

**Title VI**  
**Fiscal Year 2018-2020 Implementation Plan**  
**Title VI of the Civil Rights Act of 1964**  
**Howard County, Maryland**



Draft July 25, 2018

Adopted Date

\_\_\_\_\_, 2018

Howard County Office of Transportation

3430 Court House Drive

Ellicott City, MD 21043

**Title VI**

**Fiscal Year 2018-2020 Implementation Plan**

**Title VI of the Civil Rights Act of 1964**

**Howard County, Maryland**

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## INTRODUCTION

Howard County, Maryland is a recipient of public transportation funding from the Federal Transit Administration (FTA) and the Maryland Department of Transportation-Maryland Transit Administration (MDOT MTA) and therefore is required to develop policies, programs, and practices that ensure that federal transit funds are used in a manner that is nondiscriminatory as required under Title VI of the Civil Rights Act of 1964.

Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "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." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not. Recently, the Federal Transit Administration has placed renewed emphasis on Title VI issues, including on providing meaningful access to persons with Limited English Proficiency (LEP).

The Howard County Office of Transportation (Howard County) is the Howard County agency responsible for managing the provision of public transportation services in Howard County

This Fiscal Year 2018-2020 Implementation Plan (Plan) details how the Howard County Office of Transportation incorporates nondiscrimination policies and practices in providing public transit services and complies with Title VI of the Civil Rights Act of 1964. The Plan is divided into eight sections:

Section 1 provides an overview of the public transportation services provided by Howard County, including information on ridership, routes and organizational structure.

Section 2 presents a signed policy statement affirming that Howard County will follow Title VI rules and regulations in the delivery of public transportation services.

Section 3 confirms Howard County's commitment to nondiscrimination and compliance with federal and state requirements as detailed in a Nondiscrimination Assurance filed by Howard County every year as part an application for financial assistance from the Federal Transit Administration.

Section 4 presents the signed approval of the Plan by the Administrator of the Howard County Office of Transportation and a resolution by the Howard County Multimodal Transportation Board endorsing the Plan.

Section 5 details Howard County's and the County's Title VI Manager's responsibilities in administering the plan including record-keeping and data collection.

Section 6 details the specific requirements and compliance measures, including information on complaint procedures and forms, public outreach practices through a Public Participation Plan and providing information to Limited English Proficient Persons through a LEP Language Assistance Plan.

Section 7 presents information on how Howard County delivers public transportation services in an equitable manner and how the distribution of service is equitable between minority and low-income populations and the overall population.

Section 8, to ensure full compliance with FTA requirements, references specific information requested by the FTA.

## **SECTION 1: OVERVIEW OF SERVICES**

Howard County provides public transportation services in Howard County, Maryland, through a contractor, Transit Management of Central Maryland (TMCM, or Contractor). Transit Management of Central Maryland delivers services in Howard County, Anne Arundel County, City of Laurel and Prince Georges County. These services are delivered under a brand name; the Regional Transportation Agency of Central Maryland (RTA). Howard County contracts separately with 1<sup>st</sup> Transit, Inc. to provide management services for TMCM.

### Fixed Route Bus Service Profile

- The RTA’s fixed route service extends north-south between Ellicott City and College Park and east-west between Odenton - BWI Airport and Columbia.
- The primary transfer point for Howard County routes is a hub at the Mall in Columbia.
- The primary transfer points for regional routes are;
  - Arundel Mills Mall,
  - Laurel Towne Center
  - The Mall in Columbia
- Other primary service areas include:
  - Columbia's villages and village centers
  - Industrial corridors of East Columbia
  - US Route 1 corridor
  - Route 40 corridor
  - Odenton and Freetown
  - MARC commuter rail stations and the BWI Airport corridor
- Fixed route service is provided on 8 routes, of which 7 operate exclusively in Howard County. RTA has 15 routes overall.
- In 2017, all the fixed route service delivered approximately 150,000 hours of service and carried 1.44 million passenger trips.
- Fixed route service is provided with approximately 33 buses during peak periods and 27 buses in off- peak.

Table 1 presents the service characteristics of Howard County’s fixed route public transit service in Howard County. All routes serve Howard County exclusively, with the exception of the 501, which travels to Arundel Mills Mall.

