

**Massachusetts Bay
Transportation Authority**

Proposed Title VI Policy Changes

10 Park Plaza, Second Floor Board Room and online via Zoom
March 21, 2023

mbta.com/draftpolicies

Diversity and Civil Rights

English

- All MBTA activities, including public meetings, are free of discrimination. The MBTA complies with all federal and state civil rights requirements preventing discrimination on the basis of race, color, national origin, limited English proficiency, and additional protected characteristics. We welcome the diversity from across our entire service area. If you have any questions or concerns, please visit www.mbta.com/titlevi to reach the Office of Diversity and Civil Rights.

Chinese

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Spanish

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Overview

English

- Thank you for joining the meeting! We appreciate your participation.
 - This meeting will be recorded so that it can be shared with the people that were unable to join.
 - All participants will be muted upon entry so that only the presenters can be heard.

Spanish

- ¡Gracias por atender esta junta! Agradecemos su participación.
 - Esta junta estaría grabada para poder compartir con los que no pudieron asistir.
 - Los participantes están silenciados al entrar la junta para que solo se pueda oír a los presentadores.

Chinese

- 感谢您参与此会议！
 - 本次会议将会被录像，以便我们把它分享给没能来参加的人。
 - 所有参与者在进来时都会被静音，以便于演讲者能被听到。



Language Accessibility

English

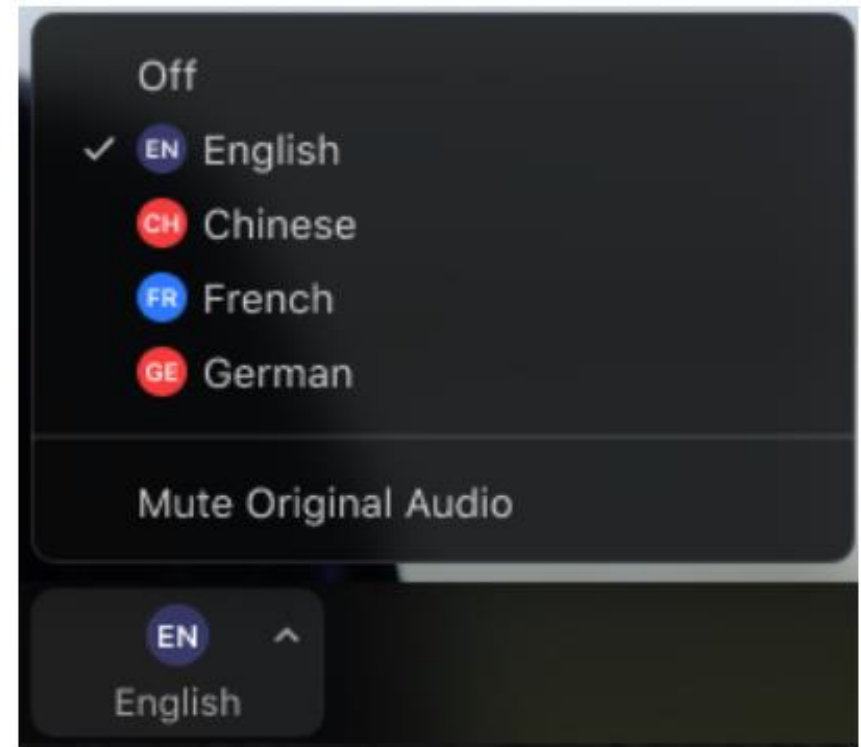
- We offer interpretation during this meeting. In your meeting/webinar controls, click Interpretation (the small globe icon) and click the language that you would like to hear.

Spanish

- Ofrecemos interpretación en español durante esta junta. Para escoger el audio en Inglés o en Español tendrá que picar el botón de interpretación, el cual tiene un imagen de un mundo. Cuando le pique la interpretación por favor de escoger el idioma cual le gustaria oír

Chinese

- 我们本次会议期间提供口译服务。在您的会议/网络研讨会的控件中，单击口译（小地球图标），并单击您想听到的语言



Use Chat for Technical Questions

English

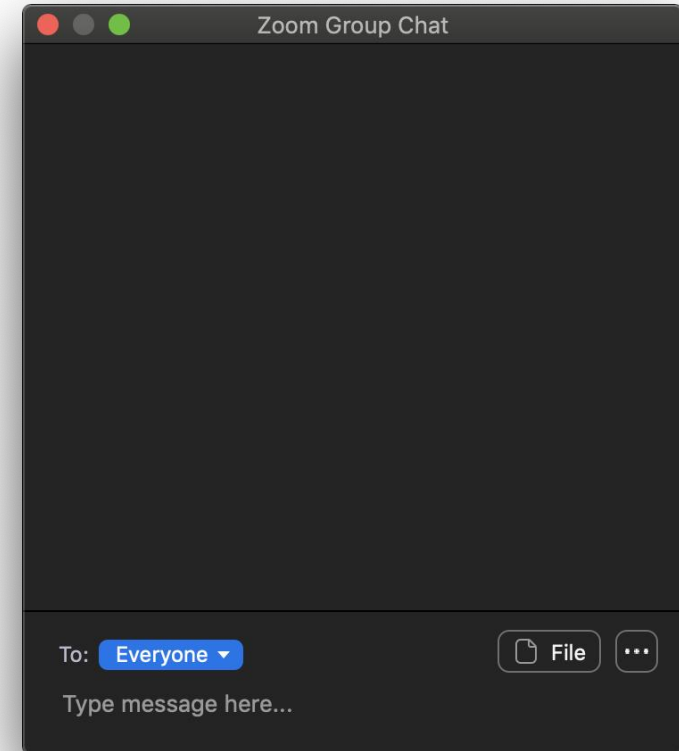
- If you have a technical question about Zoom or the features of the meeting, please use the chat function. Our technical assistant will attempt to troubleshoot your problem and get back to you.

