

Title VI Evaluation of 2019 EasyPass Fare Proposals

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I. EXECUTIVE SUMMARY

On September 11, 2019 the AC Transit Board of Directors held a public hearing to receive comment about fare changes proposed for the EasyPass college and university, employer, and residential pass program. Board Policy 518, “Title VI and Environmental Justice Service Review and Compliance Report Policy,” directs staff to undertake a fare equity analysis for all fare change proposals regardless of the amount of increase or decrease.

The purpose of such an analysis is to determine prior to implementation whether the proposed changes would have a disparate impact on the basis of race, color, or national origin, or if low-income populations would bear a disproportionate burden of the changes. The analysis, contained in this report, found that the fare proposals contained in Staff Report 19-262b and Resolution 19-033 do not carry any discriminatory effects on Title VI-protected populations.

AC Transit is also required to provide equitable opportunities to all persons to participate in planning and decision-making processes, such as fare change processes. Section VIII of this report provides a short summary of public engagement activities that were carried out to meet this requirement, along with information about the comments provided by the public, particularly those addressing issues covered by Title VI and associated laws and regulations. A detailed description of these efforts and comments is contained in Attachment 4 to staff report 19-262b.

This report will provide details about the fare equity analysis, including a profile of riders affected by the proposals, methodology, data sources, how impacts on protected populations are determined, and findings. Per the Board Policy, this fare equity analysis must be presented to the Board of Directors for their consideration and approval before the fare proposal may be implemented.

II. TITLE VI

Title VI of the Civil Rights Act of 1964 states:

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

Executive Order 12898 extends some protections of Title VI to low-income populations, however while other demographic groups may be protected by other laws and regulations they are not covered by Title VI or this assessment.

In 2012, the Federal Transit Administration (FTA) issued guidance to help recipients of federal funding such as AC Transit comply with civil rights laws and orders. Since then, Board policies and the District’s Title VI Program have been regularly updated to provide staff with concrete direction and instructions to remain in compliance with those regulations.

III. BACKGROUND, METHODOLOGY, DATA SOURCES

The Federal Transit Administration (FTA) recommends that recipients of federal aid evaluate fare changes according to the following steps (adapted from FTA Circular C4702.1B, October 1, 2012):

1. Assess the effects of the proposed fare changes on people of color and low-income populations.
2. Engage the public in the decision-making process to develop the thresholds used to identify disproportionate impacts on protected populations.
3. Determine which, if any, of the proposals would result in a disparate impact on minority populations, and modify the proposed changes in order to avoid, minimize, or mitigate impacts.
4. Determine which, if any, of the proposals would place a disproportionate burden on low-income populations, and take steps to avoid, minimize, or mitigate impacts where practicable.

These analyses are based on how riders actually pay their fares (as self-reported in onboard surveys); they do not address riders' ability to pay or what fare would be best for any individual rider.

Background

EasyPass is a standardized pass program that gives large defined groups of customers unlimited transit on a Clipper card for one highly discounted set price. The program is available to three types of client groups: employers, residential communities, and colleges/universities. Currently, only these types of organizations are eligible to participate in the EasyPass program. At the time of this report, EasyPass clients include 5 employers, 21 primarily residential communities (13 of which are composed of 100% below-market-rate units), and 4 colleges or universities. In most client groups, all qualified members of the participant pool must pay the cost of EasyPass themselves, regardless of whether they pick up their EasyPass card and/or become riders.

The goals of the EasyPass program include increasing ridership and encouraging mode shift from single-occupancy vehicles to public transit. To the extent the program succeeds in meeting these goals, it will have a beneficial effect on populations protected by Title VI by providing greater support for public transit, providing more public transit for people who rely on it the most, and reducing pollution due to greenhouse gases, which is known to disproportionately affect communities of color and low-income communities.

Methodology

The purpose of an equity analysis is to apply quantitative data methods to evaluate the fairness of proposed changes. AC Transit fare equity analyses do this by comparing impacts of the proposed change borne by protected populations to impacts borne by non-protected populations. Board Policy 518 directs staff to conduct an equity analysis by comparing existing fares to proposed fares for both protected and non-protected populations and calculating the absolute change as well as the percent change.

