

## **Board Policy No. 32 Threshold for Disproportionate Burden on Low-Income Populations**

### Summary

This policy sets forth North County Transit District's (NCTD) threshold for disproportionate burden on low-income populations in the event of a major service change.

### Background

The requirement of this policy comes from the Federal Transit Administration (FTA) Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," which became effective October 1, 2012. The Circular requires any FTA recipient that operates 50 or more fixed-route vehicles in peak service and serves a population of 200,000 or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a disproportionate burden on low-income populations.

### Purpose

The purpose of this policy is to:

1. Establish a threshold for the occurrence of disproportionate burden in the event of a major service change; and
2. Identify the agency's corresponding process and actions to address the occurrence of disproportionate burden.

### Threshold

A disproportionate burden occurs when the low-income population adversely affected by a major service change as defined under NCTD Board Policy No. 30, Threshold for Major Service Change, is ten (10) percent or more than the average low-income population of the NCTD service area. A disproportionate burden may also occur when the non-low-income population benefits from a major service change by ten (10) percent or more than the average low-income population of the NCTD service area.

Disproportionate burden on routes with either span of service changes and/or frequency changes will be determined by analyzing all routes with such changes together. Disproportionate burden on routes with segment elimination, re-routing, or route elimination will be determined on a route-by-route basis.

### NCTD's Process

If NCTD finds a potential disproportionate burden, NCTD will take steps to avoid, minimize, or mitigate impacts of the proposed change where practicable and provide alternatives available to low-income passengers affected by the service changes.

In the event a disproportionate burden is identified, NCTD will engage public participation to describe alternatives or mitigation measures to lessen the burden on low-income populations.

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To conduct the analysis for low-income populations, NCTD shall use the most recent 5-year estimate table for *Ratio of Income to Poverty Level in the Past 12 Months* from the American Community Survey (ACS). The U.S. Census Bureau explains that “people and families are classified as being in poverty if their income is less than their poverty threshold. NCTD defines a low-income person as an individual whose household income is at or below 200 percent of the U.S. Department of Health and Human Services poverty guidelines, consistent with SANDAG’s definition. NCTD will consider using the most recent SANDAG Regional On-Board Transit Survey for the comparison population if the survey is statistically valid at the route level.

Approvals

  
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Board Chair

10/19/2023  
Date

  
\_\_\_\_\_  
Executive Director

10/19/2023  
Date

  
\_\_\_\_\_  
General Counsel

10/19/2023  
Date

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<b>DATE</b>	<b>REVISION No.</b>	<b>RESOLUTION No.</b>	<b>COMMENTS</b>
11/21/2013	ADOPTED	13-07	
10/16/2014	1	14-04	2014 REVISION
11/19/2015	2	15-08	2015 REVISION
10/19/2017	3	17-10	2017 REVISION
10/17/2019	4	19-06	2019 REVISION
10/21/2021	5	21-05	2021 REVISION
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