Comm.			
Washington Spencerville Korean	1700 Spencerville Rd	Spencerville	Religious	Asian Comm.			
Bethany Presbyterian Church	1201 Quince Orchard Blvd	Gaithersburg	Religious	Asian Comm.			
St Andrew Kim Catholic Church	17615 Old Baltimore Rd	Olney	Religious	Asian Comm.			
Chinese Christian Church	7716 Piney Branch Rd	Silver Spring	Religious	Asian Comm.			
Montgomery Chinese Baptist	12221 Veirs Mill Rd	Silver Spring	Religious	Asian Comm.			
Maryland Chinese Baptist Mission	5100 Randolph Rd	Rockville	Religious	Asian Comm.			
Mustard Seed Chinese Baptist Church	12801 Falls Rd	Rockville	Religious	Asian Comm.			



**Ride On Public Participation Plan
July 2020**

Organization	Address	City	Services 1	Services 2	Services 3	Services 4	Services 5
Chinese Bible Church-Montgomery	4414 Muncaster Mill Road	Rockville	Religious	Asian Comm.			
Japanese Ministry of First Baptist Church Rockville	55 Adclare Rd	Rockville	Religious	Asian Comm.			
Japanese Christian Community Center	1099 Rockville Pike	Rockville	Religious	Asian Comm.			
Washington Japanese Christian	7611 Clarendon Rd	Bethesda	Religious	Asian Comm.			
Our Lady of Vietnam Parish Silver Spring	11812 New Hampshire Ave	Silver Spring	Religious	Asian Comm.			
Hoa Hao Buddhism Congregational Church	585 University Blvd E	Silver Spring	Religious	Asian Comm.			
Burma-America Buddhist Association	1708 Powder Mill Rd	Silver Spring	Religious	Asian Comm.			
Dharma Realm Buddhist Association	9601 7 Locks Rd	Bethesda	Religious	Asian Comm.			
Kunzang Odsal Palyul Changchub Choling	18400 River Rd (PO Box 88)	Poolesville	Religious	Asian Comm.			
Mahamevnawa Monastery	5004 Stone Road	Rockville	Religious	Asian Comm.			
Wat Thai of Washington D.C.	13440 Layhill Rd	Silver Spring	Religious	Asian Comm.			



**Ride On Public Participation Plan
July 2020**

Nichiren Shoshu Myosenji Temple	310 University Blvd W	Silver Spring	Religious	Asian Comm.			
True Buddha Temple Maryland	1930 Spencerville Rd	Spencerville	Religious	Asian Comm.			
Tsrha TSION Mahebere Baleweld Inc	3603 Chevy Chase Lake Dr apt #1	Chevy Chase	Religious	African Comm.			
Damascus Spanish SDA Church	9600 Main St	Damascus	Religious	Spanish Comm.			
Montgomery Village Spanish SDA	19300 Watkins Mill Rd	Montgomery Vlg	Religious	Spanish Comm.			
Gaithersburg Spanish SDA Church	303 Chestnut Ave	Washington Grove	Religious	Spanish Comm.			
Iglesia de Rockville / Church of Rockville	55 Adclare Rd	Rockville	Religious	Spanish Comm.			
Iglesia Centro Cristiano de Rockville	5906 Halpine Road	Rockville	Religious	Spanish Comm.			
Rockville Spanish SDA Church	2208 Rockland Ave	Rockville	Religious	Spanish Comm.			
Wheaton Spanish SDA Church	3101 University Blvd W	Kensington	Religious	Spanish Comm.			
Four Corners Spanish SDA Church	33 University Blvd E	Silver Spring	Religious	Spanish Comm.			
Emanuel Spanish Baptist Church	832 Wayne Ave	Silver Spring	Religious	Spanish Comm.			



**Ride On Public Participation Plan
July 2020**

Tacoma Park Spanish SDA Church	8400 Carroll Ave	Takoma Park	Religious	Spanish Comm.			
Oxon Hill Spanish SDA Church	6400 Livingston Rd	Oxon Hill	Religious	Spanish Comm.			
First Hispanic Church of God	14720 New Hampshire Ave	Silver Spring	Religious	Spanish Comm.			
Source: WMATA – 2014							



Appendix E – Language Assistance Plan



Language Assistance Plan

July 2020

Title VI of the Civil Rights Act of 1964

(42 U.S.C. §§ 2000d, et seq.)

&

FTA Circular 4702.1B, dated October 1, 2012

TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL TRANSIT
ADMINISTRATION RECIPIENTS

Montgomery County Department of Transportation

Division of Transit Services

Rockville, Maryland



Accessible Formats

This document will be made available in accessible formats upon request. Paper copies of this document as well as information regarding accessible formats may be obtained by contacting the Title VI Coordinator, Division of Transit Services.

This notice will be made available in other languages.

Este aviso estará disponible en otros idiomas.

本通知将在其他语言中提供

Cet avis seront disponible dans d'autres langues.

이 통지는 다른 언어에서 사용할 수 있는 만들 것 이다.

Thông báo này sẽ được thực hiện có sẵn trong các ngôn ngữ khác.

English

Spanish

Chinese

French

Korean

Vietnamese

Montgomery County Department of Transportation
Division of Transit Services
101 Monroe Street, 5th Floor
Rockville, Maryland 20850



Contents

I. Background 1

II. Identification of LEP Individuals Who Need Language Assistance 3

III. Frequency of Contact by LEP Persons with Ride On Services 13

 a. Call Center – Requests for Interpretation 13

 b. Website Data Translations 13

 c. On-board Survey 13

 d. Montgomery County Ride On Reported Data 13

IV. Nature and Importance of Transit 14

V. Available Resources & Costs of Providing Language Assistance Services 14

VI. Language Assistance Measures Employed by Montgomery County 15

VII. Planned Language Assistance Initiatives 17

DRAFT



I. Background

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., provides 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 otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on Limited English Proficient (LEP) persons because such conduct constitutes national origin discrimination.

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” reprinted at 65 FR 50121, August 16, 2000 directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001 by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. Federal agencies were directed to provide guidance and technical assistance to recipients of Federal funds as to how they can provide meaningful access to Limited English Proficient users of Federal programs.

The U.S. DOT published revised guidance for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP) and that recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

The Federal Transit Administration (FTA) references the DOT LEP guidance in its Circular 4702.1B, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients,” which was published on October 1, 2012. Chapter III, section 9 of this Circular reiterates the requirement to take responsible steps to ensure meaningful access to benefits, services, and information for LEP persons and requires that FTA recipients and sub-recipients develop a language implementation plan consistent with the provisions of the DOT LEP Guidance.

The DOT LEP Guidance recommends that all recipients, especially those that serve large LEP populations, should develop an implementation plan to address the needs of the LEP populations they serve. The DOT LEP Guidance notes that effective implementation plans typically include the following five elements: 1) identifying LEP individuals who need language assistance; 2) providing language assistance measures; 3) training staff; 4) providing notice to LEP persons; and 5) monitoring and updating the plan.

Individuals, who have a limited ability to read, write, speak, or understand English are Limited English Proficient, or “LEP.” Transit agencies that provide language assistance to persons with Limited English Proficiency in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons. These efforts may attract riders who would otherwise be excluded from participating in the service because of language barriers and, ideally, will encourage riders to continue using the system after they are proficient in English and/or have more transportation options.



Catering to LEP persons may also help increase and retain ridership among the agency's broader immigrant communities in two important ways: 1) agencies that reach out to recent immigrant populations in order to conduct a needs assessment and prepare a language implementation plan (pursuant to the DOT LEP Guidance) will send a positive message to these persons that their business is valued; and 2) community outreach designed to identify appropriate language assistance measures can also assist the agency in identifying the transportation needs of immigrant and linguistically isolated populations and ensuring that an agency's transit routes, hours and days of service, and other service parameters are responsive to the needs of these populations. Additionally, transit agencies that conduct outreach to LEP persons can increase their potential for recruiting bilingual employees to better serve the needs of the community. In summary, serving the needs of LEP persons is not only a good business decision; it fulfills the mission of the transit agency to serve the public.

Montgomery County is a very diverse county with more than 39 different languages spoken. The Montgomery County Department of Transportation (MCDOT) supports the goals of the DOT LEP Guidance to provide meaningful access to its services by LEP persons. Montgomery County has devoted significant resources to provide oral and written language assistance services to LEP individuals.

This document provides Ride On's 2020 Language Assistance Plan and includes:

1. Identification of LEP Individuals in Montgomery County Who Need Language Assistance
2. The Nature and Importance of Transit to LEP Individuals
3. Available Resources and Costs of Providing Language Assistance Services
4. Language assistance measures employed by Montgomery County
5. Planned language initiatives



II. Identification of LEP Individuals Who Need Language Assistance

The United States Census' most recent American Community Survey (ACS) 5-year estimates (2013-2018) and 2018 one-year estimate offer current and reliable estimates of the number, proportion, and geographic distribution of LEP persons in the Ride On service area. This analysis of LEP individuals uses data estimates for the "county subdivision" census-defined areas (shown in Figure 1). The county subdivision geography was chosen because the estimates at this level provide the best balance between detail and statistical significance of the data.

According to the ACS 2018 one-year estimate, of the total Montgomery County population over the age of five (986,740), approximately 14.3% (140,833) speak English less than "very well". Spanish/Spanish Creole, Chinese, African languages, Korean, French (including Patois and Cajun) and Vietnamese, speakers make up the majority (approximately 80%) of the languages spoken at home among the subpopulation of people 5 years and over who speak English less than "very well." Table 1 shows the number and proportion of all languages spoken using the American Community Survey 2018 one-year data¹.

The Spanish speaking population has the largest number of persons (68,541) within the county who speak English less than "very well" with Chinese speakers having the second largest segment (16,836 persons) who speak English less than "very well."

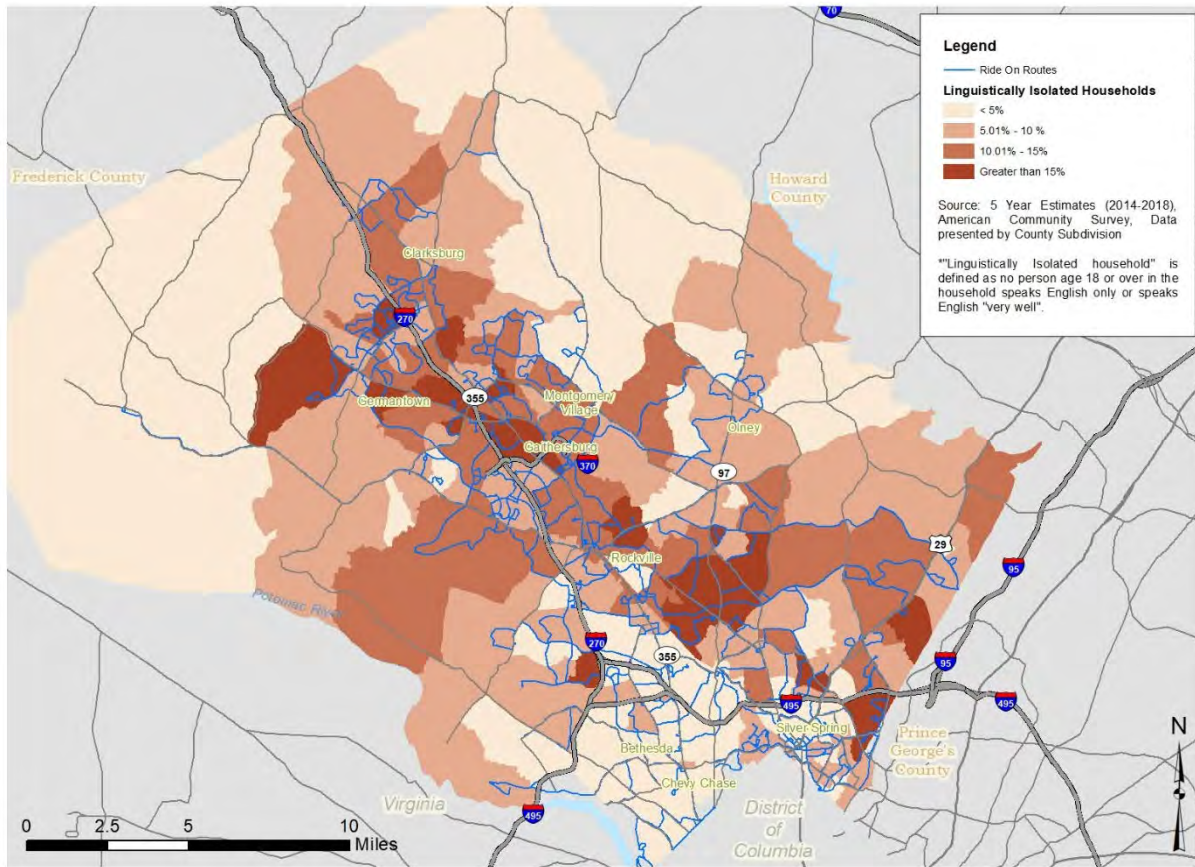
Figure 1, shows that the highest concentrations of linguistically isolated households² are located in and around the Germantown/Gaithersburg area in the center of the county and the Wheaton-Glenmont/College Park area just north of Washington, D.C.

¹ ACS 1 yr Table B08113: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER.

² households where no person age 14 or older in the household speaks English only or speaks English "very well".



Figure 1: Percent Linguistically Isolated Households, Montgomery County



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Table 1: Language Spoken at Home of Persons that Speak English Less than "Very Well" in Montgomery County (Population 5 Years and Over)

Montgomery County			
Language	Number of LEP Population	Percent of County Population Speaking Language	Percent of LEP Population Speaking Language
Spanish	68,541	6.9%	48.7%
Chinese (incl. Mandarin, Cantonese)	16,836	1.7%	12.0%
Amharic, Somali, or other Afro-Asiatic languages	6,881	0.7%	4.9%
Korean	6,131	0.6%	4.4%
French (Cajun)	5,602	0.6%	4.0%
Vietnamese	4,663	0.5%	3.3%
Russian	3,927	0.4%	2.8%
Portuguese	3,028	0.3%	2.2%
Bengali	2,518	0.3%	1.8%
Persian (incl. Farsi, Dari)	2,117	0.2%	1.5%
Tagalog (incl. Filipino)	2,030	0.2%	1.4%
Swahili or other languages of Central, Eastern, and Southern Africa	1,844	0.2%	1.3%
Nepali, Marathi, or other Indic languages	1,417	0.1%	1.0%
Urdu	1,274	0.1%	0.9%
Japanese	1,226	0.1%	0.9%
Yoruba, Twi, Igbo, or other languages of Western Africa	1,108	0.1%	0.8%
Haitian	1,037	0.1%	0.7%
Gujarati	1,009	0.1%	0.7%
Ilocano, Samoan, Hawaiian, or other Austronesian languages	1,006	0.1%	0.7%
Other Slavic languages	994	0.1%	0.7%
Hindi	979	0.1%	0.7%
Arabic	964	0.1%	0.7%
Other languages of Asia	951	0.1%	0.7%
Thai, Lao, or other Tai-Kadai languages	878	0.1%	0.6%
Tamil	576	0.1%	0.4%
Other and unspecified languages	551	0.1%	0.4%
Malayalam, Kannada, or other Dravidian languages	536	0.1%	0.4%
Other Indo-European languages	393	0.0%	0.3%
Telugu	370	0.0%	0.3%
Italian	333	0.0%	0.2%
Polish	250	0.0%	0.2%
German	235	0.0%	0.2%
Khmer	191	0.0%	0.1%
Punjabi	154	0.0%	0.1%
Serbo-Croatian	150	0.0%	0.1%
Armenian	104	0.0%	0.1%
Greek	29	0.0%	0.0%
Total LEP Population	140,833	14.3%	100.00%
Total County Population	986,740	100.00%	

Source: American Community Survey 2018 1-year estimate



Using American Community Survey 5-year Estimates 2013 – 2018, Figures 2 – 7 (pages 6-8) help identify where the highest concentration of each of the top six languages of LEP persons (Spanish/Spanish Creole, Chinese, Korean, African languages, Vietnamese, and French (including Patois and Cajun)) are spoken. The figures show the percent of the population of each county subdivision that speaks the given language at home and speaks English less than “very well”. Those subdivisions shown in red have the greatest percentage of the population with limited English proficiency that speaks the given language. These figures give reasonable guidance regarding the areas likely to have higher language assistance needs and for which languages the assistance is needed; we can be confident that those county subdivisions shown in red tones have higher concentrations of the given LEP population than those county subdivisions in green, but the rankings among subdivisions that have closer percentages may not hold true in reality.³

FTA Safe Harbor Guidance:

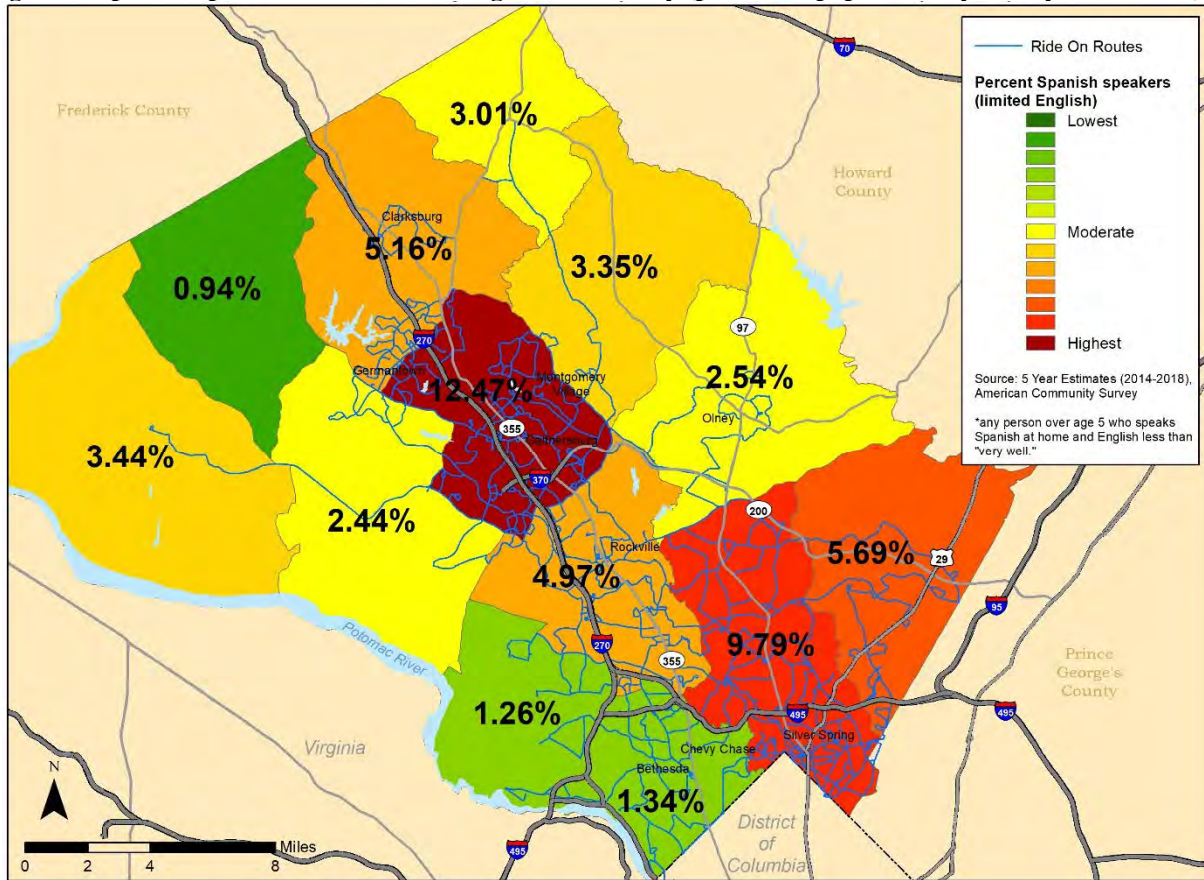
“Safe harbor” for translation of written material

“Safe Harbor” stipulates if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes 5% or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations
https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Title_VI_Overview_4702.1B_11.05.12_ER.pdf

³ Note regarding data limitations: This calculation deals with some sub-populations that are small and in some cases the estimates come with a significant margin of error; therefore, the percentages presented in Figures 2-7 can be considered good enough to identify the areas with highest percentages of LEP, non-English speakers, but percentages should not be used as concrete figures to compare with other data.



