



LAKE ERIE TRANSPORTATION COMMISSION

TITLE VI PLAN

2022 - 2024

July 25, 2022

Prepared By:

Lake Erie Transit
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PREFACE

The Southeastern Michigan Transportation Authority (SEMTA) was reorganized by an Act of the State Legislature in 1988. The new organization adopted the name Suburban Mobility Authority for Regional Transportation (SMART) in January of 1989. The reorganization separated the Detroit Department of Transportation (DDOT) from the auspices of SMART. DDOT is now responsible for its own Title VI submittal. SMART is now responsible for the planning, construction and operation of public transportation facilities and services within its area of jurisdiction. To this end, the Authority is responsible for the development and submission of capital grant application to the Federal Transit Administration, and grant applications to other federal funding sources. Additionally, the Authority is responsible for the submittal to the Federal Transit Administration of an updated Title VI Compliance Report every three years.

The Suburban Mobility Authority for Regional Transportation is the designated recipient of Section 9 operating assistance funds for the Detroit urbanized areas as well as for the Michigan Portion of the Toledo, Ohio Standard Metropolitan Statistical Area (SMSA). The Authority's area of jurisdiction covers four counties of southeast Michigan and includes those areas of service operated by SMART directly, and other purchase of service bus operations, including Lake Erie Transportation Commission.

In accordance with the procedures outlined in FTA Circular C4702.1B, "Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients", LETC has prepared for submittal this updated compliance report for the years 2021 - 2023.

GENERAL REQUIREMENTS AND GUIDELINES

A. TITLE VI OVERVIEW

According to Section 601 of Title VI of the Civil Rights Act of 1964:

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.

The Civil Rights Restoration Act of 1987 clarified the broad, institution-wide application of Title VI. Title VI covers all the operations of covered entities without regard to whether specific portions of the covered program or activity are federally funded. The term "program or activity" means all operations of a department, agency, special purpose district, or government; or the entity of such State or local government that distributes such assistance and each department or agency to which assistance is extended, in the case of assistance to a State or local government. (FTA C 4702.1B, Chap. 11-1) The Federal Transit Administration (FTA), from which the Suburban Mobility Authority for Regional Transportation (SMART) receives Federal funds, is required to fulfill the US Department of Transportation's (USDOT) Title VI regulations (49 CFR part 21).

To ensure compliance with the requirements of Title VI, Lake Erie Transportation Commission (LETC) is required to adopt and submit a Title VI Program, as part of SMART's Triennial Review. The contents of this document follow the requirements and guidelines of FTA's Title VI Circular (FTA C 4702.1B), which is also meant to fulfill USDOT regulations. In October 2012, FTA amended the previous Title VI Circular (FTA C 4702.1A) and added new requirements. The updated SMART Title VI Program will be in compliance with these new regulations. Lake Erie Transportation Commission (LETC) adopts SMART'S Title VI Program.

In compliance with Title VI of the Civil Rights Act of 1964, and pursuant to FTA regulations from the Title VI Circular, SMART has adopted Title VI policies to ensure that SMART operates in a nondiscriminatory manner and that any potential adverse impacts to minority and low-income populations, resulting from a fare or major service change, are properly identified and analyzed to ensure that such changes are implemented without discriminate intentions.

B. ANNUAL TITLE VI CERTIFICATION AND ASSURANCE

SMART submits the annual Title VI assurance on a yearly basis. All certifications and assurances for fiscal year 2021 were filed electronically with the FTA's online Grants Management Information System, including the FTA Civil Rights Assurance and the DOT Title VI Assurance.

C. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM

LETC is required to submit to SMART an updated Title VI program every three years. This report covers the years from 2021 through 2023.

a. Contents: LETC's Title VI submission contains the following:

(1) Title VI notice to the Public

The notice is located in Section: I- D. TITLE VI COMPLAINT PROCEDURES.

(2) Instructions to the public on how to file a Title VI complaint

This is located in Section: I - E. TITLE VI COMPLAINT PROCEDURES.

