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(ITEM) From the Director, Department of Transportation, requesting authorization and approval of Milwaukee County Transit System Title VI Policy Definitions for major service change, disparate impact, and disproportionate burden, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Title VI of the Civil Rights Act of 1964 states: “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;” and

WHEREAS, the Federal Transit Administration (FTA) establishes requirements for transit systems with respect to Title VI under Federal Transit Authority Circular 4702.1B; Chapter IV, Section 3a(2)(e) of which establishes a requirement for County Executive and County Board approval of major service change policy and disparate impact policy; and

WHEREAS, the FTA requires transit systems to analyze proposed service changes and fare changes to determine if there is potential for a disparate impact on minority populations or a disproportionate burden on low-income populations; and

WHEREAS, the FTA requires transit systems to use a public engagement process when establishing these local definitions; and

WHEREAS, in October 2013, the Milwaukee County Transit System (MCTS) conducted two public outreach meetings to inform the public of proposed policy definitions and gather input about the policies; and

WHEREAS, based on the feedback received from the public, MCTS has defined a Major Service Change as a change that affects 25 percent of the in-service bus hours on a route or group of routes, affects 25 percent of the one-way mileage of a route or group of routes, affects 25 percent of the daily service period, reduces the service span by more than an hour during the late night (9:30 p.m. to 6 a.m.), reduces the frequency of service (increases the headway) by 50 percent, or creates a gap of greater than one-half mile from the nearest alternative service; and

WHEREAS, based on the feedback received from the public, MCTS will use the four-fifths rule, also known as the 80 percent rule, as the threshold for its disparate impact and disproportionate burden policies meaning that an impact has occurred when the ratio of the reduction in service to the minority or low-income population compared to the non-minority or non-low-income population exceeds four/fifths or 80 percent; now, therefore,

45 BE IT RESOLVED, that the Milwaukee County Transit System policy definitions for
46 major service change, disparate impact, and disproportionate burden, as outlined in this
47 resolution and further described in the report attached to this file, are approved.

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