Spanish

- Si tiene una pregunta técnica de zoom o los enseres de zoom durante la junta. Favor de usar el chat. Nuestro asistente técnico bajo el nombre de “Zoom Tech” le ayudará con su problema.

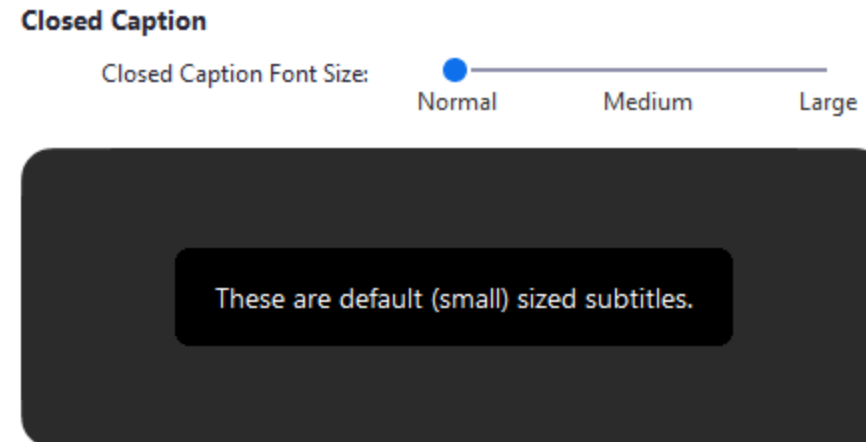
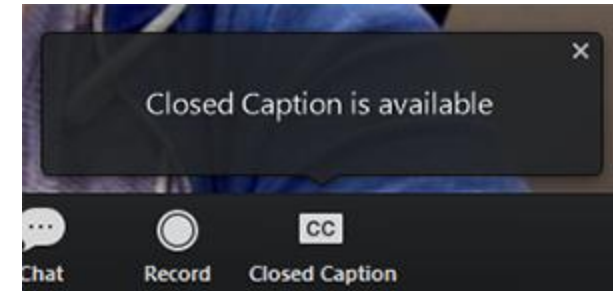
Chinese

- 如果您有关于Zoom或者会议功能的技术问题，请使用对话框的聊天功能。我们的技术辅助员会回复您并尽力帮您解决问题。



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 - **Tip:** Click and drag the closed captioning to move its position in the meeting window.
- To adjust the caption size:
 - Click the upward arrow next to **Start Video / Stop Video**.
 - Click **Video Settings** then **Accessibility**.
 - Move the slider to adjust the caption size



10 Park Plaza – Board Room

- Location of restrooms and emergency exits
- Safety briefing—including information regarding where those attendees who would require assistance should wait during an emergency.
- Chinese and Spanish interpreters in the room and ASL via Zoom



MBTA Participation

Lynsey Heffernan

Assistant General Manager for Policy & Transit Planning

Rachel Morse

Director of Transit Policy

Katie Kalugin

Deputy Director of Policy Development

Steven Povich

Director of Fare Policy

Melissa Dullea

Senior Director of Service Planning



Agenda

1. Welcome, Zoom directions, and safety briefing
2. Overview of **Service and Fare Change Equity Policy (aka DI/DB Policy)**: *How the MBTA evaluates the equity impacts of proposed service and fare changes.*
3. *Proposed changes to the DI/DB Policy*
4. Overview of **Public Engagement Plan (PEP)**: *The principles and procedures that guide the MBTA's engagement with the public about projects and decisions in development.*
5. *Proposed changes to the PEP*
6. *Share your feedback*
7. *Questions and comments*



Service and Fare Change Equity Policy (formerly known as DI/DB Policy)



Federal Requirement

- Required by the Federal Transit Administration (FTA) through Title VI of the Civil Rights Act of 1964.
- Title VI prohibits discrimination on the basis of race, color, or national origin. We also consider whether fare and service changes will place a disproportionate burden on low-income populations.
- When the MBTA proposes any fare change or a major service change, we must do an equity analysis and ask: Will minority and/or low-income riders experience an increased burden or less of a benefit from the proposed change? The goal is to fairly distribute these effects.



