



# NASSAU COUNTY, NEW YORK

## TITLE VI OF THE CIVIL RIGHTS

### ACT OF 1964

SUBMISSION TO THE FEDERAL TRANSIT  
ADMINISTRATION

IN FULFILLMENT OF REPORTING  
REQUIREMENTS OUTLINED IN FTA CIRCULAR  
4702.1B (10-1-2012)

2019

## **INTRODUCTION**

Nassau County as a designated recipient of the Federal Transit Administration (FTA), submits this Title VI Program in compliance with Title VI of the Civil Rights Act of 1964 and the implementing guidelines under FTA Circular 4702.1B, published October 1, 2012.

Nassau County is the designated recipient of FTA funds, for the County's public transit system. Pursuant to New York General Municipal Law Section 119-r and Nassau County Local Law 15-1972, the County is authorized to provide bus transportation services to the public. In 2011 the County determined that the interests of the County and the residents were best served if bus transportation services in the County were provided by private enterprise operating under a contract with the County; and as of January 2012, the County's public transportation system renamed as: "Nassau Inter-County Express" (NICE) has been directly managed, operated and maintained by Transdev Transportation Services, Inc.

The Nassau Inter-County Express (NICE) fixed-route network has a 36-route network serving Nassau County, eastern Queens, and western Suffolk County; providing fixed-route service within a service area of 1,369,514 residents.

The Plan incorporates Chapters III, IV from the Title VI-Dependent Guidelines for FTA Recipients—Circular 4702.1B.

The purpose of the Plan is to describe how NICE in conjunction with Nassau County will develop and implement the Title VI Program. Its intent is to identify the steps taken and will take to ensure that, for all programs and activities supported by federal financial assistance, NICE provides services without excluding or discriminating on the grounds of race, color or national origin, or creating additional barriers to accessing services and activities.

Consistent with its commitment to meet FTA regulatory requirements, this Plan was prepared in accordance with:

- Title VI of the Civil Rights Act of 1964 and related statutes
- 49 CFR 21
- FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients"
- U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 70 FR 74087 (December 14, 2005)
- DOT Guidance of 2001: To Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries
- Executive Order 13166 of August 11, 2000: Limited English Proficiency (LEP)
- Executive Order 12898 of February 1994: Environmental Justice Executive Order

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## **TITLE VI NOTICE TO THE PUBLIC**

### **ENGLISH**

#### **NICE Respects Civil Rights**

Transdev Services, Inc. operates and maintains the Nassau Inter-County Express (NICE) fixed route and paratransit bus system without regard to race, color, national origin, religion, gender, sexual orientation, marital status, age or disability, and in accordance with applicable law.

#### **Title VI Policy Statement**

Title VI of the Civil Rights Act of 1964 states:

"No person in the United States shall, on the grounds 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."

NICE is committed to complying with the requirements of Title VI in all of its federally funded programs and activities. To request additional information on NICE Title VI nondiscrimination requirements, contact us at 516.542-0100 TTY rely on 711 or email [Latoya.Pippins@transdev.com](mailto:Latoya.Pippins@transdev.com)

#### **LIST OF LOCATIONS WHERE THE NOTICE TO THE PUBLIC IS POSTED**

The Public Notification are posted at the Rosa Parks Transit Center as well as the Mitchell Field facility and Able-Ride Depot. It is also printed on the back of all the timetables.

The notice can also be found on the NICE's website at:

<https://www.nicebus.com/About-NICE/Compliance>

#### **TITLE VI COMPLAINT PROCEDURE - Public**

Any person who believes he or she has been unlawfully discriminated against on the basis of race, color or national origin in violation of Title VI as a result of a NICE action may file a complaint with NICE. Any such complaint must be in writing and filed with NICE within 180 days following the date of the alleged discriminatory action. For information on how to file a complaint, to obtain a Title VI Complaint Form, or for additional information regarding the NICE Title VI complaint procedures, contact NICE by any of the following methods:

##### Written correspondence addressed to:

Latoya Pippins

700 Commercial Ave. Garden City, NY 11530

Phone: 516.228.4000 TTY relay 711 Email: [latoya.pippens@transdev.com](mailto:latoya.pippens@transdev.com)

In addition to your right to file a complaint with Transdev/NICE, you have the right to file a Title VI complaint with the U.S. Department of Transportation, Federal Transit Administration, and Office of Civil Rights. Office of Civil Rights /1200 New Jersey Avenue, SE /Washington, DC 20590

# Proof of Approval

Nassau County as a designated recipient of Federal Transit Administration (FTA) funds, submits this Title VI Program in compliance with Title VI of the Civil Rights Act of 1964 and the implementation guidelines under circular 4702.1B published October 1, 2012. To the best of my knowledge and belief, all data in this program is true and correct.

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Name of County Executive (or Designee)

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Signature of County Executive (or Designee)

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Title

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Date

**List of Locations where the Notice to the Public are posted;**

**Mitchel Field Main Depot**  
700 Commercial Ave  
Garden City, NY 11530

**Able-Ride**  
947 Stewart Ave  
Garden City, NY 11530

**Hempstead Transit Center**  
West Columbia Street  
Hempstead, NY 11550

**Mineola Intermodal Center**  
229 Station Rd  
Mineola, New York 11501

**All Fixed Route Buses**  
**All Able-Ride Revenue Vehicles**

## **TITLE VI COMPLAINT PROCEDURES - NICE**

Any person who believes he/she has been aggrieved by an unlawful discriminatory practice on the basis of race, color, or national origin by NICE Bus may file a complaint by completing and submitting NICE Bus Title VI Complaint Form.

Title VI complaints must be received no more than 180 days after the alleged discriminatory action. NICE will process all completed complaint forms in accordance with the following procedures:

A completed complaint will be reviewed by NICE staff trained to recognize, investigate and respond to Title VI complaints. The complaint first will be reviewed to confirm that a discriminatory action in violation of Title VI has been alleged. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by NICE.