EasyPass prices are arrayed in a matrix, with values based on the number of participants in each client group and the level of transit service available to that client. Annual prices in the current matrices for EasyPass range from a low of \$55.20, for an employer or residential client with over 10,000 participants

and the lowest level of transit service, up to \$208.15, for a college client with under 500 participants and the highest level of transit service. (Prices for college clients are higher because of the recurring cost of enrolling a population that changes every semester.) Passes provide unlimited transit on both Local and Transbay service for an entire year, or for a minimum of an entire semester for college students. Because of this approach to pricing and the lack of onboard survey data at this specific level, the analysis could not determine specific fares for individual users. Instead, the analysis looked at the fares for the entire group of users.

In this report, staff considered the proposed fare changes to EasyPass and impacts on EasyPass users, as well as those proposed changes within the context of percent fare changes for all riders and their impacts.

Data sources

In preparing for this equity analysis, staff reached out to the FTA for guidance about what data to use, and were encouraged to use actual user data for the analysis. Accordingly, the analysis did not look at the entire participant pool for all clients to measure the equity of the proposals. Using the data set of EasyPass users only presented some challenges, however: the data set is small, and there is no way to know which EasyPass (college and university, employer, or residential) each survey respondent used or what they paid for it.

In order to consider the EasyPass impacts within the context of fare changes for all riders, staff gathered three sets of data: one with the Local fare changes and implementation dates, backing up to when fares were raised last (July 1, 2019) and going forward through the end of the approved proposals one with Transbay fare changes (starting with the most recent Transbay fare change which took effect on January 1, 2019); and one with the EasyPass proposals currently under consideration.

Staff also gathered demographic data about the three population groups: Local riders, Transbay riders, and EasyPass users.

As directed by FTA regulations and past practice, District staff used data derived from the 2017-18 Onboard Rider Survey, the most current data that the District has regarding AC Transit passengers. This data set includes records from over 14,000 in-depth surveys of riders and allow staff to obtain very detailed information through cross-tabulation. Each record in the survey contains information about the individual on the day they were surveyed: how they paid, how many buses they took in order to complete their one-way trip, their race and ethnicity, and their household income. The subset of EasyPass user data came from this survey, and consisted of responses from 662 riders.

IV. DESCRIPTION OF FARE PROPOSALS

When developing the new pricing proposals, EasyPass staff were guided by the goals contained in Board Policy 333, “Fare Policy Goals and Methodology,” which include equity, transparency, affordability, and fiscal responsibility, along with the EasyPass objectives listed above. In order to achieve the goals, the program offers steeply discounted annual passes to the client groups, and both current and proposed EasyPass prices are much lower than every other fare product offered by AC Transit.

For example, a customer paying a regular, non-discounted AC Transit fare would have to spend almost \$2,400 for an entire year of unlimited Local and Transbay rides while the highest price for an annual pass in the EasyPass program currently is only slightly over \$200. Given the differences between program goals, how regular and EasyPass fares are bought (or paid for), and the small size of EasyPass survey data, there’s no way to assess the fairness of this difference. However, according to both FTA guidance and AC Transit Board policies, AC Transit is required to assess the impacts of proposed *changes* to fares only.

Fare Proposals

The proposals under consideration contain the following elements:

- Establish a base price based on the current (FY19-20) EasyPass price matrices;
- Adjust fares according to one of two scenarios: an increase of 2.73% or 3.53%, based on the average CPI-U from either FY10-19 (scenario 1) or from FY17-19 (scenario 2), applied to the current matrices and compounded going forward through FY26;
- Add a \$1.00 card management fee; and
- Establish pricing matrices for a nine-year period to encourage clients to sign up for longer programs and to allow staff to execute multi-year agreements.

For this analysis, staff used these elements to identify the absolute and percentage change proposed for each cell in each matrix.

V. RIDERSHIP PROFILE

The following is a synopsis of findings from the 2017-18 Onboard Survey about EasyPass riders. The survey provides demographic data about all EasyPass users, but cannot say which particular EasyPass client (Employer, Residential, College or University) they are participants in, or the size and level of transit service associated with that client. So it’s impossible to know the actual price paid by individuals for their EasyPass in the onboard survey data.