(3) List of transportation related Title VI investigations, complaints, or lawsuits.

This list is located in Section: I. - G. RECORD AND REPORT TRANSIT RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, and AND LAWSUITS.

(4) Public Participation Plan.

This is located in Appendix H. PUBLIC PARTICIPATION PLAN.

(5) LEP Plan

A copy of LETC's LEP Program is located in Appendix A: LEP PLAN.

This report "2021-2023 Update of Title VI Assessment for Capital and Operating Assistance" has been reviewed and approved by LETC's Board of Directors. A copy of the Board Resolution is located in Appendix B. - LETC Board of Director's Title VI Plan Approval.

D. NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI

LETC dba Lake Erie Transit (LET) has developed a public notice to inform customers of their rights under 49CFR Section 21.9b, which is posted on LET's web site as well in LET's Transit Centers, and at individual's request. See below for a copy of the notice:

- a. Contents. The Title VI notice shall include:
- b.
 - (1) **Statement that the agency operates programs without regard to race, color and national origin.**

"Lake Erie Transit's Title VI Program is to ensure nondiscrimination in the programs, activities and services, and to promote and engage the participation of all people regardless of race, color, national origin, sex, age, disability and socioeconomic status. Every effort will be made to ensure nondiscrimination with any and all of LET's services."

Notifying the Public of Rights under Title VI LAKE ERIE TRANSIT Commission

- LETC operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with LETC.
- For more information on LETC's civil rights program, and the procedures to file a complaint, contact (734) 242-6672; online at www.lakeerietransit.com; or visit the administrative office at 1105 W. Seventh St., Monroe, Michigan 48161. For more information, visit www.lakeerietransit.com.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- If information is needed in another language, contact (866) 962-5515

- {2} **A description of the procedures that members of the public should follow in order to request additional information.**

For more information on LETC's Title VI policy contact:

**LAKE ERIE TRANSIT
Attn: Mark J. Jagodzinski
1105 W. Seventh St.
Monroe, MI 48161
(734) 242-6672**

(3) A description of the procedures that members of the public should follow in order to file a discrimination complaint.

The process is as follows:

Customers can file a Title VI discrimination complaint by calling LETC's General Manager at {734} 242-6672. Complainants can also fill out a complaint form on line at www.lakeerietransit.com or sent their complaint to LETC through the mail.

Once a complaint is submitted (within 60 calendar days of discrimination occurrence) the Lake Erie Transit's General Manager will contact SMART's DBE/EEO and will adhere to the following:

c. Effective Practices for Fulfilling the Notification Requirement.

{1} Dissemination

LETC informs the public of their Title VI rights via notices placed in its main office, ticket offices, transit center, and route maps.

(2) Document translation

LETC is prepared to translate all public documents in alternate format upon request.

LETC will provide this thru collaboration with SMART.

E. TITLE VI COMPLAINT PROCEDURES

A description of the procedures that members of the public should follow in order to file a discrimination complaint.

The process is as follows:

Customers can file a Title VI discrimination complaint by telephone at (734) 242-6672. Complainants can also fill out a complaint form online at www.lakeerietransit.com or send their complaint to LETC through the mail to Lake Erie Transit, Title VI Complaint, 1105 W. Seventh St., Monroe, MI 48161.

Once a complaint is submitted (within 60 calendar days of discrimination occurrence) the General Manager of Lake Erie Transit will report the complaint to (SMART's) DBE/EEO department. They will record the complaint and proceed to investigate the complaint.

All complaints will be followed up within three business days upon receipt.

The investigator may interview any individual(s) named as witnesses and any other individual(s) who may have information pertaining to the complaint lodged. Documents that are related to the complaint may be reviewed. Failure of the complainant to respond to request from the investigator may result in a dismissal of the complaint.

LETC's General Manager and SMART's DBE/EEO department makes every effort to promptly resolve any complaint; however, the process may vary on a case by case basis. The complainant will receive a final written notice; which shall be approved by authorized representatives of LETC and SMART's DBE/EEO department.