Equity Analysis Results

- Results of an equity analysis:

If the change will have more of an impact on **minority riders**, this is called a **disparate impact** finding and the MBTA must **explain the need for the change** and show that no there are **no effective alternatives**.

If the change places more of a burden on **low-income riders**, this is called a **disproportionate burden** finding and the MBTA must **consider mitigation measures** and any less discriminatory alternatives that may be available before moving ahead with the proposed change.



Process for Equity Analyses



Service Equity Analysis

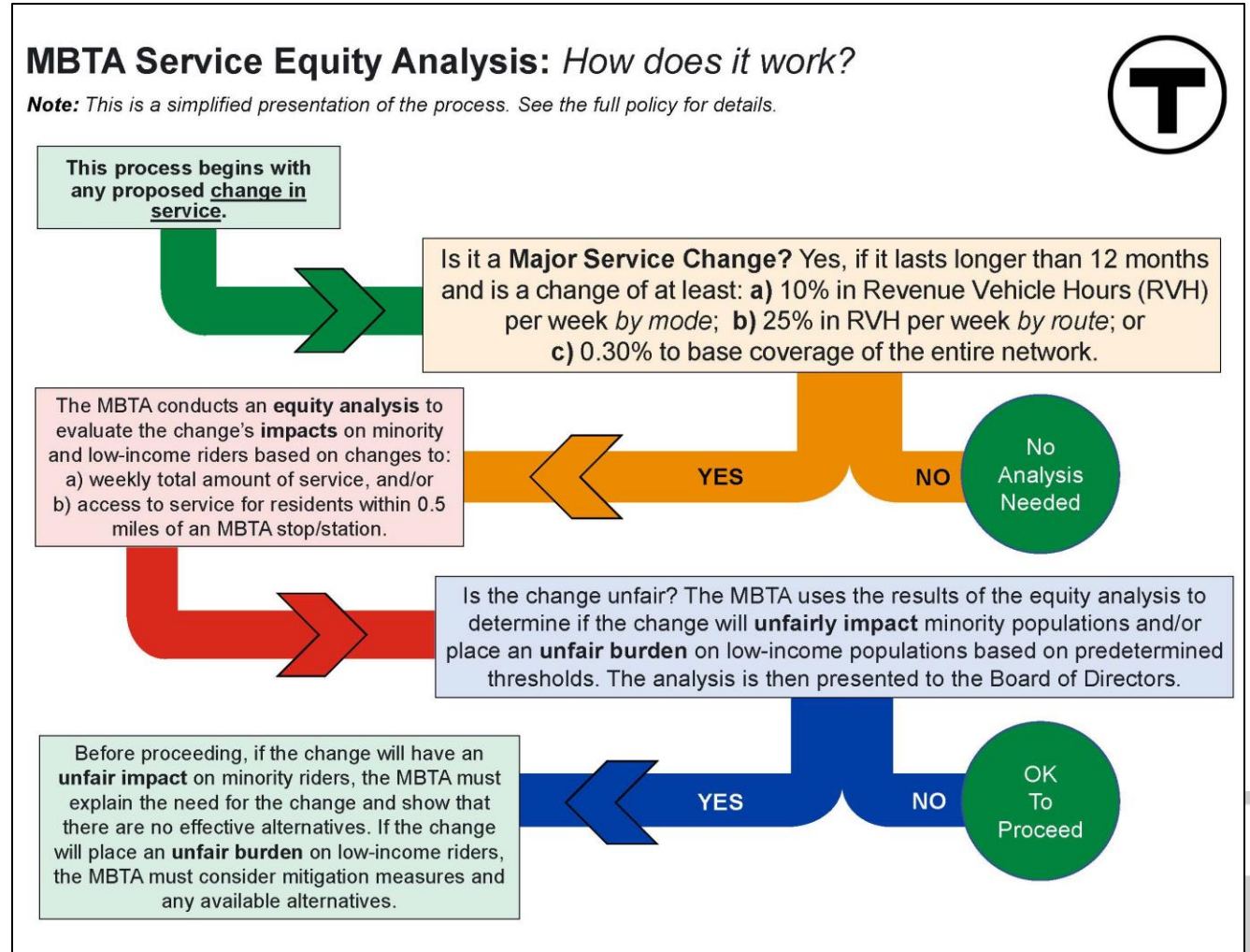
- The right data to analyze depends on the proposed change. For example, the MBTA may use its rider census to compare the ridership of the affected route(s) with the ridership of the system. Or we may use U.S. Census data when considering adding new service, such as GLX.
- The analysis is published in a report that states the data used, how the data was collected, and the methods and calculations used in the analysis itself.
- The FTA may provide technical assistance when needed.



SEA: How does it work?

Hypothetical service change:

- Proposed change -- reducing the weekly service hours for **Route A** from **1,350** to **1,000**
- This is a **major service change** because it's a **26%** change per week *by route*
- Equity analysis shows a **25%** change for minority populations / **20%** change for the non-minority population, which is greater than the threshold
- Change is **unfair** (disparate impact) because it proposes to decrease service more for minority populations than for the non-minority population.
- MBTA must show there are no effective alternatives before making the change.