Race and Ethnicity

It is important to understand how race and income categories are determined for the purpose of Title VI analyses, and how that influences language used in this report. The FTA requires recipients of federal funds to evaluate fare changes to determine whether those changes have a discriminatory impact on

“minority” populations. However, people that traditionally have been called “minority” make up the majority of the population in the AC Transit service area and also the large majority of AC Transit riders, so in this report, “people of color” is used to refer to people protected by the Title VI ban against discrimination on the basis of race, color, or national origin. Because Latino/a populations are protected by Title VI, only a person who identifies as white and also *not* Latino/a is part of the non-protected class in this analysis.

Table 1: Race & Ethnicity

	Systemwide Riders	EasyPass riders
People of Color	75%	72%
(non-Latino) White	25%	28%

Note: 661 EasyPass users responded to the race & ethnicity question in the onboard survey

Table 1 shows that people who pay their fares using EasyPass are slightly less likely to be people of color than District ridership as a whole.

Income

The FTA also requires recipients of federal funds to evaluate fare changes to determine whether they would have a discriminatory impact on low-income populations. According to AC Transit policy, a person is considered low-income if they have household income of less than two times the federal poverty rate; the 2019 federal poverty rate for a family of four is \$25,750, so a person is considered low-income for Title VI purposes if they had household income of under \$50,000.

Table 2 shows that EasyPass riders are more likely to be low-income than District ridership as a whole: 76% compared to 67%.

Table 2: Household Income

	Systemwide Riders	EasyPass riders
Low-Income (<\$50,000)	67%	76%
Not Low-Income	33%	24%

Note: 646 EasyPass users responded to the income question in the onboard survey

The analysis relies on how a person self-reported their household income in the onboard survey to determine whether they are low-income or not. It is difficult to get complete income samples in surveys, since many people view income as a private matter, so staff used a data imputation method (in cooperation with the consultants hired to conduct the survey) to ensure a robust sample.

VI. ANALYSIS

Determining Impacts of Fare Proposals

In order to determine the impacts of the EasyPass fare proposals, staff first calculated the fare changes contained in the proposals. The proposed change is generated from the two proposals before the Board: one proposal includes a 2.73% increase applied to the base price and compounded for future years; the other proposal's increase is 3.53%, and both proposals also add a \$1.00 card management fee added to each price in the matrices. As directed by Board Policy 518, staff looked at the absolute and the percentage changes generated by the proposals. Tables in the Appendix contain the full data and calculations for this section.

Analysis

Staff first looked at absolute price changes to help identify any anomalies in the formulas or the matrices. The smallest absolute increase would be experienced in the first change of the proposal (2020) and the largest would be experienced in the last change year of the proposal (effective in 2026). The range of absolute increases would be between just over \$4.00 to just over \$20.00. The average increase would be between approximately \$8 and \$14 (Table 3).

Table 3: Average Absolute EasyPass Price Change

	Employer/Residential	College/University
Scenario 1	\$7.96	\$10.60
Scenario 2	\$11.50	\$14.00

Staff then looked at the percentage change generated by the proposals. The smallest increases would be experienced in the first year of change (2020), and all clients would experience the same percentage increase in the two price changes that followed (2023 and 2026): 8.4% in Scenario 1 and 11.0% in Scenario 2. The average percentage change for all cells in the matrices is 10% or less (Table 4).

Table 4: Average Percentage EasyPass Price Change

	Employer/Residential	College/University
Scenario 1	8%	8%
Scenario 2	10%	10%

These tables show that all EasyPass clients in all sizes and levels of transit service would experience a price increase under either scenario under consideration, and found that Scenario 1 results in smaller increases than Scenario 2. (This is to be expected given the larger percentage increase in the pricing formula for Scenario 2.)

As noted above, because of the way people pay for EasyPass and the lack of onboard survey data at this specific level, the analysis could not determine how these specific fare changes would impact individual users, including users in Title VI-protected classes. Therefore Staff conducted an additional analysis which analyzed the proposed changes within the context of fare changes for all riders. Specifically, this analysis attempted to understand how the impacts of the proposed increases would

compare to the impacts of fare increases to Local and Transbay fares most recently approved by the Board.

Note that for this comparison, the analysis used the price of the Adult non-discounted fare category monthly passes (available on Clipper only). Note also that the fare changes for Local and Transbay fare changes do not perfectly coincide with the price changes proposed for EasyPass. Local riders – who had a fare increase in 2019 – will see fare changes next in 2021 and 2023, and Transbay riders, who also had a fare increase in 2019 will see fare changes next in 2020 and 2022. The EasyPass price changes would take effect in 2020, 2023, and 2026.