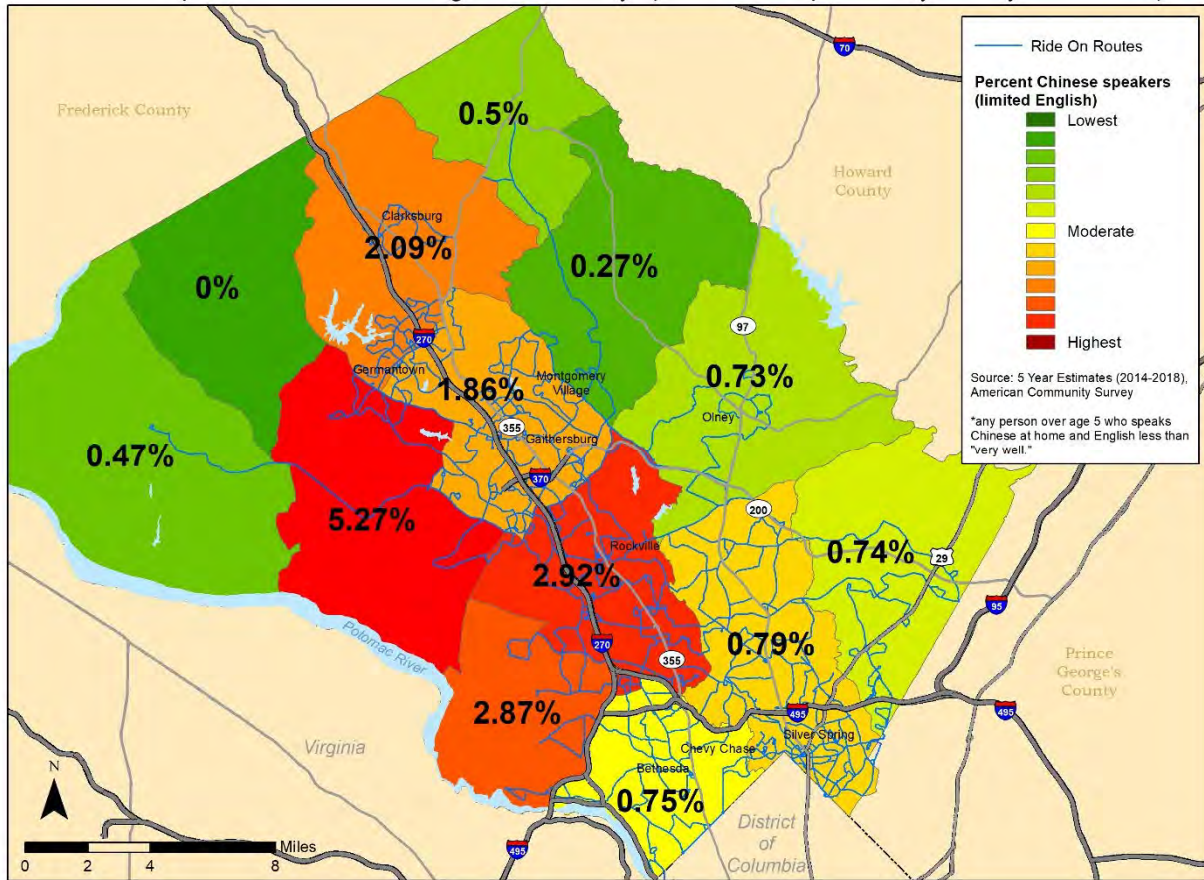
Figure 2: Spanish Speakers with Limited English Proficiency (percent of population by county subdivision)



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Figure 3: Chinese Speakers with Limited English Proficiency (percent of population by county subdivision)



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Figure 4: Korean Speakers with Limited English Proficiency (percent of population by county subdivision)

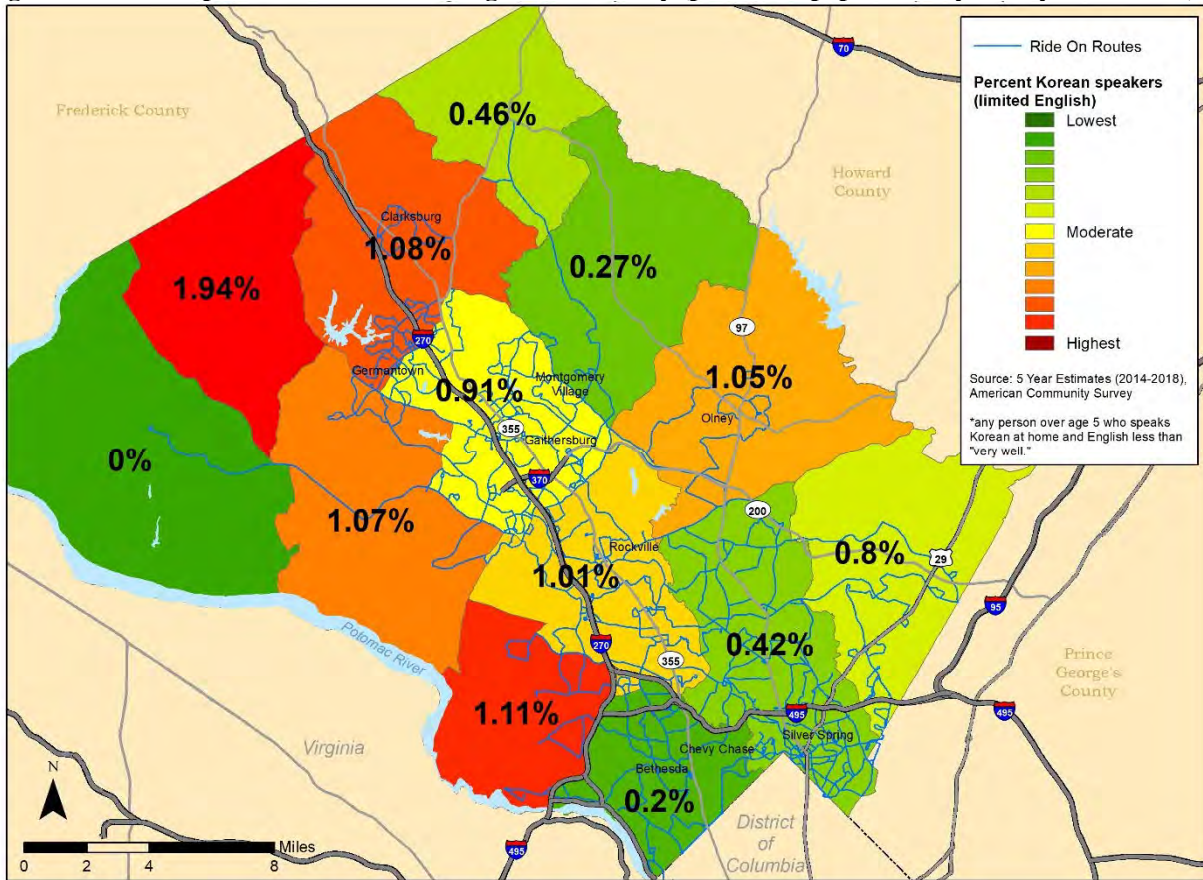


Figure 5: African Language Speakers with Limited English Proficiency (percent of population by county subdivision)

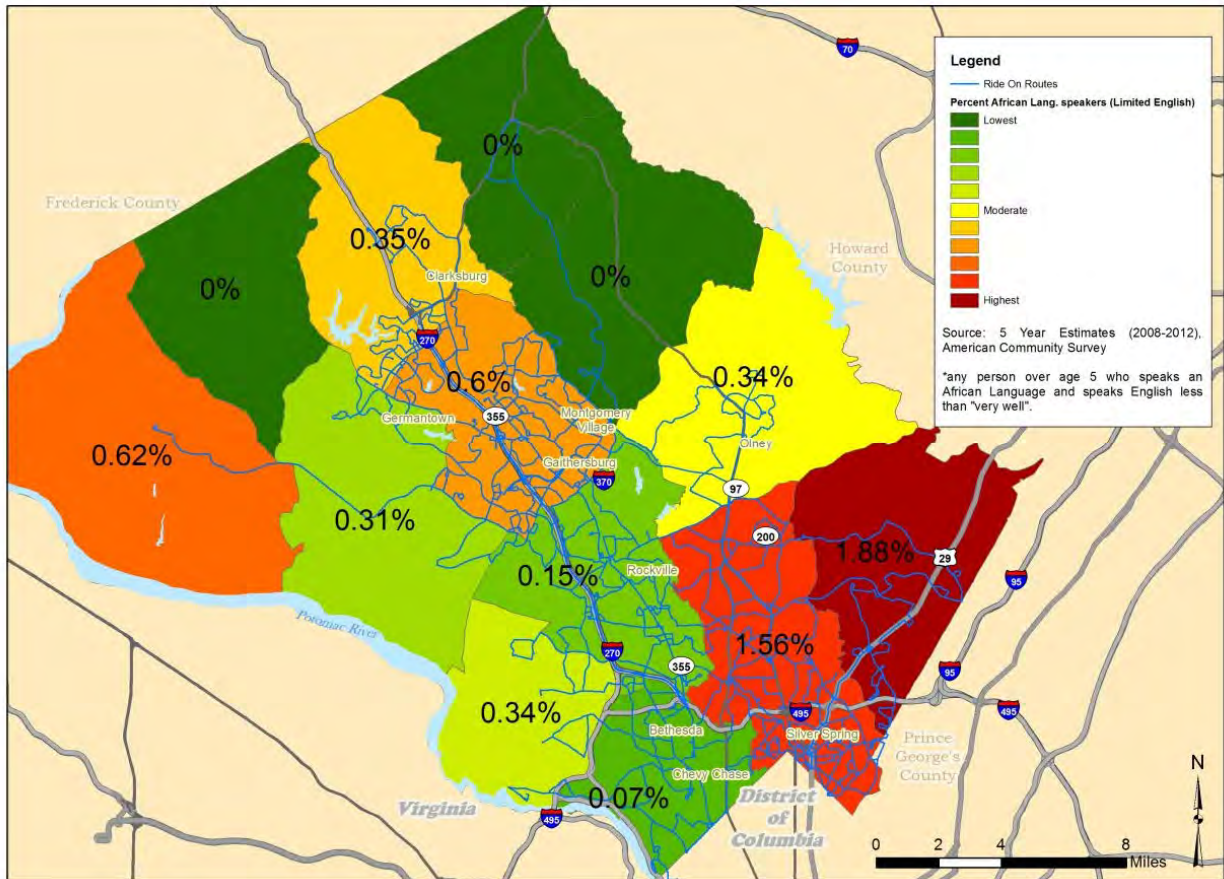


Figure 6: Vietnamese Speakers with Limited English Proficiency (percent of population by county subdivision)

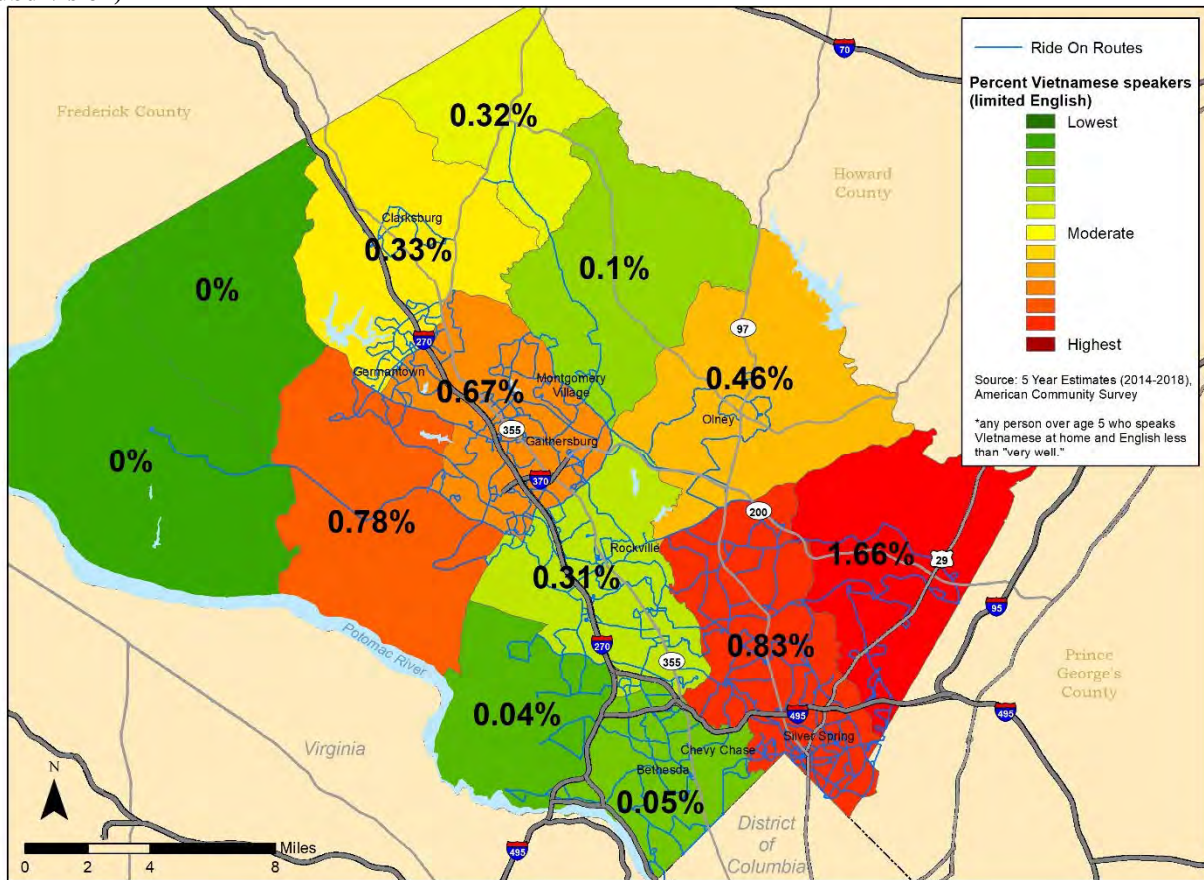
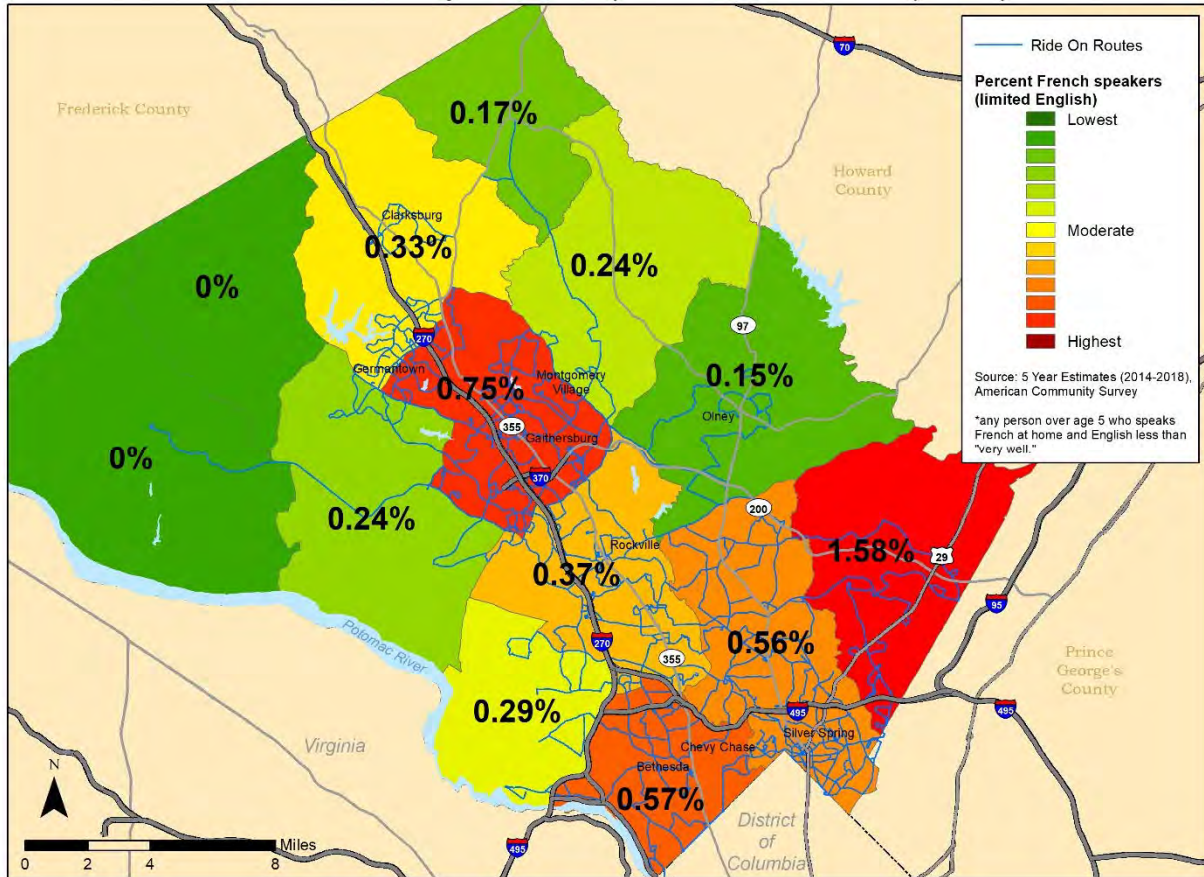


Figure 7: French Speakers (including Patois, Cajun) with Limited English Proficiency (percent of population by county subdivision)



American Community Survey 2018 one-year estimates on workers 16 years and over is shown in Table 2.

Table 2: Workers 16 years and Over

	Workers	% of workers
Montgomery County	563,495	100.0%
Only English	316,487	56.2%
Spanish Speakers	100,463	17.8%
Other Languages	146,545	26.0%
Speak English less than "very well"	86,039	15.3%
Spanish Speakers less than "very well"	43,644	7.7%
Other Languages less than "very well"	42,395	7.5%

Source: ACS 2018 1-year Table BO8113

Table 3 presents 2018 mode of transportation estimates. Of Montgomery County’s estimated 563,495 workers 16 years and older, 13.4% use public transportation as the primary work trip mode.



Table 3: Montgomery County Workers Mode of Transportation

Workers	Workers	% of workers
Montgomery County	563,495	100.0%
Car, truck, or van - drove alone:	371,045	65.8%
Car, truck, or van - carpooled:	56,598	10.0%
Public transportation (excluding taxicab):	75,431	13.4%
Walked	12,708	2.3%
Taxicab, motorcycle, bicycle, or other means:	10,237	1.8%
Worked at home	37,476	6.7%

Source: ACS 2018 1-year Table BO8113

III. Frequency of Contact by LEP Persons with Ride On Services

a. Call Center – Requests for Interpretation

The call center offers interpretation services through Spanish speaking customer service representatives who handled 962 service requests for FY20. Calls for other languages are referred to the Language Line which are tabulated by Montgomery County department for billing.

b. Website Data Translations

The County currently is not able to identify web portal translation counts.

c. On-board Survey

Ride On’s 2018 on-board survey conducted from September through December 2018 asked customers questions about their language usage and skills. Nearly 10,900 riders participated in the survey; the data are summarized as follows:

- 42.7% of respondents report that they speak a language other than English at home. Languages spoken at home. Of the 2,454 responses listing a language spoken at home, the languages with more than 50 responses include Spanish 1,231, French 332, Amharic 170, Chinese 64 and Tagalog 54.
- 8.6% indicate that they read English “not well” or “not at all”
- 9.9% indicate that they speak English “not well” or “not at all”
- 10.6% of participants chose to take the survey in Spanish and 169 respondents chose to take the survey in one of the other languages offered (Chinese, Korean, Vietnamese, Amharic, French)

d. Montgomery County Ride On Reported Data

Through regular employee meetings and interaction, Ride On management recognizes that interaction with non-english speaking riders is very frequent. Additional data has not been collected to quantify the frequency of contact.



IV. Nature and Importance of Transit

While public transit is not an essential service, as are police, fire and medical emergency services, public transit is a key means of achieving mobility for many LEP persons.

Table 4 presents LEP characteristics for workers age 16 years and older who use public transportation as the primary work trip mode. Of the estimated 75,431 workers who use public transportation 16.4% speak English less than very well.

Table 4: Montgomery County Workers Using Public Transportation LEP

Workers 16 Years and Over	Workers	% of workers
Public Transportation	75,431	100.0%
Only English	44,038	58.4%
Spanish Speakers	13,878	18.4%
Other Languages	17,515	23.2%
Speak English less than very well	12,401	16.4%
Spanish Speakers - English less than very well	7,093	9.4%
Other Languages - English less than very well	5,308	7.0%

Source: ACS 2018 1-year Table BO8113

V. Available Resources & Costs of Providing Language Assistance Services

As noted in section VII, MCDOT maintains a variety of support services to LEP customers and residents. During fiscal year 2019, the Division of Transit Services spent \$1,838 for translating language assistance materials. Certified multilingual Division of Transit Services employees receive additional compensation which totaled \$225,366 in fiscal year 2019.