Service Change Examples

Where *No* Equity Analysis Is Required

- Proposed minor service change: Reducing the weekly service hours for **Route A** from **1,350** to **1,200** is an **11%** change per week by route.
 - Does not meet the definition of major service change (25% change per week by route), so no equity analysis is needed.
- A short term service disruption, such as shutting down the Orange Line for 30 days. Does not require an equity analysis because the proposed change will not exceed 12 months. Service is intended to return to previous levels.



Fare Equity Analysis

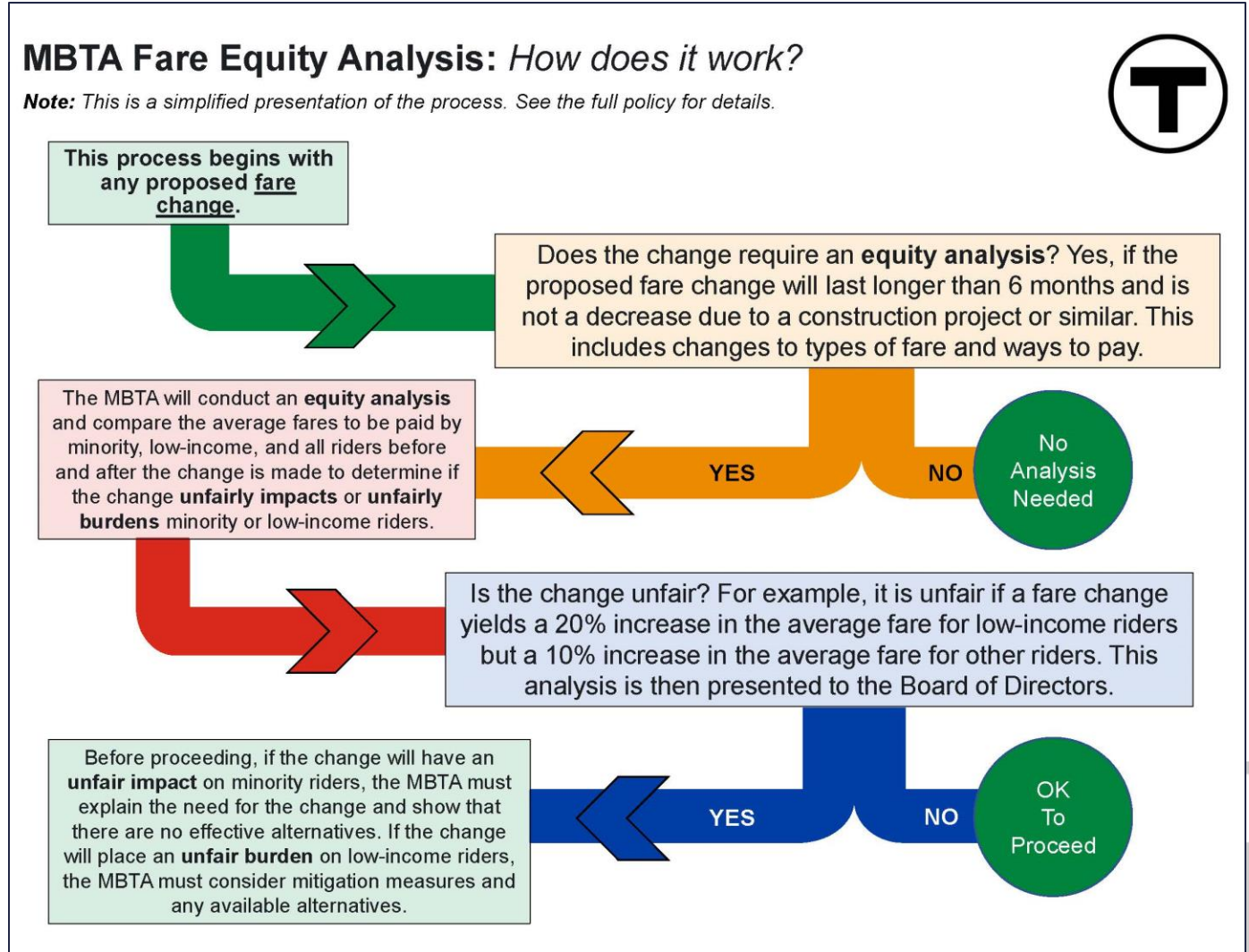
- The MBTA will conduct an equity analysis before making any change that would increase or decrease:
 - individual or system-wide fares,
 - fares by mode, fares by fare payment type or fare media, or
 - that would result in a *de facto* fare change by inducing mode-shift (for example, replacing a bus route with subway service).
- A fare equity analysis compares the **percentage change in the average fare** for **minority and overall riders** and for **low-income and overall riders**. For fare-type changes and mode-shift induced changes across all modes, the MBTA will assess whether minority and low-income customers are more likely to use the affected fare type, media, or mode than overall riders and what the potential cost impact would be to these riders.



