

**TRANSIT ADMINISTRATIVE POLICY & PROCEDURES (TAPP)**

**No: POL-CL-001**

*\*(Ref POL-AD-001 for Doc Source No.)*

Issue Date: 9/19/11

Section: OCR/LR

Revision: initial TAPP

Title: Title VI Service and Fare Changes

Posted by: Information Technology Services

Date Posted:

*Allison Aristide*  
Allison Aristide, TAP ORIGINATOR

12/20/11  
Date

*\*Note:* Reference TAPP Policy POL-AD-001 (Appendix – A) for the Document Source Number and assign TAPP No. to this document. See the following example: (Rail Services: POL-RS-001)

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12-25-12  
Date

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**Policy and Procedure Change Justification***(Give a brief description of the reason for change)*

Original issue of the TAPP.

**Revisions**

The Policy is a dynamic document. As major revisions occur, the revisions and/or the entire policy will be distributed. For minor revisions, only the affected pages will be issued. Upon receipt, previous revisions of the policy shall be destroyed. Include all policies that are superseded in the description of revision block below.

Revision	Approval Date	Pages	Description of Revision
Rev. 0		New Document	

**1.0 Authority:**

MDT Director

**2.0 Purpose:**

To ensure MDT, a recipient of federal assistance, and its staff at all levels are fully informed on the implementation of and compliance with MDT's obligation under the Title VI of the Civil Rights Act of 1964 42.US c2000d and U.S. Department of Transportation Title VI Regulations at 49 CFR 21.

**3.0 Policy & Scope**

This TAPP applies to all entities within MDT, which is inclusive of, but not limited to the MDT Director, MDT Staff within OCR/LR (Title VI), MDT staff within MDT's Planning and Scheduling Division, MDT staff within MDT's IT Division, MDT staff within MDT's Marketing and External Affairs Office, MDT's Construction and Finance Divisions.

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**4.0 Cross Referenced Documents**

Type	Number	Title
Plan	2009 Title VI Program Update Response to AFT C4702.1A	Program Requirements-Supplemental Action Plan
Law	Pub. L. 88-352, 78 Stat 241	Title VI of the Civil Rights Act of 1964
Guidelines	49 CFR Section 21.5 (b)(2), 49 CFR Section 21.5 (b)(7)	Department of Transportation Title VI Regulations
Code of Miami-Dade County Chapter 2-Administration	Article XIX MDT Section 2-150 (b)	Fixing and changing fares, service, rates or charges
Resolution	No. R-179-09	Resolution recommending changes to the Miami-Dade Transit Schedule of Transit Fares, Rates and Charges
Outline		Outline for disparity analysis
Collective Bargaining Agreement (MDT and TWU)	V24 Line Ups	
FTA Guidance		Title VI Service and Fare Equity Analysis Questionnaire
LEP TAPP	POL-AD-005	Title VI Limited English Proficiency Public Information Policy

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**5.0 Definitions**

<b>Term</b>	<b>Definition</b>
Title VI Program	The Title VI Program refers to a document developed by a Federal Transportation Authority (FTA) recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to FTA every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity prior to submission to FTA. For State DOT's, the appropriate governing entity is the State's Secretary of Transportation.
Major Service Change	Any service changes which adjusts headways and/or route length by 25% or greater. Service changes also include 1) A change in the interval peak period transit services on a route of more than 30 minutes; 2) a change in the interval between off-peak period transit services on a route of more than 30 minutes; 3) route changes of 25% or greater within a year 4) establishment of a new transit service or abolishment of an existing service.
Fare Increase	Any increase (value amount) applied to an established fare.
Discrimination	Any act or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, sub recipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.
Disparate Impact	Facially neutral policies or practices that have the effect of disproportionately excluding or adversely affecting members of a group protected under Title VI, and the recipient's policy or practice that lacks a substantial legitimate justification.
Disparate Treatment	Actions that result in circumstances where similarly situated persons are treated differently (i.e. less favorably) than others because of their race, color, or national origin.
Low-Income	Person whose median household income is at or below the Department of Health and Human Services' poverty guidelines.
Low-Income Population	Any readily identifiable groups of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/ transient persons (such as migrant workers or Native Americans) who will be similarly