If applicable, an investigation of the allegations in the complaint will be conducted and generally completed within 90 days of receipt. If more information is needed to resolve the case, NICE may contact the complainant. If further information is requested by NICE from the complainant, the complainant shall respond with the necessary information within ten (10) days with the information to the investigator assigned to the case unless additional time is requested. NICE may administratively close the case if the requested additional information is not timely provided or if the complainant advises that, he or she no longer wishes to pursue the complaint.

After an investigation is complete, NICE will issue a letter to the complainant summarizing the results of the investigation, stating the findings and advising of any action to be taken because of the investigation. If a complainant disagrees with this determination, he/she may request reconsideration by submitting a request in writing to the NICE CEO within seven (7) days after the date of the initial NICE determination letter, stating with specificity the basis for the reconsideration. The CEO will notify the complainant of his decision either to accept or reject the request for reconsideration within 10 days. In cases where reconsideration is granted, the CEO will issue a final determination letter to the complainant upon completion of his review of the matter.

**TITLE VI COMPLAINT FORM**  
**FORM IS AVAILABLE IN ADDITIONAL LANGUAGES UPON REQUEST**

Title VI of the Civil Rights Act of 1964 states:

"No person in the United States shall, on the grounds 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 following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form or need additional information in alternative formats, please let us know.

Complete and return this form to:

Latoya Pippins  
NICE Bus  
700 Commercial Avenue  
Garden City, NY 11530 **or**

Office of Civil Rights Federal Transit Administration 1200 New Jersey Avenue SE, Washington, DC 20590.
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1. Complainant's Name: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. City: \_\_\_\_\_ State: \_\_\_\_\_ .Zip Code: \_\_\_\_\_
4. Telephone(home) : \_\_\_\_\_ Office: \_\_\_\_\_
5. Email: \_\_\_\_\_
6. Are you filling out the complaint on your behalf? Yes/No If not, please supply the name and relationship of the person for whom you are filing the complaint:
7. Please explain why you have filed a complaint about a third party:
8. Please confirm that you have obtained the permission of the aggrieved party if you are filing on the behalf of the third party:
9. Which of the following best describes the basis for the discrimination you alleged to have taken place?

- a. Race \_\_\_\_\_
- b. Color \_\_\_\_\_
- c. National Origin \_\_\_\_\_
- d. Other \_\_\_\_\_

10. What date did the incident occur?

11. In your own words, please describe what took place. Please explain what policy, program, activity or person you believe was discriminatory.

12. Have you filed a complaint concerning this incident with any other state, federal or local agency? Or with any federal or state court? If yes, please explain.

13. Please provide information about a contact person at the agency/court where the complaint was filed: Agency/Name of person/ phone/address/city/etc.

14. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Though Nassau Inter-County Express did not have any formal Title VI complaints filed through any channel from 2016-2018, NICE Bus did have complaints that may be classified as potential issues. Each complaint was handled through NICE Bus Customer Engagement Protocol: Each customer was contacted within 48 hours, the issues were then sent to the appropriate “owners” for immediate action and follow up.

### 2016

Date Filed	Last Name	First Name	Case #	Contact	Title VI	Subject	Action Taken	Closed Date
04-02-16	Szatinski	Betty	2441613	Web		B.O. didn't pick up wheelchair pax	Interviewed & reinstructed	2-25-16
19-02-16	Copeland	Bryanna	2457482	Web		B.O. didn't pick up wheelchair pax	Interviewed & reinstructed	3-1-16
06-03-16	Copeland	Bryanna	2481264	Phone		B.O. didn't pick up wheelchair pax	Interviewed & reinstructed	3-7-16
20-05-16	Copeland	Bryanna	2589423	Mail		B.O. didn't pick up wheelchair pax	Interviewed & reinstructed	5-24-16
29-05-16	Copeland	Bryanna	2651585	phone		wheelchair pax not following protocol	Interviewed & reinstructed	5-26-16
20-06-16	Copeland	Bryanna	2650682	Phone		B.O. didn't pick up wheelchair pax	Interviewed & reinstructed	6-20-16
30-06-16	Copeland	Bryanna	2651807	email		wheelchair securement	Interviewed & reinstructed	6-30-16
11-10-16	Lopez	Celeste		lettter		B.O. service dog	Interviewed & reinstructed	10-17-16

### 2017

Date Filed	Last Name	First Name	Case #	Contact	Title VI	Subject	Action Taken	Closed Date
03-01-17	Copeland	Bryanna	2896047	Phone		W/C ramp not working	No fault	1-3-17
19-01-17	Copeland	Bryanna	2901254	Phone		W/C securement	Interviewed & reinstructed	1-19-17
29-01-17	Copeland	Bryanna	2968541	Email		Pass improperly boarding	Interviewed & reinstructed	1-29-17
2/21/2017	Copeland	Bryanna	2970456	Email		W/C securement	Interviewed & reinstructed	2-21-17
11-05-17	Carter	Craig	3072599	Facebook		Pass up	No fault	5-11-17
18-05-17	Copeland	Bryanna	3072558	Email		Pass improperly boarding	No fault	5-18-17
23-06-17	Copeland	Bryanna	3156492	Phone		Pass up	No fault	6-23-17
26-06-17	Watson	Dolores	3132778	Email		Rude B.O.	Interviewed & reinstructed	6-26-17
24-08-17	Copeland	Bryanna	3253656	Phone		W/C securement	Interviewed & reinstructed	8-30-17
26-09-17	Copeland	Bryanna	3276082	Phone		Pass up	Interviewed & reinstructed	9-26-17
16-10-17	Szatinski	Betty	3308660	Web		Pass up	Interviewed & reinstructed	10-16-17
18-10-17	Copeland	Bryanna	3572611	Phone		Pass up	No fault	10-18-17