FEA: How does it work?

Hypothetical fare change:

- Proposed change: **25%** decrease in Commuter Rail fares
- Equity analysis of the average fares shows a **-5%** change for low-income riders / **-12.5%** change for all riders, which is greater than the threshold
- Change is **unfair** (disproportionate benefit) because it proposes to decrease fares more for all riders than for low-income riders.
- The MBTA must justify changes, and consider mitigations and alternatives.



How do we involve the public on fare/major service changes?

- As federally required, MBTA conducts public engagement for:
 - Proposed fare and major service changes and their respective equity analyses;
 - Any proposed mitigation measures where potential adverse impacts are identified, including the less discriminatory alternatives that may be available;
 - Proposed changes to the policy itself, including definition of “major service change” and methodologies for evaluating adverse effects.
- MBTA Board must vote:
 - To approve the policy
 - To indicate “consideration, awareness and approval” of each fare or service equity analysis



Public Comment Process on Fare/Major Service Changes

- All fare and major service changes are presented to the public for a comment period lasting for at least 21 days.
- Multiple channels set up for comment, including a dedicated web page, online forms or emails, mailing address, and in-person or virtual public meetings or hearings for testimony.
 - At any such hearing, the MBTA will make a formal presentation regarding the proposed fare changes, and the public will have the opportunity to provide testimony on the proposals for the public record.
- If an analysis finds an inequity, the MBTA will engage the public to discuss any proposed mitigation measures and less discriminatory alternatives that may be available.
- MBTA staff reviews and considers input from the public, and from the MBTA Advisory Board on any fare changes or service decreases, before presenting a final recommendation to the Board of Directors for approval and implementation.



Why does the DI/DB Policy need an update?



Why does the DI/DB Policy Need an Update?

- To manage limitations of the FTA requirement which assumes equity in the status quo. We know that “Title VI” is not the same as “equity”.
- To address unexpected and counterintuitive results produced by current DI/DB Policy, last updated in 2017. Examples:
 - Inability to consider network effects
 - Does not account for riders’ experience (e.g., travel times)
 - Does not consider the equity benefits (e.g., quality improvements)
 - Absolute change ratio does not yield informative results



Five Key Changes to the DI/DB Policy

1. Rename the document “Service and Fare Change Equity Policy” to more clearly state the policy’s purpose and enhance understanding.
2. Redefine “major service change” to account for network-wide effects and to clarify when service changes and disruptions do not require a service equity analysis.
 - Replace the route length metric (old: “a change in route length of at least 25% or 3 miles”) with a base coverage metric (new: “a change of at least 0.30% to base coverage of the entire network”).
 - Clarify that changes lasting less than 12 months and longer-term service disruptions accompanied by alternate service, or disruptions necessary for safety, security or sustainability lasting longer than 12 months are not considered a “major service change” and do not require a service equity analysis.



Key Changes to the DI/DB Policy, Cont.

3. Improve service equity analysis methodology so that we may consider more riders with low-income and have more reliable results.

- Increased low-income threshold from 60% to 80% median household income in MBTA service area. 60% as of 2015 was \$43,415. 80% in 2021 is \$77,665. Median income is subject to annual modification.
- Discontinue reliance on calculations using the absolute change in revenue vehicle hours (the total number of hours per week in which transit vehicles operate in revenue service) and new base coverage metric.



Key Changes to the DI/DB Policy, Cont.

4. Clearly state the circumstances that require a fare equity analysis and which do not.
 - When riders are induced to switch modes (such as from bus to subway in the event the MBTA eliminates a bus route that runs parallel to the subway), the *de facto* fare change that flows from switching modes requires an equity analysis.
 - Fare media or fare payment type changes that may increase or decrease the fare paid will require an equity analysis.

5. Describe the public engagement and board approval process followed for any major service change or fare change.



Questions? Comments?

Up next: Public Engagement Plan



Raising Your Hand

- Please use Zoom’s “Raise Hand” feature to indicate if you have a comment
 - All participants are muted upon entry so that only the presenters can be heard. Please raise your hand and the meeting host will ask you to unmute so that you can state your question/comment.
- Por favor de usar el encero de levantar la mano en Zoom para indicar que usted tiene algún comentario o pregunta.
 - Todos los participantes en esta llamada están silenciados, para que solo los presentadores se puedan oír. Cuando usted levante su mano, manda un alerta a la moderadora que quisiera hablar. La moderadora le quitará el silencio para que pueda hacer su pregunta o comentario.
- 如果您有评论，请使用 Zoom 的“举手”功能。
 - 所有的参与者在进来时都被静音了以便于只听到演讲者。请举手，会议主持人将让您取消静音，以便您陈述您的问题/评论。



To speak,
click **“Participants”**
then
“Raise hand”



Send a chat
to the moderator



***9**
Raise Hand



What is Public Engagement?

