

Equity Analysis Policy for Service and Fare Changes (proposed)

This policy supersedes the previous policy which was most recently revised in April 2014.

The Ann Arbor Area Transportation Authority (AAATA) has been identified by the Federal Transit Administration (FTA) as a transit provider that operates 50 or more fixed-route vehicles in peak service and is located in an Urbanized Area of 200,000 or more in population. As a result, the AAATA is required to complete equity analyses for the proposed major service and fare changes as described in FTA Circular 4702.1B. In promulgating these requirements and guidelines, the FTA is acting under authority of federal law (Title VI of the Civil Rights Act of 1964 42 U.S.C §2000 et. seq.) and regulations (49 CFR part 21).

Service Change Equity Analysis Policy and Requirements

When Is a Service Equity Analysis Required?

The FTA Circular requires transit agencies to prepare an equity analysis for all major service changes. Each agency is responsible for defining what constitutes a major service change. At the AAATA, the definition of a major service change is

- A change affecting more than 25% of weekly revenue service hours or miles for any transit route or service at one time or cumulatively within a period of thirty-six months, or
- Implementation of a new route, or
- Elimination of a route.

These thresholds are based on the actual service being provided, and they fully meet the FTA requirement to define a major service change.

Increases in service for experimental or demonstration service or changes in emergency service may be implemented for twelve months or less without preparation of an equity analysis. If the experimental, demonstration, or emergency services are operated for more than twelve months, then a service equity analysis must be completed before the end of the twelve-month period.

How Are Disparate Impacts And Disproportionate Burdens Determined?

Public Transit agencies are required by FTA Circular 4702.1B to develop and approve a local threshold for identifying a disparate impact and a disproportionate burden caused by service changes.

Disparate impact's threshold will be used to evaluate the impact of a service change on minority riders or populations. Minority is defined as all persons who self-identify as not being white or white and Hispanic, or Latino.

A possible disparate impact is determined by either

- comparing the proportion of the minority population within a quarter mile of the changed route or segment of the bus route with the proportion of the population that is a minority for the entire service area, or
- comparing the proportion of minority riders on the route or segment of the route being changed with the proportion of minority riders on the entire system.

A possible disparate impact is deemed to occur when the difference between the two measures (existing riders or the population and system-wide ridership or the service area population) is 10 percent or greater. The rate of 10 percent is consistent with the commonly used standard for disparate impact and allows for variations in the statistical reliability of the underlying data.

A disproportionate burden threshold will be used to evaluate the impact of a service change on riders or populations with low income. AAATA has determined that low-income individuals are those persons whose income is at or below 150% of the poverty guidelines defined by the Department of Health and Human Services or the poverty thresholds used by the US Census Bureau.

A possible disproportionate burden is determined by either

- comparing the proportion of the low-income population within a quarter mile of the changed route or segment of the bus route with the proportion of the population that is low-income for the entire service area, or
- comparing the proportion of low-income riders on the route or segment of the route being changed with the proportion of low-income riders on the entire system.

A possible disproportionate burden is deemed to occur when the difference between the two comparators (existing riders, or population and system-wide ridership, or service area population) is 10 percent or greater.

The FTA prefers that actual rider demographics, rather than census data, are used for determining disparate impact and/or disproportionate burden; however, up-to-date surveys of rider demographics may not always be available. Also, if a service change only affects a particular geographic or temporal segment of a route, then the margin of error for the survey data may be unacceptable. There is low margin of error when using data from the decennial US census, but the data can quickly go out of date. Data from the US Census Bureau American Community Survey (ACS) are usually more current. However, the data are based on sampling techniques rather than a

full census and are reported with a margin of error of 10 percent with a 90 percent confidence level. The AAATA will prioritize the use of rider demographics over census data if available.

What if There Is a Finding of Disparate Impact and/or Disproportionate Burden?

If the analysis shows that the proposed transit service change(s) creates a disparate impact, then the AAATA will evaluate whether there is an alternative that would serve the same objectives without a disparate impact. The AAATA may implement the proposed service change with the disparate impact only if there is a substantial justification for the change and there are no alternatives that would have a less disparate impact but would still accomplish AAATA's legitimate program goals.

If the results of the analysis show a finding of disproportionate burden, then the AAATA will take steps to avoid, minimize, or mitigate the impacts where possible. However, if there is no alternative that avoids, minimizes, or mitigates the disproportionate burden, then the service change may proceed with proper documentation of the analysis that identifies attempts to avoid, minimize, or mitigate the disproportionate burden.