### 2018

Date Filed	Last Name	First Name	Case #	Contact	Title VI	Subject	Action Taken	Closed Date
2.26.2018	Coopeland	Bryanna	3581451	Email		Ramp wasn't working	Interviewed & reinstructed	1-3-18
3.14.2018	Bebee	Michael	3711109	Email		Pass up	Interviewed & reinstructed	3-15-18
4.16.2018	Szatinski	Betty	3669479	Web		Pass up	Interviewed & reinstructed	4-23-18
5.04.2018	Coopeland	Bryanna	3725546	Email		Pass up	Interviewed & reinstructed	11-5-18
5.07.2018	Coopeland	Bryanna	3727443	Phone		Capacity	No Fault	9-5-18
7.12.2018	Anonymous	Anonymous	3854992	Web		4 point strap	No Fault	12-7-18
7.23.2018	Coopeland	Bryanna	3908230	Email		Wheelchair Ramp	No Fault	7-27-18
9.17.2018	Cohen	Mindy	4027105	Email		Pass up	Interviewed & reinstructed	9-18-18
9.26.2018	Anonymous	Anonymous	4041614	None		Wheelchair Securement	Interviewed & reinstructed	9-27-18
10.24.2018	Fletcher	Anonymous	4026972	Phone		Disabled Fare	Interviewed & reinstructed	10-24-18
10.29.2018	Copeland	Bryanna	4026945	Email/Phone		Pass up	Interviewed & reinstructed	2-11-18
11.08.2018	Anonymous	Anonymous	4041638	Email		Wheelchair Securement	Interviewed & reinstructed	8-11-18

# PUBLIC PARTICIPATION PLAN

## INTRODUCTION

This Public Participation Plan (PPP) was developed to ensure that prior to implementing adjustments to fares, services and routes of the NICE Transit System, appropriate public comment is solicited and considered in accordance with the terms of the Fixed Route Bus and Paratransit Operation, Management and License Agreement (Operating Agreement) and applicable federal, state and local law. This PPP also identifies strategies and processes to ensure effective public and stakeholder notice and participation, as appropriate, in NICE transportation planning activities, and in the authorized functions of the Transit Committee established pursuant to the Operating Agreement and Local Law 10-2011 (Local Law).

Sound policy and service delivery decisions need to take into consideration community sentiment and public opinion based on well-executed outreach efforts. The public outreach strategies described herein are designed to provide the public with effective access to information about NICE fixed-route bus and paratransit service and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to the NICE service.

NICE also recognizes the importance of many types of stakeholders in decision-making processes, including other units of government, other metropolitan area agencies, Community Based Organizations (CBOs), major employers, passengers and the public, including its low income, minority, and Limited English Proficiency (LEP) members.

## GUIDING PRINCIPLES

The PPP endeavors to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low income, minority and LEP groups, to comment, as appropriate and as required by the Operating Agreement and applicable law, on proposed adjustments to fares, services and routes of the NICE Transit System. Guiding principles for this PPP include:

**Inclusion and Diversity:** NICE will proactively reach out and engage low income, minority and LEP populations from the NICE service area so these groups will have an opportunity to participate.

**Accessibility:** All legal requirements for accessibility will be met. Every effort will be made to enhance the accessibility of the public's participation - physically, geographically, temporally, linguistically and culturally.

**Clear, Focused, Understandable and Relevant:** Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions are understood by participants. Proposed adjustments to fares and service will be described in language that is clear and easy to understand.

**Respectful:** All feedback received will be given careful and respectful consideration.

**Responsive:** NICE will strive to respond to, and incorporate where possible, appropriate public comments into transportation decisions.

**Tailored:** Public participation methods will be tailored to match local and cultural preferences as much as possible.

**Trustworthy:** Information will be accurate and trustworthy.

**Transparent:** NICE will communicate on its website, in a clear and transparent way, the information that the public needs to know in order to utilize the bus system (schedules, service alerts, proposed changes, etc.). The site will also inform the public, again in a clear and transparent way, about any proposed changes, and any scheduled Community Meetings or Public Hearings.

**Flexible:** The public participation process will accommodate participation in a variety of ways and are adjusted over time as needed.

## **METHODS FOR ACHIEVING PUBLIC PARTICIPATION AND PROVIDING NOTICE AND GENERATING AWARENESS ABOUT COMMUNITY MEETINGS AND PUBLIC HEARINGS**

The methods of public participation included in this PPP were developed based on contractual and legal requirements and best practices employed by other leading public transportation systems in the country.

NICE intends to achieve meaningful public participation by a variety of methods with respect to changes to NICE service, and, when legally required, will formally solicit and consider public comment following the terms of its agreement with Nassau County. These include Public Hearings, when legally required to be conducted by the Transit Committee, to be established pursuant to the Local Law and Operating Agreement; Community Meetings. Public Hearings are discussed in more detail in the “Public Hearings” section of this document.

While not formally required, NICE has already and will in the future also conduct other types of Community Meetings and Listening Sessions as appropriate with passengers, employers, CBOs, and Advisory Committees (e.g., the Accessibility Advisory Committee and a Customer Advisory Committee) to gather public input and distribute information about service quality, proposed changes or new service options.

In addition, the public will be invited at all times to provide feedback via NICE’s website ([www.nicebus.com](http://www.nicebus.com)) and all feedback collected on the site will be recorded and passed on to the NICE management team and responded to as appropriate. The public will also be able to call the NICE Travel Information Center at 516.228.4000 during its hours of operation and feedback collected at this call center will be shared with and responded to by the NICE management team. Finally, formal customer surveys to measure performance and listening sessions to solicit input will be conducted periodically.