Table 1: Fixed Route Service Characteristics				
Route	Day	Span	Peak Headways	Off-Peak Headways
401/Green: Columbia Mall – Clary’s Forest	Weekday	5:40am – 11:10pm	30 min.	60 min.
	Saturday	7:40am – 10:10pm	-	60 min.
	Sunday	9:00am – 6:52pm	-	60 min.
404/Orange: Columbia Mall – Kings Contrivance Shopping Center	Weekday	6:00am – 10:27pm	60 min.	60 min.
	Saturday	7:27am – 8:23pm	-	60 min.
	Sunday	9:00am – 6:42pm	-	60 min.
405/Yellow: Columbia Mall – North Chatham	Weekday	6:00am – 10:11pm	60 min.	60 min.
	Saturday	7:45am – 8:11pm	-	120 min.
406/Red: Columbia Mall – Howard County Complex	Weekday	5:35am – 11:19pm	30 min.	30 min.
	Saturday	7:37am – 10:20pm	-	60 min.
	Sunday	9:10am – 6:21pm	-	120 min.
407/Brown: Columbia Mall – King Contrivance Shopping Center	Weekday	5:30am – 11:27pm	60 min.	60 min.
	Saturday	8:00am – 10:20pm	-	60 min.
	Sunday	9:05am – 6:48pm	-	120 min.
408/Gold: Columbia Mall – MD Food Center	Weekday	5:53am – 10:17pm	60 min.	120 min.
	Saturday	7:53am – 10:17pm	-	120 min.
409/Purple: Towne Centre at Laurel – ElkrIDGE Corners Shopping Center	Weekday	6:00am – 9:55pm	60 min.	60 min.
	Saturday	9:00am – 9:50pm	-	120 min.
501/Silver: Columbia Mall – Anne Arundels Mills Mall	Weekday	5:25am to 11:00pm	-	60 min.
	Saturday	7:00am – 11:00pm	60 min.	60 min.
	Sunday	9:00am – 7:00pm	-	120 min.

Route maps and schedules are provided for reference in Appendix A.

### Demand Response Service Profile

The RTA delivers Howard County’s demand response service to complement the fixed route service under the *RTA Mobility* brand. This service includes both ADA and General Paratransit service modes.

- ADA service provides a curb-to-curb or Door-to-Door service within a three-quarter mile radius of the fixed-route system for persons or individuals with disabilities who are unable to use/ride fixed route transportation system
- General Paratransit provides a curb-to-curb service within Howard County. The service is offered to Howard County residents based on age or a disability, and for specific trip purposes.
- ADA and General Paratransit demand response trips are provided with approximately 20 peak period van-type vehicles and supplementary private taxi providers to accommodate excess demand.
- The demand response service delivered about 82,000 trips in fiscal year 2017.



## SECTION 2: POLICY STATEMENT AND AUTHORITIES

### Title VI Policy Statement

Howard County is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The Howard County's Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



July 23, 2018

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Clive Graham, Administrator, Howard  
County Office of Transportation

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Date

### Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted);

U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

### **SECTION 3: NONDISCRIMINATION ASSURANCES TO MARYLAND TRANSIT ADMINISTRATION**

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Maryland Transit Administration submits its annual certifications and assurances to FTA. MDOT MTA must collect Title VI assurances from sub recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to MDOT MTA at the time of grant application and award, Howard County submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting the assurance, Howard County, Maryland confirms to MDOT MTA its commitment to nondiscrimination and compliance with federal and state requirements.

**SECTION 4: PLAN APPROVAL DOCUMENT**

I hereby acknowledge the receipt of the Howard County, Maryland Title VI Implementation Plan for 2018-2020. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of Howard County transportation services on the basis of race, color, or national origin, as protected by Title VI according to C 4702.1B Title VI requirements and guidelines for Federal Transit Administration sub-recipients.

