

Major Service Change, Disparate Impacts and Disproportionate Burden Policies

PURPOSE:

The purpose of the Fare and Service Change directive is to ensure no person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of transportation service furnished by Delaware Transit Corporation (DTC) on the basis of race, color or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and locations of routes may not be determined on the basis of race, color or national origin.

DEFINITIONS:

Title VI Major Service Change is defined as an service change affecting 15 percent or more of the ridership within the county for which the reduction/addition is proposed, or at least 15 percent reduction/addition of the service miles currently operating in the affected county, or at least 25 percent reduction/addition of the revenue service trips of any 1 route including new routes (Note: Delaware Code Title 2, Chapter 13, Section 1309(28)(b)(1), defines a Major Service Change but FTA guidelines require DTC to amend its policy to also include new or increased services).

Title VI Disparate Impact establishes the threshold for when the adverse effects of a major service change or fare increase is borne by minority populations.

- For major service changes, the most recent and available census data will be used along with route level operating data to estimate the impacts on minority populations. In evaluating the major service change, DTC will estimate the ridership impacts and the population of minority persons impacted. A disparate impact will occur when the minority population adversely affected by a major service change is twenty percent (20%) more than non-minority population adversely affected by the major service change.
- For fare policy changes, ridership data by route along with results from the most recent on-board survey will be used by DTC to estimate the ridership impacts and the number of minority riders affected. A disparate impact will occur when the minority riders adversely affected by a fare policy increase is twenty percent (20%) more than non-minority riders adversely affected by the fare increase.

Title VI Disproportionate Burden establishes the threshold for when the adverse effects of a major service change or Fare policy change is borne by low-income populations.

- For major service changes, the most recent and available census data will be used along with route level operating data to estimate the impacts on low-income populations as defined by the U.S. Census. In evaluating the major service change, DTC will estimate the ridership impacts and the population of low income persons affected. A disproportionate burden will occur when the low-income population adversely affected by a major service change is twenty percent (20%) more than non-low income population adversely affected by the major service change.

For fare policy changes, ridership data by route along with results from the most recent on-board survey will be used by DTC to estimate the ridership impacts and the number of low-income riders impacted. A disproportionate burden will occur when the low-income riders adversely affected by a fare increase is twenty percent (20%) more than non-low income riders adversely affected by the major service change.

DIRECTIVE:

Following the guidelines set forth by FTA Circular 4702.1B, DTC has established the below process for determining when to conduct an equity analysis for a major service change and/or fare change. The process is used to compare the level of service provided to predominantly minority areas with the level of service provided to predominantly non-minority areas to ensure the result of policies and decision-making is equitable.

Planning staff identifies service changes and/or fare policy changes for review by Executive Team. This includes service changes that are part of the normal bi-annual service changes and changes that may be required by a unique or emergency situation.

1. Upon approval to proceed by the Executive Team, Planning Staff prepares Title VI Service Change Equity Analysis (Title VI Reporting Form) and/or Title VI Fare Policy Equity Analysis.
 - In the event prior decisions have triggered a disparate impact because of race, color, or national origin, DTC will take corrective actions to remedy the disparities to the greatest extent possible.
 - Additionally, a report of the disparate impacts and actions taken to rectify will be included in the subsequent Title VI Program update.
2. Public meetings for fare policy changes and major service changes will be held as required by Delaware Code and as outlined in the DelDOT Public Involvement Policy. In carrying out the public participation process, DTC will take affirmative steps to ensure meaningful access for minority and low-income populations.
3. Following the public comment period, the Title VI Service Change Equity Analysis, Title VI Fare Policy Equity Analysis and public comments will be reviewed by a committee existing of at least the Planning Manager, Compliance Officer, Chief Administrative Officer and Chief Operating Officer.
4. Upon final recommendation of the committee, the Title VI Service Change Equity Analysis and Title VI Fare Policy Equity Analysis will be presented for approval by Chief Executive Officer and the Secretary.
5. Service and/or fare change implemented.

DIRECTIVE IMPLEMENT:

The Compliance Officer and Chief of Performance Management are responsible for the administration, revision and application of this directive. The directive will be reviewed annually or as required by FTA changes and will be revised as needed.

October 2019