VI. Language Assistance Measures Employed by Montgomery County

Montgomery County Ride On supports the goals of the DOT LEP Guidance to provide meaningful access to its services by LEP persons. The County Executive Order 046-10, effective March 2010, aims to enhance the quality and effectiveness of services for individuals with Limited English Proficiency in a variety of ways. County policy and employee guidelines for implementation are explained in the LEP Employee Handbook. Under its goals of inclusion and access, the County currently offers a number of language assistance services relative to the provision of transit services, including:

Translation Services

- The Ride On web site (www.montgomerycountymd.gov/DOT-transit/index.html) permits translation of Ride On schedules and other public materials into 82 different languages.
- The County has hundreds of employees that are certified in at least one other non-english language through the Multilingual Certification Program (see Training Initiatives, below) and available to provide translating services within or outside his/her primary department. As of May 2020, the Transit Services Division had 128 certified bilingual employees, 113 of whom were bus operators. The primary function of the certified employees within MCDOT is direct communication and minor interpretation or translation services. MCDOT uses their certified languages daily as part of their work with their users of public transportation, parking, and

USDOT's LEP Guidance

The greater the number or proportion of eligible LEP persons; the greater the frequency with which they have contact with a program, activity, or service; and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

After completing the above four-factor analysis, recipients can determine the appropriate "mix" of LEP services required. Recipients have two main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis. For instance, a motor vehicle department or an emergency hazardous material cleanup team in a largely Hispanic neighborhood may need immediate oral interpreters available and decide to hire full-time bilingual staff. In contrast, there may be circumstances where the importance and nature of the activity and number or proportion and frequency of contact with LEP persons may be low and the costs and resources needed to provide language services may be high in which pre-arranged language services for the particular service may not be necessary. The languages spoken by the LEP individuals with whom the recipient has frequent contact often determine the languages into which documents will be translated and the types of interpreters provided.

<https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>.



consumer questions to the Director's Office.

- The County's Language Bank of volunteers is available to help translate and interpret for County government agencies and registered nonprofit organizations serving residents with limited English proficiency. Language Bank volunteers serve as interpreters and translate documents for various agencies and organizations.
- Language ID boards at all service sites to help County staff identify which language the LEP person speaks.
- The MC311 Customer Service Center offers a single point of contact for information on County services and program and includes language interpretation service with over 150 languages available. After calling 311, press 1, for Spanish, or stay on the line to ask the next available customer service representative to request to conduct the call in the language of your choice. The service can be accessed through telephone and web-based channels and is made known through community outreach efforts, which include flyers/palm cards in multiple languages, meeting with community groups, and television/radio/newspaper advertisements in Spanish. During the period July 1, 2020 to June 12, 2020, there were 25,253 calls to the MC311 Spanish Line with 7,897 related to COVID19 and fiscal year 2020 calls
- The Passenger Bill of Rights and Responsibilities is provided in English and Spanish.
- MCDOT publishes a Resident User Guide in Chinese, Spanish, Korean and Vietnamese summarizing MCDOT programs including Ride On.

Public Outreach

- A website dedicated to language access (www.montgomerycountymd.gov/lep)
- PSA videos in multiple languages to raise awareness about the availability of language assistance services.
- The Office of Community Partnerships employs a staff of over one dozen to carry out the County Executive's commitment to build a larger policy table with participation by a more diverse range and greater number of residents, particularly those from underserved and emerging communities. This program includes a network of contacts and community based resources that could help LEP persons navigate community resources, including transit use.

Training Initiatives

- Multilingual Certification Program through the office of Human Resources encourages employee certification in one of the approved languages identified as the predominant languages used by county residents to enhance its ability to serve its LEP customers. There are hundreds of certified employees who can be called upon for services outside of their primary department.
- A three-hour training course for all frontline staff and those who may interact with LEP persons is mandatory.
- Community Interpreter training is a mandatory day-long training course for certified bilingual employees to learn the ethics and techniques of being a more effective interpreter.

Monitoring

- An LEP leadership Team led by the Language Access Coordinator oversees countywide policies and practices on language access; LEP Department Liaisons designated by department directors are responsible for implementing the LEP policy for the Executive



Branch's departments, office, and programs. Each Department is responsible for maintaining an up to date Language Access Plan.

VII. Planned Language Assistance Initiatives

The Montgomery County Department of Transportation created a Title VI compliant Language Assistance Plan (LAP) in June 2009. The LAP was updated in 2014, 2017 and 2020 and is intended to:

- 1) Ensure MCDOT's compliance with applicable federal and state laws and guidelines as well as the County's policy on providing meaningful access to people with limited English proficiency; and
- 2) Establish expectations, processes and accountability mechanisms for all units and employees within MCDOT that interact with individuals with LEP.

To those ends, MCDOT has identified the following actions to address potential access barriers faced by LEP customers as of 2020:

Translation of Vital Documents:

- Continue the Ride On web site (www.montgomerycountymd.gov/DOT-transit/index.html) which permits translation of Ride On schedules and other public materials into more than 100 different languages when using Google Chrome.
- Continue to print bilingual bus notices for fare changes, schedule changes and other policy changes.
- Continue to print and advertise notices for public forums in other languages.
- Continue to translate certain media releases.
- Continue to provide other language support through the conferencing telephone at the Transit Information window.
- Maintain greeting and other messages in Spanish on the main contact numbers.
- Continue to staff certain community events with bilingual staff.
- Advertise with other language media for certain programs, such as Give and Ride Residents Guide to Services, will continue to be printed in five languages.
- Continue to print and post the Non-discrimination poster on the interior of each vehicle operated in passenger service in English and Spanish
- Continue to provide on the Ride On web site the Ride On User Guide in English, Amharic, Chinese, French, Hindi, Korean, Spanish and Vietnamese.

Public Communications:

- Continue the Ride On web site (www.montgomerycountymd.gov/DOT-transit/index.html) which permits translation of Ride On schedules and other public materials into 82 different languages.
- Display language ID posters or boards at various DOT front desk areas and visitor's centers.
- Continue to print bilingual bus notices for fare changes, schedule changes and other policy changes.
- Continue to print and advertise notices for public transit forums in other languages.
- Continue to translate certain public transit media releases.
- Continue to provide other language support through the conferencing telephone at the Transit Information window.



- Record greeting messages on the main contact numbers in Spanish.
- Continue to use bilingual staff and bilingual materials at public events and community activities.
- Maintain greeting and other messages in Spanish on the main contact number.
- Continue to staff certain community events with bilingual staff.
- Advertise with other language media for certain programs such as Give and Ride.
- Locate bilingual staff member at DOT Customer Service desk to assist customers.
- As a result of COVID-19, MCDOT Division of Transit Services plans to use MS Teams in conjunction with our regular onsite public forums in the future. MS Teams will be an “option” for residents and interest parties to participate.

Staff Training:

- All frontline staff will continue to receive the 3-hour LEP training hosted by OHR. Managers and supervisors will receive a different version of training on language access requirements and cross-cultural competency to be designed by the Language Access Coordinator in conjunction with OHR.
- All staff with public interaction will receive additional hands-on training and written instruction on how to access and properly use language resources.
- The Department's Community Relations Manager will continue to attend the monthly Community Outreach Forum sponsored by the County Executive's Office of Community Partnerships. He/She will share relevant LEP information from this meeting with division chiefs, for transmittal to their staff as appropriate.
- MCDOT will invite the Language Access Coordinator to conduct an on-site LEP briefing so as to avoid waiting for too long to bring all frontline staff to speed.

Internal and External Evaluation, Data Collection and Reporting:

- Performance evaluation of frontline staff, their supervisors and directors will reflect their awareness and work (in the form of staff training) of LEP policy, requirements and quality of work.
- The number and nature of complaints as well as response time and level of satisfaction in resolution will all be part of data collection.



Appendix F – Minority Representation on Ride On Advisory Committees – July 2020

Committee	Black or African American	White/ Caucasian	Latino/ Hispanic	American Indian or Alaska Native	Asian	Native Hawaiian or other Pacific Islander	Other	Totals
Transit Advisory Group (TAG)	10	11	0	0	2	0	0	23
% of CAC Committee	43%	48%	0%	0%	9%	0%	0%	100%

**Note – Other races reported: African and Middle Eastern*

Appendix G – Title VI Policies

Montgomery County
Title VI Policies

Federal Transit Administration (FTA) Circular 4702.1B requires grantees that operate more than 50 peak hour vehicles establish Title VI policies providing:

- A. Definitions for Fare Change, Major Service Change, Disparate Impacts, Disproportionate Burdens and Minority Route;
- B. Service Standards for vehicle load, vehicle headway, on-time performance and service availability;
- C. Service Policies related to distribution of transit amenities and vehicle assignment; and,
- D. Approval procedures for Fare Changes and Major Service Changes

These Definitions, Service Standards, Service Policies and Approval Procedures must be approved by the County Council.

DEFINITIONS

1. **Fare Change** - A Fare Change is any change in fare or new fare product regardless of the amount of increase or decrease. Except for the circumstances listed below, a Fare Equity Analysis is required for any Fare Change to evaluate the effects of a Fare Change on low-income and Title VI-protected populations.

Exceptions.

- i. “Give and Ride” and/or special events where Montgomery County has decided that all passengers ride free.



- ii. Temporary fare reductions that are mitigating measures for other actions such as free or reduced fare due to construction activities.
 - iii. Promotional fare reductions that last less than six months.
2. Major Service Change - A Major Service Change is any new route or a reduction or increase in a route's revenue vehicle hours greater than 25% of the prior schedule's revenue vehicle hours. A Service Change Equity Analysis is required for any Major Service Change to evaluate the effects of the proposed service change on low-income and Title VI-protected populations.
 3. Disparate Impact - For Major Service Changes, a disparate impact may exist 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, a disparate impact may exist if the difference between the average fare increase (represented as a % change) for minority populations and the average fare increase (represented as a % change) for non-minority populations is greater than 5% (percentage points). For example, if the average fare increase on minority riders was 10% and the average fare increase on non-minority riders was 4%, the difference is greater than 5% and would be considered disparate.
 4. Disproportionate Burden - For Major Service Changes, a disproportionate burden may exist 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, a disproportionate burden may exist if the difference between the average fare increase (represented as a % change) for low-income populations and the average fare increase (represented as a % change) for non-low income populations is greater than 5% (percentage points). For example, if the average fare increase on low income riders was 10% and the average fare increase on non-low income riders was 4%, the difference is greater than 5% and would be considered disproportionate.
 5. 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. Using Geographic Information Systems (GIS), the total population and minority population residing within ¼ of a mile of a bus route are tabulated except for express routes where the service area is 1 mile from the park and ride lot or transfer center.



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 minutes 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.

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).
Distribution of Transit Amenities	Ride On will equitably provide amenities such as shelters and kneewalls at bus stops where Ride On has decision-making authority.

APPROVAL PROCEDURES

1. Fare Change - The Division of Transit Services Office of Planning and Implementation will be responsible for completing the Fare Change Equity Analysis and the Division of Transit Services Marketing Office will be responsible for conducting and documenting the public involvement activities. Upon completion of the Fare Change Equity Analysis



and the required public involvement, the Montgomery County Council will follow its procedures in reviewing and approving the Fare Change. The County's public meetings conducted as part of the overall budget approval process will provide the public involvement activities required for fare change proposals that are considered as a part of the Council's annual budget. Additional public meetings may be conducted by the Montgomery County Council.

2. Major Service Change – The Division of Transit Services Office of Planning and Implementation is responsible for developing service changes and will identify any service change that meets the definition of Major Service Change. For each Major Service Change, the Division of Transit Services Office of Service Planning will complete a Major Service Change Equity Analysis. The Division of Transit Services Marketing Office will conduct and document the public involvement required for Major Service Changes consistent with Ride On's Public Participation Plan. Upon completion of the Major Service Change Equity Analysis and the required public involvement, the Montgomery County Council will follow its procedures in reviewing and approving the Major Service Change. The County's public meetings conducted as part of the overall budget approval process will provide the public involvement activities required for Major Service change proposals that are considered as a part of the Council's annual budget. Additional public meetings may be conducted by the Montgomery County Council.



Appendix H – Title VI Policies Summary of Public Involvement Activities

PUBLIC OUTREACH AND INVOLVEMENT ACTIVITIES

Meetings/Event	Locations	Date & Time	Attendees (approximate)
FY17			
Note: Highlighted cells included event interpreters			
Customer Appreciation Day	Forest Glen Metro Station	July 23; 4:30-6:30	200
Tobytown Service Public Forum	Travileh Elementary School	July 28	25
MC Agricultural Fair	Booth on Main Street	August 8-18	2000
Silver Spring Citizens Advisory Group	Silver Spring Civic Building	August 24; 7-8 pm	40
Customer Appreciation Day	Grosvenor Metro Station	August 26; 4:30-6:30	300
Christ Episcopal School	sent collateral materials	August 27; 9-10 am	25
Victory Christian Church International (African/African American) August 26th, 30 people	staffed table at their Community Day	August 26; 6-8 pm	50
Seneca Valley School Cluster Day	Back-To-School Fair	August 27; 10 am - 2 pm	300
Customer Appreciation Day	Twinbrook Metro Station	August 26; 4:30-6:30	500
Customer Appreciation Day	Lakeforest Transit Center	September 22; 4:30-6:30	300
Route 301 Soft Launch	Tobytown Community Center	October 2; 7 am - Noon	30
Customer Appreciation Day	Germantown Transit Center	October 27; 4:30-6:30	300
Youth Transitioning Fair	Takoma Park	October 8; 2-14 pm	75
Impact Silver Spring Meeting	East County Community Center	October 27; 10-11 am	10
East County Community Village Senior Citizens meeting	East County Community Center	November 7; 7-8 pm	15
Rte 33 Public Forum	Highland Elementary School	March 2	40
Clarksburg new route/changes Public Forum	Rocky Hill Middle School	March 7	25



Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Rte 31 Public Forum for Poplar Run	Poplar Run Community Center	March 9	35
Ride On extRa soft launch	Medical Ctr Metro Station	April 10th; 4:30-6:30 pm	150
Ride On extRa soft launch	Lakeforest Transit Ctr	April 11th; 4:30-6:30 pm	150
Give And Ride	On All Buses	April 19-25; all hours of service	6000
Bike To Work Day	Dawson's Market, Rockville	May 19; 6-9 am	100
GreenFest	Bohrer Park, Gaithersburg	May 6th; 10 am - 4 pm	300
Ride On extRa Public Forum	Executive Office Building	May 24	25
Customer Appreciation Day	White Oak Transit Center	June 29; 4:30-6:30 pm	300
FY18			
Bethesda/Chevy Chase RSC CAB	Bethesda Regional Services Ctr	July 6; 8-9 pm	25
RO extRa outreach	Bethesda office building	July 11; 1-3 pm	75
Transportation Options for Mentally Disabled Persons	Center for Behavioral Health	July 11; 1-3 pm	11
UpCounty RSC CAB meeting	Germantown Regional Svcs Ctr	July 17; 7-9 pm	30
Bethesda TMD/BUP meeting	Bethesda Urban Partnership office	July 21; 8-9 am	15
NIH Transportation Team meeting	NIH Building 31	July 25; 9:30-11 am	10
Transit Advisory Group meeting	Executive Office Building	July 27; 6-8 pm	15
Ride On extRa Outreach	Bethesda Metro Station	August 1; 3-7 pm	300
Ride On extRa Outreach	Medical Center Metro Station	August 2; 3:30 - 7:30 pm	200
Ride On extRa Outreach	Rockville Metro Station	August 3; 4-7 pm	250
Ride On extRa Outreach	Lakeforest Transit Center	August 4; 5:30 - 9:30 am	300
Ride On extRa Outreach	Medical Center Metro Station	August 7; 3:30 - 7:30 pm	200
Ride On extRa Outreach	Shady Grove Metro Station	August 8; 5:30 - 9:30 am	250



**Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Ride On extRa Outreach	Twinbrook Metro Station	August 10; 4-7 pm	200
Booth at County Ag Fair	Montgomery County Fair	August 11-19; Every Day	5000
Ride On extRa Outreach	Route 124 Park & Ride	August 15; 4-7 pm	150
Ride On extRa Outreach	Lakeforest Transit Center	August 21; 5:30 - 9:30 am	200
Ride On extRa Outreach	Montgomery College	August 22; 7-11 am	125
Ride On extRa Outreach	White Flint Metro Station	August 24; 4-7 pm	150
Ride On extRa Outreach	Seneca Valley Back-To- School Day	August 26; 10 am - 2 pm	200
Ride On extRa Outreach	Grosvenor Metro Station	August 28; 4-7 pm	150
Ride On extRa Outreach	Route 124 Park & Ride	August 29; 6-8 am	100
Ride On extRa Outreach	Montgomery County Council	September 5; 7 - 7:30 pm	20
Ride On extRa Outreach	Lakeforest Transit Center	September 6; 5:30 - 9:30 am	15
Ride On extRa Outreach	Medical Center Metro Station	September 7; 3:30 - 7:30 pm	100
Ride On extRa Outreach	Rockville City Council	September 11; 7- 7:30 pm	20
Ride On extRa Outreach	Friendship Heights TMD	September 12; 10- 10:30 am	20
Ride On extRa Outreach	NIH Transportation Day	September 12; 12-2 pm	150
Ride On extRa Outreach	Shady Grove Metro Station	September 13; 5:30 - 9:30 am	250
Ride On extRa Outreach	Richard Montgomery High School	September 15; 11- Noon	500
Ride On extRa Outreach	Silver Spring TMD	September 14; 8:30 - 9:30 am	20
Ride On extRa Outreach	Gaithersburg City Council	September 18; 7- 7:30 pm	20
Ride On extRa Outreach	Lakeforest Transit Center	September 19; 3:30 - 7:30 pm	250
Ride On extRa Outreach	Gaithersburg High School	September 20; 11- Noon	700



**Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Ride On extRa Outreach	Rockville Metro Station	September 21; 5:30 - 9:30 am	200
Ride On extRa Outreach	Bethesda Naval Walter Reed	September 21; 5:30 - 9:30 am	200
Ride On extRa Outreach	Medical Center Metro Station	September 22; 6-10 am	200
Ride On extRa Outreach	Montgomery College	September 26; 4:30 - 7:30 pm	150
Ride On extRa Outreach	Route 124 Park & Ride	September 28; 4-7 pm	100
Ride On extRa Outreach	Media Event at Lakeforest Transit Center	October 2; 1-2 pm	100
Ride On extRa Outreach	Kentlands OctoberFest	October 8; Noon - 5 pm	150
Route 129 Public Forum	East County Regional Service Center	November 29	25
Give And Ride	On All Buses	April 15-21	6,000
Bike To Work Day	Dawson's Market, Rockville	May 18; 6-9 am	75
GreenFest	Montgomery College Takoma Park	May 5; 10 am - 3 pm	250
Customer Appreciation Day	Lakeforest Transit Center	May 15; 4:30 - 6:30 pm	300
FY19			
Customer Appreciation Day	Bethesda Metro Station	July 31	200
Customer Appreciation Day	Rockville Metro Station	October 30	250
Route 75 Public Forum	Up County Regional Service Center	November 1	10
Public Forum for Route 52	Ross Body Community Center	November 19	4
Flex Outreach Efforts:			
**Focus Group I – Glenmont/Wheaton Community	Wheaton Library/Rescue Station	January 28	6
**Focus Group II – Rockville/Wheaton/Glenmont Communities; 8 attendees; February 11	Executive Office Building	February 11	8
**Commission on Aging – 11	CoA Offices	March 12	11



**Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
attendees; March 12			
**Transit Advisory Group – 12 attendees; March 19	Executive Office Building	March 19	12
**COG committee – 14 attendees; April 23	Council of Governments Building	April 23	14
**Public Forum	Mario Loiederman Middle School	April 25	23
Give And Ride	On All Buses	April 21-27; all hours of service	5500
GreenFest	Brookside Gardens	April 28	200
**Commission on Disabilities – 22 attendees	Executive Office Building	May 8	22
**Glenmont Forest Neighbors Civic Association	Highland Elementary School	May 13	50
Bike To Work Day	Dawson's Market, Rockville	May 19; 6-9 am	100
Customer Appreciation Day	Takoma Metro Station	June 18	100
**CE's Age-Friendly Montgomery Advisory Workgroup	Executive Office Building	June 19	22
FY20			
MC Ag Fair	County Fairgrounds	August 9-17	2500
MCPS Back-To-School Fair	Westfield Wheaton Mall	August 24	2000
FLEX EVENTS			
Flex Launch Events	Rockville Town Square	June 26	100
Flex Launch Events	Westfield Wheaton Mall	June 26	200
Flex Launch Events	Westfield Wheaton Mall	July 20	150
**Friendship Heights TMD July 9 - 12 ppl	Friendship Heights Community Ctr	July 9 - 12 ppl	12
**Silver Spring TMD July 11 - 20 ppl	Discovery Communications Bldg	July 11 - 20 ppl	20
**Bel Pre Community Association	Bel Pre Swim Center	July 11	1
Flex & Kids Ride Free Outreach	Richard Montgomery High School	September	500
Flex & Kids Ride Free Outreach	Wheaton High School	September	200
Flex & Kids Ride Free Outreach	Thomas Edison High School	September	200
Customer Appreciation Day	Silver Spring Transit Center	July 29	100



**Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020**

Meetings/Event	Locations	Date & Time	Attendees (approximate)
Montgomery County Council of PTA Presidents Annual Meeting	Blake High School	September	200
Customer Appreciation Day	Forest Glen Metro Station	September	100
National Institutes of Health Commuter Day	Rockledge Drive Campus	September	100
MCPS/MCCPTA Kids Ride Free Outreach	Norwood High School	October	40
NIH Clinical Research Ctr Transportation Day	Clinical Sciences Building Lobby	October 22	200
Clarksburg Public Forum	Rocky Hill Middle School	December 12	40
US 29 Route Restructuring Workshop for the FLASH	Blair High School	January 27	74
US 29 Route Restructuring Workshop for the FLASH	East County Regional Services Center	January 29	25



Montgomery County, Maryland
FY 2021-2023 Title VI Program Update
July 2020

Appendix I – Fare and Major Service Changes – 2018 to 2020

Routes	Unit	Change	Year	Description	Major Service Change
Running Time	Scheduling	Scheduling	FY18	77 Schedules	
Span	Scheduling	Scheduling	FY18	10 Schedules	
Frequency	Scheduling	Scheduling	FY18	13 Schedules	
3	Planning	Eliminate	FY18	Elim Wkdy	x
93	Planning	Eliminate	FY18	Elim Wkdy	x
94	Planning	Eliminate	FY18	Elim Wkdy	x
5,26,81	Plan/Sched	Executive Connector	FY18	Executive Blvd	
101	Planning	New	FY18	Ride On Extra 355	x
129	Planning	New	FY18	Limited Stop US29	x
Running Time	Scheduling	Scheduling	FY19	71 Schedules	
Span	Scheduling	Scheduling	FY19	13 Schedules	
Frequency	Scheduling	Scheduling	FY19	10 Schedules	
Purple Line	Plan/Sched	Temp Restructure	FY19	SSTC Construction	
43	Planning	New	FY19	New Sunday	
63	Scheduling	New Midday	FY19	Extend all trips Gaither Rd	
75	Planning	Extension	FY19	Ext to MARC, reroute in Clrk	x
52	Planning	Extension	FY19	Ext to Good Counsel	
76	Planning	New	FY19	New Saturday	
90	Planning	Extension	FY19	Milestone	
101	Plan/Sched	New Stop	FY19	Templeton	
Rock Spring	Planning	Eliminate	FY19	Elim Wkdy	
Flex	Planning	Demand Response	FY19	On demand within 2 zones	x
All	Planning	Youth Fares	FY20	Expand hours for Kids Ride Free Program	x
Running Time	Scheduling	Scheduling	FY20	55 Schedules	thru Jan 2020
Span	Scheduling	Scheduling	FY20	9 Schedules	thru Jan 2020
Frequency	Scheduling	Scheduling	FY20	26 Schedules	thru Jan 2020
26,38,59	Scheduling	Scheduling	FY20	Peak period cuts	
18-25	Scheduling	Electric buses	FY20	Select blocks electric buses	



Appendix J - Title VI Monitoring Report



Title VI Compliance Monitoring Report

July 2020

Title VI of the Civil Rights Act of 1964

(42 U.S.C. §§ 2000d, et seq.)

&

FTA Circular 4702.1B, dated October 1, 2012

TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL TRANSIT
ADMINISTRATION RECIPIENTS

Montgomery County Department of Transportation

Division of Transit Services

Rockville, Maryland



Accessible Formats

This document will be made available in accessible formats and other languages upon request. Paper copies of this document as well as information regarding accessible formats may be obtained by contacting the Title VI Coordinator, Division of Transit Services.

Montgomery County Department of Transportation
Division of Transit Services
101 Monroe Street, 5th Floor
Rockville, Maryland 20850

240-777-5800 * <http://www.montgomerycountymd.gov/dot-transit>



Table of Contents

- 1. Overview and Recommendations 1**
- 2. Montgomery County Service Standards..... 2**
 - 2.1. FTA Service Standard Requirements.....2
 - 2.2. Ride On Service Standards.....2
 - 2.3. Ride On Service Policies.....3
- 3. Monitoring Methods 5**
 - 3.1. Minority Population by Bus Route5
 - 3.2. Vehicle Load Factor Monitoring Method7
 - 3.3. Route Headways Monitoring Method.....7
 - 3.4. On-Time Performance Monitoring Method7
 - 3.5. Service Accessibility Monitoring Method7
 - 3.6. Vehicle Assignment Monitoring Method.....7
 - 3.7. Distribution of Transit Amenities Monitoring Method.....7
- 4. Monitoring Results 8**
 - 4.1. Vehicle Load Factor Monitoring Results8
 - 4.2. Route Headways Monitoring Results8
 - 4.3. On-Time Performance Monitoring Results9
 - 4.4. Service Accessibility Monitoring Results9
 - 4.5. Vehicle Assignment Monitoring Results10
 - 4.6. Distribution of Transit Amenities Monitoring Results10
 - 4.7. Load Factor Detailed Results12
 - 4.8. Route Headways Detailed Results14
 - 4.9. On-Time Performance Detailed Results16
 - 4.10. Service Accessibility Detailed Results17
 - 4.11. Vehicle Assignment Detailed Results20
 - 4.12. Distribution of Transit Amenities.....22



1. Overview and Recommendations

Following the guidelines set forth by FTA Circular 4702.1B, the Montgomery County Department of Transportation (MCDOT) 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.

The monitoring methodology groups the routes into four quartiles with quartile 1 having the highest minority population and quartile 4 having the lowest minority population. For the purpose of this monitoring report, routes grouped in quartiles 1 and 2 are considered the minority services.

This Compliance Monitoring Report has not identified any of disparity which requires additional review.



2. Montgomery County Service Standards

2.1. FTA Service Standard Requirements

MCDOT receives FTA funding to provide service in Montgomery County, Maryland as a sub-recipient to the Maryland Transit Administration. As defined under 49 U.S.C. 5307, the county has a population of 200,000 people or greater. As such, public transit providers are required to develop service standards and policies.

Pursuant to FTA circular 4702.1B, RIDE ON has established and monitors service performance under quantitative service standards and qualitative service policies. The standards and policies that must be monitored are:

- Standards
 - Vehicle Load for each mode
 - Vehicle Headway for each mode
 - On-Time Performance for each mode
 - Service Accessibility for each mode
- Policies
 - Vehicle Assignment for each mode
 - Distribution of Transit Amenities (Policy and Standards) for each mode

2.2. Ride On Service Standards

Standards for each of the FTA requirements are described below:

Vehicle Load Factor - This standard is measured as the ratio of passengers on board to the seated bus capacity expressed as a percent. Values of 100 percent or less indicate all riders are provided a seated ride while values of more than 100 percent denote standees. Loading standards indicate the degree of crowding (i.e., standees) which is acceptable, with consideration given to both the type of service and the operating period. Acceptable load factors are as follows:

Service Type	Load Factor
Regular Routes	1.2
Express	1.0

Vehicle Headways - In general, frequencies or "headways" (the time between one bus and the next at the same location in the same direction) are established to provide enough vehicles past the maximum load point(s) on a route to accommodate the passenger volume and stay within the recommended load factor standards. If passenger loads are so light that an excessive time is needed between vehicles to meet loading standards, then headways should be set on the basis of policy



considerations. Montgomery County has established a thirty minute headway as the minimum policy headway for routes operating in any time period.

As with all standards, the minimum headway is not an absolute measure and should be used as a guide. There may be situations where low demand and actual running times warrants even less frequent service. Further, headways should be designed, wherever possible, to conform to regularly recurring clock face intervals. There are instances where operational efficiencies may take the place of the benefits of clock face headways.

On-Time Performance – on-time performance standards have been established as follows:

Schedule Adherence (OTP):	All Service Types
2 minutes early to 7 minutes late	88.5%

Service Accessibility – Within Montgomery County transit service is provided to traffic analysis zones with 3+ households per acre and/or 4+ jobs per acre.

2.3. Ride On Service Policies

Vehicle Assignment Policy – Ride On transit vehicles are assigned to three garages based upon their size and technology. The Nicholson Court Garage located near White Flint is a leased facility and can only accommodate diesel buses 30 foot in length or shorter. The Silver Spring Garage located near downtown Silver Spring can only accommodate diesel fueled buses. The David F. Bone Equipment Maintenance and Transit Operations Center (EMTOC) located in Gaithersburg can accommodate diesel and CNG buses up to 60 foot in length. Vehicles are assigned to routes based upon ridership loads with smaller buses assigned to routes with lighter loads and full-sized buses assigned to routes with heavier loads. Ride On monitors the age of buses assigned to routes by periodically sampling the bus assignments for a weekday and then comparing the average age of the buses assigned by quartile to the average age for all buses assigned. If the average age of buses assigned to any quartile is one standard deviation higher than the average of all buses assigned, then further investigation of the bus assignment process will be conducted.

Distribution of Transit Amenities Policy - In accordance with Ride On policy Bus Stop/Passenger Facilities will generally be located at or near major trip generators or destinations or at regular intervals based on the population density and transit-related demographic factors along the route. Stops must be in locations passengers can board and alight safely and where buses can safely enter and exit. Wherever possible, mid-block crossings are avoided to minimize potential pedestrian and vehicular conflicts. Optimally, bus stop locations will have pedestrian friendly facilities, including sidewalks and walkways that separate pedestrians from vehicular traffic. Whenever possible, stops in opposite directions on a route will be located directly opposite each other.

All stops will be fixed locations designated by Ride On in accordance with this policy. Additionally, Ride On has a Night Request Stop program that allows passengers to request to be let off at any location with the following limitations: after 9:00 p.m. only; alighting only; must be on the regular route; location must be safe to stop; in Maryland only.



Bus stops shall not obstruct driveways or entranceways or cause visual obstructions for motorists or for bus operators merging back into the traffic stream. In areas that have high traffic volumes, turning movements, and pedestrian crossings through intersections, the stop should be placed where it presents the least conflict with vehicular traffic and pedestrians.

Decisions for final bus stop selection are based on the following:

- Passenger origins
- Adjacent land use and activities
- Operational feasibility in accessing the stop
- Physical constraints or obstructions (trees, driveways, etc.)
- Pedestrian access including accessibility for people with disabilities
- Parking restrictions and requirements
- Traffic volumes on adjacent roadways particularly as evidenced by turning movements
- An examination of the individual bus route/routes that serve the potential stop
- Bus and intermodal (rail, park and ride) transfers to the stop

Safety is a critical consideration. Stops shall not be placed where they present a hazard to passengers, transit vehicles, or other traffic.

Park and Ride lots are a special category of bus stops intended to extend the reach of transit by collecting passengers from a wider area. Their location is based on availability of land or preexisting parking and connections to the regional highway system. Park and rides may also accommodate carpoolers, bicycle riders and serve as transit hubs. Planning and development of park and rides include a higher level of involvement with the public, other MCDOT divisions, Maryland National Capital Park and Planning Commission, WMATA and Maryland Transit Administration.

Bus stop interval spacing has a major impact on transit operations. It greatly impacts a route's travel time, service reliability, and schedule adherence as well as the route's attractiveness to the customer population. Ride On guidelines for bus stop spacing are based on a combination of factors including:

- Type of service operated
- Ridership levels
- Passenger transfer potential and demand
- Type of roadway used for operation
- Prevailing traffic conditions operating on the roadway
- Adjacent and surrounding land use, trip generators, or attractors
- Topography of the area
- Population densities and demographic characteristics
- Interface with other routes and public transportation services

Bus stops should be placed approximately 750 feet to 1000 feet apart or 5-7 bus stops per mile dependent on potential commuter density.



1. Exceptions to Interval Spacing Requirements: Interval spacing guideline exceptions should be limited and made on a case-by-case basis in order to not confuse customers or adversely impact a route's running time and schedule adherence. The following are examples of exceptions to interval spacing requirements:
 - Street or subdivision design causes walking distance to the stop to be excessive
 - Topographic conditions, such as hills or steep grades leading to and from a bus stop
 - Demographic characteristics of customers, such as elderly customers who are unable to conveniently travel the prescribed guideline distance between bus stops
 - High volume activity centers.
2. Consolidation of Bus Stops: Where there are excessive numbers of stops located at short intervals, stops with low levels of ridership will be consolidated. Individual stops may be eliminated or adjacent stops may be consolidated at a suitable intermediate location. Determination of stops to be retained will be based on operational, safety, accessibility, customer convenience considerations and on the suitability of the site for customer facilities.

3. Monitoring Methods

Ride On will produce a Title VI Monitoring Report every three years. The monitoring method for each service standard and policy follow.

3.1. *Minority Population by Bus Route*

Using the 2018 on-board survey, Ride On has identified the minority and majority ridership for each route. Each route's minority and majority ridership will be totaled and a percent minority riders will be calculated. The routes will then be ranked in descending order of minority ridership and divided into four quartiles with the highest minority percentage in the first quartile. Table 3-1 below lists the Ride On routes with minority percentages and arranged in quartiles. This minority ridership ranking by quartile will be utilized in the service monitoring to determine if service is being fairly and equitably provided.



Table 3-1: Ride On – Montgomery County Population by Transit Route

Minority by Route – 2018 Survey			Minority by Route – 2018 Survey		
	Route #	% Minority		Route #	% Minority
Quartile 1	73	92.5%	Quartile 3	12	69.0%
	21	87.3%		5	66.1%
	129	87.3%		43	66.0%
	39	87.3%		44	65.6%
	97	87.2%		33	65.1%
	20	85.9%		49	64.7%
	98	85.3%		23	64.5%
	67	85.0%		34	63.3%
	75	84.6%		14	63.0%
	15	84.2%		1	61.9%
	17	84.1%		301	60.7%
	78	84.0%		79	60.0%
	16	82.9%		90	59.4%
	64	82.9%		81	58.9%
	83	82.9%		37	58.8%
	41	82.8%		25	58.6%
	31	82.7%		11	57.7%
	58	81.1%		63	56.4%
	51	81.0%		47	56.2%
	2	80.8%		70	55.0%
Quartile 2	26	79.6%	Quartile 4	4	54.4%
	57	78.2%		6	53.9%
	74	77.7%		13	53.7%
	48	77.4%		52	53.7%
	18	76.1%		96	52.9%
	8	76.0%		76	50.4%
	9	75.8%		42	49.5%
	56	75.4%		71	47.4%
	10	75.1%		22	47.1%
	55	75.1%		7	46.5%
	38	74.6%		60	43.1%
	46	74.3%		24	42.2%
	61	73.9%		65	42.2%
	100	73.7%		53	40.7%
	28	72.6%		32	39.4%
	66	72.5%		29	37.0%
	45	71.8%		30	36.4%
	101	71.7%		36	35.5%
	54	71.3%		19	20.0%
	59	71.3%			



3.2. Vehicle Load Factor Monitoring Method

Using the GFI Fare collection data for a recent fiscal year, ridership and service capacity data will be collected for each route and an average week day AM peak period and PM peak period will be calculated. Using the quartiles shown in Table 3-1, the average load factor per quartile for each peak period will be calculated. A disparity will exist if the average load factor for either quartile 1 or 2 is one standard deviation higher than the system average.

3.3. Route Headways Monitoring Method

Using published timetables, headway data will be collected for each route by four time periods. Using the quartiles shown in Table 3-1, the average headway will be calculated for each quartile and time period. A disparity will exist if the average headway for either quartile 1 or 2 is one standard deviation longer than the system average.

3.4. On-Time Performance Monitoring Method

Using automatic vehicle location data for a recent fiscal year, on-time performance will be collected for each route. Using the quartiles shown in Table 3-1, the average on-time performance will be calculated for each quartile and time period. A disparity will exist if the average on-time performance for either quartile 1 or 2 is one standard deviation less than the system average.

3.5. Service Accessibility Monitoring Method

Using the most recent US Census and GIS analysis Ride On will estimate the percentage of the minority and majority population within ¼ mile of a transit route. If a transit route travels within ¼ mile of a block group, the minority and majority population from that census block group will be assumed to have accessibility to transit services. The average minority and majority access to transit for the system will be calculated. If the minority rate of transit service access is less than 90% of the average rate of transit service access for the total population a disparity will exist.

3.6. Vehicle Assignment Monitoring Method

Using vehicle assignments for a recent weekday, the average age of all buses operating on a route during that weekday will be calculated. Using the quartiles shown in Table 3-1, the average age will be calculated for each quartile. A disparity will exist if the average bus age for either quartile 1 or 2 is one standard deviation older than the system average for all buses assigned.

3.7. Distribution of Transit Amenities Monitoring Method

Transit amenities will be mapped on GIS mapping for minority and low-income populations and the number of shelters and benches will be counted in each area. The number of shelters and the number of benches will be calculated for the minority / non-minority areas and the low-income areas based upon the percent of households in poverty. Rates of shelters and benches per 1,000 households will be calculated. If the rate of shelters or benches in minority / low income areas is 20 per cent less than in non-minority / non-low-income areas a disparity will exist.



4. Monitoring Results

4.1. Vehicle Load Factor Monitoring Results

Ridership and service capacity data was collected for Fiscal Year 2018. Average weekday AM peak period and PM peak period load factors by quartiles are shown in Table 4.1.

Table 4-1: Ride On Vehicle Load Factor Monitoring Results – Fiscal Year 2018

Quartile	AM Peak	PM Peak
1	37.4%	39.0%
2	49.9%	71.2%
3	36.5%	44.3%
4	35.4%	28.3%
System Average	39.9%	45.8%
Standard Deviation	17.6%	26.5%
Disparity Limit	57.2%	72.3%

The monitoring methodology establishes that a disparity exists if the average load factor for either quartile 1 or 2 is one standard deviation higher than the system average. In the AM Peak and PM Peak, the load factor for quartiles 1 and 2 are higher than the system average but lower than the disparity limit. Route 55 with a PM peak load factor of 151% is the only route in this analysis that exceed Ride On’s load factor standard. Beginning October 2, 2017, Ride On started the new Route 101 – Ride On extRa which will add additional capacity between Lakeforest, Shady Grove, Rockville and Bethesda. This new route has reduced overcrowding on Route 55.

4.2. Route Headways Monitoring Results

Using the Fiscal Year 2020 Service Summary, headway data was collected for each route by four time periods. The average headway was calculated for each quartile and time period as shown in Table 4-2 below. A disparity exists if the average headway for either quartile 1 or 2 is one standard deviation longer that the system average.

Table 4-2: Ride On Route Headways Monitoring Results – Fiscal Year 2020

Quartile	AM Peak	Mid Day	PM Peak	Evening
1	23.4	26.7	23.9	28.3
2	21.6	25.8	21.1	29.1
3	26.2	34.2	26.5	30.0
4	27.3	30.0	27.8	35.0
System Average	24.6	28.7	24.7	29.4
Standard Deviation	10.5	10.3	10.3	3.7
Disparity Limit	35.0	39.0	35.0	33.0

Analysis of the headways indicates that there are no disparities.



4.3. On-Time Performance Monitoring Results

Using the automatic vehicle location system for Fiscal Year 2019, on-time performance data for all time points was collected for each route using a one-minute early to 4 minutes late. This standard was selected rather than the adopted standard of 2-minutes early to 7 minutes late to better show individual route variation.

The average on-time performance was calculated for each quartile and summarized in Table 4-3. The monitoring methodology provides that a disparity exists when the average on-time performance for either quartile 1 or 2 is one standard deviation less than the system average.

Table 4-3: Ride On On-Time Performance – Fiscal Year 2017

Quartile	On-Time Performance
1	69.8%
2	72.1%
3	71.4%
4	74.1%
System Average	71.9%
Standard Deviation	7.9%
Disparity Limit	64.0%

The on-time performance results using the 2 minutes early to 7 minutes late was FY18 88.2%, FY19 87.5% and FY20 (pre covid-19) 86.4% indicating that overall on-time performance has achieved the system goal of 88.5%.

Evaluating the route by route performance using the 1 minute early to 4 minutes late standard shows five routes (129, 19, 11, 21 and 16) with less than 60% on-time performance. Route 129 is a new limited stop route in the highly congested US29 corridor. Route 21 also operates in the US29 corridor while routes 19, 11 and 16 operate in the vicinity of the Purple Line LRT construction.