**Will sign following public meeting**

Signature of Authorizing Official  
Clive Graham, Administrator  
Howard County Office of Transportation

Date

**Placeholder for Multimodal Transportation Board endorsement**



HOWARD COUNTY MULTIMODAL TRANSPORTATION BOARD  
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Ron Hartman, Chair  
Jason Quan, Vice-Chair

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

**Resolution Regarding  
Title VI Implementation Plan,  
September 25, 2018**

At the September 2018 Multimodal Transportation Board (MTB) meeting, the Board adopted the following resolution.

In accordance with County Code Section 21.503, General powers and duties of Multimodal Transportation Board the MTB hereby endorses Fiscal Year 2018-2020 Title VI Implementation Plan that is designed to ensure that federal transit funds are used in a manner that is nondiscriminatory as required under Title VI of the Civil Rights Act of 1964.

The motion passed by a vote of 4 to 0. Voting in favor: xxxxxxxxxxxxxxxxxxxxxxxx

*Clive Graham*

Clive Graham, Executive Secretary, September 26, 2018

## **SECTION 5: ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES**

The Office of Transportation's Planning Manager for Transit serves as the Title VI Manager. This manager works under the supervision of the Authorizing Official - the Administrator of the Office of Transportation - and is responsible for ensuring implementation of Howard County's Title VI program. The manager's specific areas of responsibility are described below:

### Overall Organization for Title VI

The Title VI Manager is responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education. These tasks will be assigned to Howard County staff and/or contractors and supervised by the Title VI Manager.

### Title VI Manager Responsibilities

The Title VI Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

- Process Title VI complaints received.
- Collect statistical data (race, color, or national origin) of participants in and beneficiaries of Office of Transportation's programs, (e.g., affected citizens, and impacted communities).
- Conduct annual Title VI reviews of the Office to determine the effectiveness of program activities at all levels.
- Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
- Conduct training programs on Title VI and other related statutes for staff.
- Prepare a yearly report of Title VI accomplishments and goals, as required.
- Develop Title VI information for dissemination to the public and, where appropriate, in languages other than English.
- Identify and eliminate discrimination.
- Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

### General Title VI Responsibilities of the Agency

The Authorizing Official is responsible for substantiating that elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

#### 1. Data Collection

To ensure that Title VI reporting requirements are met, Howard County will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.

- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people have opportunities to participate meaningfully into transit planning and service provision.

## 2. Annual Report and Updates

As a sub-recipient of FTA funds, Howard County is required to submit a Quarterly Report Form to MDOT MTA that documents any Title VI complaints received during the preceding quarter and for each year. Howard County will also maintain and provide to MDOT MTA an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had meaningful opportunity to participate in public outreach events.

Furthermore, Howard County will submit to MDOT MTA updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Public Participation Plan (PPP)
- Language Assistance Plan (LAP)
- Procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint
- Minority representation on boards and committees.

## 3. Annual Review of Title VI Program

Each year, in preparing for the Annual Report and Updates, the Title VI Manager will review the agency's Title VI program to assure implementation of the Title VI plan. In addition, the Manager will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

## 4. Dissemination of Information Related to the Title VI Program

Information on the Title VI program will be disseminated to Howard County Office of Transportation staff, contractors, as well as to the public, as described in the "public outreach and involvement" section of this document. Dissemination will be in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

5. Resolution of Complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she, or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. Howard County will report the complaint to MDOT MTA within three business days (per MDOT MTA requirements), and make a concerted effort to resolve complaints locally, using its Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described in Item No. 1: - Data Collection, and reported annually (in addition to immediately) to MDOT MTA.

6. Written Policies and Procedures

Howard County's Title VI policies and procedures are documented in this Plan. This Plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the Annual Title VI Program Review (item 3 above), the Title VI Manager will assess whether an update is needed.

7. Internal Education

Howard County and its contractor's employees involved in the delivery of public transit services will receive training on Title VI policies and procedures upon hiring, promotion, and will also receive a training update annually. This training will include requirements of Title VI, obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained.

In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

Implementation and oversight of Title VI training is the responsibility of the Office of Transportation's Planning Manager

8. Title VI clauses in Contracts

In all federal procurements requiring a written contract or purchase order, Howard County's contracts and purchase orders related to the delivery of public transit services will include appropriate non-discrimination clauses. The Title VI Manager will also work the County's contractors to ensure appropriate non-discrimination clauses are included in their procurements.

