

# MCTS 2023 Title VI Program Plan Update

Transportation and Transit Committee  
Milwaukee County Board of Supervisors

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# 1964 Civil Rights Act - Title VI



- 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.”

- As a recipient of funds from the Federal Transit Administration (FTA), 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 4702.18.

# Federal Transit Administration and Title VI



- The FTA requires transit systems prepare a “Title VI Program Plan Update” every three years to document compliance.
- As a recipient of FTA funds, MCTS must document the Plan Update has been approved by the County Executive and the County Board of Supervisors before it is submitted to the FTA.
- The deadline for submittal is October 1<sup>st</sup>, 2023.

# Federal Transit Administration and Title VI



- MCTS has submitted Plan Updates to the County Board for approval in 2014, 2017 and 2020.
- The most recent Plan Update is available at <https://www.ridemcts.com/accessibility/title-vi>



# Title VI Program Plan Update - Purpose



- Ensure that transit services are provided in a non-discriminatory manner.
- Promote full and fair participation in transit decision-making without regard to race, color, or national origin.
- Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

# Title VI Program Plan Update - Overview



FTA Circular 4702.1B sets 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.

The Update includes ten general requirements and five additional requirements that are specifically mandated for transit systems.



# Title VI Program Plan Update – General Requirements



The Title VI Program Plan Update includes ten general requirements:

1. Title VI Notice to the Public
2. Title VI Complaint Procedures / Form
3. Summary of Title VI Complaints
4. Public Participation Plan
5. Public Outreach and Involvement Activities
6. Limited English Proficiency Plan

# Title VI Program Plan Update – General Requirements



The Title VI Program Plan Update includes ten general requirements (continued):

7. Minority Representation on Planning and Advisory Bodies
8. Monitoring of Sub Recipient Title VI programs
9. Approval of the Title VI Program Update by the governing entity
10. Policy Definitions for Major Service Change, Disparate Impact, and Disproportionate Burden



# Title VI Program Plan Update – Specific Requirements



The Title VI Program Plan Update also includes specific requirements for transit providers:

- Service standards and policies
- Demographic data on the minority and low-income populations served
- Title VI Monitoring program
- Public engagement process regarding Major Service Change policy, Disparate Impact policy and Disproportionate Burden policy
- Recent examples of Service and Fare Equity Analyses

# Service Equity Analysis - Purpose



- The FTA requires transit systems perform a “service equity analysis” when they make a “major service change” to the system.
- The purpose is to proactively assess the impacts of such changes upon the minority and low-income population relative to the non-minority and non-low-income population.
- Any changes that do not have a similar impact are considered a “disparate impact” or a “disproportionate burden”, respectively.
- If an impact or burden exists, the transit system must then take steps to mitigate the impacts where practical.

# Service Equity Analysis - Process



- The first step is to determine if a proposed service change meets the definition of a major service change:
  - Does the change affect 25% of the route's bus hours?
  - Does the change affect 25% of the route's one-way mileage?
  - Does the change affect 25% of the service span?
  - Does the change reduce the frequency of service by 50%?
  - Does the change create a gap in service greater than a half mile?
- If the proposed service change does not meet these definitions, then the transit system does not need to prepare the analysis.

# Service Equity Analysis - Process



- In general, planner's review various datasets during the analysis:
  - Demographic data on the minority and low-income population and the non-minority and non- low-income population from US Census / American Community Survey
  - Bus service data and ridership data
  - Transit planning software (Remix)
- MCTS uses the “four-fifths rule” as the threshold for determining if an impact exists.

# Fare Equity Analysis – Purpose



- The FTA requires transit systems perform a “fare equity analysis” when there is any change to fares or to the fare system.
- The purpose is to proactively assess the impacts of changes upon the minority and low-income population relative to the non-minority and non-low-income population.
- Any changes that do not have a similar impact are considered to be a “disparate impact” or a “disproportionate burden”, respectively.
- If an impact or burden is determined to exist, the transit system must then take steps to mitigate the impacts where practical.

# Service and Fare Equity Analysis - Examples



- Service Equity Analyses:
  - 2021 - Suspension of Routes 40, 43, 44, 46, 48, 49 and 137 (COVID-19)
  - 2022 - Routes 18, 40, 43, 44, 46, 48, 49, 54, 60, & 137 (2023 Budget)
  - 2023 - CONNECT 1 Bus Rapid Transit, GoldLine, and Routes 14 and 52
- Fare Equity Analysis:
  - New Fare Collection System



# Thank You!

## Questions?

- The 2023 Title VI Program Plan Update is available at <https://www.ridemcts.com/accessibility/title-vi>