Data Types

As stated above, the FTA allows transit agencies to use either rider demographics (minority status and income) or census data (the decennial census or American Community Survey) when preparing an equity analysis for a service change. Although the AAATA can choose which data source can be used, the same data source must be used for all changes analyzed at the same time. The AAATA will describe the data set being used for the analysis and will select from rider surveys, census blocks, or block groups for minority status. The smallest unit of geography for which poverty data are available is a census tract.

Cumulative Changes

When preparing a service equity analysis, The AAATA will evaluate the changes by consolidating and totaling results from each individual change and consider them cumulatively as a cohesive whole. Only the cumulative results for each change will be used to determine whether there is a disparate impact. Results for individual routes will not be evaluated for disparate impacts unless fully eliminated or added. During the tabulation of cumulative impacts, the effects of service improvements will be used to offset the effects of service reductions or vice versa.

Change Equity Analysis Policy and Requirements

When Is a Fare Equity Analysis Required?

The FTA Circular requires transit agencies to prepare equity analyses each time there is a fare, fare media, or fare system change. Every fare change, regardless of size or scope, is subject to this requirement. This includes changes such as increases or decreases in price and any change of fare rules, fare media, or distribution of fare media. The fare change equity analysis must determine whether there are impacts on minority (disparate impacts) or low-income populations (disproportionate burdens).

A fare change equity analysis is not required in three special cases:

- When the AAATA has declared that all rides are free.
- For temporary fare reductions that are mitigating measures for other actions such as detours or closures.
- Promotion fare reductions for up to six months. If a promotion reduction lasts longer than six months, then a fare equity analysis must be completed before the end of the six-month period for the reductions to continue in place.

In the service change equity analysis, the impacts are looked at cumulatively. That is not possible with fare changes since the amount of the fare increase for each fare category must be assessed individually in conjunction with the proportionality of the ridership based on income or minority status.

How Are Fare Change Disparate Impacts and/or Disproportionate Burden Determined?

The AAATA is required by FTA Circular 4702.1B to develop and approve a local threshold for identifying a disparate impact for fare changes.

Disparate Impact's threshold will be used to evaluate the impact of a fare change on minority riders. A minority is defined as all riders who self-identify as not being white, Hispanic, or Latino.

A possible disparate impact is determined by comparing the fare changes for fare categories used disproportionately by minorities with the fare changes for the entire system. A possible disparate impact is deemed to occur when particular fare categories are increased more than the average overall system fare increase and the proportion of minority riders in the fare category is more than 10 percent greater than the proportion of minority riders system-wide.

A disproportionate burden threshold will be used to evaluate the impact of a fare change on riders with low income. The AAATA has determined that low-income individuals are those persons

whose income is at or below the poverty guidelines defined by the Department of Health and Human Services or the poverty thresholds used by the US Census Bureau.

A possible disproportionate burden is determined by comparing the fare changes for fare categories used disproportionately by persons with low incomes with the fare changes for the entire system. A possible disparate impact is deemed to occur when particular fare categories are increased more than the average overall system fare increase and the proportion of low-income riders in the fare category are more than 10 percent greater than the proportion of low-income riders system-wide.

What if There Is a Finding of Disparate Impact and/or Disproportionate Burden?

If the analysis shows that the proposed transit fare change creates a disparate impact, then the AAATA will evaluate whether there is an alternative that would serve the same objectives without a disparate impact. Disparate impacts derived from fare changes can be eliminated by adjusting the fare increases or decreases. The AAATA may implement the proposed fare change with the disparate impact only if there is a substantial justification for the change and there are no alternatives that would have a less disparate impact but would still accomplish AAATA's legitimate program goals.

If the results of the analysis show a finding of disproportionate burden, then the AAATA will take steps to avoid, minimize, or mitigate the impacts where possible. However, if there is no alternative that avoids, minimizes, or mitigates the disproportionate burden, then the fare change may proceed with proper documentation of the analysis that identifies attempts to avoid, minimize, or mitigate the disproportionate burden. In the case of changes in fare prices, adjusting the amount of the increase (or decrease) can be cited as a minimizing or mitigation strategy.

Public Input Policy for Service and Fare Changes (proposed)

This policy supersedes the previous policy which was most recently revised in November 2011.

The intention of this policy is to listen to and act on public input before the AAATA makes a decision to change service or make fare changes with the following goals:

- To inform riders and others affected by a proposed change;
- To provide affected people with opportunities to ask questions, and understand the reasons why changes are being proposed;
- To provide AAATA with a better understanding of how riders use service and the effects of a proposed change;
- To encourage affected people to state objections to proposed changes and make suggestions for revisions;
- To provide AAATA with the opportunity to revise proposed changes based on public input to reduce negative effects.

The methods and level of effort to accomplish these goals depend on the size of the proposed change and the number of people/riders affected.

