



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Rbt M. Pomeroy</i> 17 April 2019		GENERAL MANAGER ACTION REQ'D:		
DATE: 4/11/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Jennella Sambour-Wallace Dept: Office of Civil Rights	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i> 4/16/18	District Secretary	BARC <i>[Signature]</i> 4/15/19
Signature/Date: <i>[Signature]</i> 4/16/19	<i>[Signature]</i> 4/16/19 []	<i>[Signature]</i> 4/16/18 []	[]	<i>[Signature]</i> 4/15/19 []

Title VI Fare Equity Analysis and Public Participation Report for BART's Participation in MTC's Regional Means-Based Transit Fare Discount Pilot Program

PURPOSE:

To request the Board to approve the Title VI Fare Equity Analysis and Public Participation Report for BART Participation in the Metropolitan Transportation Commission's Regional Means-Based Transit Fare Discount Pilot Program.

DISCUSSION:

To ensure compliance with federal and state civil rights regulations, BART performs an analysis of any fare change to determine if the change has a disparate impact on minority riders or a disproportionate burden on low-income riders. The fare change in this case is a potential new discount fare type for eligible low-income riders. BART would make this discount available through participation in the Metropolitan Transportation Commission's (MTC's) Regional Means-Based Transit Fare Discount Pilot Program, which will last up to 18 months. An analysis of the Pilot Program impacts is required in accordance with applicable implementing guidance (FTA Title VI Circular 4702.1B, dated October 1, 2012) because the term of the Pilot Program would exceed six months.

The Pilot Program participants are BART, Caltrain, Golden Gate Transit (bus and ferry), and San Francisco Muni. The eligible low-income rider will use a specially encoded, free-of-charge, Clipper smart card to receive a means-based discount when traveling on any of the four above-mentioned operators. BART's proposed discount to the regular fare is 20% per trip, which is the same discount proposed by Caltrain and Golden Gate Transit. For

example, the discounted fare for a BART trip between Pittsburg/Bay Point and Embarcadero stations would be \$5.35 instead of the regular \$6.75 Clipper fare.

Analysis Results

The Federal Transit Administration (FTA) Circular 4702.1B (Circular) requires a transit agency to use ridership survey data when evaluating whether a fare change (such as a new discount fare type) has adverse effects on low-income and minority populations. Impacts are considered disproportionate when the difference between the affected fare type's protected ridership share and the overall system's protected ridership share is greater than 10%, per BART's Disparate Impact/Disproportionate Burden Policy (DI/DB Policy).

The 2018 BART Customer Satisfaction Survey data found that BART's overall ridership is 20.2% low-income. Every low-income rider is eligible to get the free Clipper card and receive the new benefit of a 20% discount on each BART trip. As the discount fare type would be available to all low-income riders, introduction of this new benefit would not place a disproportionate burden on BART's low-income riders.

The 2018 Customer Satisfaction Survey also shows that BART's overall ridership is 64.5% minority, while the share of low-income riders who are minority is higher at 81.5%. This difference of 17.0% exceeds the DI/DB Policy threshold of 10% for new fare types, which indicates that low-income riders are disproportionately minority. Therefore, minority riders would be more likely to receive the benefit of the 20% discount on each trip, and so this new discounted fare type would not result in a disparate impact on minority riders.

Public Outreach

As part of the Title VI assessment, BART undertook public outreach, including three in-station events, to receive input on the potential means-based discount from low-income, minority, and Limited English Proficient (LEP) populations, in accordance with BART's Public Participation Plan and the Circular.

BART received 3,708 surveys, the majority of which were online. The survey included an open-ended question on the potential new discount program for low-income riders, and a total of 2,053 comments were received. An analysis of the open-ended responses by low-income populations shows that 96% of low-income respondents and 84% of non low-income respondents either fully or conditionally supported the low-income discount.

Members of BART's Title VI/Environmental Justice Advisory Committee and Limited English Proficiency Advisory Committee provided input in December 2018. Members were very supportive of the potential low-income discount.

Equity Finding

An equity finding is made after considering both the fare change analysis results and public comments received.

Analysis results show that the discount fare type would be available to all low-income riders, and so introduction of this new benefit would not place a disproportionate burden on BART's low-income riders. 2018 Customer Satisfaction data indicates that low-income riders are disproportionately minority and so minority riders would be more likely to receive the benefit of the 20% discount on each trip; thus, this new discounted fare type would not result in a disparate impact on minority riders. Public input received overwhelmingly supports offering the low-income discount. Therefore, the equity finding of this report is that the new fare type will not disproportionately impact minority or low-income riders, and the report concludes that the new fare type will not result in a disparate impact or disproportionate burden on minority riders or low-income riders, respectively.

The equity finding of this report is that the new fare type will not disproportionately impact minority or low-income riders. Therefore, the report concludes that the new fare type will not result in a disparate impact or disproportionate burden on minority riders or low-income riders, respectively.

FISCAL IMPACT:

There is no fiscal impact associated with approving the Title VI Fare Equity Analysis. FTA requires the Board to approve the Title VI Fare Equity Analysis and Public Participation Report before BART can participate in the low-income discount pilot program.

ALTERNATIVES:

Do not approve or defer approval of the Title VI Fare Equity Analysis and Public Participation Report. Either of these alternatives could delay BART's participation in the pilot program.

RECOMMENDATION:

Approval of the following motion.

MOTION:

The Board of Directors approves the Title VI Fare Equity Analysis and Public Participation Report for BART Participation in the Metropolitan Transportation Commission's Regional Means-Based Transit Fare Discount Pilot Program.