

FTA Triennial Report

*Overview,
Triennial Monitoring Results,
and Next Steps*

September 18, 2017

DRAFT

Presentation Objectives

Provide an overview of the triennial MBTA Title VI Program obligation, procedures, key findings and achievements during the 2014-2017 cycle, that will:

- a) Support leadership review and approval of Title VI Program that will be in place from 2017-2020, for submission to FTA by October 1, 2017
- b) Explain Title VI Requirements and the Board vote
- c) Review data on where potential disparate impacts were or were not identified and proposed response to potential disparate impacts.

Objective:

Ensure that federal funds are not spent in a way that encourages, subsidizes, or results in discrimination.

Legal Basis:

Title VI of the Civil Rights Act of 1964 (Title VI)

42 U.S.C. § 2000d et seq.

“No person in the United States shall on the ground of race, color, or national origin be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance.”

FTA Circular 4702.1B, established by Federal Transit Administration (FTA) in 2012:

- Provides guidance to transit providers and recipients on Title VI compliance obligations, including the content of Title VI program documents;
- Sets specific requirements for large transit providers such as the MBTA; and
- Requires public participation, language assistance plans, and triennial reporting

Title VI Program Elements

Key portions of the MBTA's Title VI Program carry over with each triennial reporting cycle:

- Copy of Title VI Public Notice
- Complaint form and procedures

Additional portions represent updates to data to understand current Title VI profile of the MBTA service area:

- Demographics of service area (US Census); customer demographics and travel patterns (rider survey)
- Language groups in service area to support service strategies and implementation plan
- Log of Title VI complaints over triennial cycle

Key policy components that must be documented are:

- Public Participation and Language Assistance Plans
- Major Service Change Policy
- Disparate Impact and Disproportionate Burden Policy
- Subrecipient monitoring procedures

Results of equity analyses and monitoring activities for the triennial reporting period are presented:

- Monitoring results for systemwide service standards and policies
- Equity analyses for major service changes and all fare changes
- Summary of equity analyses for location of constructed facilities

- **Adopted customer-focused service standards incorporating Title VI principles**
- **Enhanced public participation strategies, including engagement of key stakeholders in Title VI outreach**
- **Revised Disparate Impact/Disproportionate Burden Policy (to be applied during 2017-20 triennial cycle)**
- **Created tools for public participation and understanding of equity analysis process (Engage and Transitopia)**
- **Completed systemwide ridership survey**
- **Initiated Public Participation training for Capital Delivery, External Affairs, Customer Experience, and Call Center**
- **Hired full-time MBTA Title VI Specialist**
- **Presented at nationwide USDOT civil rights conference on MassDOT and MBTA Title VI Program development, relationship with FTA, and Public Participation**

- FTA requires Board “consideration, awareness, and approval” of the following:
 - Major Service Change Policy – approved in 2016
 - Disparate Impact/Disproportionate Burden Policy (DI/DB), approved in 2016
 - Service and fare equity analyses – approved for FY 2016 fare increase and service change efforts
 - Title VI program, including results of service monitoring – proposed vote September 25

- FTA requires monitoring of performance on service standards and policies
- MBTA works with the Central Transportation Planning Staff to collect, review, analyze, and address data findings
- Each analysis compares performance on standards between minority and nonminority identified riders or areas
- MBTA Disparate Impact threshold of 20% is used to identify potential disparities

- **FTA specifies monitoring of the following service standards:**
 - Vehicle Load
 - Vehicle Headway
 - On-Time Performance
 - Service Availability

- **FTA specifies monitoring of the following service policies:**
 - Distribution of Transit Amenities
 - Vehicle Assignment

- **MBTA's Service Delivery Policy incorporates additional standards:**
 - Span of Service
 - Platform Accessibility
 - Vehicle Accessibility
 - Service Operated



- Under the new Service Delivery Policy, the Service Standards utilize automated data collection capacity, enabling the MBTA to achieve annual monitoring
- For Service Standard monitoring in this triennial cycle, available data from FY16 was used, applying the standards under the FMCB approved Service Delivery Policy
- Annual Service Standard monitoring will provide leadership and staff ample time to consider, respond to and correct findings, as needed.
- Service Policy monitoring elements are captured either annually or biennially. For this triennial cycle, data was captured by CTPS between February-March 2016 (rail) and July-August 2017 (bus)

- The monitoring process provides findings, as to each service aspect analyzed, which are reviewed with subject matter experts to address adverse findings, or potential disparities.
- If potential disparities are found:
 - Data will be scrutinized and reevaluated
 - Non-Title VI related factors may be identified as causes or contributing factors
 - Staff and leadership are advised to proactively address a potential disparity and evaluate subsequent monitoring results to confirm equity
- In recent triennial cycles, MBTA's monitoring activities have not identified recurring disparities, but flagged areas that were reviewed and addressed through corrective action, as needed.