Major Service Changes

- A change affecting more than 25% of weekly revenue service hours or miles for any transit route or service at one time or cumulatively within a period of thirty-six months, or
- Implementation of a new route, or
- Elimination of a route.

Fare Changes

- Any change in the fare, or
- Any change to payment or fare media that would be subject to the fare change.

Notification of Proposed Changes

People must first know about proposed changes in order to have the opportunity to provide input. The public input period is a minimum of 30 days. The notification methods to be used include the following:

- AAATA Website. The AAATA website provides multiple opportunities to provide notification.

Notice of proposed changes appears on the front page, typically in the “What’s Happening” section and in a section on the website that provides further details on the proposed changes. Typical details include a presentation or document of information and information on how to provide feedback via website, phone, email, letter. In addition, for any public meetings, they also appear on the “Events” page on the website.

- Social Media. AAATA regularly uses social media to promote public engagement opportunities. Facebook, Twitter and LinkedIn are used for these initiatives.
- Press Releases – AAATA issues a press release for all proposed major service changes and fare changes which describe the proposed change and how to provide input. Press releases are distributed to all media outlets, posted on our website, and shared on social media.
- E-Newsletter – AAATA includes information on public engagement opportunities in monthly e-newsletters. E-newsletters are sent to community leaders and individuals who have elected to sign-up to receive monthly emails from TheRide on current projects.
- On-Board Bus Communications – AAATA can utilize on-board bus communications such as bus cards and bus seat stickers to communicate information on the public engagement opportunities, depending on the level of impact of the proposed change.
- Presentations – AAATA develops presentations as needed, dependent on the level of impact of the change and share the presentations at public meeting and online
- Paid Media – Dependent on the level of impact of proposed change, paid media will be utilized to announce to public the engagement opportunity. This includes, but not limited to: Public Notice in MLive, other print ads, radio ads, paid social media, digital ads.
- Stakeholder and Community Leaders Notification – As Needed, AAATA notifies key stakeholders that will be affected by proposed changes and provides a notification of them.
- Public Meetings – AAATA hosts meetings in strategic locations with epicenters of general, minority, limited English proficiency (LEP), and low-income populations, and typically allows for a virtual public meeting.
- Translations – AAATA notifies the public that translations of the public engagement information materials is available upon request in Spanish, Korean, Chinese, and Arabic.

All of these methods would be used for major service changes and fare changes. For other changes, the methods used will be tailored to the scale of the proposed change. In addition, paid media may be used for some proposed changes.

Opportunities for Public Input

AAATA’s intention is to make it possible for people to choose how they wish to provide input and whether they want to only comment or whether they desire a response or to engage in a conversation. As part of the notification methods above, people are provided with several possibilities for making comments and asking questions including:

- E-Mail – E-Mail goes to a mailbox set up specifically to receive input.
- Telephone – A hotline is set up to receive comments with a callback by AAATA staff upon

request.

- Written – Letters provide a means for more formal communication.
- Form on Website – a form directly on our website that individuals can fill out with feedback will be made available.
- Face-to-Face – At meetings and by appointment. For major service changes and fare changes, meetings are provided at multiple times and locations, with an emphasis on meeting locations in the area(s) affected by the proposed change. Meetings are typically scheduled as drop-in sessions for a 2-5-hour period to permit people to attend at their convenience and to encourage dialogue. Virtual meetings are also often provided as an option.

Whatever method is used, AAATA staff provides a response to public comments if requested or needed. The nature of AAATA's response depends on the comments. AAATA answers questions, explains the rationale for the aspects of the proposed change that is the subject of the comments, and replies to suggestions. In some cases, AAATA's response includes questions to make sure staff understands the input and suggestions. In many cases, input and response is a dialogue, rather than a single communication. AAATA staff summarize received comments for consideration.

In addition, public time is provided at all meetings of the AAATA Board of Directors. While an opportunity for dialogue is not always available at these meetings, staff follows up with people who comment about proposed service and fare changes after the meetings for clarity and applicability.

Use of Public Input

During the public input period, AAATA staff considers the input that is being received. Depending on both the quantity as well as the specific concerns that are raised, potential alternatives may be developed.

At the end of the public input period, the input is compiled. Recommended service or fare changes are developed taking into consideration the public input. The public input summary is provided to the decision makers along with the recommended changes.

Revised Procedures for Exceptional Circumstances

Under exceptional circumstances which require a service change or fare change to be adopted and implemented on short notice, the procedures above may be altered to the extent necessary.

However, at a minimum, the public will be afforded an opportunity to be heard at the AAATA Board meeting at which any action is taken and a notice of the proposed change with the date and time of the Board meeting will be published on the AAATA website before the Board meeting.