Table 5: Price/Fare Changes for All Riders

	People of Color	Low-Income	2019	2020	2021	2022	2023	2026
EasyPass Scenario 1	72%	76%		6 - 7%			8%	8%
EasyPass Scenario 2				8% - 9%			11%	11%
Local	77%	70%	4%		6%		10%	
Transbay	59%	38%	22%	9%		8%		

Note: Local and Transbay fare change information from Resolutions 19-008 and 18-012.

Table 5 shows that EasyPass users in Scenario 1 will experience a higher increase than Local riders for the first round of increases (6-7% compared to 4-6%), then a slightly lower increase than Local riders (8% compared to 10%). If Scenario 2 is adopted, EasyPass users will experience higher increases than Local fare increases throughout the proposed changes (8-11% compared to 4-10%).

Compared to Transbay riders, EasyPass users in Scenario 1 will experience a lower price increase at first (8-9% compared to 22%, then 9%), then the same percentage increase in 2023 as Transbay riders will experience in 2022 (both 8%). If Scenario 2 is adopted, EasyPass users will still experience a lower increase in the first round (8-9% compared to 22 or 9%), but will see a higher increase in 2023 than Transbay riders will have seen in 2022 (11% compared to 8%).

Impacts

If a fare change is found to have a disparate impact on populations protected against discrimination on the basis of race, color, or national origin, FTA Title VI regulations and AC Transit Board Policy require the District to attempt to avoid the impact, find alternatives with a lesser impact, or implement actions to mitigate the impact.

Based simply on EasyPass user demographics, providing EasyPass at a substantial discount might be seen on its face to have a discriminatory impact on people of color, because the population able to access this highly discounted fare product is less people of color than riders as a whole (72% compared to 75%). However the difference between EasyPass riders and systemwide riders is only 3%, much less than the threshold established in Board policy for finding disparate impact (15%).

Low-income populations do not have the same protections as people of color under Title VI. Following FTA regulations, District policy states that if a fare proposal results in a disproportionate burden on

low-income riders, the District is required to identify alternative to avoid, minimize, or mitigate impacts where practicable. As demonstrated above, the data shows that the benefits of EasyPass are more available to low-income riders than to not low-income riders. So the simple analysis would conclude that low-income populations would not bear a disproportionate burden of the EasyPass price change proposals.

As described above, staff proposed to investigate the proposed EasyPass price changes within the context of Local and Transbay fare changes. Table 6 shows the price/fare changes for all three groups of riders, and the demographics of each group.

Table 6: Price/Fare Changes and Demographics

	People of Color	Low-Income	Total Increase
EasyPass Scenario 1	72%	76%	22 – 23%
EasyPass Scenario 2			30 – 31%
Local	77%	70%	20%
Transbay	59%	38%	39%

Note: Demographic data for all groups from the 2017-18 District-wide onboard survey.

While EasyPass users are less likely to be people of color than Local riders, EasyPass prices will increase by a larger percentage than Local fare increases over the course of the projected price and fare changes. In addition, EasyPass users are much more likely to be people of color than Transbay riders, and the Transbay fares will increase by quite a bit more than EasyPass prices in either scenario. Given these results, staff believe that people of color will not bear a disparate impact from the EasyPass proposals.

Table 6 also shows that although EasyPass riders are more likely than Local riders to be low-income, they will experience a larger price increase over the time period covered by this analysis. The differences are small, however, especially in Scenario 1: EasyPass users will see a 22-23% increase, while Local riders will see a 20% increase. Even if Scenario 2 is adopted, the EasyPass price will increase 10 to 11% more than the Local price – below the 15% threshold for finding a disproportionate burden on low-income populations. Those EasyPass users will still see a substantially smaller increase than Transbay riders, who are much less likely to be low-income.

VII. OTHER CONSIDERATIONS

The analysis contained in this report does not follow the typical fare equity analysis template, in part because the District has not conducted this type of analysis before because EasyPass prices were last changed before the current regulations were in effect. In addition, an analysis is not required if the institutional pass is paid for by someone other than the end user. That is, if the university, employer, or developer pays the entire EasyPass price for their students, employees, or residents, no analysis is required. This is the case for most institutional pass programs around the country, so it was difficult to find examples from other transit agencies who have conducted this type of analysis, with similar data limitations, to use as a guide.