Meeting formats will be tailored to help achieve specific public participation goals that vary by project or the nature of the proposed adjustment to service, routes or fares. Some meetings will be designed to share information and answer questions. Some will

be designed to engage the public in providing input, establishing priorities and helping to achieve consensus on a specific recommendation. Others will be conducted to solicit and consider public comment before implementing proposed adjustments to fares, route eliminations and major changes to service. In each case, an agenda for each meeting will be created that works to achieve the stated goals but is relevant to and not overwhelming for the public.

For all public meetings and hearings, the venue will be a facility that is accessible for persons with disabilities and, preferably, are served by public transit. If a series of meetings are scheduled on a topic, different meeting locations may be used, since no one location is usually convenient for all participants.

For Community Meetings and Public Hearings, NICE uses a variety of means to make riders and citizens aware that the meetings/hearings are taking place, including some or all of the following methods:

- In-bus Advertisements (“Car Cards”) and/or “Take One” Messages
- Posters or flyers at NICE transit centers
- Postings and information on the NICE website ([www.NICEbus.com](http://www.NICEbus.com))
- Press releases and briefings to major media outlets
- Flyer Distribution to CBOs, particularly those that target audiences with Limited English Proficiency, in Spanish and English
- Flyers and Information distribution through various libraries, universities and civic organizations that currently help distribute our timetables and information.
- Postings on the County website (**required by Local Law 10-2011 for Public Hearings**)
- Notices in Long Island Newsday & El Diario (**required by Local Law 10-2011 for Public Hearings**) as well as notifying local municipal publications and websites.
- Communications to relevant elected officials

All major printed and website information and materials that communicate proposed and actual service adjustments will be provided in both English and Spanish, as Spanish is by far the most predominant non-English language in Nassau County.

## **PUBLIC HEARINGS**

Under this PPP and as specified in the contract between Transdev Transportation and Nassau County, a formal public hearing will be conducted by the Transit Committee in the following circumstances:

1. When a fare increase for NICE Transit System services is proposed.
2. When the elimination of a NICE Transit System route is proposed.
3. When a reduction in a NICE Transit System route, which reduction constitutes at least a 25% decrease in the service hours assigned to the route, is proposed.
4. As otherwise required by the Operating Agreement and applicable law.

Such Public Hearings are subject to Local Law 10-2011 and the New York State Open Meetings Law (NYOML) and will be noticed and conducted in accordance with the following procedures and practices:

1. **Notice of Public Hearing** – Public notice of the Hearing date, time and location will be provided at least seven (7) days before the scheduled date for the hearing. A notice shall be advertised using a variety of the methods provided above including, at a minimum, on the County’s website and in the official County newspaper including Spanish Language publications. Notice of the proposed agenda for the Hearing and the proposed fare and/or route adjustments shall be provided at least three (3) days before the Hearing.
2. **Number and Timing of Public Hearings** - at least two (2) Hearings will be conducted, one during the day between the hours of 8:00 a.m. and 3:00 p.m., and one during the evening between the hours of 3:00 p.m. and 11:00 p.m. Reasonable efforts will be made to hold additional Hearings, as necessary, to accommodate public comment. Meetings will include Spanish language interpreters and material will be available in both English and Spanish. The last Hearing shall be conducted no sooner than 45 days before the proposed fare increase or applicable route adjustment is scheduled to be implemented by NICE.
3. **Location of Public Hearings** – Hearings will be conducted in a location that is accessible to persons with disabilities and adequate in size and venue to accommodate the anticipated public attendance. Sign language interpreters will be present and material will be made available in various formats for the disabled. All Information will also be available in Spanish.
4. **Receipt of Public Comments** – meetings will be formatted to accommodate written and verbal comment by the public with respect to the proposed fare, service, and route adjustments. Specific rules and procedures regarding the timing and manner of providing comments will be as established and noticed by the Transit Committee in advance of each Hearing. Comments provided by the public at the hearing will be recorded. The public will have the opportunity to comment via phone, email or letter, as well as at the hearing. As permitted by time and other considerations, NICE staff members will respond to the questions and comments submitted by the public. Comments

will be considered by both Planning and Operating Managers at NICE bus to assess viability and need.

5. **Minutes** – Minutes of the Public Hearing including public comments received and any other motions, proposals, discussions, and resolutions made by participants at the Hearing will be recorded or transcribed and made available to the public within two (2) weeks of the Hearing date.

Other meetings of the Transit Committee will be conducted in accordance with the terms of the Operating Agreement and the NYOML except that unless requested by the Transit Committee, public comment will not be received. Such meetings will be open to the public except for those portions of the meeting conducted in Executive Session. The minutes of such meetings will be recorded as required by the NYOML.

## **TITLE VI**

NICE Bus operates its system without regard to race, color, national origin, religion, sex, sexual orientation, marital status, age or disability in accordance with applicable law.

NICE Bus is committed to complying with the requirements of Title VI in all of its federally funded programs and activities. For more information, please visit [www.nicebus.com](http://www.nicebus.com) or call 516.228.4000



**TITLE VI LIMITED ENGLISH PROFICIENCY ANALYSIS  
AND LANGUAGE IMPLEMENTATION PLAN**

**2019**

[In compliance with Federal Transit Administration Circular 4702.1B dated October 1, 2012 which requires that Under Title VI of the Civil Rights Acts of 1964, Nassau Inter-County Express (NICE) is committed to taking reasonable steps to provide meaningful access to its transit services for persons who do not speak English as their primary language and/or who have limited ability to read, speak, write or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons.]

## **I. INTRODUCTION**

The Nassau Inter-County Express (NICE) fixed-route network has grown to a 40-route network serving Nassau County, eastern Queens, and western Suffolk County. The paratransit service is operated within three-quarters of a mile from a fixed route service running within Nassau County. The NICE system is owned by Nassau County, but managed and operated by Transdev.

In providing fixed-route service within a service area of 1,369,514 residents, NICE understandably interacts with individuals with varying degrees of ability to speak and/or understand English. For this reason, NICE has developed this Limited English Proficiency (LEP) plan. Additionally, the LEP plan has been prepared to address Nassau's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills.

