

## **Suffolk County Transit (SCT)**

### **Proposed Major Service Change Policy, Disparate Impact Policy, Disproportionate Burden Policy**

#### **Proposed Major Service Change Policy**

SCT considers the following situations to constitute a major service change:

There is a service reduction or increase involving 25% or more of the revenue vehicle miles on a transit route on an annual basis or daily basis.

A new route is proposed or an entire route is proposed to be eliminated.

There are a number of small changes which, in the aggregate, involve less than 25% of revenue vehicle miles, but, in the Division's judgment, constitute a major change in service.

Temporary additions of service (e.g., demonstration projects), including those that would otherwise qualify as a major service change, are exempted from the definition of major service change. If a temporary service addition or change lasts longer than twelve months, then the service addition or change shall be considered permanent.

#### **Proposed Disparate Impact Policy**

This policy establishes a threshold for determining whether a given action has a disparate impact on minority populations. Per FTA Circular 4702.1B:

*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 the recipient's 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...*

*The policy shall establish a threshold for determining when adverse effects of fare/service changes are borne disproportionately by minority populations. The disparate impact threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by minority populations compared to impacts borne by non-minority populations. The disparate impact threshold must be applied uniformly... and cannot be altered until the next Title VI Program submission.*

In the course of performing a Title VI Equity Analysis, SCT must analyze how the proposed action would impact minority as compared to non-minority populations. In the event the proposed action has a negative impact that affects minorities more than non-minorities with a disparity that exceeds the adopted Disparate Impact Threshold, or that benefits non-minorities more than minorities with a disparity that exceeds the adopted Disparate Impact Threshold, SCT must evaluate whether there is an alternative that has a more equitable impact. Otherwise, SCT must take measures to mitigate the impact of the proposed action on the affected minority population and demonstrate that a legitimate business

purpose cannot otherwise be accomplished and that the proposed change is the least discriminatory alternative.

The Disparate Impact Threshold to determine if the adverse impacts of a major service change (as defined in the first part of this document) or a fare adjustment is established at 25 percent based on the cumulative impact of the proposed service and/or fare changes. This threshold applies to the difference of the impacts borne by minority populations compared to the same impacts borne by non-minority populations.

### **Proposed Disproportionate Burden Policy**

This policy establishes a threshold for determining whether a given action has a disproportionate burden on low-income populations versus non-low-income populations. The Disproportionate Burden Policy applies only to low-income populations that are not also minority populations. Per FTA Circular 4702.1B:

*The policy shall establish a threshold for determining when adverse effects of fare/service changes are borne disproportionately by low-income populations. The disproportionate burden threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by low-income populations as compared to impacts born by non-low-income populations... The disproportionate burden threshold must be applied uniformly... and cannot be altered until the next Title VI program submission...*

*At the conclusion of the analysis, if the transit provider finds that low-income populations will bear a disproportionate burden of the proposed fare[/service] change, the transit provider should take steps to avoid, minimize, or mitigate impacts where practicable. The transit provider should describe alternatives available to low-income populations affected by the fare[/service] changes.*

The SCT Disproportionate Burden Threshold to determine if the adverse impacts of a major service change (as defined in the first part of this document) or a fare adjustment is established at 25 percent based on the cumulative impact of the proposed service and/or fare changes. This threshold applies to the difference of the impacts borne by low-income populations compared to the same impacts borne by non-low-income populations.