Since the issues surrounding EasyPass pricing are complicated, the analysis considered several additional issues to understand if the low price charged for EasyPass is equitable, whether or not the benefit to Title VI protected populations is directly or clearly supported by the data analysis.

100% Participation Policy:

EasyPass pricing is based on a formula and matrix that takes into account the number of participants and level of transit service for each client. Under the 100% Participation Policy, a client pre-identifies how many individuals will be covered (the participant pool), and signs a contract agreeing to pay for passes for 100% of that number, with the price determined by the matrix. The client pays for that number of passes whether or not the Clipper card is ever picked up, activated, or used on a bus.

Although it is challenging to get good data about actual usage, staff know that EasyPass usage is much lower than the number of people eligible to use them. In 2018, in an average month, out of over 73,000 EasyPass eligible users, only about 20,500 unique Clipper cards were used for a ride on AC Transit. Even counting only months in 2018 that had the highest pass use – August through November when schools were in fall session – the figure rises to approximately 23,300 unique Clipper cards used. This shows that one effect of the 100% Participation policy is that EasyPass participants who do not use the benefit subsidize EasyPass participants who do.

Indeed, the EasyPass program generates substantial revenue above its expenses. In 2018 the cost of administering the EasyPass program was approximately \$828,000 (including salaries), and the revenue from the program was approximately \$6 million. These costs did not include foregone revenue, that is, the amount of regular fares not paid because a person had an EasyPass. Although there are not great methods for estimating foregone revenue, using one approach staff estimate that taking foregone revenue into account, the EasyPass program still supplied \$3,660,973 additional revenue to the District. This revenue would have gone to subsidize additional service to service area-wide ridership, including service to populations with a larger percentage of people of color.

And separately, in part because of the 100% Participation Policy, the estimated revenue for EasyPass users in 2018 was approximately \$1.60 per boarding, compared to \$1.23 per boarding for riders as a whole.

Environmental benefit:

The goals of the EasyPass program include increasing ridership and encouraging mode shift from single-occupancy vehicles to public transit. To the extent the program succeeds in meeting these goals, it will have a beneficial effect on populations protected by Title VI by providing more support for public transit, providing public transit for people who rely on it the most, and reducing pollution due to greenhouse gases, which is known to disproportionately affect communities of color and low-income communities.

Size of EasyPass population:

EasyPass users are a small percentage of our riders as a whole. According to our most recent onboard survey, fewer than 5% of weekday riders used an EasyPass. Providing EasyPass to such a small population may also be defensible if it meets objectives such as reducing the carbon footprint,

providing affordable transportation for low-income people, or increasing mode shift from single occupancy car use to transit.

Changing demographic of EasyPass users:

As mentioned above, The District is not required in this analysis to determine the fairness of the existing EasyPass fare structure. Still, the demographics of the EasyPass rider population could change with a large increase in the EasyPass participant pool. Marketing staff believe it is more likely that the low-income percentage of the participant pools will continue to grow, based on having a large number of students and below market rate housing clients, but if more expensive housing developments or very high wage employers join the EasyPass program it might be important to revisit this question.

Uncoupling EasyPass from Local fares:

Until recently, EasyPass pricing has been tied to the District's local fares: when they went up, so did EasyPass pricing. This has guaranteed that EasyPass participants did not receive any additional discount as fares changed throughout the system. The proposals under consideration would separate EasyPass pricing from other fares in Board Policy 333. It will be important to monitor EasyPass pricing going forward, especially as participant pools and user populations change.

Getting good data:

The FTA has informed AC Transit that we may use rider data, i.e. participants who actual use the EasyPass, to conduct Title VI analyses. Unfortunately, we don't have much specific detail about these EasyPass riders: we can't tell from the survey if they are student, employer, or residential EasyPass users. Participants must fill out a Pass Acceptance form when they request their EasyPass but the forms are often not very complete and do not collect all the information we need to conduct a Title VI analysis. Good data about EasyPass users is crucial to ensuring that we can analyze the benefits and burdens associated with the program, and going forward staff will require participants to provide additional data to support such analyses when they request a Clipper card.