Individuals, who have a limited ability to read, write, speak or understand English are Limited English Proficient or "LEP." In the NICE service area, there are roughly 146,513 residents or 11.4% who describe themselves as not able to communicate in English very well (Source: U.S. Census). NICE is federally mandated (executive order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. NICE has utilized the U.S. Department of Transportation's (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LEP plan.

The U.S. Department of Transportation handbook, titled "*Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007)*" (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (*Handbook, page 5*).

The *Handbook* further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (*Handbook, page 5*).

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (*Handbook, page 6*). Additionally, recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP. (*Handbook, page 6*) These provisions are included in *FTA Circular C 4702.1B* in Section 9 of Chapter III (pages III-6 -- III-9).

For many LEP individuals, public transit is the principal transportation mode used. It is important that NICE be able to communicate effectively with all riders, both LEP and non-LEP individuals alike. When NICE is able to communicate effectively with all of its customers, the service provided is a safer, more reliable, convenient and accessible service for all of the agency's customers. For these reasons, NICE is committed to taking those reasonable steps to ensure meaningful access for LEP individuals to this agency's services.

This Plan will demonstrate the efforts that NICE has undertaken to make its service as accessible as possible to all persons irrespective of their ability to communicate using the English language. More specifically, the plan addresses how services will be provided through general guidelines and procedures:

- **Notification:** Providing notice to LEP individuals about their right to language services
- **Identification:** Identifying LEP populations and LEP services in County departments
- **Interpretation:** Offering free and timely interpretation to LEP individuals upon request
- **Translation:** Providing free and timely translation of vital NICE documents
- **Staffing:** Identifying NICE/County employees to meet LEP customer service needs.

- **Training:** Delivering training on LEP service mandates to all responsible employees

Additionally, NICE does welcome any comments or suggestions that would further improve the effectiveness of this Plan and/or our ability to communicate more effectively with our customers.

## **II. FOUR-FACTOR ANALYSIS**

The analysis provided in this report has been developed to identify Limited English Proficient (LEP) population that may use the NICE system and identify needs for language assistance. This analysis is based upon (and follows) the “Four Factor Analysis” presented in the *Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons*, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a NICE program, activity or service.
2. The frequency with which LEP persons come in contact with NICE programs, activities or services.
3. The nature and importance of programs, activities or services provided by NICE to the LEP population.
4. The resources available to NICE and overall costs to provide LEP assistance

### **Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population**

DOT guidance for this first factor says, “The greater the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population, the more likely language services are needed.”

#### **Task 1, Step 1: Examine prior experiences with LEP individuals**

NICE provides services to individuals with limited proficiency in English. The most common languages spoken within the NICE service area are English and Spanish. Below is a list of policies and practices that NICE has instituted in order to ensure that those seeking service from NICE for

their transportation needs have equal opportunities to communicate with NICE.

- 1) Most customer service representatives are fluent in English and Spanish. A Customer Service Representative is typically the initial contact for potential NICE customers.
- 2) Many NICE drivers speak a language other than English and can answer service questions in the field from customers.
- 3) To the extent feasible, assign bilingual drivers to bus runs serving groups with a high concentration of LEP riders/patrons.
- 4) Network with the Department of Social Services for Nassau County that provides services to LEP individuals by providing informational literature and workshops on NICE's transportation services.

NICE spoke with its customer service representatives in preparation for this report, and they confirmed that Spanish is the most common language other than English.

### **Task 1, Step 2: Become familiar with data from the U.S. Census**

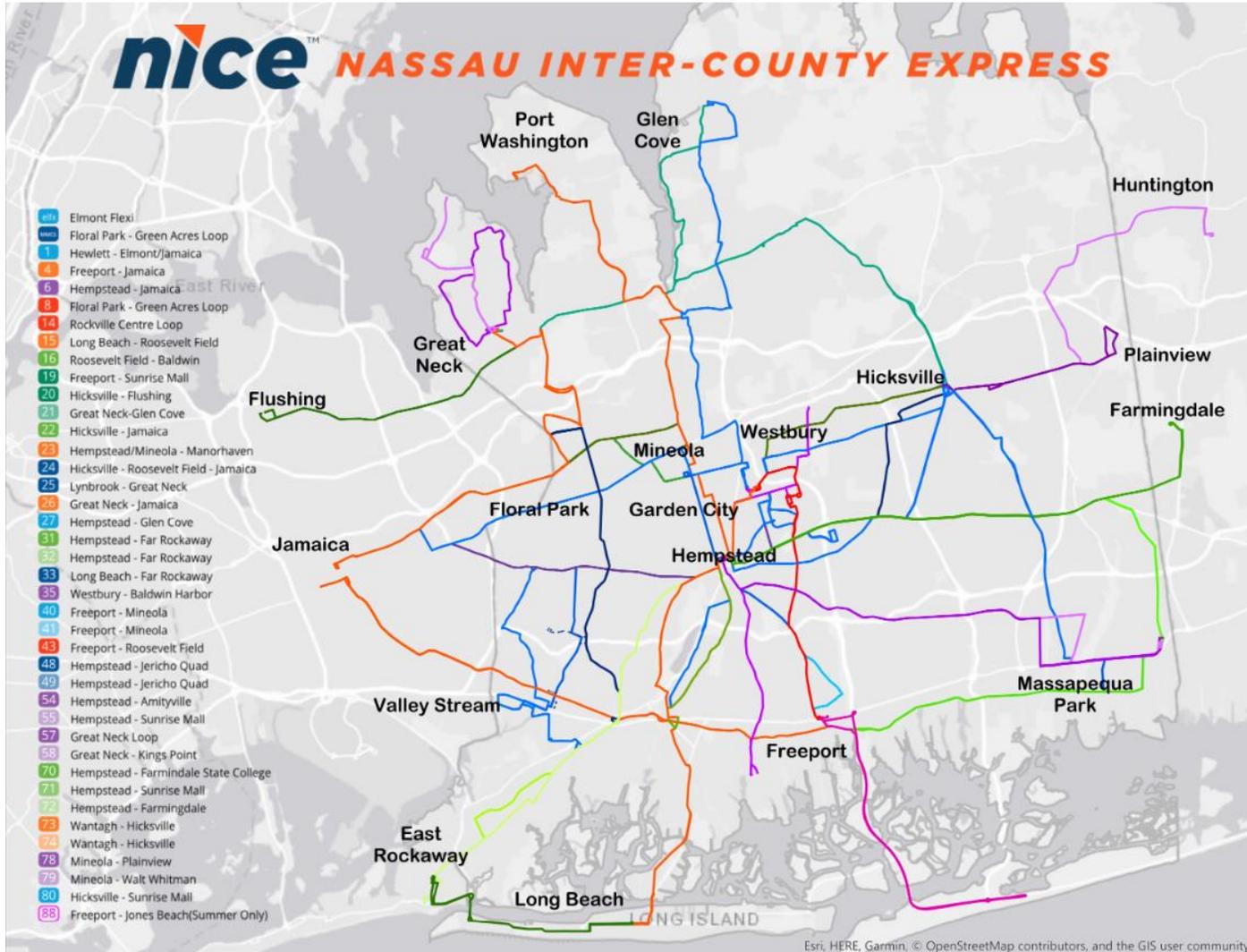
The U.S. Census Bureau compiles data in its American Community Survey (ACS). Among the data collected is information on primary language is spoken at home and the ability to speak English. Categories include whether individuals indicate they speak English "very well" or "less than very well." This report uses the 2012-2017 ACS 5-Year Estimates as for the basis for the analysis that follows.

