



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		GENERAL MANAGER ACTION REQ'D:	
DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...			
DATE: 5/11/2023		5/18/2023	
BOARD INITIATED ITEM: Yes			
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Signature/Date: 5/18/2023	5/18/2023	5/18/2023	5/18/2023
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Title VI Fare Equity Analysis for the Proposed 2024 and 2025 Productivity-Adjusted Inflation-Based Increases and Clipper® STARTSM Discount Increase

PURPOSE:

To request Board approval of the Title VI Fare Equity Analysis for the Proposed 2024 and 2025 Productivity-Adjusted Inflation-Based Increases and Clipper® STARTSM Discount Increase.

DISCUSSION:

To ensure compliance with federal Title VI regulations, BART is required to conduct an analysis of any proposed fare change to determine if the change could potentially place a disparate impact on minority riders or a disproportionate burden on low-income riders (protected populations). An equity finding is made based on a demographic assessment of affected riders, and the public outreach was designed to ensure equal opportunities for engagement for protected populations and limited English proficient (LEP) populations. Should a disparate impact or disproportionate burden be found, then in accordance with BART's Disparate Impact/Disproportionate Burden (DI/DB) Policy and the Title VI Circular, BART is required to take steps to avoid, minimize, or mitigate such impacts.

Staff analyzed and conducted public outreach on the following fare changes:

A. Implementation of two productivity-adjusted inflation-based fare increases of up to 5.5% each in January 2024 and January 2025.



- The BART Board gave the General Manager authority in 2003 and renewed that authority in both 2013 and 2019 to implement the Productivity-Adjusted Inflation-Based Fare Increase Program for below-inflation increases once every two years.
 - The average of national and Bay Area inflation over two years is calculated, with one-half percent then subtracted for BART productivity improvements.
- Series 1, 2006-2012, contributed approximately \$290 million (M) in additional fare revenue to help BART weather the Great Recession without reducing service levels.
- Series 2, 2014-2020, helped fund BART's high-priority capital projects: new rail cars, a new automated train control system, and the Hayward Maintenance Complex.
- The current Series 3, 2022-2026, generates unrestricted revenue for capital reinvestment projects as well as BART operations to keep pace with the rising cost of delivering safe, reliable, quality service.

B. Increasing the Metropolitan Transportation Commission's (MTC) Regional Means-Based Transit Fare Discount (Clipper® STARTSM) from 20% off to 50% off for trips on BART.

- In April 2019, the BART Board approved the Title VI Fare Equity Analysis for BART Participation in the Regional Means-Based Fares Pilot Program. Following pilot participant Board approvals, MTC launched the Regional Means-Based Transit Fare Discount pilot in July 2020.
- Under the pilot program, now known as Clipper® STARTSM, riders aged 19-64 residing in the 9-county Bay Area with incomes at or below 200% of the federal poverty level are eligible to receive a free, specially encoded Clipper card that provides a 20% discount per trip off of regular BART fares as well as discounted fares on other transit operators.
- To build on the early successes of the pilot and enhance its impact, BART proposes to increase its per-trip discount to 50% off of the Clipper Adult fare from the 20% currently offered. This increase would go into effect January 1, 2024 alongside the first of the two proposed inflation-based fare increases of up to 5.5% each.

No disparate impact or disproportionate burden were found for the proposed fare changes. Consistent with previous analyses, there was general opposition to the fare increase(s) and riders generally supported the Clipper® STARTSM discount increase. The following table summarizes the analysis results:

Equity Findings

	Disparate Impact?	Disproportionate Burden?	Mitigation Required?
2024 & 2025 Inflation-Based Fare Increases of up to 5.5% each	No	No	No
Clipper® START SM discount increase from 20% to 50%	No	No	No

Attachment A provides details for the proposed fare change regarding analysis findings, public input, the fare change's equity findings, and mitigations where applicable.

FISCAL IMPACT:

No fiscal impact is associated with the approval of the Title VI Fare Equity Analysis.

ALTERNATIVES:

Do not approve the Title VI Fare Equity Analysis. If the Title VI Fare Equity Analysis is not approved or if approval is deferred, the fare increase(s) and Clipper® STARTSM discount increase identified for implementation as part of the Fiscal Year 2024-25 (FY24-25) budget cannot proceed and may not be included in the FY24-25 budget.

RECOMMENDATION:

Approval of the following motion.

MOTION:

The Board of Directors approves the Title VI Fare Equity Analysis for the Proposed 2024 and 2025 Productivity-Adjusted Inflation-Based Fare Increases and Clipper® STARTSM Discount Increase.