VIII. PUBLIC ENGAGEMENT

Under District policy and the Title VI Program, AC Transit is required to provide equitable opportunities to all persons to participate in planning and decision-making processes related to fare changes. This section provides an overview of the various elements of public engagement that were carried out to meet this requirement, along with information about the input provided by members of the public, particularly concerning issues impacting populations protected by Title VI and associated laws and regulations.

A detailed description of the public engagement and comments received is provided as Attachment 4 to staff report 19-262b.

Public engagement plan

Following Board policies and the District's Public Participation Plan, the public engagement was designed to ensure notification of proposed fare changes to members of the public including riders,

community members, traditionally underrepresented groups, current and anticipated EasyPass clients, and key stakeholder groups. The plan implementation began August 12, 2019, ended September 11, 2019 and included the following:

- Posted legal notice in English-, Spanish-, and Chinese-language newspapers and on the AC Transit website;
- Published digital content about proposals on AC Transit's webpages, eNews, and social media channels, including materials translated into Spanish and Chinese;
- Contacted current and prospective EasyPass clients, transportation advocate groups, city planning departments, stakeholders in communication with housing developments, and other elected officials and community stakeholders;
- Held in-person or phone meetings with EasyPass college program clients; and
- Received comments on the proposed changes by phone, email, letter, and fax, and in-person at the public hearing.

Public Hearing

The public hearing for the fare proposal was held on September 11, 2019 at 6:00 p.m. Five members of the public spoke at the hearing. Spanish and Chinese interpreters were present at the public hearing and notice of their availability was advertised in materials advertising the hearing.

Public comment received

In addition to the speakers at the public hearing, a total of 31 comments were received by email, in the form of written comments or postcards submitted by mail or directly to staff, by phone/voice mail, or by social media, prior to the close of the public hearing process.

Despite being unhappy with any increase, many commenters acknowledged the likelihood that EasyPass prices would be raised, and encouraged the Board to adopt Scenario 1. Twenty-five of the comments contained language from a template, and mirrored the comments made by four UC Berkeley students who attended the public hearing. The concerns raised by these comments are addressed below.

Title VI concerns in the public comment

Several issues or proposals were raised during the public hearing that might reflect a Title VI concern.

There was a proposal to exclude the card fee from the EasyPass pricing formula. Until recently, the District received Clipper cards to meet EasyPass program needs for free, but in March, 2016, Clipper informed AC Transit that all adult cards for institutional programs would be charged the full \$3.00 fee. This fee is small for participants relative to the overall EasyPass price, but would represent a very large on-going cost to AC Transit if the fee is not passed on. The outcome of such a decision could mean that all other riders would, in effect, be subsidizing EasyPass riders. While certainly this cost could be figured into the EasyPass price matrices, staff believed it was more transparent to include it separately, and by reducing the amount of the card fee that is passed on to participants from \$3.00 to \$1.00, the cost is shared by all EasyPass participants. In addition, charging EasyPass for their Clipper card

establishes some parity with all other riders who must pay the full cost of buying a Clipper card if they want to buy a discounted pass such as the monthly Local or Transbay pass.

Another proposal was to provide a deeper discount for developments providing low-income housing. It is worth noting that all EasyPass clients already receive a huge discount through the program, and also that many developers receive other financial incentives in exchange for including a certain number of below-market rate units in the developments. More importantly, from a Title VI perspective, below market rate housing is not the same as low-income housing. A proposal to provide a deeper discount for any EasyPass client would warrant additional investigation and safeguards to ensure the intended population was covered by Title VI.

A number of individuals from the University of California, Berkeley provided comment at the public hearing. They all spoke about the importance of AC Transit bus service to students, especially because the shortage of affordable housing in the area means that students commute long distances to campus, and expressed concern that the proposals would place an undue burden on students who couldn't afford it. From a Title VI perspective, student status – by itself – does not carry Title VI protections, so staff conducted an additional analysis and found that the UC Berkeley student population has a lower percentage of Title VI protected populations compared to AC Transit riders as a whole. The undergraduate student population is approximately 67% people of color and the graduate student population is only 41% people of color, compared to the AC Transit ridership overall which is 75% people of color. The UC Berkeley data reflects the entire client population pool (between 33-35,000 student depending on the semester), and it is possible that the actual user population would have higher percentages of people of color than these numbers reflect. Still, it's unlikely that the numbers would rise to a level to cause Title VI concern. (Staff were unable to get data to repeat this analysis on the basis of low-income status, but impacts on low-income populations do not carry the requirement to mitigate proposals if disproportionate burdens are found.) Given the low EasyPass price afforded to the student population, the analysis does not find any Title VI impacts of the proposals on UC Berkeley students.