## **SECTION 6: GENERAL REPORTING REQUIREMENTS**

Title VI regulations require federal and state transit funding recipients to develop procedures, forms and reports to comply with Title VI regulations. In this Plan these are referred to as “Requirements” and are presented below.

### Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient’s obligations under DOT’s Title VI regulations and to apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, Howard County and Contractor will disseminate this information to the public by posting a Title VI notice on the County’s and the RTA’s website and in public areas of the RTA’s office(s), including the reception desk and in federally-funded vehicles.

The Howard County Notice to the Public is included below and in Appendix B together with a list of locations where the notice is displayed. The Notice is also displayed on all transit vehicles owned by Howard County and/or operating under the RTA brand as well as any Howard County owned facilities and/or private sector facilities, or vehicles, leased by the Contractor(s) to deliver public transportation services in Howard County.

Howard County, its transportation providers and contractors are committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.IB. If you need further information or feel you are being denied participation in or being denied benefits of the transit services provided by Howard County’s transportation contractor, Regional Transportation Agency (RTA), or otherwise being discriminated against because of your race, color, national origin, gender/ age, or disability, you may file a complaint up to 180 days from the date of the alleged incident.

To file a complaint or for additional information on Howard County’s nondiscrimination policies and procedures contact:

Howard County Title VI Manager  
Howard County Office of Transportation  
3430 Court House Drive  
Ellicott City, MD 20143  
[transportation@howardcountymd.gov](mailto:transportation@howardcountymd.gov)  
410-313-4312



### Requirement to Develop Title VI Complaint Procedures and Complaint Form

To comply with the reporting requirements established in 49 CFR Section 21.9(b), Howard County has developed procedures for investigating and tracking Title VI complaints and has made these procedures available to members of the public. Howard County has also developed a Title VI complaint form. Upon

adoption of this Plan, the form and procedure for filing a complaint will be available at the following locations:

- Howard County Office of Transportation Website: *www.howardcountymd.gov/Departments/County-Administration/Transportation*
- Howard County Office of Transportation Offices: *3430 Court House Drive, Ellicott City, MD 21043*
- RTA Website: *www.transitrt.com*
- RTA Offices: *8510 Corridor Road, Suite 110 Savage, MD 20763*

Any individual may exercise his or her right to file a complaint with **Howard County** if that person believes that he or she have been subjected to unequal treatment or discrimination in the receipt of benefits or services. Howard County will report the complaint to MDOT MTA within three business days (per MDOT MTA requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to MDOT MTA.

**A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.**

A copy of the Howard County Complaint Form is included as Appendix C

Should any Title VI investigations be initiated by FTA or MDOT MTA, or any Title VI complaints are filed against Howard County or contractors, Howard County will follow the following procedures.

### **Procedures**

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Howard County Title VI Manager.

The complaint is to be filed in the following manner:

- a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
- b. The complaint should include:
  - the complainant's name, address, and contact information (such as., telephone number, email address)
  - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) first became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance)
  - a description of the alleged act of discrimination
  - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
  - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, or national origin
  - if known, the names and/or job titles of those individuals perceived as parties in the incident
  - contact information for any witnesses
  - indication of any related complaint activity (i.e., was the complaint also submitted to MDOT MTA or FTA?)



- c. The complaint shall be submitted to the Title VI Manager in person, via mail or email at:

Transit Planning Manager  
Howard County Office of Transportation  
3430 Court House Drive  
Ellicott City, MD 20143  
[transportation@howardcountymd.gov](mailto:transportation@howardcountymd.gov)

- d. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
    - a. notify MDOT MTA (no later than 3 business days from receipt)
    - b. notify the Howard County Authorizing Official
    - c. ensure that the complaint is entered in the complaint database.
  3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.
  4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to his/her complaint.
  5. If MDOT MTA has assigned staff to assist with the investigation, the Title VI Manager will offer those staff an opportunity to participate in the interview.
  6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
  7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
  8. The investigation may also include:
    - a. investigating contractor operating records, policies, or procedures
    - b. reviewing routes, schedules, and fare policies
    - c. reviewing operating policies and procedures
    - d. reviewing scheduling and dispatch records
    - e. observing behavior of the individual whose actions were cited in the complaint.
  9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
  10. The Title VI Manager will contact the complainant after the investigation (but prior to writing the final report) and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
  11. After the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager, will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, MDOT MTA, and if appropriate Howard County's legal counsel.
  12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be

followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to MDOT MTA in the event the complainant wishes to appeal the determination. This letter will be copied to MDOT MTA.

