

In order to comply with Title VI – Chapter 49 CFR Section 21.5(b)(2), 49 CFR Section 21.5(b)(7) and Appendix C to 49 CFR part 21, the City of Phoenix as recipient and sub-recipients are required evaluate significant system-wide service and fare changes and proposed improvements at the planning and programming stages to determine whether those changes have a discriminatory impact. For service changes, this requirement applies to “major service changes” that rise to a level of impacting 25% of service hours of a route.

By resolution of the City of Phoenix Council (1990) – the City of Phoenix Transit Department has elected to utilize a locally adopted option to monitor transit service to ensure compliance with Title VI. The locally adopted option is designed to ensure that the monitoring service meets the expectations of 49 CFR part 21, which provides that “no person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of service of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.” Below are the guidelines offered in the locally adopted resolution.

The following formal, locally—adopted process for the solicitation and consideration of public comment prior to transit fare increases and substantial services changes is adopted method to insure equitable transit services through the region.

Public comment will be solicited for all fare increases and substantial transit service changes. Substantial service changes are defined as follows:

1. When there is any change in service of:

- a. 25 percent or more of the number of transit route miles of a route; or
- b. 25 percent or more of the number of transit revenue vehicle miles of a route computed on a daily basis for the day of the week for which the change is made.

2. A new transit route is established.

3. Exceptions:

- a. Headway adjustments of up to 5 minutes peak hour and 15 minutes non-peak hour service.
- b. Standard seasonal variations.
- c. Emergency changes that will remain in effect for 180 days or less. If the emergency change is to remain in effect for more than 180 days and meets the requirements for a public hearing, a hearing shall be held at anytime prior to the end of the 180 day period.
- d. Experimental service changes that will be instituted for 180 days or less. If the experimental service is to remain in effect for more than 180 days and meets the requirements for a public hearing, a hearing shall be held at anytime prior to the end of the 180 day period.

4. Public hearing requirements:

- a. Prior to the institution of a fare increase or substantial service change, two notices of a public hearing shall be published in a newspaper of general circulation in the urbanized area. The notices shall also be published in newspapers oriented to specific groups or neighborhoods that may be affected.
- b. The first notice shall be published at least 30 days prior to the public hearing.
- c. The notices shall contain: (1) a description of the contemplated substantial services change and/or the fare increase as appropriate, and (2) the date, time and place of the hearing.

5. Applicability to Third Party Contract Requirements.

Any agency or firm which operates public transit service within the Phoenix urbanized area utilizing Federal Transit Grant Funds provided by the City of Phoenix, shall follow the above process to solicit and consider public comment prior to any fare increase or substantial service change.