



**Massachusetts Bay
Transportation Authority**

Proposed Amendments to Service and Fare Change Equity Policy

Presentation to MBTA Board of Directors
October 24, 2023

Service and Fare Change Equity Policy

- As required by FTA Circular 4702.1 B implementing Title VI of the Civil Rights Act of 1964, the MBTA maintains a Service and Fare Change Equity Policy to define “major service change” and measure the equity impacts of fare and major service changes on protected populations.
- In April 2023, the policy was updated to expand the definition of major service change to include network effects and to clarify when equity analyses are not required. Revisions were approved by the MBTA Board of Directors on April 19, 2023.
- The updated policy includes a “construction exemption” carving out long-term service disruptions from the definition of major service change when such changes are necessary for reasons of safety, security or sustainability and the MBTA provides alternate service or can demonstrate there are no comparably effective alternatives or practicable mitigations.



Service and Fare Change Equity Policy

- FTA has clarified that temporary service changes lasting longer than 12 months require an equity analysis and may not be exempted from the definition of “major service change,” regardless of the need for the service change. Anything lasting longer than 12 months is considered “permanent”, even if the MBTA plans to restore previous service levels.
- FTA further clarified that an equity analysis for an unplanned or emergency service change may be completed at any time during the first 12 months.
- FTA has asked that the MBTA implement the policy revisions by November 29, 2023.



Proposed Revision: strike text in blue

Definition of Major Service Change

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

- A change of at least 10% in Revenue Vehicle Hours (RVH) per week by mode;
- A change of at least 25% in RVH per week by route; or
- A change of at least 0.30% of the population covered by the entire network according to the base coverage standard established in the MBTA's Service Delivery Policy.

These criteria are selected as most likely to yield a meaningful result in light of the MBTA's system characteristics. A Major Service Change occurs when one or more of the above thresholds are met within a single service change proposal, or within a package of concurrently proposed changes to be considered in the aggregate.

~~Notwithstanding the above, any service change lasting longer than 12 months that meets one or more of the criteria set forth above and that is necessary to complete construction or repairs for reasons of safety, security or sustainability shall not be considered a Major Service Change and shall not require a service equity analysis so long as the MBTA is providing alternative service, using fixed routes where practicable, or the MBTA is not providing alternative service, but can demonstrate that there are no comparably effective alternatives and no mitigation measures that are practicable.~~



Additional Considerations

- **Effect of policy revision:** The effect of this policy revision will be to require additional equity analyses in the case of a long-term diversion or disruption that otherwise meets the definition of major service change (i.e., a material change in RVH or base coverage). Many projects will not meet the definition and so will not require an analysis. The question of whether a project is likely to cause a “major service change” should be addressed in the early planning stages.
- **Future policy updates:** MBTA responded to FTA request for comment on the Title VI Circular in December 2021. Revisions to the circular may be forthcoming, at which time the Service and Fare Change Equity Policy will be subject to additional update.



Vote

WHEREAS, the Massachusetts Bay Transportation Authority (“MBTA”) maintains a Service and Fare Change Equity Policy as required by the FTA through Title VI of the Civil Rights Act of 1964; and
WHEREAS, the MBTA updated its Service and Fare Change Equity Policy in April 2023; and
WHEREAS, the FTA Office of Civil Rights has clarified that a portion of the MBTA’s definition of “major service change” does not comply with FTA Circular 4702.1B; and
WHEREAS, MBTA staff have proposed revisions to strike language exempting certain service changes from requiring an equity analysis if the change will last longer than 12 months; and
WHEREAS, the FTA has asked that the MBTA implement the policy revisions by November 29, 2023; and
WHEREAS, MBTA staff have briefed the Board of Directors on the proposed changes to the Policy; it is hereby **RESOLVED**, that the Board of Directors approves the Service and Fare Change Equity Policy as presented during the October 24, 2023 meeting and authorizes the General Manager, or his designee, to take all necessary steps to implement said Policy, in the name and on behalf of the Massachusetts Bay Transportation Authority.