4.4. Service Accessibility Monitoring Results

Table 4-4 presents the GIS analysis using the 2018 American Community Survey of the percentage of minority and non-minority populations within ¼ mile of a Ride On and Metrobus transit routes. The monitoring methodology provides that a disparity exists if the minority rate of transit service access is less than 90% of the majority population rate of transit service access. The data for this calculation is shown in Table 4-9 below.

Table 4-4: Ride On Service Accessibility Analysis – July 2020

	Total Population	Minority Population	Non-Minority Population
Montgomery County	1,040,133	480,206	559,927
Transit Service Area	933,013	436,683	496,330
% of population within transit service area	89.7%	90.9%	88.6%

Review of the data indicates that no disparity exists.



4.5. Vehicle Assignment Monitoring Results

Using vehicle assignments for February 5, 2020, the average age of all buses operating on a route was calculated and the average age was calculated for each quartile. The monitoring methodology requires that a disparity exists if the average bus age for either quartile 1 or 2 is one standard deviation older than the system average for all buses assigned.

Table 4-5: Bus Average Age February 5, 2020

Quartile	Average Age
1	6.43
2	5.51
3	6.43
4	6.27
System Average	6.14
Standard Deviation	1.75
Disparity Limit	7.90

Review of the data indicates that the average age of buses assigned to quartile 1 and quartile 2 are slightly younger than the system average. The analysis demonstrates that no disparity exists.

4.6. Distribution of Transit Amenities Monitoring Results

The location of transit amenities has been analyzed using the 2018 American Community Survey five-year estimate to determine if they have been fairly located for minority and low-income populations. Note that the 2014 and 2017 Monitoring reports used the 2010 U. S. Census and there has been some change in the minority population especially for immigrant communities. Tables 4-6 and 4-7 compare the rate of transit amenities calculated as shelters and / or benches per 1,000 people.

The rate of bus shelters per 1,000 people is higher for high minority concentrations while the rate of benches per 1,000 people is almost the same between low minority and high minority concentrations. Considering this data, there does not appear to be any disparity in the location of transit amenities.

Table 4-6: Transit Amenities Relative to Minority Concentrations

Minority Census Block Groups	People	Shelters	Benches	Shelters per 1,000 People	Benches per 1,000 People
Low Minority concentrations less than 43.8%	444,028	279	581	0.63	1.31
High Minority Concentrations more than 43.8%	596,105	533	774	0.89	1.30
County Total	1,040,133	812	1,355	0.78	1.30



Table 4-7: Transit Amenities Relative to Low-income Concentrations

Percent of Households less than Poverty Level	Households	Shelters	Benches	Shelters per 1,000 Households	Benches per 1,000 Households
0-5%	226,690	381	743	1.68	3.28
5.1-10%	97,285	273	407	2.81	4.18
10.1-15%	32,122	116	150	3.61	4.67
15.1-21.3%	14,130	42	55	2.97	3.89
County Total	370,227	812	1,355	2.19	3.66



4.7. Load Factor Detailed Results

Table 4-8: Load Factor Analysis – Fiscal Year 2018

Load Factor		Average Weekday – Fiscal Year 2018					
Q#	Route #	AM Peak Boardings	PM Peak Boardings	AM Peak Seats	PM Peak Seats	AM Load Factor	PM Load Factor
Quartile 1	21	87.3%	112	74	189	162	59.3%
	39	87.3%	114	105	324	297	35.2%
	97	87.2%	136	189	405	324	33.6%
	20	85.9%	690	555	1064	798	64.9%
	98	85.3%	78	67	432	324	18.1%
	67	85.0%	54	38	266	228	20.3%
	75	84.6%	127	119	570	456	22.2%
	15	84.2%	871	542	1672	1178	52.1%
	17	84.1%	164	224	684	608	23.9%
	78	84.0%	172	50	304	228	56.5%
	16	82.9%	572	676	1026	912	55.7%
	64	82.9%	259	259	608	494	42.6%
	83	82.9%	135	113	432	324	31.3%
	41	82.8%	153	187	570	456	26.9%
	31	82.7%	63	48	270	297	23.2%
	58	81.1%	312	298	608	532	51.3%
	51	81.0%	114	72	456	456	25.1%
	2	80.8%	214	201	684	570	31.3%
Quartile 2	26	79.6%	606	669	798	646	75.9%
	57	78.2%	276	490	798	608	34.6%
	74	77.7%	225	320	570	456	39.4%
	48	77.4%	333	497	684	608	48.7%
	18	76.1%	149	92	297	297	50.1%
	8	76.0%	158	202	351	324	44.9%
	9	75.8%	238	275	722	532	33.0%
	56	75.4%	407	384	760	570	53.6%
	10	75.1%	415	550	608	494	68.3%
	55	75.1%	1078	1496	1178	988	91.5%
	38	74.6%	154	231	722	494	21.4%
	46	74.3%	459	743	836	798	54.9%
	61	73.9%	508	442	760	570	66.9%
	100	73.7%	642	496	2014	1596	31.9%
	28	72.6%	61	188	216	324	28.2%
	66	72.5%	57	88	266	228	21.6%
	45	71.8%	259	225	675	486	38.4%
	54	71.3%	403	353	722	532	55.8%
59	71.3%	848	603	950	722	89.2%	



**Title VI Compliance Monitoring Report
July 2020**

Load Factor		Average Weekday – Fiscal Year 2017					
Q#	Route #	AM Peak Boardings	PM Peak Boardings	AM Peak Seats	PM Peak Seats	AM Load Factor	PM Load Factor
Quartile 3	12	69.0%	256	325	836	760	30.7%
	5	66.1%	427	476	988	722	43.2%
	43	66.0%	132	224	798	532	16.5%
	44	65.6%	55	60	270	324	20.3%
	33	65.1%	97	127	608	532	15.9%
	49	64.7%	557	348	798	646	69.8%
	23	64.5%	153	151	570	456	26.9%
	34	63.3%	574	711	912	684	62.9%
	14	63.0%	173	253	570	456	30.3%
	1	61.9%	317	266	646	494	49.0%
	79	60.0%	199	65	304	228	65.3%
	90	59.4%	221	205	760	608	29.1%
	81	58.9%	60	63	324	324	18.7%
	37	58.8%	93	76	456	418	20.4%
	25	58.6%	215	144	594	405	36.2%
	11	57.7%	281	282	570	418	49.3%
	63	56.4%	132	213	494	456	26.8%
	47	56.2%	351	334	646	494	54.4%
70	55.0%	296	243	1026	760	28.9%	
Quartile 4	4	54.4%	81	87	297	324	27.4%
	6	53.9%	50	53	324	324	15.4%
	13	53.7%	119	79	380	380	31.4%
	52	53.7%	80	34	297	243	27.1%
	96	52.9%	85	161	324	432	26.1%
	76	50.4%	235	241	684	608	34.4%
	42	49.5%	86	96	378	297	22.6%
	71	47.4%	177	81	266	228	66.4%
	22	47.1%	201	174	608	570	33.0%
	7	46.5%	41	24	162	162	25.5%
	60	43.1%	179	108	304	228	58.9%
	24	42.2%	175	49	304	228	57.6%
	65	42.2%	82	40	228	228	36.1%
	53	40.7%	116	79	378	297	30.7%
	32	39.4%	102	92	270	324	37.7%
	29	37.0%	142	180	351	324	40.4%
	30	36.4%	133	191	494	456	26.9%
	36	35.5%	125	102	418	456	29.9%
19	20.0%	86	86	21	190	228	45.1%
System Average						39.9%	45.8%
Standard Deviation						17.6%	26.5%
Disparity Limit						57.5%	72.3%



4.8. Route Headways Detailed Results

The purpose of this evaluation is to determine if the routes that provide service to the minority quartiles (1 and 2) have significantly less frequent service (longer headways) than the routes that provide service to the non-minority quartiles (3 and 4). The average headway was taken from the Fiscal Year 2020 service summary. The detailed results are shown on Table 4-9 on the next two pages.

Table 4-9: Route Headway Detailed Results

Quartile	% Minority	Route	Route Description	AM Avg Hdwy	Base Day 1200n	PM Avg Hdwy	Evng 900p
1	92.5%	73	Clarksburg-Old Baltimore-Shady Grove	25		25	
	87.3%	21	Briggs Chaney-Tamarack-Dumont Oaks-Silver Spring	30		30	
	87.3%	39	Briggs Chaney-Glenmont	30		30	
	87.3%	129	Limited Stop US29 Burtonsville-Silver Spring	15		15	
	87.2%	97	GTC, Germantown MARC, Waring Station, GTC	15	30	15	30
	85.9%	20	Hillandale-Northwest Park-Silver Spring	10	20	12	20
	85.3%	98	GTC, Kingsview, GCC, Cinnamon Woods	30	30	30	30
	85.0%	67	Traville TC-North Potomac-Shady Grove	30		30	
	84.6%	75	Clarksburg-Correctional Facility-Milestone-GTC	30	30	30	30
	84.2%	15	Langley Park-Wayne Ave.-Silver Spring	6	15	8	20
	84.1%	17	Langley Park-Maple Ave.-Silver Spring	20	25	20	30
	84.0%	78	Kingsview-Richter Farm-Shady Grove	30		30	
	82.9%	16	Takoma-Langley Park-Silver Spring	12	20	12	30
	82.9%	64	Montgomery Village-Quail Valley-Emory Grove-Shady Grove	20	30	25	30
	82.9%	83	Germantown MARC-GTC-Waters Landing-Milestone-Holy Cross	30	30	30	30
	82.8%	41	Aspen Hill-Weller Rd.-Glenmont	30	30	30	30
	82.7%	31	Glenmont-Kemp Mill Rd.-Wheaton	30		30	
	81.1%	58	Lakeforest-Montgomery Village-East Village-Shady Grove, Watkins Mill & MD355	25	30	25	30
	81.0%	51	Norbeck P&R-Hewitt Ave.-Glenmont	30		30	
80.8%	2	Lyttonsville-Silver Spring	20	30	20	30	
2	79.6%	26	Glenmont-Aspen Hill-Twinbrook-Montgomery Mall	20	30	20	30
	78.2%	57	Lakeforest-Washington Grove-Shady Grove	20	20	20	30
	77.7%	74	GTC-Great Seneca Hwy.-Shady Grove	30	30	30	30
	77.4%	48	Wheaton-Bauer Dr.-Rockville	25	25	20	30
	76.1%	18	Langley Park-Takoma-Silver Spring	30	30	30	30
	76.0%	8	Wheaton-Forest Glen-Silver Spring	30	30	30	
	75.8%	9	Wheaton-Four Corners-Silver Spring	20	30	20	30
	75.4%	56	Lakeforest-Quince Orchard-Shady Grove Hospital-Rockville	25	30	25	30
	75.1%	10	Twinbrook-Glenmont-White Oak-Hillandale	30	30	25	30
	75.1%	55	GTC-Milestone-MC,G-Lakeforest-Shady Grove-MC,R-Rockville	15	15	15	30
	74.6%	38	Wheaton-White Flint	30	30	30	30
	74.3%	46	Montgomery College-Rockville Pike-Medical Center	20	15	15	30
	73.9%	61	GTC-Lakeforest-Shady Grove	20	30	20	30
	73.7%	100	GTC-Shady Grove	6	15	6	30
	72.6%	28	Silver Spring Downtown (VanGo)	15	15	20	15
	72.5%	66	Shady Grove-Piccard Drive-Shady Grove Hospital-Traville TC	30		30	
	71.8%	45	Fallsgrrove-Rockville Senior Center-Rockville-Twinbrook	15	30	15	
	71.7%	101	EXTRA-Lakeforest-Medical Center	10		10	
	71.3%	54	Lakeforest-Washingtonian Blvd-Rockville	20	30	20	30
71.3%	59	Montgomery Village-Lakeforest-Shady Grove-Rockville	20	30	20	30	



**Title VI Compliance Monitoring Report
July 2020**

Table 4-10: Ride On Headway Analysis

Quartile	% Minority	Route	Route Description	AM Avg Hdwy	Base Day 1200n	PM Avg Hdwy	Evng 900p
3	69.0%	12	Takoma-Flower Avenue-Wayne Avenue-Silver Spring	15	30	15	30
	66.1%	5	Twinbrook-Kensington-Silver Spring	12	30	12	30
	66.0%	43	Traville TC-Shady Grove-Hospital-Shady Grove	25	30	30	30
	65.6%	44	Twinbrook-Hungerford-Rockville	30		30	
	65.1%	33	Glenmont-Kensington-Medical Center	25		25	
	64.7%	49	Glenmont-Layhill-Rockville	20	30	20	30
	64.5%	23	Sibley Hospital-Brookmont-Sangamore Road-Friendship Heights	25	30	30	30
	63.3%	34	Aspen Hill-Wheaton-Bethesda-Friendship Heights	15	30	15	30
	63.0%	14	Takoma-Piney Branch Road-Franklin Ave.-Silver Spring	30	30	30	
	61.9%	1	Silver Spring-Leland St.-Friendship Heights	30	20	20	30
	60.7%	301	Tobytown-Rockville	90	90	90	
	60.0%	79	Clarksburg-Skylark-Scenery-Shady Grove	30		30	
	59.4%	90	Milestone-Damascus-Woodfield Rd- Airpark Shady Grove	25	30	20	30
	58.9%	81	Rockville-Tower Oaks-White Flint	30		30	
	58.8%	37	Potomac-Tuckerman La.-Grosvenor-Wheaton	30		30	
	58.6%	25	Langley Park-Washington Adventist Hosp-Maple Ave-Takoma	15		20	
	57.7%	11	Silver Spring-East/West Hwy-Friendship Heights	9		12	
	56.4%	63	Shady Grove-Gaither Road-Piccard Dr.-Rockville	30	30	30	
	56.2%	47	Rockville-Montgomery Mall-Bethesda	25	30	25	30
	55.0%	70	Milestone-Medical Center-Bethesda Express	12		15	
4	54.4%	4	Kensington-Silver Spring	30		30	
	53.9%	6	Grosvenor-Parkside-Montgomery Mall Loop	30	30	30	
	53.7%	13	Takoma-Manchester Rd.-Three Oaks Dr.-Silver Spring	25		27	
	53.7%	52	MGH-Olney-Rockville	30		30	
	52.9%	96	Montgomery Mall-Rock Spring-Grosvenor	13	30	16	
	50.4%	76	Poolesville-Kentlands-Shady Grove	15	30	15	
	49.5%	42	White Flint-Montgomery Mall	30	30	30	
	47.4%	71	Kingsview-Dawson Farm-Shady Grove	30		30	
	47.1%	22	Hillandale-White Oak-FDA-Silver Spring	15		15	
	46.5%	7	Forest Glen-Wheaton	30		30	
	43.1%	60	Montgomery Village-Flower Hill-Shady Grove	30		30	
	42.2%	24	Hillandale-Northwest Park-Takoma	25		30	
	42.2%	65	Montgomery Village-Shady Grove	30		30	
	40.7%	53	Shady Grove-MGH-Olney-Glenmont	35		35	
	39.4%	32	Naval Ship R&D-Cabin John-Bethesda	30		30	
	37.0%	29	Bethesda-Glen Echo-Friendship Heights	30	30	30	40
	36.4%	30	Medical Center-Pooks Hill-Bethesda	30	30	30	30
	35.5%	36	Potomac-Bradley Blvd.-Bethesda	30	30	30	
20.0%	19	Northwood-Four Corners-Silver Spring	30		30		



4.9. On-Time Performance Detailed Results

Table 4-11: Ride On On-Time Performance – Fiscal Year 2019

Quartile	Route	Route OTP	Quartile OTP	Quartile	Route	Route OTP	Quartile OTP
Quartile 1	73	71.9%	69.8%	Quartile 3	12	73.1%	71.4%
	21	57.3%			5	67.4%	
	39	74.3%			43	78.2%	
	129	42.7%			44	86.5%	
	97	75.7%			33	72.9%	
	20	62.4%			49	77.4%	
	98	71.5%			23	63.7%	
	67	79.8%			34	69.5%	
	75	79.3%			14	64.3%	
	15	74.2%			1	73.9%	
	17	64.1%			301	71.7%	
	78	69.9%			79	63.7%	
	16	57.4%			90	67.6%	
	64	74.5%			81	73.2%	
	83	73.1%			37	75.7%	
	41	77.1%			25	83.8%	
	31	73.1%			11	54.9%	
	58	75.4%			63	78.5%	
51	79.3%	47	65.8%				
2	68.4%	70	66.0%				
Quartile 2	26	64.2%	72.1%	Quartile 4	4	73.6%	74.1%
	57	70.5%			6	82.9%	
	74	76.6%			13	65.7%	
	48	80.0%			52	69.1%	
	18	71.9%			96	73.8%	
	8	66.3%			76	76.9%	
	9	61.4%			42	81.0%	
	56	71.0%			71	70.6%	
	10	65.1%			22	68.9%	
	55	64.2%			7	83.7%	
	38	74.5%			60	89.3%	
	46	70.5%			24	76.9%	
	61	70.8%			65	72.1%	
	100	87.0%			53	74.0%	
	28	73.0%			32	70.7%	
	66	84.0%			29	73.5%	
	45	79.3%			30	80.8%	
	101	67.6%			36	71.3%	
54	68.7%	19	53.9%				
59	74.6%						



4.10. Service Accessibility Detailed Results

Using the 2018 American Community Survey and the methodology described in Section 3.5, Ride On has utilized GIS to estimate the numbers of persons in Montgomery County that are within the transit service area for the Ride On and Metrobus services. Table 4.11 below provides the numerical analysis. Figure 5-1 illustrates the minority populations served by the Ride On transit services and Figure 5-2 illustrates the low-income populations served by the Ride On transit services.

Table 4-12: Ride On Service Accessibility Analysis – July 2020

	Total Population	Minority Population	Non-Minority Population
Montgomery County	1,040,133	480,206	559,927
Transit Service Area	933,013	436,683	496,330
% of population within transit service area	89.7%	90.9%	88.6%



Figure 4-1: Ride On Service Area with Minority Population Concentrations by Block Group

