

MCTS 2014 TITLE VI PROGRAM UPDATE EXECUTIVE SUMMARY

September 3, 2014

OVERVIEW

The MCTS 2014 Title VI Update represents an update of the 2011 Title VI plan submitted by Milwaukee County to the Federal Transit Administration (FTA). FTA Circular 4702.1B sets forth the guidelines for providing information on the non-discriminatory provision of transit services as required by Title VI of the Civil Rights Act of 1964.

MCTS 2014 Title VI Update includes ten general reporting requirements and five specific requirements that are mandated for transit providers:

GENERAL REPORTING REQUIREMENTS

1. Title VI Notice to the Public - A notice to the public is available on MCTS' website and at the administration building and three operating stations. It is also displayed in the transit guide, on public timetables (when space permits), and on buses. This notice is also available in Spanish.
2. TITLE VI Complaint Procedures and Form - A description of the procedures and the form needed to file a Title VI Complaint are posted on the MCTS website.
3. Summary of Title VI Complaints - MCTS received one complaint since the previous submittal in 2011. The complaint was that a bus stop was non-ADA compliant and hazardous on the basis of race and disability. An internal investigation found no merit that the bus stop was non-ADA compliant or that the complainant's access to transit service was adversely impacted based on race, color or national origin.
4. Public Participation Plan - MCTS will be taking the initiative to involve the public in creating a public participation plan that improves and supports the transit system. Getting public feedback is a critical first step towards providing meaningful and appropriate service that meets the public's needs and expectations. Particular emphasis will be given to involving under-represented / under-served populations. The preparation of the final plan will consist of four phases (identifying stakeholders, engaging the public in the planning process, drafting the plan and presenting it for feedback from the public, and preparing the final plan). MCTS will be working on these details in 2014 with a completion date of early 2015.
5. Public Outreach & Involvement Activities - MCTS hosted 2 public information forums on proposed Title VI policies in September 2013. It also held 15 public outreach forums on the proposed farebox collection system, automated vehicle annunciator system, and real time information system in 2014. The public was also able to attend annual hearings on the budget for transit services from 2012 to 2014.

6. Limited English Proficiency Plan - MCTS has made an extensive effort to provide meaningful access to public transportation for individuals who have limited English-speaking skills. MCTS works with several community-based organizations that provide social services to the Spanish-speaking population to get information about LEP populations. MCTS also conducts internal surveys to assess the degree to which LEP persons are likely to encounter a transit program, activity or service. This data revealed that up to 70 requests are received annually (these were primarily for persons whose primary language is Spanish). MCTS produces several documents, e.g., printed schedules, a How to Ride guide, a passenger Bill of Rights, and a detailed security brochure in Spanish to eliminate language barriers that would prevent a person from using transit service (buses also have fare information in Spanish). MCTS will continue to allocate funds, as needed, for continued LEP improvements. For example, MCTS purchased a service provided by Certified Languages International that serves all foreign language interpretation needs.
7. Minority Representation on Planning and Advisory Bodies – MCTS is required to provide information on the racial breakdown of the membership of all non-elected transit related planning and advisory boards. The racial breakdown for the Transit Plus Advisory Committee was as follows: 37% White, 62% Black or African-American, and 12% American Indian. Data on members of the Transit Service Advisory Committee was not available at the time the Plan Update was prepared (it has since been determined the breakdown is 80% White and 20% Asian).
8. Monitoring of Subrecipient Title VI programs – The Milwaukee County Department of Transportation submitted an informational report to Milwaukee County detailing how they will monitor the Title VI program for area counties and transit providers that receive funding from the Section 5310 program. MCDOT will review recipient’s compliance with the Title VI program, investigate any complaints, and conduct on-site visits.
9. Approval of Title VI Program by Governing Entity - MCTS submitted a report to the County Board in June 2014 informing them that MCTS was required to update its Title VI Program and that MCTS would return in the September cycle to seek approval of the completed plan.
10. Policy Definitions for Major Service Change, Disparate Impact, and Disproportionate Burden - MCTS submitted a report to the County Board in July 2014 asking to approve its definitions for a major service change, disparate impact, and disproportionate burden policies. These definitions were approved by the County Board on July 31, 2014.

REQUIREMENTS FOR TRANSIT PROVIDERS

1. Service Standards and Policies - MCTS service standards are found in the Milwaukee County Transit Development Plan. Service standards are primarily based on the principle that the transit system effectively serve the existing land use pattern, meet the demand and need for transit services, and particularly the needs of the transit-dependent population. The Milwaukee County Transit Development Plan was received and placed on file by Milwaukee County in June 2011.

2. Demographic Data - MCTS prepared maps and tables that display various demographic data for Milwaukee County, particularly the location of the minority and low-income population. Other maps include a base map of MCTS's service area overlaid with the percent of the population that is either minority or low income. MCTS also included its latest Customer Study report that provides a profile of the system.
3. Title VI Monitoring Program – MCTS staff annually compares the level and quality of transit service in minority and non-minority areas to ensure the application of standards and policies results in an equitable distribution per Title VI guidelines. Standards that are examined include the maximum number of persons on a bus, frequency of service, on-time performance, distribution of transit shelters, and availability of service. Policies refer to how buses are assigned to the routes and how transit security is provided.
4. Public Engagement Process for setting the Major Service Change Policy, Disparate Impact Policy and Disproportionate Burden Policy - MCTS hosted two public meetings in Fall 2013 to inform and receive comment on its proposed policies governing a Major Service Change, Disparate Impact Policy and Disproportionate Burden Policy.
5. Results of Service and/or Fare Equity Analysis - MCTS completed a fare equity analysis of the impact the elimination of paper transfers would have on minority and low income passengers. MCTS found that a disparate impact would technically exist for minority passengers that pay with cash. MCTS will mitigate this impact by allowing passengers to present a blank smart card to the bus operator who can encode a transfer onto the card after receipt of the full cash fare. MCTS will also distribute smart cards for free for a limited period of time.

MCTS also conducted a fare equity analysis of the proposed change in retail outlets. MCTS found a disparate impact could exist for persons in minority census tracts based on the final decision for the location of retail outlets. MCTS plans to mitigate impacts by expanding the number of outlets in minority census tracts, as necessary.

CONCLUSION

As a recipient of FTA funds, MCTS must comply with Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation's implementing regulations at 49 CFR Part 21, and FTA's Title VI Circular 4702.1B. Through the successful implementation of the 2014 Title VI Program Update, MCTS will be able to ensure that transit services are provided in a non-discriminatory manner in Milwaukee County.