13. A complaint may also be dismissed for the following reasons:

- a. the complainant requests the withdrawal of the complaint
- b. an interview cannot be scheduled with the complainant after reasonable attempts
- c. The complainant fails to respond to repeated requests for additional information needed to process the complaint

### Requirements related to Transportation-Related Title VI Investigations, Complaints, and Lawsuits

Federal regulations state:

“All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient”

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to MDOT MTA every three years and information shall be provided to MDOT MTA quarterly and annually.

No Title VI complaints were filed against Howard County and/or its contractors in relation to the delivery of public transit services in 2015, 2016, or 2017.

In 2017 a Title VI complaint was alleged, but the investigation concluded the complaint did meet the criteria for a Title VI complaint. The complaint alleged racial bias. A video of the incident was pulled, RTA managers met with the operator, a long-time employee, who received retraining. RTA followed up with the client to apologize and let them know what action had been taken, and the complaint was closed. The operator involved has since been terminated from the agency, due to this and other issues.

Appendix D is a sample of Howard County’s Investigations/Lawsuits/Complaint Log and includes the log with information on the complaint summarized above.

### Requirement to Provide Public Outreach and Involvement Activities

FTA regulations and guidelines require development and implementation of a plan to provide public outreach and involvement activities. This plan is known as a Public Participation Plan (PPP). A PPP is a guide for ongoing public participation endeavors. Its purpose is to ensure that Howard County utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and Limited English Proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations. The regulations also call for transit providers to take reasonable steps to ensure that LEP persons have meaningful access to programs and activities. This means

that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

Howard County has developed its PPP to ensure access to information, programs and activities and the decision-making process based on:

- Demographic analysis of the populations affected by the program, and/or service under consideration
- Survey information and feedback from riders on their preferences on how they receive information about public transportation
- An assessment of the resources available needed to implement the plan

Appendix E includes the Public Participation Plan. Appendix F includes a comprehensive list of public outreach efforts, including those related to fare and route changes in 2018 and the development of the Transportation Development Plan.

### Requirement to Provide Access for Limited English Proficient Persons

Limited English Proficiency (LEP) is a term used to define any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency. This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English.

Howard County, Maryland has procedures and methods in place to assist non-English speaking persons in accessing information and services, but the County does not currently have a countywide LEP Language Assistance Plan (LAP).

The Office of Transportation has developed a LAP plan addressing the delivery of information for public transportation services. The plan was developed using the four-factor analysis methodology recommended by the FTA, which allowed the Office to determine:

- the number LEP persons served by public transit which language groups are large enough to warrant services
- which aspects of the transit system are most important to LEP populations
- what information is critical to deliver those services
- resources needed to provide the information in the applicable languages

The analysis found that;

- Spanish, Korean and Chinese populations meet the criteria to warrant services
- LEP populations use transit to access employment at rates higher than would be expected based on their share of the population alone
- The critical component in providing transit services to LEP persons is ensuring that fare, schedule, delay and safety information is communicated

- Howard County, and its contractor have the resources to translate the critical information that communicate fare, schedule, delay and safety information

Please see Appendix G for the analysis and the Language Assistance Plan.

### Minority Representation on Planning and Advisory Bodies

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”

Howard County has four transit-related, planning and advisory bodies. The county selects members to serve on these bodies.