According to the American Community Survey, transit riders represent 15.83% of the population in Nassau County. Of those who commute by public transit, 7.68% are Spanish LEP and 4.83% speak some other language and are LEP. Spanish LEP makes up 1.2% of the total population in Nassau County and all other languages LEP represent 0.8% of the total population.

### **Task 1, Step 2A: Identify the geographic boundaries of the area that your agency serves**

The geographic boundaries for the NICE service area are determined by including Nassau County census tracts served by a NICE bus route. Figure 1 shows the NICE service area.

# NICE Service Area



**Task 1, Step 2B: Obtain Census data on the LEP population in your service area**

Table 1 provides information on the LEP population in the NICE service area. The data is derived from the 2013-2017 Census American Community Survey data. As presented in Table 1, 23% (or 302,732) of the 1,288,754 residents within the NICE service area reported that they spoke English less than “very well.”

**Table 1**  
**Language Proficiency in NICE Service Area**

<b>Languages Spoken and English Proficiency</b>	<b>Population</b>	<b>Percent</b>
All Languages	1,288,754	100.00%
Speak English less than “very well:”	302,732	23%
<b>English Only</b>	928,135	72.00%
All Languages Other than English	360,619	28.00%
Speak English less than “very well:”	151,366	11.70%
<b>Spanish</b>	165,978	12.90%
Speak English less than “very well:”	85,619	6.65%
<b>Other languages</b>	184,361	15.10%
Speak English less than “very well:”	65,747	5.10%

Source: U.S. Census Bureau, 2013-2017 ACS

**Task 1, Step 2C: Analyze the data you have collected**

Data confirms that Spanish is the most commonly spoken language after English in the NICE service area. NICE has worked to ensure that most customer service representatives are capable of communicating effectively in both English and Spanish. In the event of a call from an individual who does not speak one of these languages, it is our practice to engage the assistance of a NICE worker who speaks the requested language to assist. When a bilingual employee is unavailable to assist, NICE utilizes the help of a Translation Call Service. NICE is committed to providing English and Spanish in key documents (pamphlets and individual route

brochures/schedules). In summary, NICE has taken steps to ensure that information about its transit services is available in English and Spanish.

**Task 1, Step 2D: Identify any concentrations of LEP persons within your service area**

Federal guidance recommends that the transit agency identify specific census tracts where the proportion of LEP persons exceeds the proportion of LEP persons in the service area as a whole. Generally, Federal guidance requests that a transit agency determine the LEP population concentrated around specific rail stations or along specific transit routes.