- Public engagement is the opportunity for riders to influence what happens at the MBTA, from service and projects, to fares.
- Understanding the diverse wants and needs of MBTA riders will allow the MBTA to better serve its customers and deliver on critical projects.
- By soliciting and incorporating customer input early, projects are strengthened.
- Further, as part of our Title VI Program the MBTA is required to have a **Public Engagement Plan** that details outreach strategies designed to achieve diverse and inclusive public engagement.



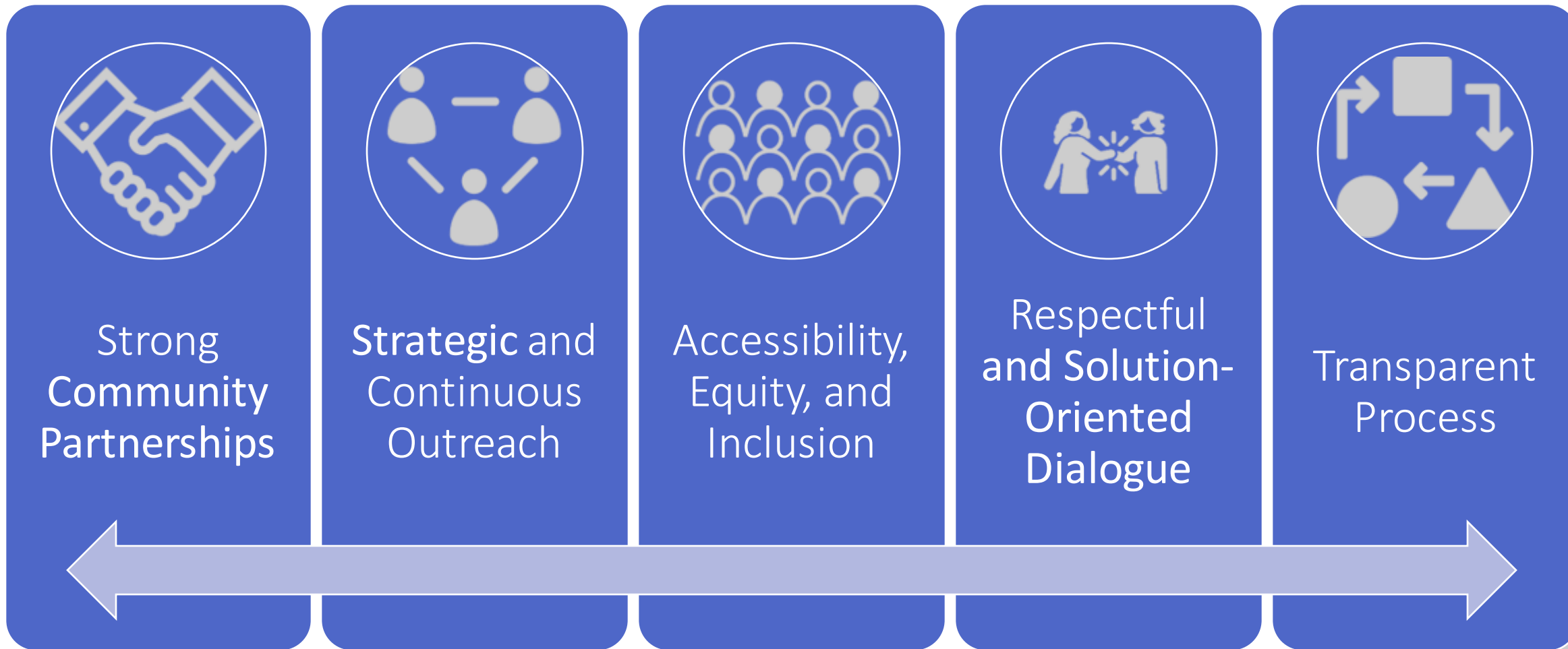
MBTA Public Engagement Plan

- In May 2020, the MBTA developed a Public Engagement Plan with input from the public, to guide authority-wide public engagement.
- The Plan provides guidance for how to conduct outreach, notification, and engagement with external stakeholders.
- The Plan sets forth the baseline requirements for public engagement at the MBTA. Projects can go above and beyond this baseline, but these standards set the requirements for all MBTA engagement.



Guiding Principles for Public Engagement at the MBTA

The MBTA has the following public engagement principles that agency representatives and those working in concert with the MBTA on transportation projects and initiatives will strive to achieve:



Proposed Changes to the Public Engagement Plan

We are proposing a set of relatively minor edits to modernize and clarify, and to address one FTA finding. Changes include:

1. Updated references to MBTA Board of Directors, and not the FMCB.
2. Clarified “Guiding Principles” to name equity as a basis for strategies to reach diverse members of the community.
3. Added “Community Meetings” as a common type of engagement.
4. Expanded section on "Virtual Public Engagement" to reflect MBTA’s increased use of virtual engagement strategies following the COVID-19 pandemic.
5. Expanded “Accessibility and Public Engagement" section with updated information on accessible public meetings.
6. Added clearer language for soliciting and considering public comments prior to a fare increase or major service reduction. ***Requested by FTA.***
7. Added link to MBTA’s Service and Fare Change Equity Policy for definitions of major service change (including major service reduction).