Apart from this complaint, several of the commenters proposed that the UC Berkeley price should be lower than the price for similarly sized employers since the population is so large, and the University's Transportation Demand Management Administrator proposed creating another category in the EasyPass price matrices for clients with more than 20,000 participants (both in written comments and at the public hearing). Title VI staff believe that as long as such clients see an increase comparable to the increases that will be experienced by other clients, such a proposal would not have a discriminatory impact on protected populations.

IX. CONCLUSION

Considering together the data, the additional considerations described in narrative form above, the public engagement carried out in order to make the proposals known to the community and affected populations, and the public comment received, this Title VI fare equity analysis finds that the fare proposals contained in Staff Report 19-262b and Resolution 19-033 do not carry any discriminatory effects on Title VI-protected populations.

Appendix Table A-1

**Scenario 1 – Absolute Change
EasyPass Proposed Price**

Scenario 1, Absolute Change															
	Participants														
Employer/ Residential	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	9.53	13.77	14.93	8.32	11.83	12.83	7.11	9.89	10.72	5.84	7.85	8.51	4.63	5.91	6.40
2	8.64	12.34	13.38	7.62	10.71	11.61	6.47	8.87	9.61	5.52	7.34	7.95	4.44	5.60	6.07
3	7.62	10.71	11.61	6.79	9.38	10.17	5.90	7.95	8.62	5.07	6.62	7.18	4.18	5.19	5.63
4	6.73	9.28	10.06	5.96	8.05	8.73	5.39	7.13	7.73	4.69	6.01	6.51	4.06	4.99	5.41
College/ University	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	12.52	18.57	20.13	10.80	15.81	17.14	9.27	13.36	14.49	7.56	10.60	11.50	5.90	7.95	8.62
2	11.31	16.63	18.03	9.91	14.38	15.59	8.45	12.03	13.05	7.11	9.89	10.72	5.58	7.44	8.06
3	9.91	14.38	15.59	8.83	12.65	13.71	7.62	10.71	11.61	6.47	8.87	9.61	5.33	7.03	7.62
4	8.76	12.54	13.60	7.68	10.81	11.72	6.92	9.58	10.39	6.03	8.15	8.84	5.07	6.62	7.18

Notes:

Figures indicate absolute change in dollars and cents (\$X.XX)

LTS is Level of Transit Service; LTS 1 is the highest amount of transit service available to the client and LTS 4 is the lowest.

Column year 2020 displays the proposed absolute increase from existing (2018) EasyPass prices; all other years display the increase from the previous column.

Appendix Table A-2

Scenario 1 – Percent Change EasyPass Proposed Price

Scenario 1, Percent Change															
	Participants														
Employer/ Residential	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	6.2%	8.4%	8.4%	6.3%	8.4%	8.4%	6.4%	8.4%	8.4%	6.7%	8.4%	8.4%	7.1%	8.4%	8.4%
2	6.3%	8.4%	8.4%	6.4%	8.4%	8.4%	6.5%	8.4%	8.4%	6.8%	8.4%	8.4%	7.1%	8.4%	8.4%
3	6.4%	8.4%	8.4%	6.5%	8.4%	8.4%	6.7%	8.4%	8.4%	6.9%	8.4%	8.4%	7.3%	8.4%	8.4%
4	6.5%	8.4%	8.4%	6.6%	8.4%	8.4%	6.8%	8.4%	8.4%	7.0%	8.4%	8.4%	7.3%	8.4%	8.4%
College/ University	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	6.0%	8.4%	8.4%	6.1%	8.4%	8.4%	6.2%	8.4%	8.4%	6.4%	8.4%	8.4%	6.7%	8.4%	8.4%
2	6.1%	8.4%	8.4%	6.2%	8.4%	8.4%	6.3%	8.4%	8.4%	6.4%	8.4%	8.4%	6.7%	8.4%	8.4%
3	6.2%	8.4%	8.4%	6.2%	8.4%	8.4%	6.4%	8.4%	8.4%	6.5%	8.4%	8.4%	6.8%	8.4%	8.4%
4	6.2%	8.4%	8.4%	6.4%	8.4%	8.4%	6.5%	8.4%	8.4%	6.6%	8.4%	8.4%	6.9%	8.4%	8.4%

Notes:

LTS is Level of Transit Service; LTS 1 is the highest amount of transit service available to the client and LTS 4 is the lowest.