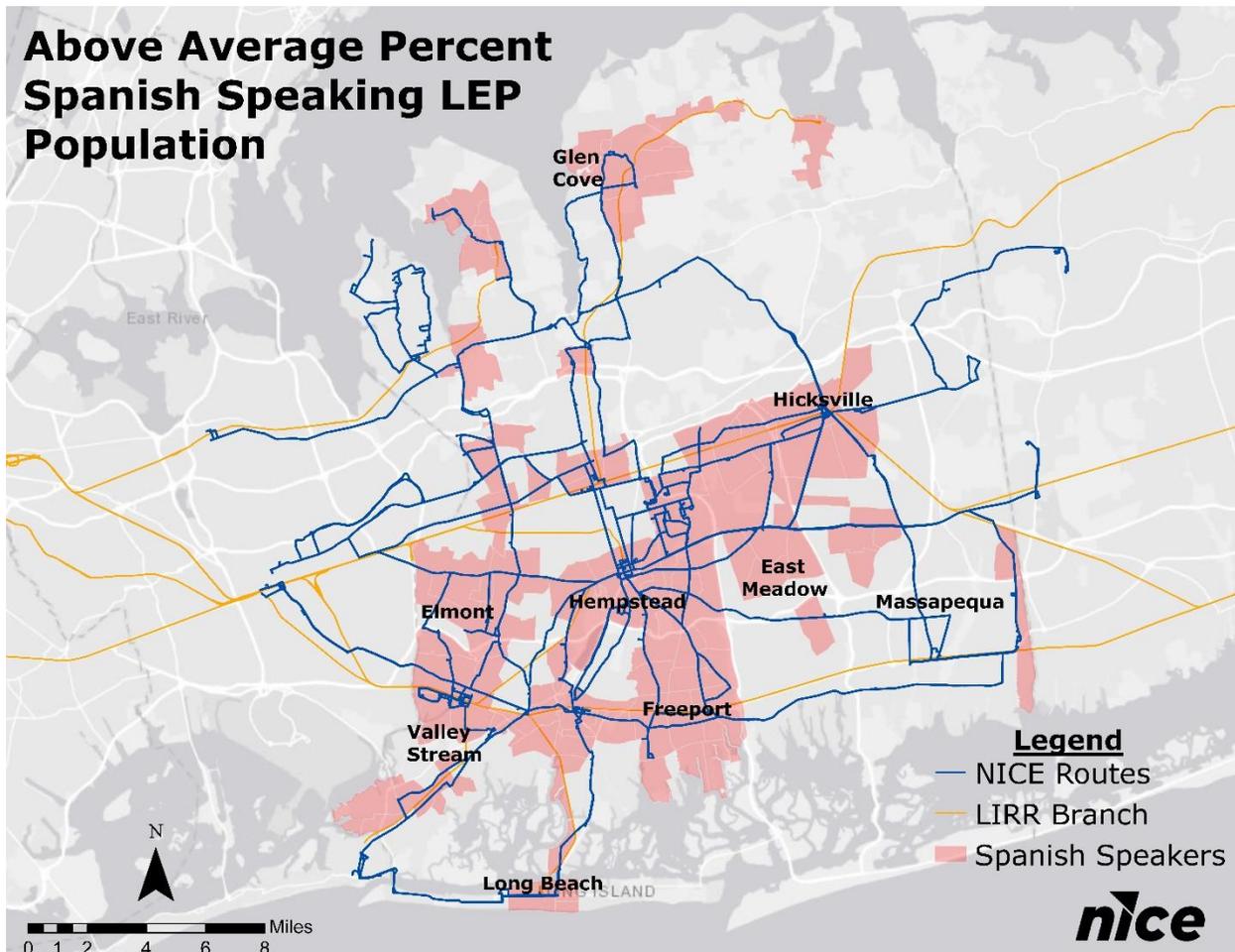
The following maps show census tracts where the percentage of residents who are Spanish speaking and speak English less than very well is above the average (6.65%) for the NICE service area as a whole. All of these census tracts are well served by transit. The LEP population is not concentrated along specific routes; as indicated in the maps below, all NICE routes serve LEP census tracts.

**Task 1, Step 3: Consult state and local sources of data**

NICE provides transportation services within Nassau County and surrounding areas. There are several local authorities NICE can obtain data on LEP populations from including NYMTC and the NYS Data Center.

As Nassau County continues to refine its Title VI and LEP reporting procedures, we will share information on concentrations of LEP populations and frequency of contact by individuals who do not speak English well.

## Nassau County: Above Average Percent Spanish Speaking Limited English Proficiency (LEP) Population



### Task 1, Step 4: Obtain information

The Federal Transit Administration recommends that each agency conduct community outreach to organizations that work with LEP populations. These may be able to provide the agency with information that is not included in the Census, such as information on specific languages spoken by the LEP population, population trends and what services the LEP population most frequently seeks.

In its review of the U.S Census Bureau's 2013-2017 American Community Survey, NICE can confidently confirm that Spanish is the most prevalent language other than English in the NICE service area and that fixed-route

transit service is important to the Spanish-speaking population since 17% of Nassau County's Spanish speaking population are public transit riders. Spanish speakers make up roughly 14.3% of NICE transit riders in Nassau County and 54.3% of these Spanish speaking transit riders are LEP according to the most recent NICE Bus LEP survey.

### **Factor 2: The Frequency with Which LEP Individuals Come into Contact with Your Programs, Activities, and Services**

The Federal guidance for this factor recommends that agencies should, as accurately as possible; assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

The most common use of NICE for LEP individuals is getting to work (87.5%) and it is most commonly used daily (100%).

### **Task 2, Step 1: Review the relevant programs, activities, and services you provide**

NICE operates fixed-route service and complementary paratransit within Nassau County. NICE has developed its programs and services to ensure that its transportation services are available to individuals in the County of Nassau who rely upon public transportation. Federal guidelines recommend that agencies list the various points at which LEP individuals may come into contact with the agency. In the case of NICE, the most common points of contact are the customer service telephone center and on the buses themselves. Within the past five years, very few calls have been received in a language other than English or Spanish. Many NICE drivers speak English and also speak another language and thus can answer service questions in the field from customers.

### **Task 2, Step 2: Review information obtained by community organizations**

For this section, the Federal guidance recommends an agency to review community organization information on how frequently LEP persons use transit service and which routes of service are used most frequently.

As shown in the maps below, there are concentrations of LEP persons along several NICE routes. NICE is expanding its outreach to community groups to provide information on the services it provides. To date, no community group has indicated any problems among their members in

terms of utilizing NICE services or communicating with NICE through its customer service representatives.

**Task 2, Step 3: Consult directly with LEP persons**

The Federal guidance for this section recommends that an agency obtain relevant LEP community information by conducting face-to-face meetings or group interviews with individuals to discover additional needs of this community. The agency may instead choose to conduct a survey of LEP individuals to determine their unique needs and whether or not the agency is meeting the community’s needs.

NICE conducted an onboard survey (in English and Spanish) of its existing ridership to determine trip origins and destinations, extent and history of transit use, overall customer satisfaction and rider demographics. This survey was conducted in Fall 2016. The next survey will be conducted over several months starting Spring 2019.

Table 4 shows the number of surveys returned by language. Approximately 14.3 percent of the surveys were completed in Spanish. Respondents completing the survey in a language other than English may be considered the LEP population.