The analysis of performance on the service standards in required areas, for each mode of transit, resulted in **NO** potential disparities among:

Crowding (vehicle load) - for Bus and Commuter Rail

- Bus data collected between 9/1/15 and 12/14/15
- Commuter Rail data collected between 7/1/15 and 6/30/16

Wait Times (Headway) - for Rapid Transit, Commuter Rail or weekend Bus service.

- Data collected Spring 2016

On Time Performance - for Bus, Rapid transit or Commuter Rail

- Bus data collected between 7/1/15 and 6/30/16
- Green Line data collected between 3/1/16 and 6/30/16
- Orange, Red, and Blue Line data collected between 7/1/15 and 6/30/16
- Commuter Rail data collected between 7/1/15 to 6/30/16

Service Availability - for Systemwide service availability, in terms of geographic service coverage, span of service and overall Rail platform accessibility.

- Data collected Spring 2016



Results of Service Monitoring found potential disparities in the following areas:

a) Bus Service Frequency

b) Commuter Rail Cancelled Trips

Proactive and timely actions by MBTA are in place that effectively address both findings, and were initiated in advance of monitoring finding results

Bus Service Weekday Headway

Service Delivery Policy set minimum frequency by time period by route type

Measured as percent of passenger trips during time periods that meets expected frequency

Systemwide average is 94.2% of passenger trips meet the standard (Spring 2016 schedules)

Bus Vehicle Headway - Weekday

Route Classification	Number of Routes	Number of Routes Performing at or Above Systemwide Average	Percentage of Routes Performing at or Above Systemwide Average
Minority	93	55	59.1%
Nonminority	67	50	74.6%
Ratio of minority to nonminority			0.79
Disparate impact threshold			0.80
Result of disparate impact analysis			Potential Disparate Impact

Note: For the MBTA's weekday transit schedule from March 19, 2016 through June 24, 2016.

Note: An analysis of the percent of passengers on minority/nonminority routes passing the standard doesn't show a disparate impact.

Action: Improve Bus Service

The MBTA is undertaking a major service planning process

The goal is to improve service for all our bus passengers on all of the service standards

Specific attention will be paid to improving performance, including frequency on routes that have predominantly minority and low-income passengers



Coverage



Span



Frequency



Reliability



Comfort

Service Standard Related Findings:

b) Commuter Rail Cancelled Trips

Table 6-43

Commuter Rail Service Operated - Weekday

Route Classification	Number of Lines	Number of Lines Performing at or Above Systemwide Average	Percentage of Lines Performing at or Above Systemwide Average
Minority	1	0	0.00%
Nonminority	11	8	72.7%
Ratio of minority to nonminority			0.00
Disparate impact threshold			0.80
Result of disparate impact analysis			Potential Disparate Impact

Note: Data for weekdays from July 1, 2015 through June 30, 2016.

- The MBTA’s monitoring finding on Commuter Rail dropped trips stemmed from cancellations highlighted in October 2016 on the MBTA’s Fairmount Line

Commuter Rail - Remediation

- After immediately acknowledging this problem, the MBTA worked with Keolis on a protocol for train cancellations, which includes
 - Review of Keolis cancellation decisions by the Keolis General Manager or senior designee to prevent undue burden or impact on any individual line.
 - The revised decision-making protocol considers various operational factors coupled with line demographic classifications and recent cancellation history.
- An assessment of dropped trips from November 2016 through June 2017 shows that the percentage of scheduled service run on the MBTA’s minority-classified line is now well above the systemwide average for all time periods

Table 6-43b
Commuter Rail Service Operated - Weekday

Route Classification	Number of Lines	Number of Lines Performing at or Above Systemwide Average	Percentage of Lines Performing at or Above Systemwide Average
Minority	1	1	100%
Nonminority	11	7	63.6%
Ratio of minority to nonminority			1.57
Disparate impact threshold			0.80
Result of disparate impact analysis			No Disparate Impact

Note: Data for weekdays from November 1, 2016 through June 30, 2017.

Monitoring – Looking Ahead

- During the 2017-2020 triennial cycle, MBTA Title VI Working Group will meet routinely to plan for triennial submission, reporting, trend analysis and response to data findings
- ODCR, OPMI and CTPS will coordinate on data reporting as part of the Working Group strategy
- Based on new annual monitoring strategy, meetings with key departments for review of findings will be done on a more timely basis
- Findings and response activities will be reported to FMCB on an annual basis to confirm ongoing compliance efforts

- Amenities and Conditions
- Public Engagement
- Board Vote