

# Capital Area Transit System (CATS) Policy and Procedure for Major Service Changes and Fare Changes

## Purpose of the Policy:

The Federal Transit Administration (FTA) Circular 4702.1 B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" effective October 1, 2012) requires that all FTA recipients who operate 50 or more fixed route vehicles in peak service and serve a population of 200,000 or greater, evaluate any fare change or any major service change, during the planning and programming stages.

When planning fare changes or major services changes, CATS shall consider if any adverse effect would occur as a result of the fare change or major service change. CATS shall consider the degree of adverse effects (if any), analyze those effects, and discuss any necessary minimization and/or mitigation that need to be considered as a result of



the proposed fare change or major service change.

The Fare Change and Major Service Change Policy defines thresholds for determining whether potential fare and major service changes will have an adverse effect based on possible:

**Disparate impact(s)** as determined by an analysis of race, color, or national origin within the service area; or

**Disproportionate burden(s)** as determined by an analysis of low-income populations within the service area.



## Policy Statement:

It is the policy of CATS to solicit and consider public comment from riders, other citizens, and the Board of Commissioners before implementing fare changes and/or major service change. To this end, the CATS Board of Commissioners has adopted the following citizen participation related public hearing policies and procedures.

### Fare Changes:

A public hearing must be held if there is any fare change to any of the public transportation modes (Fixed Route, CATS on Demand, or LYNX by CATS). For changes to existing transit fares, the FTA requires all transit providers to conduct a Fare Equity Analysis for all proposed fare changes.

### Major Service Changes:

A public hearing must be held if there is any major service change to any of the public transportation modes (Fixed Route, CATS on Demand or LYNX by CATS).

For all major service changes, the FTA requires all transit providers to develop guidelines and thresholds for what it considers a "major" service change. For major service changes, the FTA requires CATS to conduct a Service Equity Analysis, which includes an analysis of adverse effects

relating to possible disparate impacts and disproportionate burdens. It is the CATS policy to conduct a Service Equity Analysis for any proposed major service changes.

The following is considered a major service change (unless otherwise noted under “Exemptions”) and will be evaluated in accordance with the regulatory requirements set forth in FTA Circular 4702.1B.

An equity analysis is required for any major service change. A major service change is defined by the criteria below:



1. When the route revenue miles on any individual route or combination of routes, increases or decreases by 25% or more when compared to the previous fiscal year.
2. When the route revenue hours on any individual route or combination of routes increases or decreases by 25% or more when compared to the previous fiscal year.

### **Exemptions:**

The major service change thresholds exclude any changes to service that are caused by the following:

- Initiation/Discontinuance of Temporary or Demonstration Services - The initiation or discontinuance of a temporary transit service or demonstration service that will be or has been in effect for less than six months.
- Initiation/Discontinuance of Promotional Fares - The initiation or discontinuance of any temporary promotional fares that will be or have been in effect for a maximum of six months.
- Natural or Catastrophic Disasters - Forces of nature such as earthquakes, flooding, wildfires, or other natural disasters, or human-caused catastrophic disasters that may force the suspension of transit service for public safety or technical events.
- Temporary Route Detours - A short-term change to a route caused by road construction, routine road maintenance, road closures, emergency road conditions, fiscal crisis, civil demonstrations, or any uncontrollable circumstance.
- When a segment of one route is moved to another route but the route miles or hours do not change by 25%.

### **Public Notice Requirements:**

Prior to the implementation of any fare change or major service change that falls within the levels established above, a press release will be sent to major news outlets in Baton Rouge announcing where the public can find the details of the upcoming service change. A comment form will be available on the CATS website for at least 30 days prior to the board meeting and public hearing adopting the change. In addition, at least one public meeting will be held and notices of public hearing will be published at least fourteen (14) days prior to the hearing, and will comply



with the CATS guidelines for Board of Commissioner meetings. The notices will contain the description of the contemplated fare change or major service change, as appropriate, and the time and place of the hearing. All comments collected during this 30 day period will be summarized and presented to the Board of Commissioners, and any modifications made due to these comments will be presented at the Board meeting by CATS staff. Any interested citizen may address the governing body related to the proposed fare change or major service change, within the normal parameters set

for public comment at CATS Board of Commissioners meetings.