- The Multimodal Transportation Board advises the Howard County Executive, the Howard County Council, and the Office of Transportation. Its members are nominated by the County Executive and confirmed by the County Council
- The Transit and Pedestrian Advisory Group advises the Office of Transportation. Its members include County Council appointees, representatives of various Howard County agencies and organizations, and members of the public.
- The RTA Commission advises Howard, Anne Arundel, Prince George’s and the City of Laurel regarding the RTA. Its members are appointed by those jurisdictions (2 each).
- The Riders Advisory Council (RAC) advises the RTA Commission and Howard, Anne Arundel, Prince George’s and the City of Laurel regarding service provided by the RTA. Its members are appointed by the jurisdictions. The RAC is currently in formation

A breakdown of the board makeups is provided in Appendix H.

## SECTION 7: REQUIREMENTS OF TRANSIT PROVIDERS

### Requirements and Guidelines for Fixed Route Transit Providers

The following requirements apply to all providers of fixed route public transportation (also referred to as transit providers) that receive Federal financial assistance, inclusive of States, local and regional entities, and public and private entities.

Transit providers that are sub recipients must submit the information to their primary recipient (the entity from whom they directly receive transit funds) every three years on a schedule determined by the primary recipient. The requirements are scaled based on the size of the fixed route transit provider.

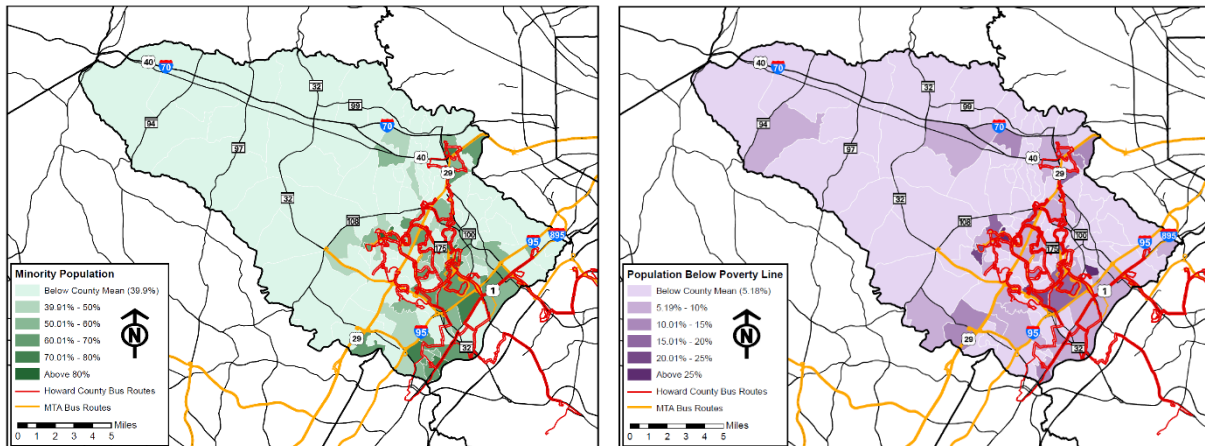
### **Service Standards and Policies**

- Service Standards
- Vehicle load, Vehicle headway, On-time performance, Service availability
- Service Policies
- Transit amenities, Vehicle assignment

Howard County is required to plan and deliver transportation services in an equitable manner. This means the distribution of service levels and quality is to be equitable between minority and low-income populations and the overall population. The County has reviewed its services and policies to ensure that those services and benefits are provided in an equitable manner to all persons and will ensure the service standards articulated in this plan are adhered to in the delivery of public transit service by Howard County's contractor.

### Service Standards

Howard County has standards, practices and policies that address how services are distributed across the transit system service area to ensure that that distribution affords users equitable access to these services. As shown in the following maps public transit service provided in Howard County is primarily located in the eastern portion of the County along the Route 29 and I-95 corridors, and in the Columbia and Ellicott City areas. For the most part, these are the portions of the County with the highest percentages of low income and minority residents. Howard County's general paratransit service is available countywide, without regard for race, color or national origin. Please see Appendix I for larger maps.



The Office of Transportation affirms that its services are provided equitably to all persons in the service area, regardless of race, color or national origin.