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	affected by a proposed DOT program, policy, or activity.
Minority Person	<ol style="list-style-type: none"> <li>1) American Indian and Alaskan Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.</li> <li>2) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.</li> <li>3) Black or African American Populations, which refers to peoples having origins in any of the Black racial groups of Africa.</li> <li>4) Hispanic or Latino Populations, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.</li> <li>5) Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</li> </ol>
Minority Population	Any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy or activity.
National Origin	The particular nation in which a person was born, or where the person's parents or ancestors were born.
Predominantly Minority Area	The geographic area, such as a neighborhood, Census tract, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.
Predominantly Low-Income Area	A geographic area, such as a neighborhood, Census tract, or traffic analysis zone, where the proportion of low-income persons residing in that area exceeds the average proportion of low-income persons in the recipient's service area.

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**6.0 Roles & Responsibilities**

<b>Individual</b>	<b>Roles &amp; Responsibilities</b>
Title VI Manager	Responsible for coordinating, conducting and disseminating necessary research regarding disparity analysis for proposed service changes/fare increases, and formulating all policy related recommendations regarding Title VI (Proposed Service and Fare Changes, Marketing Materials for the Public). Information transmitted to MDT Director via OCR/LR Chief. Reviews all related documents regarding Title VI. Serves as Department liaison with Federal Transit Administration (FTA) regarding Title VI.
MDT Director	Agency Head
Chief, Office of Civil Rights and Labor Relations (OCR/LR)	Oversees all efforts regarding the dissemination of necessary research regarding the disparity analysis for proposed service changes/fare increases, in addition to overseeing the formulation of all policies and recommendations regarding Title VI (Proposed Service and Fare Changes & Marketing Materials for the Public).
Assistant Director, MDT Financial Services	Provides input regarding schedule of Transit Fares, Rates and Charges.
Principal Planner	Reviews, edits and provides input regarding development of Disparity Analysis (Service and Fare Changes).
Planning and Scheduling	Assists with data collection, reviews, edits and provides input regarding development of Disparity Analysis (Service and Fare Changes).
Senior Chief, Information Technology	Provides appropriate staff to collect data and conduct preliminary analysis.
Title VI Planning Committee	Meets monthly unless project requires more frequent meetings. Representatives include (Representative from OCR/LR, Planning, Scheduling, IT, Marketing, Finance, External Affairs).
LEP Guidelines	MDT will, based on US DOT guidance notify LEP Persons that language assistance services are available free of charge
MDT Marketing	Review and provide preliminary approval of all publications for inclusion of Title VI language in required languages in addition to coordinating the placement of signage at rail and mover stations, within buses and other locations as designated.

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## 7.0 Requirement

### I. INTRODUCTION

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

To comply with 49 CFR Section 21.5 (b)(2), 49 CFR Section 21.5 (b)(7), MDT will implement the following procedures regarding a preliminary disparity analysis of proposed impacted routes and/or schedule changes prior to the implementation of any significant service changes or fare increases, in addition to a Ridership Satisfaction Survey that will be dispersed on the day the service change goes into effect. Results of the Ridership Survey will be tabulated and provided to all stakeholders.

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

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

### II. PROCEDURE for MAJOR SERVICE CHANGE (*either General Line Up, Divisional Line Up or necessitated by need*)

*(Note \* Title VI Manager, and the Chief, OCR/LR to be copied on all information from Planning and Scheduling Office regarding all line ups). Title VI Manager will attend all line up meetings. All activities regarding Title VI Preliminary Disparity Analysis and Ridership Satisfaction Surveys will commence in August of each year.*

- a.) On or about the second week in August the Title VI Manager will notify Transit Planning Section Supervisor through electronic message with a form letter (**see Attachment 1**) indicating if the scheduled line up meets the definition of a Major Service Change.

**Major Service Change** - 1) A change in the interval peak period transit services on a route of more than 30 minutes; 2) a change in the interval

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*between off-peak period transit services on a route of more than 30 minutes; 3) route changes of 25% or greater within a year; 4) establishment of a new / transit service or abolishment of an existing service.*

- b.) The Planning and Scheduling Office shall provide a written response identifying any Major or Minor changes.