### **Applicability to Third-Party Contract Recipients:**

Any agency, firm, or governmental jurisdiction, which operates public transit service within the CATS Service Area utilizing FTA funds provided through CATS, shall follow the above process to solicit and consider public comment prior to any fare change or major service change.

### **Definitions**

**Adverse Effects** - CATS shall define and analyze adverse effects related to major changes in transit service. Adverse effects are measured by the change between the existing and proposed service levels that would be deemed significant. Changes in service that have an adverse effect and that may result in a disparate impact include reductions in service (e.g., elimination of route, short-lining a route, rerouting an existing route, an increase in headways). Elimination of a route will generally have a greater adverse impact than a change in headways. Additions to service may also result in disparate impacts, especially if they come at the expense of reductions in service on other routes.

**Disparate Impact** – Refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where CATS’ policy or practice lacks a substantial legitimate justification, and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

**Disproportionate Burden** – Refers to a neutral policy or practice that disproportionately affects the low-income population more than non-low-income population. A finding of disproportionate burden requires CATS to evaluate alternatives and mitigate burdens where practicable.

**Low-Income Person** –Means a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.

**Major Service Change** – Means any service change from the previous fiscal year that would add or eliminate more than twenty-five percent (25%) of the revenue route miles, or revenue route hours on any individual route or combination of routes, if the combination does not affect or eliminate any bus stops.

**Minority Population** – Means any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

**Predominantly Minority Area** - Means a geographic area, such as a neighborhood, Census tract, block or block group, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient’s service area.

### **Policies**

#### **Fare Change Policy**

For changes to existing transit fares, the FTA requires all transit providers to conduct a fare equity analysis for all potential transit fare adjustments. It is CATS’ policy to conduct a Fare Equity Analysis for all proposed fare changes.

## Major Service Change Policy

For all major service changes, the FTA requires all transit providers to develop guidelines and thresholds to define a “major” service change. For major service changes, the FTA requires CATS to conduct a Service Equity Analysis, which includes an analysis of adverse effects relating to possible disparate impacts and disproportionate burdens. It is CATS’ policy to conduct a Service Equity Analysis for any proposed major service changes.



## Disparate Impact Policy

The purpose of the Disparate Impact Policy is to establish a threshold, which identifies when adverse effects of any fare change or major service change that is borne disproportionately by minority populations.

For the purpose of this policy, minority population means any readily identifiable group of minority persons who live in geographic proximity and in residential land use areas within Census Block Groups where the percentage of minority persons is higher than the CATS service area average.

A disparate impact occurs if a proposed fare or major service change requires a minority population to bear adverse effects by ten percent (10%) or more than the adverse effects borne by the non-minority population.

If CATS finds a potential disparate impact, the transit agency will take steps to avoid, minimize or mitigate impacts. Next, CATS must re-analyze the modified service plan to determine whether the impacts were avoided, minimized or mitigated. If CATS chooses not to alter the proposed changes, the transit agency may implement the fare or service change if there is substantial legitimate justification for the change and the transit agency can show that there are no alternatives that would have less of an impact on the minority population and would still accomplish the agency’s legitimate program goals.

## Disproportionate Burden Policy

The purpose of this policy is to establish a threshold, which identifies when adverse effects of any fare or major service change are borne disproportionately by low-income populations.

A disproportionate burden occurs if a proposed fare or major service change requires a low-income population to bear adverse effects by ten percent (10%) or more than the adverse effects borne by the non- low income population.



If CATS finds a potential disproportionate burden, the transit agency will take steps to avoid, minimize or mitigate impacts then re-analyze the modified service plan to determine whether the impacts were avoided, minimized or mitigated. If CATS chooses not to alter the proposed changes, the agency may implement the service or fare

change if there is substantial legitimate justification for the change and the agency can show that there are no practical alternatives that would have less of an impact on the low-income population and would still accomplish the agency’s legitimate program goals.