If the complainant disagrees with the response or decision, a written notice can be sent directly to the U.S. Department of Transportation:

**U.S. Department of Transportation
Attention: Title VI Coordinator
1200 New Jersey Avenue, S.E.
Washington, D.C. 20599**

F. TITLE VI COMPLAINT FORM

Title VI Complaint Form

* Required Fields

Complainant's Name • _____			
City • _____	State • _____	Zip • _____	
Telephone No: • _____	Cell _____	Home _____	
What was the discrimination based upon? (Check all that apply)			
<input type="checkbox"/> Race/ Color	<input type="checkbox"/> Income	<input type="checkbox"/> Religion	<input type="checkbox"/> Disability
<input type="checkbox"/> National Origin	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> other
Please provide Witness contact Information (if any).			
Witness 1			
Name _____		Address _____	
City _____	State _____	Zip _____	Phone Number _____
Witness 2			
Name _____		Address _____	
City _____	State _____	Zip _____	Phone Number _____
Please describe the incident.			
Submit			

**G. RECORD AND REPORT TRANSIT RELATED TITLE VI INVESTIGATIONS,
COMPLAINTS OR LAWSUITS**

The following is a list of lawsuits or complaints filed against LET.

During the past three years LET has had no passenger complaints based on race, color or national origin.

LET Title VI Investigations, Complaints and Lawsuits				
July 1, 2020 - June 30, 2022				
Date	Complainant	Type	Status	Finding
NONE	NONE	NONE	NONE	NONE

Public Participation Plan

Mission

LETC is the regional transportation provider for Monroe County. As the regional provider, LETC is committed to provide the region with high-quality, safe and cost-effective public transit that meets the mobility needs of all citizens including seniors, people with disabilities, choice riders and those that are dependent upon public transit.

Policy

LETC POLICY ON PUBLIC COMMENT PROCESS FOR FARE AND SERVICE CHANGES

It shall be the policy of the Lake Erie Transportation Commission (LETC) that no significant changes in service or fares shall be made without having afforded an adequate opportunity for the public to express views regarding such changes. The following procedures shall be followed to ensure that adequate public comment is solicited and incorporated into the decisions of the LETC's decisions.

A hearing shall be required when:

- 1) There is a change in any fare (a one day reduced fare or free fare promotion is not a fare change);
- 2) There is any change in service which directly affects:
 - a) Twenty-five percent (25%) or more of the number of transit route miles of a route;
 - b) Twenty-five percent (25%) or more of the number of transit revenue vehicle miles of a route computed on a daily basis for the day of the week for which the change is made;
 - c) Twenty-five percent (25%) or more of the ridership of a route computed on a daily basis for the day of the week for which the change is made, or;
- 3) A new transit route is established.
- 4) If a number of changes on a route in the calendar year add up to twenty-five percent (25%) or more, a hearing must be held prior to the last change.
- 5) Standard seasonal variations are exempt from the hearing requirement unless the number, timing, or type of standard seasonal variations changes.
- 6) In an emergency situation, a service change may be implemented immediately without a public hearing being held. A public hearing on the changes must be held within 60 days of the implementation, unless the change is to be in effect for 90 days or less.
- 7) Experimental service changes may be instituted for 180 days or less without a public hearing being held. If, at the end of the experimental period, it is determined that the experimental service change should become permanent, the service that existed prior to the change must be reinstated and a public hearing held. However, the hearing may be

held prior to the institution of, or during the period of, the experimental service change and will satisfy the public hearing requirement if the hearing notice states that the experimental may become permanent at the end of the experimental period.

Hearing Requirements

- 1) Notice of intent to hold a public hearing must be published in a newspaper of general circulation in the LETC service area.
- 2) The notice must be published at least 14 days prior to the public hearing.
- 3) The notice must contain:
 - a) A description of the contemplated service changes or fare changes, as appropriate; and
 - b) Time and place of the hearing.

