Agenda Item 9-E
Action Item

To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: December 19, 2014

Re: Adoption of Proposed VRE Title VI Major Service Change and Fare/Service Equity Policy and Authorization to Seek Public Review and Comment

Recommendation:

The VRE Operations Board is asked to provisionally adopt the proposed VRE Title VI Major Service Change and Fare/Service Equity Policy and authorize the CEO to seek public comment. The purpose of this policy is to determine whether potential fare and major service changes will have a disparate impact based on race, color, or national origin; or disproportionate burden on low-income populations.

Background:

The VRE Title VI Major Service Change and Fare/Service Equity Policy will be incorporated into the PRTC Title VI Program. PRTC is required to submit their Title VI Program to the Federal Transit Administration (FTA) every three years with the next submittal due by March 31, 2015. The requirement for these policies became effective October 1, 2012, after PRTC’s last submittal, so this is the first time PRTC and VRE have been required to have these policies in place.

The requirement for these policies comes from FTA Circular 4702.1B, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” The FTA now
requires recipients to adopt and utilize three Title VI policies to serve as the guiding principles of an analysis of equity in major service and fare changes.

The Objective of each policy is as follows:

1. The Major Service Change Policy defines a major service change, identifies which service changes are subject to an equity analysis, and defines an adverse effect.
2. The Disparate Impact Policy establishes a threshold for determining when adverse effects of fare and major service changes are borne disproportionately by minority populations.
3. The Disproportionate Burden Policy establishes a threshold for determining when adverse effects of fare and major service changes are borne disproportionately by low income populations.

A copy of the proposed VRE Title VI Major Service Change and Fare/Service Equity Policy is provided as Attachment 1.

The Circular also requires the public participate in the formation of these policies. With the Operations Board’s approval, the proposed VRE Title VI Major Service Change and Fare/Service Equity Policy will be posted publicly and advertised in publications to provide for public inspection for a period of 30 days and VRE will accept public comments for 45 days from the date of publication.

Management is recommending the VRE Operations Board provisionally adopt the policies, subject to a finding that the public review process does not result in any public comments that necessitate reconsideration or modification of the policies as proposed. If reconsideration is needed, the CEO will return to the Board with a modified policy at a future Operations Board meeting.

**Fiscal Impact:**

None
Virginia Railway Express  
Operations Board  

Resolution  
9E-12-2014  

Adoption of Proposed VRE Title VI Major Service Change and  
Fare/Service Equity Policy and Authorization to  
Seek Public Review and Comment  

WHEREAS, VRE’s Title VI Major Service Change and Fare/Service Equity Policy will be incorporated into PRTC’s Title VI Program and submitted to the Federal Transit Administration (FTA); and,  

WHEREAS, Title VI of the Civil Rights Act of 1964, 49 CFR Section 21 and FTA Circular 4702.1B requires any FTA recipient that operates 50 or more fixed route vehicles in peak service and serving a population of 200,000 or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a discriminatory impact; and,  

WHEREAS, the Regulations prescribe that the public be invited to review and comment on the Major Service Change, Disparate Impact and Disproportionate Burden Policies as proposed;  

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby provisionally adopt the VRE Title VI Major Service Change and Fare/Service Equity Policy.  

BE IT FURTHER RESOLVED THAT, the VRE Operations Board does hereby authorize the CEO to invite public comment on the VRE Title VI Major Service Change and Fare/Service Equity Policy and does direct him to return to the Operations Board following the public review process and advise whether said public comments warrant any changes to the policies as provisionally adopted.  

Approved this 19th day of December 2014  

_________________________________________  
Paul Milde  
Chairman  

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Gary Skinner  
Secretary