If the said response meets the definition of a Major Service Change, the following will occur.

- c.) Eight weeks prior to the line up, the Planning and Scheduling, Section Supervisor will convene the Title VI Committee to notify members that MDT will conduct a Preliminary Disparity Analysis and subsequent Ridership Satisfaction Survey. The Preliminary Disparity Analysis will be conducted prior to the service change, the Ridership Satisfaction Survey will commence the date the service change goes into effect.

Planning for both analyses is the responsibility of the Title VI Committee, chaired by the Title VI Manager and will occur simultaneously.

\*Method for conducting the Preliminary Disparity Analysis will be determined per Title VI Circular Chapter V Program Specific Requirements and Guideline for Recipients Serving Large Urbanized Areas, 4. REQUIREMENTS TO EVALUATE SERVICE AND FARE CHANGES page V-5 (FTA C4702.1A).

- d.) Six weeks prior to the line up, the Title VI Manager, through Chief, OCR/LR, will notify the Director's Office regarding intent to conduct a disparity analysis and subsequent Ridership Satisfaction Survey. **(See Attachment II)** *No resolution regarding proposed changes will be forwarded to Board of County Commissioners, through the Transportation Committee without results of, including MDT plan for viable service change options to mitigate any adverse effects.*
- e.) Title VI Manager shall forward the letter of intent to Senior Chief, IT, **(see Attachment IV)**, indicating data necessary for analysis: Miami Dade County's Geographical Information System (GIS): Minority Population by Census tract and Low Income Population by Census tract and by routes. (allow 10 business days to receive information).
- f.) Once information is received to OCR/LR, Title VI Manager will commence written analysis (allow 15 business days for draft). Report will be forwarded

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and reviewed by the Principal Planner and Transit Planning Section Supervisor.

Once the draft is complete, the Title VI Planning Committee will convene to address service change options based on the findings.

- g.) The Planning and Scheduling Office, based on their experience, expertise and knowledge in the field, shall provide the Title VI Manager with questions for Ridership Satisfaction Survey to be approved by Title VI Planning Committee at the same time the line up is implemented.
- h.) Once approved, the Ridership Satisfaction Survey will be forwarded to Manager, MDT Marketing for printing. Information must be received to the Title VI Manager no later than four weeks prior to the scheduled line up. MDT Marketing will follow TAPP POL-AD-005 Limited English Proficiency for printing.
- i.) Four weeks prior to the line up completion, the Title VI Manager, by and through the Chief, OCR/LR shall submit its findings of the Disparity Analysis. The report shall include a detailed, non-discriminatory justification which includes review of service change options to mitigate any adverse effects to the MDT Director.
- j.) Results of Disparity Analysis forwarded to Office of the Director (External Affairs) for inclusion in proposed resolution.
- k.) Completed analysis will be scanned (PDF FILE) and placed in EDMS (Document Management). Each file will contain all supporting documentation used to complete analysis i.e. GIS info, copies of minutes from any and all meetings leading up to analysis i.e., Title VI Planning Committee Meetings, Sign in sheets.
- l.) A copy of the completed Disparity Analysis will be electronically filed on the shared drive. Information compiled in Disparity Analysis log to be warehoused and used during the inclusion of the Title VI Plan Submittal.
- m.) Ridership Satisfaction Survey to be distributed by determined personnel on the first day of Service Change implementation and will be conducted by determined personnel for no more than one week at designated bus locations to be determined by the Title VI Manager.
- n.) Completed surveys to be collected by designated personnel and forwarded to the Manager, Title VI for tabulation and analysis.

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- o.) Ridership Satisfaction Survey results to be forwarded in writing to the Title VI Committee for review and comment. **(see Attachment V)**
- p.) Final report of Ridership Satisfaction Survey to be forwarded to MDT Director.
- q.) Results of Ridership Satisfaction Survey, in addition to all supporting materials to be put in EDMS, and will be included in the Title VI Submittal to FTA.
- r.) Title VI Manager will receive a copy of all printed Service Changes that have been distributed following the LEP Guidelines. (See LEP TAPP POL-AD-005).