Share your Feedback

Submit comments on the proposed changes through Friday, April 14, 2023 by:

Email: publicengagement@mbta.com

Phone: 617-222-3030

Mail: MBTA
Attn: Public Engagement Team
10 Park Plaza, Suite 3830
Boston, MA 02116

Learn more and view translated documents at [mbta.com/draftpolicies](https://www.mbta.com/draftpolicies)



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then
“Raise hand”



Send a chat
to the moderator



***9**
Raise Hand



Questions? Comments?

Share your feedback! Visit [mbta.com/draft policies](https://www.mbta.com/draft-policies) or attend another meeting:

Tue. March 21 at 6pm: 10 Park Plaza, 2nd Floor Board Room, *hybrid via Zoom*

Wed. March 22 at 6pm: QARI, 275 Hancock St., Suite 202, Quincy, *in person*

Tue. March 28 at 6pm: La Collaborativa, 318 Broadway, Chelsea, *in person*

Thu. March 30 at 5:30pm: Brief presentation at R-TAG general meeting, *virtual*

Fri. April 14: Deadline to submit comments

Thurs. April 27: Presentation to MBTA Board for approval and adoption

EMAIL
publicengagement@
mbta.com

PHONE
(617) 222-3030

MAIL
MBTA
Attn: Public Engagement Team
10 Park Plaza, Suite 3830
Boston, MA 02116



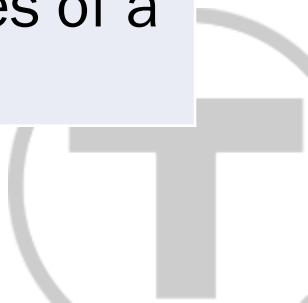
Appendix



Proposed MSC Metrics and Adverse Effects

The MBTA defines a Major Service Change as any addition, reduction, suspension or change in service lasting longer than 12 consecutive months and meeting one or more of the following criteria:

Metrics	Adverse Effects
<ul style="list-style-type: none">• A change of at least 10% to Revenue Vehicle Hours (RVH) per week by mode, or• A change of at least 25% to RVH per week by route, or	Increase/decrease in the amount of service scheduled by route/mode as measured by change to weekly RVH
<ul style="list-style-type: none">• A change of at least .30% to base coverage of the entire network (as defined by the MBTA's Service Delivery Policy)	Increase/decrease in base coverage as measured by the percent of the population that lives within 0.5 miles of a MBTA station/stop



Defining “Major Service Change”: Peer-comparison

- All agencies include either RVH or route miles in definition of major service change
- All agencies that use RVH use 25% change to define major service change
 - For evaluating the change in route miles, two agencies use 15%
- Other metrics for defining major service change include **span, frequency, and trips** as measured by the percentage change
- Three agencies monitor cumulative changes to capture when a series of minor changes constitutes a Major Service Change in the aggregate
 - Note: The MBTA is interested in adopting this process after BNRD rollout is complete.



Major Service Change: Examples of Exemptions

- Metro Transit specifies that:
 - “any change or discontinuation of a demonstration route within the first 24 months of operation” does not constitute a Major Service Change, and
 - exempts “route change caused by an emergency” including “major construction, labor strikes, and inadequate fuel supplies.”
- SFMTA exempts changes to routes with fewer than 25 one-way trips per day; and “corridors served by multiple routes will be evaluated based on combined revenue hours, daily span of service, and/or route-miles.”
- LA Metro exempts:
 - “experimental, demonstration or emergency service changes” for a year or less.
 - service substitutions where the route or mode changes but the headways, fare, transfer options and span of service and stops remain the same.



DI/DB Thresholds

- **For major service changes**, a disparate impact or disproportionate burden will be deemed to have occurred if the ratio between the percentage change in service for protected and non-protected populations is greater than 1.20x for a service decrease or less than 0.80x for a service increase. For example, if a major service change yields a 15% increase in service for minority populations and a 20% increase in service for the non-minority population, the ratio would be 0.75x, which is below the 0.80x threshold.
- **For fare changes**, a disparate impact or disproportionate burden will be deemed to have occurred if the ratio between the percentage change in fares for protected and non-protected populations is greater than 1.10x for a fare increase or less than 0.90x for a fare decrease. For example, if a fare change yields a 20% increase in fares for the minority population and a 10% increase in fares for the non-minority population, the ratio would be 2.00x, which is above the 1.10x threshold.



New Policy Language re. MSC Exemptions

The following shall not be considered a Major Service Change, and shall not require a service equity analysis:

- Any service change lasting longer than 12 months that meets one or more of the criteria set forth above so long as the MBTA is providing alternative service, using existing fixed routes where practicable.
- Any service change lasting longer than 12 months that meets one or more of the criteria set forth above if such change is necessary to complete construction or repairs for reasons of safety, security or sustainability and the MBTA can demonstrate that there are no comparably effective alternatives and no mitigation measures that are practicable.



