



## Board Report

File #: 2018-0822, File Type: Ordinance / Administrative Code

Agenda Number: 31.

### EXECUTIVE MANAGEMENT COMMITTEE FEBRUARY 21, 2019

**SUBJECT: ADMINISTRATIVE CODE AMENDMENTS - OFFICE OF CIVIL RIGHTS**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

APPROVE amendment of Title 2, Chapter 2-50 of the Los Angeles County Metropolitan Transportation Authority ("Metro") Administrative Code, concerning Title VI Requirements and Public Hearings, as set forth in Attachment A. The amended Administrative Code will become effective March 1, 2019.

#### **ISSUE**

Approval of the above recommendation will conform Metro's Administrative Code to the guidance provided by the Federal Transit Administration in regards to fare changes and will correct the language concerning the procedure by which disparate impact and disproportionate burden are calculated for fare and service changes.

#### **BACKGROUND**

The Federal Transit Administration has issued a new interpretation of its guidance concerning fare equity analysis as it relates to fare changes when the price of the product is not determined by Metro. The Office of Civil Rights Department believes it prudent to align Metro's Administrative Code with this new interpretation. An amendment is also sought to correct errors in language identifying the procedure used to calculate disparate impact and disproportionate burden for fare and service changes.

#### **DISCUSSION**

Proposed amendments to the Administrative Code are set forth in Attachment A to this Board Report to adjust two sections:

1. Section 2-50-010 Fare Changes

This section is being amended as a result of a new interpretation of the Title VI guidance received from the Federal Transit Administration. The change will eliminate the requirement to conduct a Title

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VI and Environmental Justice analysis for fare products where the price of the product is not determined by Metro. This includes instances such as where the employer determines the price of the pass being sold to employees or post-secondary universal passes where the educational institution or student body establishes the final price of the product.

2. Section 2-50-020 Definitions

This change corrects an error in the original text and brings the text in alignment with the actual procedure that is used to calculate disparate impact and disproportionate burden for fare and service changes.

**FINANCIAL IMPACT**

Amendment of the Administrative Code would have no financial impact to the agency.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendations put forward support the Strategic Plan Goal # 1: Provide high quality mobility options that enable people to spend less time traveling. The recommendation will assist Metro in achieving its goals of establishing a transportation system pricing framework that is equitable, reduces negative effects and ensures access to a variety of transportation options for everyone.

**ALTERNATIVES CONSIDERED**

Not implementing the recommended amendments would place Metro out of compliance with the Federal Transit Administration's guidance concerning fare changes and would allow errors in Metro's Administrative Code concerning the procedure to calculate disparate impact and disproportionate burden for fare and service changes to remain unchanged.

**NEXT STEPS**

Following Board approval of the recommended amendments to the Administrative Code, the Office of Civil Rights Department will ensure that a fare equity analysis is prepared for all fare changes in accordance with the guidance provided by the Federal Transit Administration.

**ATTACHMENTS**

Attachment A - Code Amendments for Fare Changes and Definitions.

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Inspector General



# ATTACHMENT A

## Chapter 2-50

### Title VI Requirements and Public Hearings

#### 2-50-010 Fare Changes

A. A Fare Equity Analysis shall be prepared for all fare changes (increase or decrease). The analysis will evaluate the effects of fare changes on Title VI protected populations and low-income populations. The analysis ~~is not required for~~ ~~will be done~~ ~~for~~ fares not ~~available~~ ~~directly~~ sold by Metro to the general public such as special discount programs for ~~students, groups or~~ employers or post secondary education universal passes.

#### 2-50-020 Definitions

C. For major service changes, a disparate impact will be deemed to have occurred if the absolute difference between the percentage of ~~minorities~~ minority riders adversely affected and the overall percentage of ~~minorities~~ riders is at least 5% or if there is a 20% or greater difference between the percentages of these two groups. A disproportionate burden will be deemed to exist if the absolute difference between the percentage of low-income adversely affected by the service change and the overall percentage of ~~low-income persons~~ all riders is at least 5% or if there is a 20% or greater difference between the percentages of these two groups.

D. For any applicable fare changes, a disparate impact will be deemed to have occurred if the absolute difference between the percentage of ~~minorities~~ minority riders affected and the overall percentage of ~~minorities~~ all riders is at least 5% or if

there is a 35% or greater percent difference between the percentages of these two groups. A disproportionate burden will be deemed to exist if absolute difference between the percentage of low-income adversely affected by the fare change and the overall percentage of ~~low-income persons~~ all riders is at least 5% or if there is a 35% or greater percent difference between the percentages of these two groups.