Column year 2020 displays the proposed percentage increase from existing (2018) EasyPass prices; all other years display the increase from the previous column.

Appendix Table A-3

Scenario 2 – Absolute Change EasyPass Proposed Price

Scenario 2, Absolute Change															
	Participants														
Employer/ Residential	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	12.07	18.23	20.23	10.50	15.66	17.37	8.93	13.09	14.52	7.28	10.38	11.52	5.71	7.82	8.67
2	10.91	16.33	18.12	9.59	14.17	15.72	8.11	11.74	13.02	6.87	9.71	10.77	5.46	7.41	8.22
3	9.59	14.17	15.72	8.52	12.41	13.77	7.36	10.52	11.67	6.29	8.76	9.72	5.13	6.87	7.62
4	8.44	12.28	13.62	7.44	10.66	11.82	6.70	9.44	10.47	5.79	7.95	8.82	4.97	6.60	7.32
College/ University	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	15.95	24.58	27.28	13.72	20.93	23.23	11.74	17.69	19.63	9.51	14.03	15.57	7.36	10.52	11.67
2	14.38	22.01	24.43	12.57	19.04	21.13	10.67	15.93	17.67	8.93	13.09	14.52	6.95	9.84	10.92
3	12.57	19.04	21.13	11.16	16.74	18.57	9.59	14.17	15.72	8.11	11.74	13.02	6.62	9.30	10.32
4	11.08	16.60	18.42	9.68	14.31	15.87	8.68	12.68	14.07	7.53	10.79	11.97	6.29	8.76	9.72

Notes:

Figures indicate absolute change in dollars and cents (\$X.XX)

LTS is Level of Transit Service; LTS 1 is the highest amount of transit service available to the client and LTS 4 is the lowest.

Column year 2020 displays the proposed absolute increase from existing (2018) EasyPass prices; all other years display the increase from the previous column.

Appendix Table A-4

Scenario 2 – Percent Change EasyPass Proposed Price

Scenario 2, Percent Change															
	Participants														
Employer/ Residential	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	7.8%	11.0%	11.0%	7.9%	11.0%	11.0%	8.1%	11.0%	11.0%	8.3%	11.0%	11.0%	8.7%	11.0%	11.0%
2	7.9%	11.0%	11.0%	8.0%	11.0%	11.0%	8.2%	11.0%	11.0%	8.4%	11.0%	11.0%	8.8%	11.0%	11.0%
3	8.0%	11.0%	11.0%	8.1%	11.0%	11.0%	8.3%	11.0%	11.0%	8.5%	11.0%	11.0%	8.9%	11.0%	11.0%
4	8.2%	11.0%	11.0%	8.3%	11.0%	11.0%	8.4%	11.0%	11.0%	8.7%	11.0%	11.0%	9.0%	11.0%	11.0%
College/ University	100-500			501-1,000			1,001-5,000			5,001-10,000			10,000+		
LTS	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026	2020	2023	2026
1	7.7%	11.0%	11.0%	7.7%	11.0%	11.0%	7.9%	11.0%	11.0%	8.0%	11.0%	11.0%	8.3%	11.0%	11.0%
2	7.7%	11.0%	11.0%	7.8%	11.0%	11.0%	7.9%	11.0%	11.0%	8.1%	11.0%	11.0%	8.4%	11.0%	11.0%
3	7.8%	11.0%	11.0%	7.9%	11.0%	11.0%	8.0%	11.0%	11.0%	8.2%	11.0%	11.0%	8.5%	11.0%	11.0%
4	7.9%	11.0%	11.0%	8.0%	11.0%	11.0%	8.1%	11.0%	11.0%	8.3%	11.0%	11.0%	8.5%	11.0%	11.0%

Notes:

LTS is Level of Transit Service; LTS 1 is the highest amount of transit service available to the client and LTS 4 is the lowest.

Column year 2020 displays the proposed percentage increase from existing (2018) EasyPass prices; all other years display the increase from the previous column.