Adopted by LETC Board of Commissioners, January 9, 2003

SERVICE STANDARDS

(1) Vehicle load

LETC vehicle load standard is 1.5 for peak and off-peak times for fixed route transit service.

(2) Vehicle Headway

Vehicle Headway for each mode is 40 minutes for peak and off-peak service.

(3) On-time Performance

On-time Performance is 87%; less than 5 minutes late from published time table.

(4) Service availability

Service availability is attained thru designated bus stops as well as flag-down stops being allowed anywhere along the designated routes.

SERVICE POLICIES

(1) Distribution of transit amenities

LETC shelters will be placed at high priority stops, schedules and maps are readily available online and in transit centers.

(2) Vehicle assignment

Vehicle assignments are random, based on the type of service.

Appendix B. - LETC Board of Director's Title VI Plan Approval

DATE: September 25, 2014 DISPOSITION SOUGHT: Approval
TO: LETC Board of Directors SUBMITTED BY: Assistant to the G.M.
FROM: Denise Drodtt APPROVED BY: General Manager

SUBJECT: Title VI Report/Approval of Monitoring Results

SUMMARY:

In order to remain eligible for federal funding, pursuant to the regulations outlined in Federal Circular C 4702.18 dated March 5, 2015, LETC's Title VI Program must be approved by its board of directors who is responsible for the policy decisions at LETC. This program must be approved by LETC's governing body every three years prior to its submission to FTA (Federal Transit Administration). Included in the Title VI Program are the results of LETC's Title VI monitoring program. The results must also be approved as part of the overall Title VI Program.

DISCUSSION:

In 2012 new Federal Title VI requirements were published in Federal Circular C 4702.IB. These new requirements require LETC's governing board approve its Standards and Policies for LET's fixed route service. These were approved at the March 5, 2015 board meeting. The new requirements also call for the board to receive and approve the results of the Title VI monitoring and reporting of the system analysis. These results are included in the LETC 2012-2014 Title VI Report. This report is required to be submitted to the FTA every three years.

FUNDING SOURCE:

The budget for the implementation and monitoring of the Service Standards and Policies is currently part of LETC's general operating budget.

RECOMMENDATION:

Approve the Title VI Program as attached, and authorize the General Manager to submit said Title VI Program to SMART for the FTA in its next Title VI submission.

ATTACHMENTS:

1. Resolution
2. 2012-2014 Update of Title VI Assessment for Capital and Operating Assistance

**LAKE ERIE TRANSPORTATION COMMISSION
RESOLUTION**

Approval of LETC's 2020-2022 Update of Title VI Assessment for Capital and Operating Assistance

Whereas, The Suburban Mobility Authority for Regional Transportation is charged with the planning, operation, and improvement of regional public transportation in southeastern Michigan; and

Whereas, In order to remain eligible for federal funding, pursuant to the regulations outlined in Federal Circular C 4702.1B dated October 1, 2012, LETC's Title VI Program must be approved by its board of directors which is responsible for the policy decisions at Lake Erie Transit; and

Whereas, This program must be approved every three years prior to its submission to FTA; and

Whereas, According to Circular C4702.1B, SMART's governing board by means of a resolution is to verify its consideration, awareness and approval of the monitoring results and submit them to the FTA by its next submittal, and

Whereas, LETC's board of directors has reviewed and approved the 2020-2022 Update of Title VI Assessment for Capital and Operating Assistance; now, therefore, be it

Resolved, That the Authority's 2020-2022 Update of Title VI Assessment For Capital and Operating Assistance and its monitoring results referred to herein are approved and that Dewight Ferrell, General Manager of the Suburban Mobility Authority for Regional Transportation is authorized to submit the 2020-2022 Update of Title VI Assessment for Capital and Operating Assistance to the FTA.

CERTIFICATE

The undersigned Chairman of the Lake Erie Transportation Commission certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Lake Erie Transportation Commission held on September 1, 2022.

— Date' .. 9/1/2022



LETC Chairman