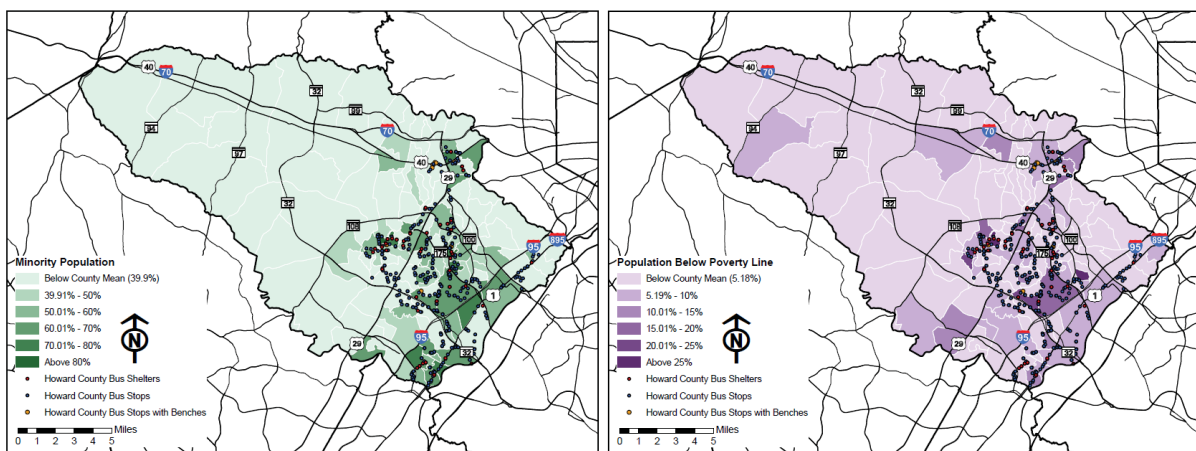
- Vehicle load -Vehicle load is expressed ratio of passenger to the total number of seats on a vehicle at its maximum load point. The maximum standard for maximum vehicle load is 120% of vehicle capacity.
- Vehicle headway-Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given route. A shorter headway corresponds to more frequent service. The standard for vehicle headways is one hour on weekdays and two hours on weekends; all of services meet these standard on the days they operate, while some routes operate on 30 minute headways at peak times.
- On-time performance -On-time performance is a measure of runs completed as scheduled. The standard for on-time performance is 5 minutes late or one minute ahead; Howard County’s services sometimes do not meet this standard, but they are getting more reliable as the quality of the fleet improves.
- Service availability - Service availability is a general measure of the distribution of routes within a transit provider’s service area or the span of service. Howard County does not have standard for this measure.

### Service and Operating Policies

Howard County has service and operating policies to ensure that operational practices do not result in discrimination on the basis of race, color, or national origin.

- Distribution and Siting of Transit Amenities -Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public: bus stops, bus shelters, seating, information signs, Intelligent Transportation Systems, and waste receptacles. Howard County makes efforts to ensure the equitable distribution of transit amenities across the system. Amenities are sited based on a combination of considerations: ridership; safety; ADA compliance; proximity to land and consideration of adjacent land uses such as senior centers or social service agencies.

The two maps below show the distribution of bus stops in the County, demonstrating that they are in the portions of the County with the highest percentages of low income and minority residents. Please see Appendix H for larger maps



- Vehicle assignment - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. The RTA assigns vehicles to ensure equitable treatment of minority and low-income populations. Vehicles are assigned to service types (fixed-route, demand-response, or a hybrid type) and ridership demand patterns (routes with greater numbers of passengers need vehicles with larger capacities). For each type of assignment, newer vehicles are rotated to ensure that no single route or service always has the same vehicle. The Contractor's operations manager reviews vehicle assignments monthly to ensure that vehicles are indeed being rotated and that no single route or service always has only older or newer vehicles.

Please see Appendix H for a sample of pull out sheets from three random days in calendar year 2017 along with bus inventory as of 7/2/18.

### Monitoring Title VI Complaints

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the annual grant application (ATP) for submission to MDOT MTA.

### Fare and Service Changes

Howard County follows its adopted written policy for the public comment process for major service reductions and fare increases and ensures its contractors follow this policy. With each proposed service or fare change, Howard County considers the relative impacts on, and benefits to, minority and low-income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

Please see Appendix F for the full policy and the analyses conducted for fare and route changes in 2018.