Work Done to Date

- MBTA submitted comment to FTA for potential updates to the circular
- CTPS conducted study of MBTA challenges and review of peer transit agencies' policies to pull out best-practices
- CTPS has tested alternative service equity metrics, including adjustments to current metrics and new, access-based metrics
 - Adjust low-income threshold from 60% to 80% of median household income
 - MATTS (maximum achievable travel time savings)
 - MTOI (modified transit opportunity index)
- Conclusion from CTPS that there is little we can change about how we do fare equity analyses



Examples



BNRD Example: Service Equity Analysis Results

How does the change in the amount of service provided to low-income or minority riders compare to the change in the amount of service provided to all other riders?

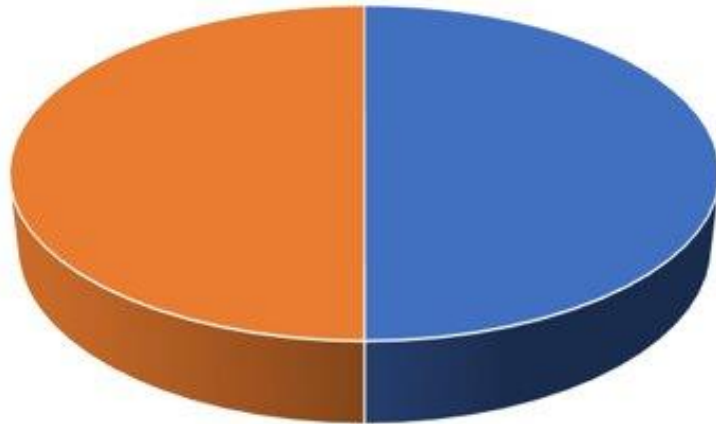
Ratio	Minority (Disparate Impact)	Low-Income (Disproportionate Burden)
Relative Change	<ul style="list-style-type: none"> ✓ RVH: $1.06x > 0.80x$ ✓ Route Length: $1.15x < 1.20x$ 	<ul style="list-style-type: none"> ✓ RVH: $1.06x > 0.80x$ ✓ Route Length: $1.07x < 1.20x$
Share of Change	<ul style="list-style-type: none"> ✓ RVH: $1.06x > 0.80x$ ✓ Route Length: $1.07x < 1.20x$ 	<ul style="list-style-type: none"> ✓ RVH: $1.03x > 0.80x$ ✓ Route Length: $1.06x < 1.20x$
Absolute Change	<ul style="list-style-type: none"> ✓ RVH: $0.99x > 0.80x$ ✓ Route Length: $0.86x < 1.20x$ 	<ul style="list-style-type: none"> ✗ RVH: $0.65x < 0.80x$ ✓ Route Length: $0.62x < 1.20x$

There is a not a potential DI or DB finding from this analysis on 11 of 12 key ratios

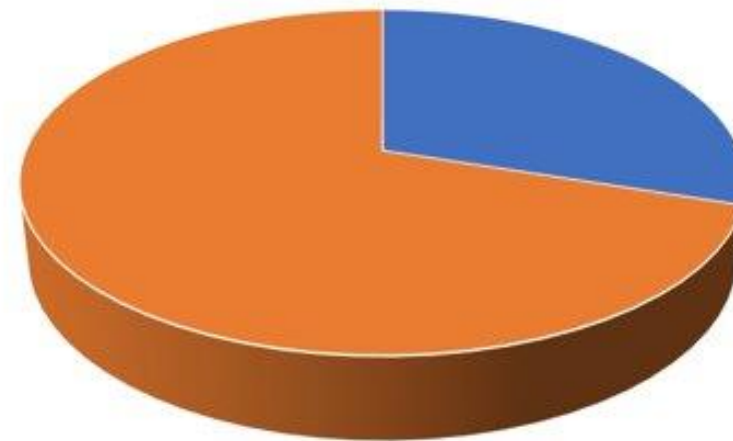
BNRD Example: Challenge with Absolute Change Ratio

The Absolute Change Ratio compares total change for low-income or minority riders to change for all other riders.

What absolute equity measure wants



Regardless of relative population sizes



2022 Fare Change Example: Fare Equity Analysis Results

- CTPS performed an equity analysis of the fare changes July 1, 2022
- All the proposed changes were decreases in fares, such that the ratio of price change for *Minority or Low-Income Riders* as compared to *All Riders* **must be greater than 0.9x**.

CTPS Disparate Impact/Disproportionate Burden Ratio Analysis				
	Existing Average Fare	Projected Average Fare	Percent Price Change	DI/DB Ratio ¹
Minority Riders	\$1.2956	\$1.2845	-0.86%	0.9172
Low-Income Riders	\$1.1564	\$1.1440	-1.07%	1.1392
All Riders	\$1.9120	\$1.8941	-0.94%	

¹Average Fare Change for Relevant Riders / Average Fare Change for All Riders

- Based upon the above results, there were **no Disparate Impacts (DI) on minority riders, nor any Disproportionate Burdens (DB) on low-income riders** stemming from this analysis.