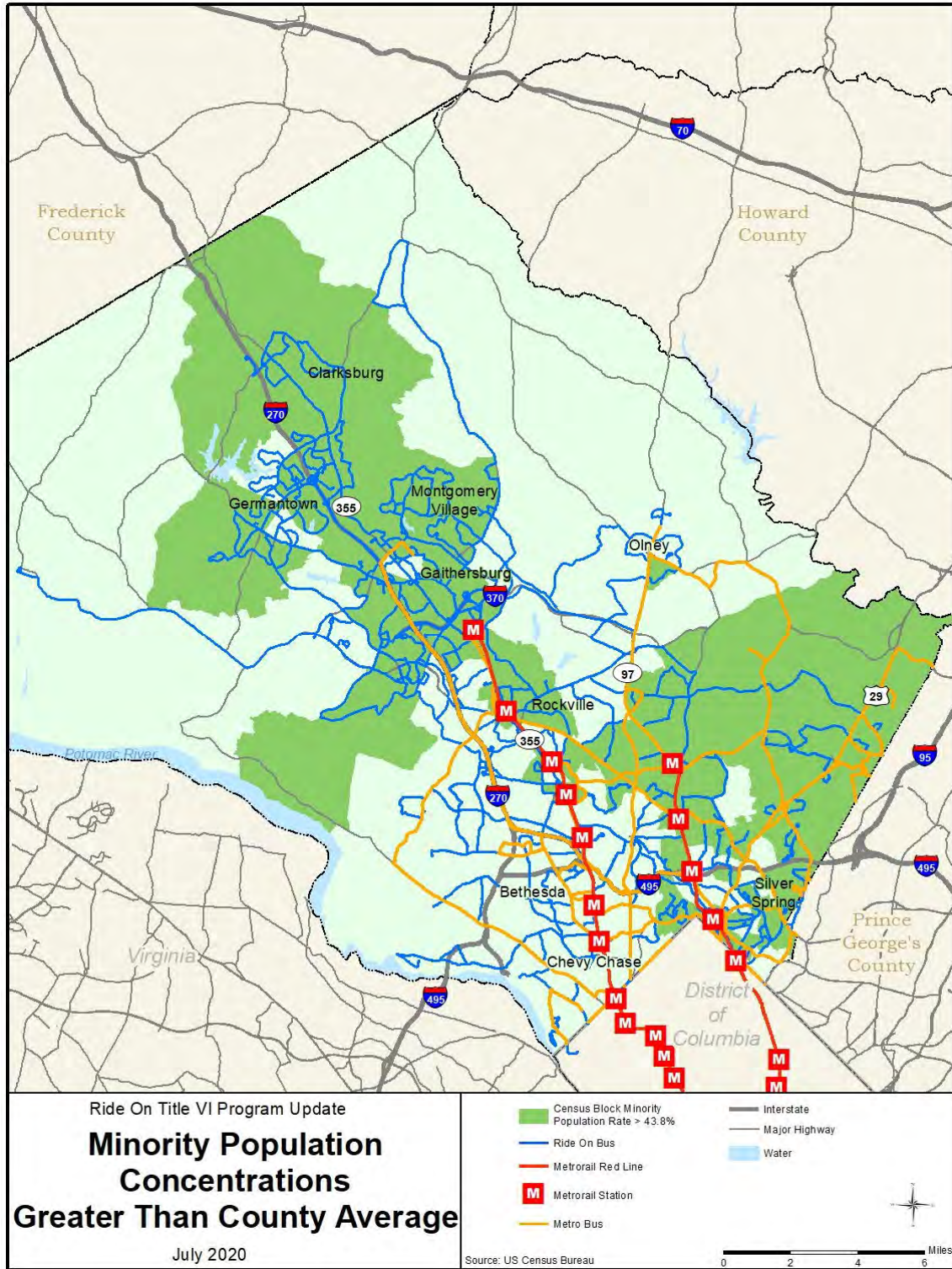
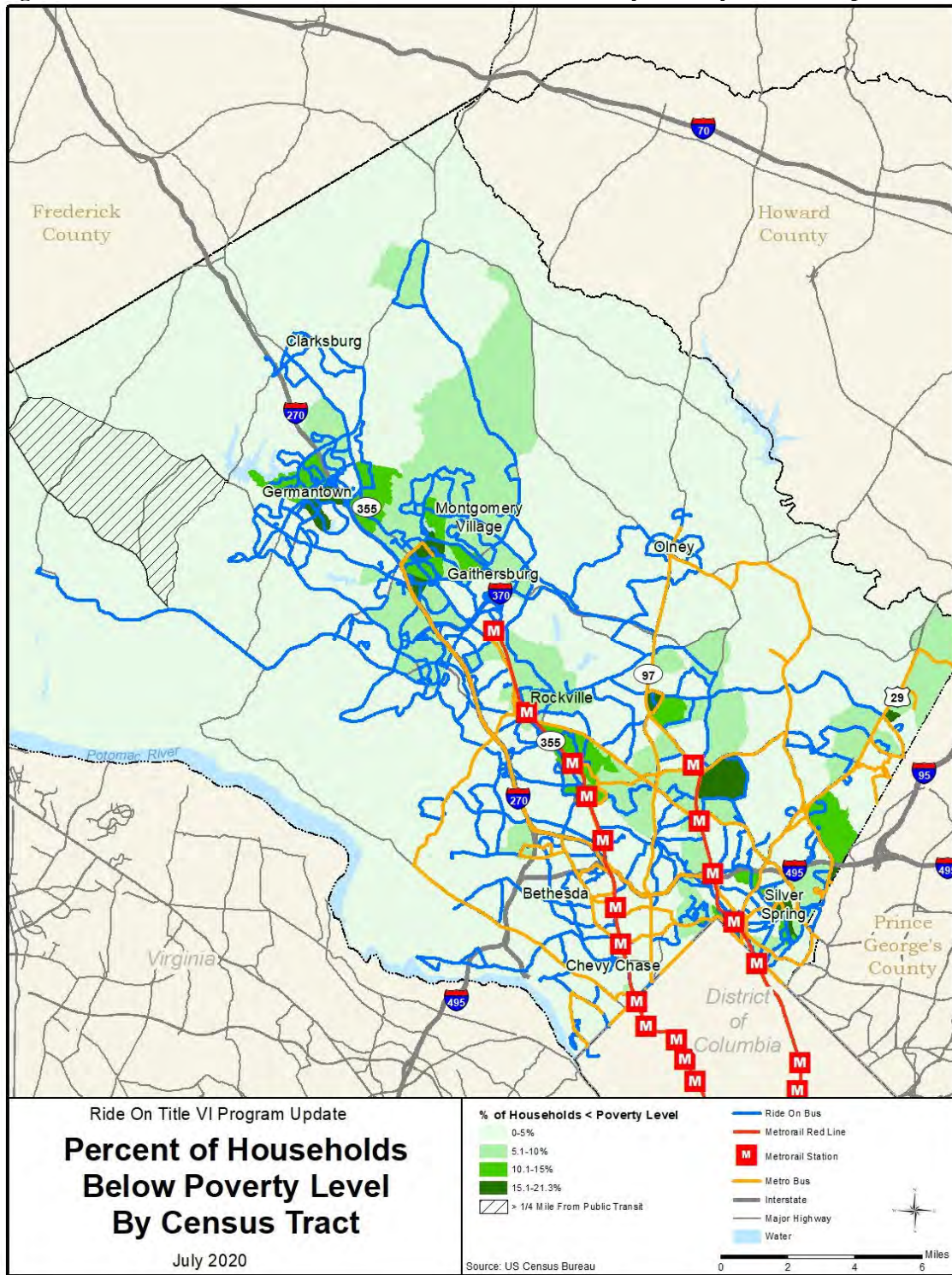


Figure 4-2: Ride On Service Area with Households below Poverty Level by Block Group



4.11. Vehicle Assignment Detailed Results

Table 4-13: Ride On Average Bus Age by Route – February 5, 2020

Quartile	Route	Trips	Total Age	Route Average Age	Quartile Average Age
Quartile 1	73	37	170	4.6	6.43
	21	15	69	4.6	
	39	33	205	6.2	
	97	53	372	7.0	
	20	124	883	7.1	
	98	62	485	7.8	
	67	15	83	5.5	
	75	68	490	7.2	
	15	167	1154	6.9	
	17	82	572	7.0	
	78	16	82	5.1	
	16	122	851	7.0	
	64	73	276	3.8	
	83	78	640	8.2	
	41	69	466	6.8	
	31	22	160	7.3	
	58	71	347	4.9	
	51	28	225	8.0	
	2	78	563	7.2	
	26	87	550	6.3	
Quartile 2	57	98	395	4.0	5.51
	74	68	300	4.4	
	48	89	572	6.4	
	18	66	320	4.8	
	8	57	449	7.9	
	9	81	626	7.7	
	56	75	331	4.4	
	10	71	526	7.4	
	55	127	588	4.6	
	38	68	546	8.0	
	46	116	446	3.8	
	61	83	409	4.9	
	100	178	756	4.2	
	28	74	479	6.5	
	66	14	72	5.2	
	45	77	641	8.3	
	101	106	225	2.1	
	54	81	337	4.2	
59	93	445	4.8		



Title VI Compliance Monitoring Report
July 2020

Quartile	Route	Trips	Total Age	Route Ave Age	Quartile Ave Age
Quartile 3	12	105	699	6.7	6.43
	5	93	701	7.5	
	43	74	403	5.4	
	44	25	184	7.4	
	33	37	244	6.6	
	49	90	600	6.7	
	23	66	439	6.7	
	34	94	679	7.2	
	14	64	472	7.4	
	1	80	550	6.9	
	301	0	0		
	79	18	101	5.6	
	90	69	331	4.8	
	81	31	284	9.2	
	37	27	214	7.9	
	25	49	404	8.2	
	11	37	237	6.4	
	63	57	213	3.7	
	47	72	511	7.1	
	70	60	47	0.8	
Quartile 4	4	37	271	7.3	6.27
	6	58	473	8.2	
	13	22	167	7.6	
	52	22	59	2.7	
	96	54	418	7.7	
	76	68	317	4.7	
	42	59	477	8.1	
	71	16	76	4.8	
	22	37	178	4.8	
	7	12	70	5.9	
	60	17	47	2.8	
	24	17	107	6.3	
	65	14	28	2.0	
	53	31	256	8.2	
	32	28	247	8.8	
	29	64	509	7.9	
	30	64	478	7.5	
	36	54	373	6.9	
	19	14	99	7.1	



4.12. Distribution of Transit Amenities

Transit amenities are mapped on Figures 4.3 and 4.4.

Figure 4-3: Ride On Stop Amenities Relative to Minority Population

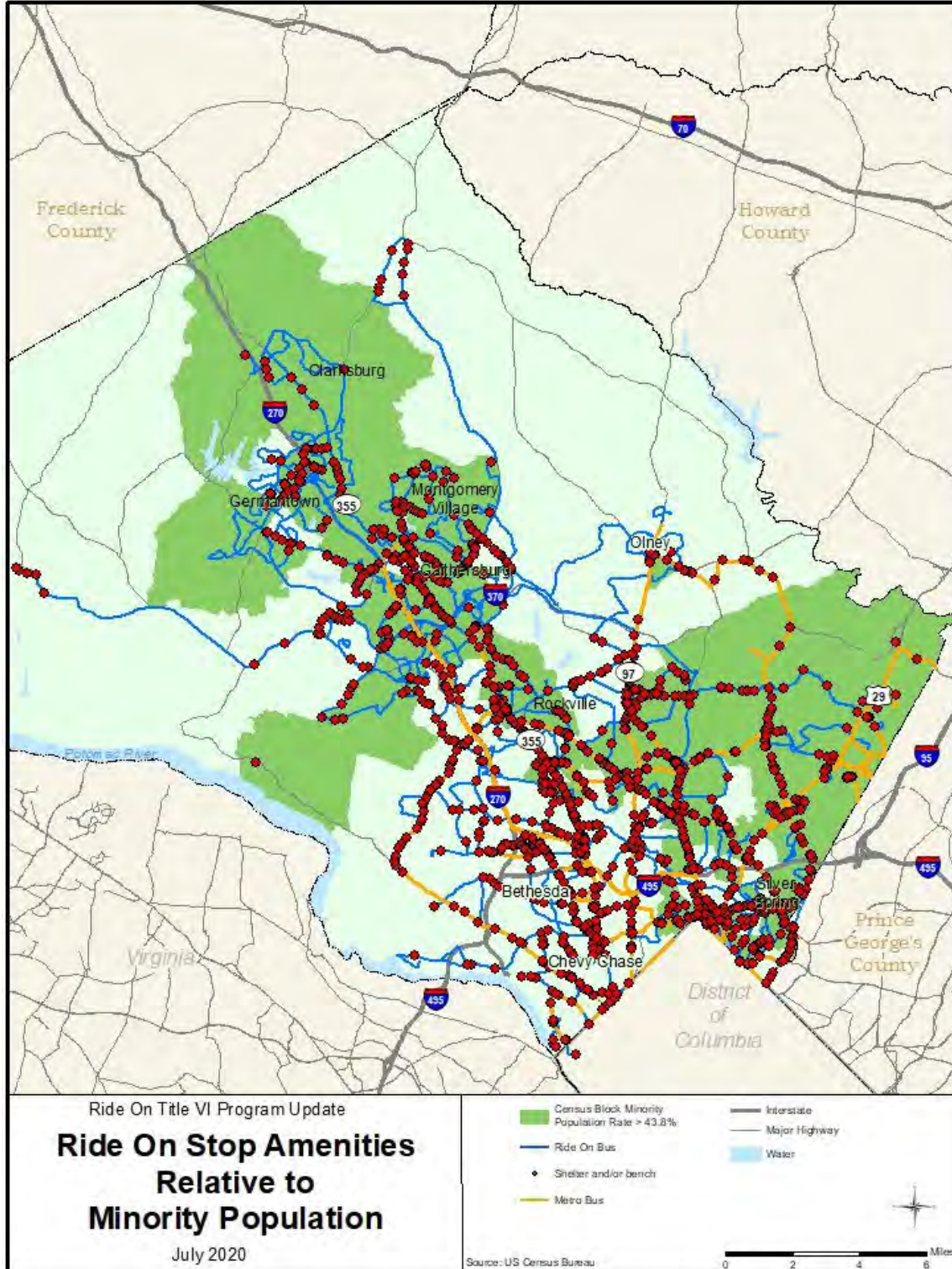
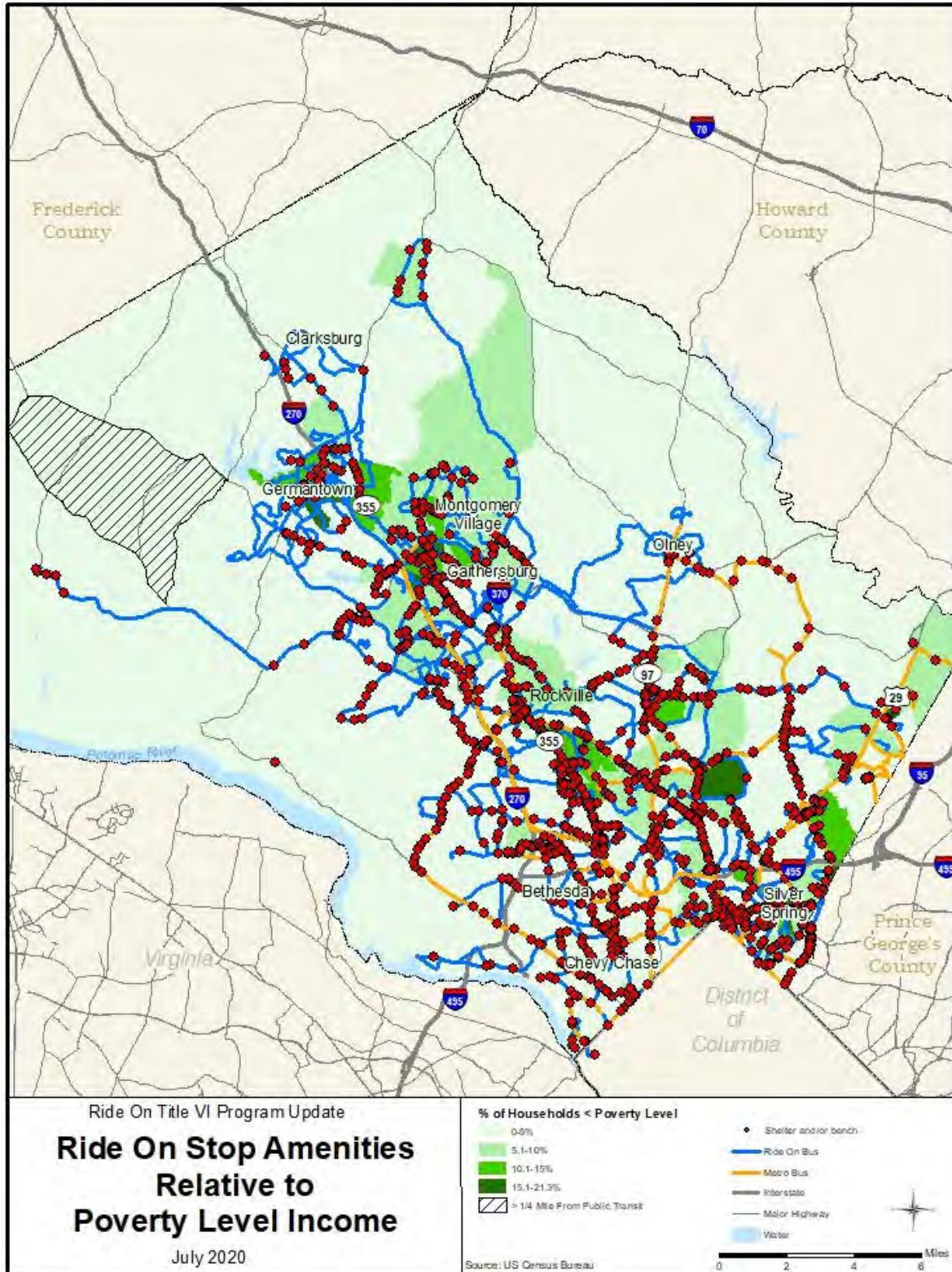


Figure 4-4: Ride On Stop Amenities Relative to Poverty Level Income



Appendix K - Non-discrimination Contract Clauses

**STATEWIDE SPECIALIZED TRANSPORTATION
ASSISTANCE PROGRAM
LARGE URBAN TRANSPORTATION ASSISTANCE PROGRAM**

I. PROGRAM ASSURANCES

Montgomery County Government(Applicant) County, Maryland hereby makes the following assurances to the Maryland Transit Administration of the Maryland Department of Transportation in conjunction with its application for state financial assistance for the Statewide Special Transportation Assistance Program (SSTAP) and/or for Large Urban funding.

1. The applicant has the requisite fiscal, managerial, and legal capability to carry out the SSTAP and/or Large Urban programs and to receive and disburse state funds.
2. Some combination of local or private funding sources has or will be committed to provide the required local share.
3. The applicant has or will have the time of delivery, sufficient funds to operate the vehicles and/or equipment purchased under this project, as applicable.
4. Private, for-profit transit and paratransit operators have been afforded a fair and timely opportunity by the applicant to participate to the maximum extent feasible in the planning and provision of the proposed transportation services.
5. The applicant has, to the maximum extent feasible, coordinated with other transportation providers and users, including agencies capable of purchasing service.
6. The applicant has complied with the applicable provisions of the regulations relative to charter bus and school bus operations.
7. The applicant has and will comply with the administrative requirements which relate to the applications made to and grants received from the Maryland Department of Transportation for the Statewide Specialized Transportation Assistance Program and/or the Large Urban program.

II. EQUAL RIGHTS ASSURANCE

_ Montgomery County Government _(Applicant) County, Maryland hereby makes the following assurance to the Mass Transit Administration of the Maryland Department of Transportation of the Maryland Department of Transportation in conjunction with its application for financial assistance for the Statewide Specialized Transportation Assistance Program and/or for the Large Urban Program.

- A. No person, on the grounds of race, color, creed, national origin, sex, age or handicap shall be excluded from participation in, or denied the benefits of, or be subject to discrimination under and project, program, or activity funded in whole or in part by FTA.
- A. The applicant shall not discriminate against any employee or applicant for employment because of race, color, sex, national origin, and shall take affirmative action to ensure that applicants are



employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin.

III. MUNICIPALITY NOTIFICATION CERTIFICATION (SSTAP ONLY)

Certification is given by the recipient named herein _ Montgomery County Government __ (Name of Applicant) with respect to its application for assistance pursuant to the Statewide Specialized Transportation Assistance Program, filed with the Maryland Department of Transportation, as to the following:

- A. That the applicant has notified each municipality in the County, in writing, of the availability of funds through the Statewide Specialized Transportation Assistance Program.
- B. That the needs of such municipalities, with respect to the availability and use of Statewide Specialized Transportation Assistance Program funds in their respective municipalities, have been considered in the application.

Adriana Hochberg
Signature of Authorized Official

Adriana Hochberg
Name (printed)

Assistant Chief Administrative Officer
Title

3/2/20
Date

Resolution: _____
Introduced _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Authorization to File Application for FY 2021 Annual Transportation Plan Grant

Background

1. This is a resolution authorizing the Chief of the Division of Transit Services of the Montgomery County Department of Transportation to file an application with the Maryland Transit Administration of the Maryland Department of Transportation for a Large Urban (5307), SSTAP, 5311, Operating and Capital grant(s) funds under the Federal Transit Act.
2. The Maryland Transit Administration is the designated recipient in Maryland for grants under the Federal Transit Act. The Administrator of the Maryland Transit Administration of the Maryland Department of Transportation is authorized to make grants to counties and to local governments for a mass transportation program of projects.
3. The contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project's costs in the program.
4. It is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 that, in connection with the filing of an application for assistance under the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder.
5. It is the goal of the applicant that minority business enterprises be utilized to the fullest extent possible in connection with this project, and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

Resolution No: _____

Action

The County Council for Montgomery County approves the following resolution:

1. The filing of the aforesaid application is endorsed.

This is a correct copy of Council action.

Selena Singleton
Clerk of the Council

Instructions for Completing the "Listing of Recipients, Eligible Surface Public Transportation Providers and Labor Representatives"

Each county must complete the enclosed "Listing of Recipients, Eligible Surface Public Transportation Providers and Labor Representatives" chart.

The following information is excerpted from the Rural Transportation Employee Protection Guidebook issued by the U.S. Department of Labor.

The Warranty provides that the Public Body agrees, that, absent a waiver, the terms and conditions of the Warranty shall apply for the protection of the transportation related employees of any Recipient and the transportation related employees of any other surface public transportation providers in the transportation service area of the Project.

The section also states that the Public Body will provide to DOL and keep up to date during the Project a complete listing of all existing transportation providers which are eligible Recipients of Section 18 assistance in the transportation service area of the Project and any labor organizations representing the employees of the eligible Recipients. The term "eligible Recipient" includes those providers designated to receive Section 18 assistance as well as other surface public transportation providers who are also qualified for grants.

For these purposes:

The term "surface public transportation provider" means a mass transportation operation engaged in the provision of surface transportation services to the public. The term "surface public transportation provider" is meant to include "mass transportation" services as defined by the Urban Mass Transportation Act.

The term "public transportation" means "any transportation by bus or rail or other conveyance, either publicly or privately owned, which provides to the public general or special service on a regular and continuing basis." Public transportation does not include the following: (1) school bus, charter or sightseeing service; (2) exclusive ride taxi service; (3) and service to individuals or groups which excludes use by the general public.