**III. PROCEDURE for MINOR SERVICE CHANGE**

*(Note \* Title VI Manager, and the Chief, OCR/LR shall be copied on all information from Planning and Scheduling Office regarding any and all line ups).*

- a.) Ninety days prior to a scheduled Line Up, (General, Divisional, Necessitated by Need) the Title VI Manager will inquire with the Transit Planning Section Supervisor through electronic message to determine if a divisional line up will occur.

If scheduled line up does NOT meet the definition of Major Line Up, a detailed analysis will not occur. However, the following steps will be taken to ensure accurate records.

- b.) Title VI Manager will attend all line-up meetings.
- c.) 45 days prior to the implementation of the line up, the Scheduling Office will conduct an in house Disparity Analysis that will be kept on file internally for information only.

Method for conducting in house Disparity Analysis will be determined per Title VI Circular Chapter V Program Specific Requirements and Guidelines for Recipients Serving Large Urbanized Areas, 4. REQUIREMENTS TO EVALUATE SERVICE AND FARE CHANGES page V-5 (FTA C4702.1A).

- d.) Completed analysis will be scanned (PDF FILE) and placed in EDMS System (Documents Management). Each file will contain all supporting documentation used to complete analysis i.e. GIS Info, copies of minutes

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from any and all meetings leading up to analysis i.e., Title VI Planning Committee Meetings, Sign in sheets, etc.

- e.) Title VI Manager will receive a copy of all printed Service Changes from MDT Marketing that have been distributed following the LEP Guidelines. (See Title VI LEP TAPP POL-AD-005)

#### IV. PROCEDURE FOR FARE INCREASE

*(Note \* Title VI Manager, and the Chief, OCR/LR to be copied on all information from the MDT Finance Office regarding pending fare increases). Title VI Manager will attend all planning meetings regarding pending fare increases.*

- a.) Per **Resolution 179-09**, 90 Days prior to implementation, MDT Finance will review Consumer Price Index every third year to determine if a fare increase will occur. Once a determination is made the MDT Comptroller will notify the Title VI Manager of the Department's intent to pursue a fare increase. If MDT does intend to pursue a fare increase the following must take place:
- Title VI Manager will convene Title VI Planning Committee to determine the research method to be utilized.
  - Title VI Manager shall forward letter of intent to conduct research regarding a Fare Increase to the Senior Chief, IT, (allow 10 business days to receive information).
  - Once information is received by OCR/LR, the Title VI Manager will convene Title VI planning team to commence written analysis (allow 15 business days for draft). All drafts will follow the general outline for the analysis provided by FTA guidance and be forwarded and reviewed by the Principal Planner and Transit Planning Section Supervisor prior to submission to the MDT Director.
  - Once the draft analysis is complete, Title VI Manager will convene Title VI Planning Committee to address service / fare change options for inclusion in report based on findings.
  - The Final Report, with recommendations for fare change options will be forwarded to the MDT Director.

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- Title VI Manager will contact Chief, MDT Finance to ensure that Title VI Compliance language is a part of any communication regarding the proposed Fare Increase.

***Ridership Satisfaction Survey re: fare increase***

- Planning and Scheduling Office, based on their experience, expertise and knowledge in the field, shall provide the Title VI Manager with questions for Ridership Satisfaction Survey ***re: fare increase*** to be approved by Title VI Planning Committee.
- Once approved, Ridership Satisfaction Survey ***re: fare increase*** to be forwarded to Manager, MDT Marketing for printing. MDT Marketing will follow applicable Limited English Proficiency Guidelines for printing.
- Ridership Satisfaction Survey will be implemented based on pre-determined timeline.
- Ridership Satisfaction Survey ***re: fare increase*** results to be forwarded in a written format to Title VI Committee for review and comment (no *later than 30 days after implementation*).
- Final report of Ridership Satisfaction Survey ***re: fare increase*** to be forwarded to MDT Director.
- Results of Ridership Satisfaction Survey ***re: fare increase***, in addition to all supporting materials to be put in EDMS, and will be included in the Title VI Submittal.
- Title VI Manager will receive a copy of all printed Fare Increases that have been distributed following the LEP Guidelines. (See LEP TAPP POL-AD-005).

For more details, see TAPP Policy and Format No. POL-AD- 001, posted on the TAPP' s.