The term "transportation service area of the Project" is intended to include the geographic area over which the Project is operated and the area whose population is served by the Project, including adjacent areas affected by the Project. If a Project in one county draws passengers away from a system in an adjacent county, and employees of that adjacent county system are affected because of such reduction, that would be considered as included within the scope of the transportation service area of the Project. Also, if a carrier operates service which passes through the service area of a particular Project and the employees of the carrier which passes through the Project area affected by the Project-assisted services, that would be considered as included within the transportation service area of the Project.



Marc Elrich
County Executive

Marc P. Hansen
County Attorney

OFFICE OF THE COUNTY ATTORNEY

February 25, 2020

Mr. Travis Johnson, Director
Mass Transit Administration
Office of Local Transit Support, Director
6 Saint Paul Street
Baltimore, Maryland 21202-1614

Re: Grant Application – Opinion of Counsel

Dear Mr. Johnson:

This communication will serve as the requisite opinion of counsel to be filed with the Federal Transit Administration, United States Department of Transportation, in connection with all applications of Montgomery County for financial assistance pursuant to the provisions of the Federal Transit Act (the "Act") for planning, capital, training, demonstration, and/or operating assistance project(s). The legal authority for Montgomery County's ability to carry out planning, capital, training, demonstration, and/or operating assistance projects directly, by lease, contract, or otherwise is set forth below:

1. Montgomery County Government is authorized under Montgomery County Code (2014), as amended, §2-55 and §20-14(d) to provide and assist public transportation by acquisition, construction, and operation of existing or additional transit facilities. This assistance may be provided by Montgomery County or by lease arrangements with other parties.
2. The authority of Montgomery County to provide for its share of project funds is set forth in Montgomery County Code §52-13, special transit facilities tax.
3. I have reviewed the pertinent Federal, State, and local laws, and I am of the opinion there is no legal impediment to your making applications for financial assistance pursuant to the Act.

Sincerely,

Terrilyn E. Brooks
Associate County Attorney

List of Recipients, Eligible Surface Public Transportation Providers, and Labor Representation

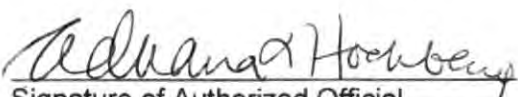
(1) Project	(2) Recipients	(3) Other Surface Public Transportation Providers	(4) Union Representation of Employees, if any
Cite Project by Name, Description	Identify Recipients of Transportation Assistance	Identify Other Eligible Surface Public Transportation Providers In Area	Key to Employees of Providers in Columns 1 and 2 (name, address, phone, fax, representatives name, & type of employees) <i>SEE EXAMPLE</i>
Ride On Montgomery County Call-N-Ride Program (SSTAP) Contract to purchase transportation service for elderly, disable, and low-income populations to medical appointments and services.	Residents of Montgomery County Maryland	A). WMATA B). Action Taxi C). Regency Taxi D). Orange Taxi E). Montgomery County Union Taxi	Employees Union Local 1994 600 S. Frederick Avenue Suite 200 Gaithersburg, MD 20877 Montgomery County Professional Drivers Union (MCPDU) Montgomery County, MD Contact: Peter Ibiak (apr2013mdtaflant@gmail.com)

Attach more sheets of this page if necessary

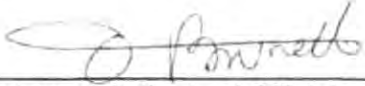
**AREA AGENCY ON AGING
CERTIFICATION**

Certification is given by the recipient named herein Montgomery County Government (name of Applicant) with respect to its application for assistance pursuant to the Statewide Specialized Transportation Assistance Program, filed with the Maryland Department of Transportation, as to the following:

- A. That the application has been reviewed by the local Area Agency on Aging, named herein Montgomery County Department of Aging (name of local Area Agency on Aging). A B
- B. That the local Area Agency on Aging has approved the application for assistance.



Signature of Authorized Official



Signature of Authorized Official
Area Agency on Aging

Adriana Hochberg

Name (printed)

Odile Brunetto

Name (printed)

Assistant Chief Administrative Officer

Title of Authorized Official

Director, Area Agency on Aging

Title of Authorized Official
Area Agency on Aging

3/2/20

Date

2/28/2020

Date

**Special Section 5333 (b) Warranty
for Application to the Small Urban
and Rural Programs**

A. General Application

The Montgomery County Government, Maryland "(Public Body)" agrees that, in the absence of waiver by the Department of Labor, the terms and conditions of this warranty, as set forth below, shall apply for the protection of the transportation related employees of any employer providing transportation services assisted by the Project ("Recipient"), and the transportation related employees of any other surface public transportation providers in the transportation service area of the project.

The Public Body shall provide to the Department of Labor and maintain at all times during the Project an accurate, up-to-date listing of all existing transportation providers which are eligible Recipients of transportation assistance funded by the Project, in the transportation service area of the Project, and any labor organizations representing the employees of such providers.

Certification by the Public Body to the Department of Labor that the designated Recipients have indicated in writing acceptance of the terms and conditions of the warranty arrangement will be sufficient to permit the flow of Section 18 funding in the absence of a finding of non-compliance by the Department of Labor.

B. Standard Terms and Conditions

- (1) The Project shall be carried out in such a manner and upon such terms and conditions as will not adversely affect employees of the Recipient and of any other surface public transportation provider in the transportation service area of the Project. It shall be an obligation of the Recipient to assure that any and all transportation services assisted by the Project are contracted for and operated in such a manner that they do not impair the rights and interests of affected employees. The term "Project," as used herein, shall not be limited to the particular facility, service, or operation assisted by Federal funds, but shall include any changes, whether organizational, operational, technological, or otherwise, which are a result of the assistance provided. The phrase "as a result of the Project," shall, when used in this arrangement, include events related to the Project occurring in anticipation of, during, and subsequent to the Project and any program of efficiencies or economies related thereto; provided, however, that volume rises and falls of business, or changes in volume and character of employment brought about solely by causes other than the Project (including any economies or efficiencies unrelated to the Project) are not within the purview of this arrangement.

An employee covered by this arrangement, who is not dismissed, displaced or otherwise worsened in his/her position with regard to employment as a result of the Project, but who is dismissed, displaced or otherwise worsened solely because of the total or partial termination of the Project or exhaustion of Project funding shall not

be deemed eligible for a dismissal or displacement allowance within the meaning of paragraphs (6) and (7) of this arrangement.

- (2) Where employees of a Recipient are represented for collective bargaining purposes, all Project services provided by that Recipient shall be provided under and in accordance with any collective bargaining agreement applicable to such employees which is then in effect. This Arrangement does not create any collective bargaining relationship where one does not already exist or between any Recipient and the employees of another employer. Where the Recipient has no collective bargaining relationship with the Unions representing employees in the service area, the Recipient will not take any action which impairs or interferes with the rights, privileges, and benefits and/or the preservation or continuation of the collective bargaining rights of such employees.
 - (3) All rights, privileges, and benefits (including pension rights and benefits) of employees covered by this arrangement (including employees having already retired) under existing collective bargaining agreements or otherwise, or under any revision or renewal thereof, shall be preserved and continued; provided, however, that such rights, privileges and benefits which are not foreclosed from further bargaining under applicable law or contract may be modified by collective bargaining and agreement by the Recipient and the Union involved to substitute other rights, privileges and benefits. Unless otherwise provided, nothing in this arrangement shall be deemed to restrict any rights the Recipient may otherwise have to direct the working forces and manage its business as it deemed best, in accordance with the applicable collective bargaining agreement.
-

- (4) The collective bargaining rights of employees covered by this arrangement, including the right to arbitrate labor disputes and to maintain union security and checkoff arrangements, as provided by applicable laws, policies and/or existing collective bargaining agreements, shall be preserved and continued. Provided, however, that this provision shall not be interpreted so as to require the Recipient to retain any such rights which exist by virtue of a collective bargaining agreement after such agreement is no longer in effect.

The Recipient agrees that it will bargain collectively with the Union or otherwise arrange for the continuation of collective bargaining, and that it will enter into agreements with the Union or arrange for such agreements to be entered into, relative to all subjects which are or may be proper subjects of collective bargaining. If, at any time, applicable law or contracts permit or grant to employees covered by this arrangement the right to utilize any economic measures, nothing in this arrangement shall be deemed to foreclose the exercise of such right.

- (5)(a) The Recipient shall provide to all affected employees sixty (60) days' notice of intended actions which may result in displacements or dismissals or rearrangements of the working forces as a result of the Project. In the case of employees represented by a Union, such notice shall be provided by certified mail through their representatives. The notice shall contain a full and adequate statement of the proposed changes, and an estimate of the number of employees affected by the intended changes, and the number and classifications of any jobs within the jurisdiction and control of the Recipient, including those in the employment of any entity bound by this arrangement pursuant to paragraph (21), available to be filled by such affected employees.
- (5)(b) The procedures of this subparagraph shall apply to cases where notices involve employees represented by a Union for collective bargaining purposes. At the request of either the Recipient or the representatives of such employees, negotiations for the purposes of reaching agreement with respect to the application of the terms and conditions of this arrangement shall commence immediately. These negotiations shall include determining the selection of forces from among the mass transportation employees who may be affected as a result of the Project, to establish which such employees shall be offered employment for which they are qualified or can be trained. If no agreement is reached within twenty (20) days from the commencement of negotiations, any party to the dispute may submit the matter to dispute settlement procedures in accordance with paragraph (15) of this arrangement. Unless the parties otherwise mutually agree in writing, no change in operations, services, facilities or equipment within the purview of this paragraph (5) shall occur until after either: 1) an agreement with respect to the application of the terms and conditions of this arrangement to the intended change(s) is reached; 2) the decision of the arbitrator has been rendered pursuant to this subparagraph (b); or 3) an arbitrator selected pursuant to Paragraph (15) of this arrangement determines that the intended change(s) may be instituted prior to the finalization of implementing arrangements.

(5)(c) In the event of a dispute as to whether an intended change within the purview of this paragraph (5) may be instituted at the end of the 60-day notice period and before an implementing agreement is reached or a final arbitration decision is rendered pursuant to subparagraph (b), any involved party may immediately submit that issue to arbitration under paragraph (15) of this arrangement. In any such arbitration, the arbitrator shall rely upon the standards and criteria utilized by the Surface Transportation Board (and its predecessor agency, the Interstate Commerce Commission) to address the "pre-consummation" issue in cases involving employee protections pursuant to 49 U.S.C. Section 11326 (or its predecessor, Section 5(2)(f) of the Interstate Commerce Act, as amended). If the Recipient demonstrates, as a threshold matter in any such arbitration, that the intended action is a trackage rights, lease proceeding or similar transaction, and not a merger, acquisition, consolidation, or other similar transaction, the burden shall then shift to the involved labor organization(s) to prove that under the standards and criteria referenced above, the intended action should not be permitted to be instituted prior to the effective date of a negotiated or arbitrated implementing agreement. If the Recipient fails to demonstrate that the intended action is a trackage rights, lease proceeding, or similar transaction, it shall be the burden of the Recipient to prove that under the standards and criteria referenced above, the intended action should be permitted to be instituted prior to the effective date of a negotiated or arbitrated implementing agreement. For purposes of any such arbitration, the time period within which the parties are to respond to the list of potential arbitrators submitted by the American Arbitration Association Service shall be five (5) days, the notice of hearing may be given orally or by facsimile, the hearing will be held promptly, the award of the arbitrator shall be rendered promptly and, unless otherwise agreed to by the parties, no later than fourteen (14) days from the date of closing the hearings, with five (5) additional days for mailing if post hearing briefs are requested by either party. The intended change shall not be instituted during the pendency of any arbitration proceedings under this subparagraph (c).

(5)(d) If an intended change within the purview of this paragraph (5) is instituted before an implementing agreement is reached or a final arbitration decision is rendered pursuant to subparagraph (b), all employees affected shall be kept financially whole, as if the noticed and implemented action has not taken place, from the time they are affected until the effective date of an implementing agreement or final arbitration decision. This protection shall be in addition to the protective period defined in paragraph (14) of this arrangement, which period shall begin on the effective date of the implementing agreement or final arbitration decision rendered pursuant to subparagraph (b).

An employee selecting, bidding on, or hired to fill any position established as a result of a noticed and implemented action prior to the consummation of an implementing agreement or final arbitration decision shall accumulate no benefits under this arrangement as a result thereof during that period prior to the consummation of an implementing agreement or final arbitration decision pursuant to subparagraph (b).

- (6)(a) Whenever an employee, retained in service, recalled to service, or employed by the Recipient pursuant to paragraphs (5), (7)(e), or (18) hereof is placed in a worse position with respect to compensation as a result of the Project, the employee shall be considered a "displaced employee", and shall be paid a monthly "displacement allowance" to be determined in accordance with this paragraph. Said displacement allowance shall be paid each displaced employee during the protective period so long as the employee is unable, in the exercise of his/her seniority rights, to obtain a position producing compensation equal to or exceeding the compensation the employee received in the position from which the employee was displaced, adjusted to reflect subsequent general wage adjustments, including cost of living adjustments where provided for.
- (6)(b) The displacement allowance shall be a monthly allowance determined by computing the total compensation received by the employee, including vacation allowances and monthly compensation guarantees, and his/her total time paid for during the last twelve (12) months in which the employee performed compensated service more than fifty per centum of each such months, based upon the employee's normal work schedule, immediately preceding the date of his/her displacement as a result of the Project, and by dividing separately the total compensation and the total time paid for by twelve, thereby producing the average monthly compensation and the average monthly time paid for. Such allowance shall be adjusted to reflect subsequent general wage adjustments, including cost of living adjustments where provided for. If the displaced employee's compensation in his/her current position is less in any month during his/her protective period than the aforesaid average compensation (adjusted to reflect subsequent general wage adjustments, including cost of living adjustments where provided for), the employee shall be paid the difference, less compensation for any time lost on account of voluntary absences to the extent that the employee is not available for service equivalent to his/her average monthly time, but the employee shall be compensated in addition thereto at the rate of the current position for any time worked in excess of the average monthly time paid for. If a displaced employee fails to exercise his/her seniority rights to secure another position to which the employee is entitled under the then existing collective bargaining agreement, and which carries a wage rate and compensation exceeding that of the position which the employee elects to retain, the employee shall thereafter be treated, for the purposes of this paragraph, as occupying the position the employee elects to decline.
- (6)(c) The displacement allowance shall cease prior to the expiration of the protective period in the event of the displaced employee's resignation, death, retirement, or dismissal for cause in accordance with any labor agreement applicable to his/her employment.
- (7)(a) Whenever any employee is laid off or otherwise deprived of employment as a result of the Project, in accordance with any collective bargaining agreement applicable to his/her employment, the employee shall be considered a "dismissed employee" and shall be paid a monthly dismissal allowance to be determined in accordance with this paragraph. Said dismissal allowance shall first be paid each

dismissed employee on the thirtieth (30th) day following the day on which the employee is "dismissed" and shall continue during the protective period, as follow:

Employee's length of service prior to adverse effect	Period of protection
1 day to 6 years	equivalent period
6 years or more	6 years

The monthly dismissal allowance shall be equivalent to one-twelfth (1/12th) of the total compensation received by the employee in the last twelve (12) months of his/her employment in which the employee performed compensation service more than fifty per centum of each such month based on the employee's normal work schedule to the date on which the employee was first deprived of employment as a result of the Project. Such allowance shall be adjusted to reflect subsequent general wage adjustments, including cost of living adjustments where provided for.

- (7)(b) An employee shall be regarded as deprived of employment and entitled to a dismissal allowance when the position the employee holds is abolished as a result of the Project, or when the position the employee holds is not abolished but the employee loses that position as a result of the exercise of seniority rights by an employee whose position is abolished as a result of the Project or as a result of the exercise of seniority rights by other employees brought about as a result of the Project, and the employee is unable to obtain another position, either by the exercise of the employee's seniority rights, or through the Recipient, in accordance with subparagraph (e). In the absence of proper notice followed by an agreement or decision pursuant to paragraph (5) hereof, no employee who has been deprived of employment as a result of the Project shall be required to exercise his/her seniority rights to secure another position in order to qualify for a dismissal allowance hereunder.
- (7)(c) Each employee receiving a dismissal allowance shall keep the Recipient informed as to his/her current address and the current name and address of any other person by whom the employee may be regularly employed, or if the employee is self-employed.
- (7)(d) The dismissal allowance shall be paid to the regularly assigned incumbent of the position abolished. If the position of an employee is abolished when the employee is absent from service, the employee will be entitled to the dismissal allowance when the employee is available for service. The employee temporarily filling said position at the time it was abolished will be given a dismissal allowance on the basis of that position, until the regular employee is available for service, and thereafter shall revert to the employee's previous status and will be given the protections of the agreement in said position, if any are due him/her.
- (7)(e) An employee receiving a dismissal allowance shall be subject to call to return to service by the employee's former employer; notification shall be in accordance with the terms of the then-existing collective bargaining agreement if the employee is represented by a union. Prior to such call to return to work by his/her employer, the

- employee may be required by the Recipient to accept reasonably comparable employment for which the employee is physically and mentally qualified, or for which the employee can become qualified after a reasonable training or retraining period, provided it does not require a change in residence or infringe upon the employment rights of other employees under then-existing collective bargaining agreements.
- (7)(f) When an employee who is receiving a dismissal allowance again commences employment in accordance with subparagraph (e) above, said allowance shall cease while the employee is so reemployed, and the period of time during which the employee is so reemployed shall be deducted from the total period for which the employee is entitled to receive a dismissal allowance. During the time of such reemployment, the employee shall be entitled to the protections of this arrangement to the extent they are applicable.
- (7)(g) The dismissal allowance of any employee who is otherwise employed shall be reduced to the extent that the employee's combined monthly earnings from such other employment or self-employment, any benefits received from any unemployment insurance law, and his/her dismissal allowance exceed the amount upon which the employee's dismissal allowance is based. Such employee, or his/her union representative, and the Recipient shall agree upon a procedure by which the Recipient shall be kept currently informed of the earnings of such employee in employment other than with the employee's former employer, including self-employment, and the benefits received.
- (7)(h) The dismissal allowance shall cease prior to the expiration of the protective period in the event of the failure of the employee without good cause to return to service in accordance with the applicable labor agreement, or to accept employment as provided under subparagraph (e) above, or in the event of the employee's resignation, death, retirement, or dismissal for cause in accordance with any labor agreement applicable to his/her employment.
- (7)(i) A dismissed employee receiving a dismissal allowance shall actively seek and not refuse other reasonably comparable employment offered him/her for which the employee is physically and mentally qualified and does not require a change in the employee's place of residence. Failure of the dismissed employee to comply with this obligation shall be grounds for discontinuance of the employee's allowance; provided that said dismissal allowance shall not be discontinued until final determination is made either by agreement between the Recipient and the employee or his/her representative, or by final arbitration decision rendered in accordance with paragraph (15) of this arrangement that such employee did not comply with this obligation.
- (8) In determining length of service of a displaced or dismissed employee for purposes of this arrangement, such employee shall be given full service credits in accordance with the records and labor agreements applicable to him/her and the employee shall be given additional service credits for each month in which the employee receives a dismissal or displacement allowance as if the employee were continuing to perform services in his/her former position.

- (9) No employee shall be entitled to either a displacement or dismissal allowance under paragraphs (6) or (7) hereof because of the abolishment of a position to which, at some future time, the employee could have bid, been transferred, or promoted.
- (10) No employee receiving a dismissal or displacement allowance shall be deprived, during the employee's protected period, of any rights, privileges, or benefits attaching to his/her employment, including, without limitation, group life insurance, hospitalization and medical care, free transportation for the employee and the employee's family, sick leave, continued status and participation under any disability or retirement program, and such other employee benefits as Railroad Retirement, Social Security, Workmen's Compensation, and unemployment compensation, as well as any other benefits to which the employee may be entitled under the same conditions and so long as such benefits continue to be accorded to other employees of the bargaining unit, in active service or furloughed as the case may be.
- (11)(a) Any employee covered by this arrangement who is retained in the service of his/her employer, or who is later restored to service after being entitled to receive a dismissal allowance, and who is required to change the point of his/her employment in order to retain or secure active employment with the Recipient in accordance with this arrangement, and who is required to move his/her place of residence, shall be reimbursed for all expenses of moving his/her household and other personal effects, for the traveling expenses for the employee and members of the employee's immediate family, including living expenses for the employee and the employee's immediate family, and for his/her own actual wage loss during the time necessary for such transfer and for a reasonable time thereafter, not to exceed five (5) working days. The exact extent of the responsibility of the Recipient under this paragraph, and the ways and means of transportation, shall be agreed upon in advance between the Recipient and the affected employee or the employee's representatives.
- (11)(b) If any such employee is laid off within three (3) years after changing his/her point of employment in accordance with paragraph (a) hereof, and elects to move his/her place of residence back to the original point of employment, the Recipient shall assume the expenses, losses and costs of moving to the same extent provided in subparagraph (a) of this paragraph (11) and paragraph (12)(a) hereof.
- (11)(c) No claim for reimbursement shall be paid under the provisions of this paragraph unless such claim is presented to the Recipient in writing within ninety (90) days after the date on which the expenses were incurred.
- (11)(d) Except as otherwise provided in subparagraph (b), changes in place of residence, subsequent to the initial changes as a result of the Project, which are not a result of the Project but grow out of the normal exercise of seniority rights, shall not be considered within the purview of this paragraph.
- (12)(a) The following conditions shall apply to the extent they are applicable in each instance to any employee who is retained in the service of the employer (or who is later restored to service after being entitled to receive a dismissal allowance), who is required

to change the point of his/her employment as a result of the Project, and is thereby required to move his/her place of residence.

If the employee owns his/her own home in the locality from which the employee is required to move, the employee shall, at the employee's option, be reimbursed by the Recipient for any loss suffered in the sale of the employee's home for less than its fair market value, plus conventional fees and closing costs, such loss to be paid within thirty (30) days of settlement or closing on the sale of the home. In each case, the fair market value of the home in question shall be determined, as of a date sufficiently prior to the date of the Project, so as to be unaffected thereby. The Recipient shall, in each instance, be afforded an opportunity to purchase the home at such fair market value before it is sold by the employee to any other person and to reimburse the seller for his/her conventional fees and closing costs.

If the employee is under a contract to purchase his/her home, the Recipient shall protect the employee against loss under such contract, and in addition, shall relieve the employee from any further obligation thereunder.

If the employee holds an unexpired lease of a dwelling occupied as the employee's home, the Recipient shall protect the employee from all loss and cost in securing the cancellation of said lease.

(12)(b) No claim for loss shall be paid under the provisions of this paragraph unless such claim is presented to the Recipient in writing within one year after the effective date of the change in residence.

(12)(c) Should a controversy arise in respect to the value of the home, the loss sustained in its sale, the loss under a contract for purchase, loss and cost in securing termination of a lease, or any other question in connection with these matters, it shall be decided through a joint conference between the employee, or his/her union, and the Recipient. In the event they are unable to agree, the dispute or controversy may be referred by the Recipient or the union to a board of competent real estate appraisers selected in the following manner: one (1) to be selected by the representatives of the employee, and one (1) by the Recipient, and these two, if unable to agree within thirty (30) days upon the valuation, shall endeavor by agreement within ten (10) days thereafter to select a third appraiser or to agree to a method by which a third appraiser shall be selected, and failing such agreement, either party may request the State and local Board of Real Estate Commissioners to designate within ten (10) days a third appraiser, whose designation will be binding upon the parties and whose jurisdiction shall be limited to determination of the issues raised in this paragraph only. A decision of a majority of the appraisers shall be required and said decision shall be final, binding, and conclusive. The compensation and expenses of the neutral appraiser including expenses of the appraisal board, shall be borne equally by the parties to the proceedings. All other expenses shall be paid by the party incurring them, including the compensation of the appraiser selected by such party.

(12)(d) Except as otherwise provided in paragraph (11)(b) hereof, changes in place of residence, subsequent to the initial changes as a result of the Project, which are not a

result of the Project but grow out of the normal exercise of seniority rights, shall not be considered within the purview of this paragraph.

(12)(e) "Change in residence" means transfer to a work location which is either (A) outside a radius of twenty (20) miles of the employee's former work location and farther from the employee's residence than was his/her former work location, or (B) is more than thirty (30) normal highway route miles from the employee's residence and also farther from his/her residence than was the employee's former work location.

(13)(a) A dismissed employee entitled to protection under this arrangement may, at the employee's option within twenty-one (21) days of his/her dismissal, resign and (in lieu of all other benefits and protections provided in this arrangement) accept a lump sum payment computed in accordance with section (9) of the Washington Job Protection Agreement of May 1936:

Length of Service Separation Allowance

1 year and less than 2 years 3 months' pay
2 " " " " 3 " 6 " "
3 " " " " 5 " 9 " "
5 " " " " 10 " 12 " "
10 " " " " 15 " 12 " "
15 " " over 12 " "

In the case of an employee with less than one year's service, five days' pay, computed by multiplying by 5 the normal daily earnings (including regularly scheduled overtime, but excluding other overtime payments) received by the employee in the position last occupied, for each month in which the employee performed service, will be paid as the lump sum.

Length of service shall be computed as provided in Section 7(b) of the Washington Job Protection Agreement, as follows:

For the purposes of this arrangement, the length of service of the employee shall be determined from the date the employee last acquired an employment status with the employing carrier and the employee shall be given credit for one month's service for each month in which the employee performed any service (in any capacity whatsoever) and twelve (12) such months shall be credited as one year's service. The employment status of an employee shall not be interrupted by furlough in instances where the employee has a right to and does return to service when called. In determining length of service of an employee acting as an officer or other official representative of an employee organization, the employee will be given credit for performing service while so engaged on leave of absence from the service of a carrier.

(13)(b) One month's pay shall be computed by multiplying by 30 the normal daily earnings (including regularly scheduled overtime, but excluding other overtime payments) received by the employee in the position last occupied prior to time of the employee's dismissal as a result of the Project.

- (14) Whenever used herein, unless the context requires otherwise, the term "protective period" means that period of time during which a displaced or dismissed employee is to be provided protection hereunder and extends from the date on which an employee is displaced or dismissed to the expiration of six (6) years therefrom, provided, however, that the protective period for any particular employee during which the employee is entitled to receive the benefits of these provisions shall not continue for a longer period following the date the employee was displaced or dismissed than the employee's length of service, as shown by the records and labor agreements applicable to his/her employment prior to the date of the employee's displacement or dismissal.
- (15)(a) In the event that employee(s) are represented by a Union, any dispute, claim, or grievance arising from or relating to the interpretation, application or enforcement of the provisions of this arrangement, not otherwise governed by paragraph 12(c), the Labor-Management Relations Act, as amended, the Railway Labor Act, as amended, or by impasse resolution provisions in a collective bargaining or protective arrangement involving the Recipient and the Union, which cannot be settled by the parties thereto within thirty (30) days after the dispute or controversy arises, may be referred by any such party to any final and binding disputes settlement procedure acceptable to the parties. In the event they cannot agree upon such procedure, the dispute, claim, or grievance may be submitted at the written request of the Recipient or the Union to final and binding arbitration. Should the parties be unable to agree upon the selection of a neutral arbitrator within ten (10) days, any party may request the American Arbitration Association to furnish, from among arbitrators who are then available to serve, five (5) arbitrators from which a neutral arbitrator shall be selected. The parties shall, within five (5) days after the receipt of such list, determine by lot the order of elimination and thereafter each shall, in that order, alternately eliminate one name until only one name remains. The remaining person on the list shall be the neutral arbitrator. Unless otherwise provided, in the case of arbitration proceedings, under paragraph (5) of this arrangement, the arbitration shall commence within fifteen (15) days after selection or appointment of the neutral arbitrator, and the decision shall be rendered within forty-five (45) days after the hearing of the dispute has been concluded and the record closed. The decision shall be final and binding. All the conditions of the arrangement shall continue to be effective during the arbitration proceedings.
- (15)(b) The compensation and expenses of the neutral arbitrator, and any other jointly incurred expenses, shall be borne equally by the Union(s) and Recipient, and all other expenses shall be paid by the party incurring them.
- (15)(c) In the event that employee(s) are not represented by a Union, any dispute, claim, or grievance arising from or relating to the interpretation, application or enforcement of the provisions of this arrangement which cannot be settled by the Recipient and the employee(s) within thirty (30) days after the dispute or controversy arises, may be referred by any such party to any final and binding dispute settlement procedure acceptable to the parties, or in the event the parties cannot agree upon such a procedure, the dispute or controversy may be referred to the Secretary of Labor for a final and binding determination.

(15)(d) In the event of any dispute as to whether or not a particular employee was affected by the Project, it shall be the obligation of the employee or the representative of the employee to identify the Project and specify the pertinent facts of the Project relied upon. It shall then be the burden of the Recipient to prove that factors other than the Project affected the employee. The claiming employee shall prevail if it is established that the Project had an effect upon the employee even if other factors may also have affected the employee. (See Hodgson's Affidavit in Civil Action No. 825-71).

(16) The Recipient will be financially responsible for the application of these conditions and will make the necessary arrangements so that any employee covered by this arrangement may file a written claim of its violation, through the Union, or directly if the employee is outside the bargaining unit, with the Recipient within sixty (60) days of the date the employee is terminated or laid off as a result of the Project, or within eighteen (18) months of the date the employee's position with respect to his/her employment is otherwise worsened as a result of the Project. In the latter case, if the events giving rise to the claim have occurred over an extended period, the 18-month limitation shall be measured from the last such event. No benefits shall be payable for any period prior to six (6) months from the date of the filing of any claim. Unless such claims are filed with the Recipient within said time limitations, the Recipient shall thereafter be relieved of all liabilities and obligations related to the claim.

The Recipient will fully honor the claim, making appropriate payments, or will give notice to the claimant or his/her representative of the basis for denying or modifying such claim, giving reasons therefore. If the Recipient fails to honor such claim, the Union or non-bargaining unit employee may invoke the following procedures for further joint investigation of the claim by giving notice in writing. Within ten (10) days from the receipt of such notice, the parties shall exchange such factual material as may be requested of them relevant to the disposition of the claim and shall jointly take such steps as may be necessary or desirable to obtain from any third party such additional factual materials as may be relevant. In the event the Recipient rejects the claim, the claim may be processed to arbitration as hereinabove provided by paragraph (15).

(17) Nothing in this arrangement shall be construed as depriving any employee of any rights or benefits which such employee may have under existing employment or collective bargaining agreements or otherwise; provided that there shall be no duplication of benefits to any employee, and, provided further, that any benefit under this arrangement shall be construed to include the conditions, responsibilities, and obligations accompanying such benefit. This arrangement shall not be deemed a waiver of any rights of any Union or of any represented employee derived from any other agreement or provision of federal, state or local law.

(18) During the employee's protective period, a dismissed employee shall, if the employee so requests, in writing, be granted priority of employment or reemployment to fill any vacant position within the jurisdiction and control of the Recipient reasonably comparable to that which the employee held when dismissed, including those in the employment of any entity bound by this arrangement pursuant to paragraph (21) herein, for which the employee is, or by training or retraining can become, qualified; not, however, in contravention of collective bargaining agreements related thereto. In the

event such employee requests such training or re-training to fill such vacant position, the Recipient shall provide for such training or re-training at no cost to the employee. The employee shall be paid the salary or hourly rate provided for in the applicable collective bargaining agreement or otherwise established in personnel policies or practices for such position, plus any displacement allowance to which the employee may be otherwise entitled. If such dismissed employee who has made such request fails, without good cause, within ten (10) days to accept an offer of a position comparable to that which the employee held when dismissed for which the employee is qualified, or for which the employee has satisfactorily completed such training, the employee shall, effective at the expiration of such ten-day period, forfeit all rights and benefits under this arrangement.

As between employees who request employment pursuant to this paragraph, the following order where applicable shall prevail in hiring such employees:

- (a) Employees in the craft or class of the vacancy shall be given priority over employees without seniority in such craft or class;
 - (b) As between employees having seniority in the craft or class of the vacancy, the senior employees, based upon their service in that craft or class, as shown on the appropriate seniority roster, shall prevail over junior employees;
 - (c) As between employees not having seniority in the craft or class of the vacancy, the senior employees, based upon their service in the crafts or classes in which they do have seniority as shown on the appropriate seniority rosters, shall prevail over junior employees.
- (19) The Recipient will post, in a prominent and accessible place, a notice stating that the Recipient has received federal assistance under the Federal Transit statute and has agreed to comply with the provisions of 49 U.S.C., Section 5333(b). This notice shall also specify the terms and conditions set forth herein for the protection of employees. The Recipient shall maintain and keep on file all relevant books and records in sufficient detail as to provide the basic information necessary to the proper application, administration, and enforcement of this arrangement and to the proper determination of any claims arising thereunder.
- (20) In the event the Project is approved for assistance under the statute, the foregoing terms and conditions shall be made part of the contract of assistance between the federal government and the applicant for federal funds and between the applicant and any recipient of federal funds; provided, however, that this arrangement shall not merge into the contract of assistance, but shall be independently binding and enforceable by and upon the parties thereto, and by any covered employee or his/her representative, in accordance with its terms, nor shall any other employee protective agreement merge into this arrangement, but each shall be independently binding and enforceable by and upon the parties thereto, in accordance with its terms.

- (21) This arrangement shall be binding upon the successors and assigns of the parties hereto, and no provisions, terms, or obligations herein contained shall be affected, modified, altered, or changed in any respect whatsoever by reason of the arrangements made by or for the Recipient to manage and operate the system.

Any person, enterprise, body, or agency, whether publicly - or privately-owned, which shall undertake the management, provision and/or operation of the Project services or the Recipient's transit system, or any part or portion thereof, under contractual arrangements of any form with the Recipient, its successors or assigns, shall agree to be bound by the terms of this arrangement and accept the responsibility with the Recipient for full performance of these conditions. As a condition precedent to any such contractual arrangements, the Recipient shall require such person, enterprise, body or agency to so agree.

- (22) In the event of the acquisition, assisted with Federal funds, of any transportation system or services, or any part or portion thereof, the employees of the acquired entity shall be assured employment, in comparable positions, within the jurisdiction and control of the acquiring entity, including positions in the employment of any entity bound by this arrangement pursuant to paragraph (21). All persons employed under the provisions of this paragraph shall be appointed to such comparable positions without examination, other than that required by applicable federal, state or federal law or collective bargaining agreement, and shall be credited with their years of service for purposes of seniority, vacations, and pensions in accordance with the records of their former employer and/or any applicable collective bargaining agreements.
- (23) The employees covered by this arrangement shall continue to receive any applicable coverage under Social Security, Railroad Retirement, Workmen's Compensation, unemployment compensation, and the like. In no event shall these benefits be worsened as a result of the Project.
- (24) In the event any provision of this arrangement is held to be invalid, or otherwise unenforceable under the federal, state, or local law, in the context of a particular Project, the remaining provisions of this arrangement shall not be affected and the invalid or unenforceable provision shall be renegotiated by the Recipient and the interested Union representatives, if any, of the employees involved for purpose of adequate replacement under Section 5333(b). If such negotiation shall not result in mutually satisfactory agreement any party may invoke the jurisdiction of the Secretary of Labor to determine substitute fair and equitable employee protective arrangements for application only to the particular Project, which shall be incorporated in this arrangement only as applied to that Project, and any other appropriate action, remedy, or relief.
- (25) If any employer of the employees covered by this arrangement shall have rearranged or adjusted its forces in anticipation of the Project, with the effect of depriving an employee of benefits to which the employee should be entitled under this arrangement, the

provisions of this arrangement shall apply to such employee as of the date when the employee was so affected.

Signature of Attorney

Adriana Hochberg

Signature of Authorized Official

Name (printed)

Adriana Hochberg

Name (printed)

Assistant Chief Administrative Officer

Title

3/2/20

Date

CERTIFICATION OF EQUIVALENT SERVICE

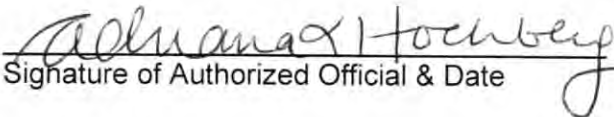
For Requests for Demand-Responsive Vehicles That are Not Accessible to Persons Using Wheelchairs

The Americans with Disabilities Act requires that:

- Fixed-Route Services—Public transit operators must purchase lift-equipped vehicles that meet ADA standards for fixed-route services (49 CFR 37.71), as well as for route deviation services.
- Demand-Responsive Services—Public and private transportation operators must operate enough accessible vehicles to ensure the provision of equivalent service for persons with disabilities including individuals who use wheelchairs (49 CFR 37.77, 49 CFR 37.101, and 49 CFR 37.103).

Montgomery County Government (Applicant) hereby makes the following certification to the Maryland Transit Administration of the Maryland Department of Transportation in conjunction with its application for capital assistance to purchase vehicles under the Section 5307, 5309, 5310, or 5311 funding programs.

The applicant's demand-responsive service, when viewed in its entirety, provides an equivalent level of service for persons using wheelchairs as for ambulatory persons. In the application for capital assistance, the applicant is requesting a vehicle that is not accessible to persons using wheelchairs. If awarded, incorporation of the inaccessible vehicle will not result in a reduced level of accessible service; an equivalent level of service will continue to be provided to persons using wheelchairs as for ambulatory persons.


Signature of Authorized Official & Date

Adriana Hochberg
Name (print)

Assistant Chief Administrative Officer
Title

CERTIFICATION OF RESTRICTIONS ON LOBBYING

I, Adriana Hochberg (Authorized Person) hereby certify to the Maryland Transit Administration of the Maryland Department of Transportation, on behalf of Montgomery County Government (Applicant-Grantee) that to the best of my knowledge and belief:

1. No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of Federal assistance, or the extension, continuation, renewal, amendment, or modification of any Federal assistance agreement; and
 - a. If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for Federal assistance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," including information required by the instructions accompanying the form, which form may be amended to omit such information as authorized by 31 U.S.C. 1352.
 - b. The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, subagreements, contracts under grants, loans, and cooperative agreements).
2. The Applicant understands that this certification is a material representation of fact upon which reliance is placed by the Federal Government and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By: Adriana Hochberg
Signature of Authorized Official & Date

Adriana Hochberg
Name (print)

Assistant Chief Administrative Officer
Title

Appendix L - FY21-22 Annual Transportation Plan Assurance
CIVIL RIGHTS INFORMATION

As a condition of receipt of funding from Section 5307 and 5311 of the Federal Transit Act, information is needed from you on the implementation of Title VI, Civil Rights. You must submit the following as part of your application.

1. **Lawsuits or Complaints**

Attach to this certification a list of any active lawsuits or complaints naming your agency which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. The list should include; the date the lawsuit or complaint was filed, a summary of the allegation, the status of the lawsuit or complaint, including whether the parties to a lawsuit have entered into a consent decree.

Check here if no such lawsuits or complaints have occurred within the past year, a statement to this effect must be submitted.

2. **Federal Financial Assistance**

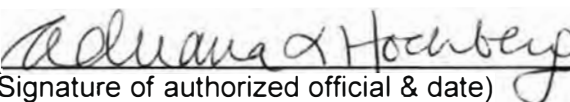
Attach a description of all pending applications for financial assistance, and all financial assistance currently provided by other Federal agencies.

3. **Civil Rights Compliance Reviews**

Attach a summary of all civil rights compliance review activities conducted in the last three years. The summary should include; the purpose or reason for the review, the name of the agency or organization that performed the review, a summary of the findings and recommendations of the review, a report on the status and/or disposition of such findings and recommendations.

Check here if a summary of all civil rights compliance review activities is not needed.

This review would be included as part of your A-128 or A-133 Single Audit or Triennial Review or conducted by the U.S. Office of Civil Rights, Federal Transit Administration.


(Signature of authorized official & date)

Adriana Hochberg _____
(Print authorized official's name)

Assistant Chief Administrative Officer _____
(applicant's title)



Appendix M - FY21-22 Annual Transportation Plan Reporting Form

TITLE VI COMPLAINT FORM
Montgomery County Department of Transportation
Division of Transit Services

Montgomery County is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Office of Human Rights Enforcement Manager by calling (240) 777-8450. The completed form must be returned to the Montgomery County Office of Human Rights, 21 Maryland Avenue, Suite 330, Rockville, MD 20850.

(Please print)

Section I:	
Name:	
Address:	
Telephone (Home):	Telephone (Work):
Electronic Mail Address:	
Accessible Format Requirement? <input checked="" type="checkbox"/> Large Print <input type="checkbox"/> Audio Tape <input type="checkbox"/> TDD <input type="checkbox"/> Other (specify)	

Section II:	
Are you filing this complaint on your own	<input checked="" type="checkbox"/> Yes* (if yes, go to Section III) <input type="checkbox"/> No
If not, please supply the name and relationship of the person for who you are filing the complaint.	
Please explain why you have filed for a third-party:	
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third-party.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Section III:
I believe the discrimination I experienced was based on (check all that apply):
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Other (specify)
Date of the Alleged Discrimination (Month, Day, Year):
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person (s) who discriminated against you (if known) as well as names and contact information for any witnesses. If more space is needed, please use the back of

Complete reverse side of form



Appendix N - Montgomery County Council Approval