**Table 2**

**On-Board Surveys Returned by Language**

<b><u>Language</u></b>	<b><u>Number of Responses</u></b>	<b><u>Percentage of Responses</u></b>
English	7371	85.70%
Spanish	1231	14.30%
Total	8602	100%

Source: 2016 Onboard Survey

Table 3 shows trip purpose by language. Spanish-speaking respondents were much more likely to be traveling for work and much less likely to be traveling for school, with minor differences in other categories. Most school-related travel on NICE is college-related, and college students are more likely to be fluent in English.

**Table 3**  
**Trip Purpose by Language**

<u>Trip Purpose</u>	<u>English</u>	<u>Spanish</u>
Work	189	21
School	18	1
Shopping	6	0
Medical	5	0
Other	9	2
Total	249	24

Source:2016 Onboard Survey

Table 4 shows age by language group. Those who responded in Spanish were much more likely to be in the age groups 30 to 49 years old, explaining their greater propensity to travel for work and their lesser propensity to travel for school.

**Table 4**  
**Age by Language**

<u>Age</u>	<u>English</u>	<u>Spanish</u>
18 and under	0	0
18 to 29	64	1
30 to 49	104	16
50 and older	66	6
Total	234	23

Source: 2016 Onboard Survey

Table 5 presents the average overall rating for NICE service by language group. Ratings were on a scale of 1 to 5, with 1 being “very dissatisfied” and 5 being “Very satisfied.” The average overall ratings were virtually identical for the English and Spanish groups.

**Table 5**  
**Overall Rating for NICE**  
**Service by Language**

<u>Language</u>	<u>Average</u> <u>Rating</u>
English	3.02
Spanish	2.83
Total	3.01

Source: 2016 Onboard Survey

**Factor 3: The Importance to LEP Persons of Your Program, Activities, and Services**

Federal guidance provides that in this section, the more important the activity, information, service or program, or the greater the possible consequences of the service to LEP individuals, the more likely language services are needed. A recipient of Federal financial assistance needs to

determine whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual.

### **Task 3, Step 1: Identify your agency's most critical services**

In this section, Federal guidance requires that NICE should identify what programs or activities would have serious consequences to individuals if language barriers prevent a person from benefiting from the activity. NICE fixed-route service is our most critical service. NICE also provides paratransit service to persons with disabilities who cannot use the fixed route service within Nassau County.

### **Factor 4: The Resources Available to the Recipient and Costs**

This section of the Four-Factor Analysis allows NICE to present proposed efforts to provide further access for LEP individuals for the agency's fixed-route transit services. Federal guidance looks to evaluate the proposed improvements against the level of resources available in an agency's budget to provide meaningful access for LEP individuals.

### **Task 4, Step 1: Inventory language assistance measures currently being provided, along with associated costs**

NICE currently prints all major documents, including service brochures and routes schedules, in English and Spanish. NICE posts notices in both languages in its office lobby and on its buses. Beyond these measures, NICE ensures that most telephone operators in the Customer Service Department are fluent in English and Spanish. Recorded telephone greetings are in English and Spanish and automated information is provided in both languages. While not a formal requirement for employment, many drivers speak a second language and can answer questions on the bus. In addition, the MetroCard (the fare medium used on NICE buses) vending machines at the Hempstead Transit Center provide information in four different languages. These are English, Spanish, Chinese and Korean. Lastly, the NICE website currently has a feature that allows the entire website to be translated into Spanish using Google Translate.

### **Task 4, Step 2: Determine what, if any, additional services are needed to provide meaningful access**

Electronic versions of major documents are also available in both languages on the Nassau County transit webpage, but the website itself is

in English. Nassau County will explore the possibility of adding a Spanish translation to the Nassau County website. Of importance is to note that the Nassau County transit webpage is used as a repository for Transit Committee and FTA Capital Program information, but information regarding transit service, upcoming meetings, and Title VI information is posted on the NICE website.

#### **Task 4, Step 3: Analyze your budget**

NICE's Fiscal Year 2019 budget uses operating dollars to fund important LEP services for marketing to or communicating with LEP persons in their language (Spanish) about transit services available to them. This includes funding for translation services of current brochures (i.e. Rider's Guide), posters, website, etc. We will augment the publication of the Rider's Guide with Pull One(s) and Flyers on a case by case basis. We would like to increase this in future years to include training for Drivers and Customer Service Representatives and/or interpreter services. During each budget cycle, the Marketing and Communications Director at NICE will evaluate the services NICE provides to LEP individuals. Based on the evaluation, the Marketing and Communications Director will be responsible to include the necessary funds for providing additional LEP services.

#### **Task 4, Step 4: Consider cost-effective practices for providing language services**

The analysis of 2013-2017 American Community Survey data, review of Customer Service Experience, analysis of the onboard survey, and the results of community outreach suggest that translation into languages other than Spanish would not be a cost-effective means to ensure meaningful access for LEP individuals. Only 4.9 percent of service area residents cannot communicate well in English or Spanish. NICE will encourage community groups to provide an interpreter to help individuals who do not speak English or Spanish well in obtaining transit information from NICE.

#### **The Conclusion to Limited English Proficiency Plan**

NICE provides transit service to Nassau, eastern parts of Queens, and western parts of Suffolk. According to the U.S. Census records, 151,366 residents or 12% describe themselves as not able to communicate in English "very well." Spanish-speaking residents accounted for 85,619 of this group, 6.65 percent of the total population. The majority of NICE's interactions with individuals who are LEP are with individuals who speak

Spanish as their primary language. Most telephone operators in the Customer Service Department are bilingual in English and Spanish.

NICE has taken steps to ensure that Spanish LEP residents will be able to talk to a Customer Services representative in a language that they speak well. Community groups have not indicated any problems among their members in terms of utilizing NICE services or communicating with Customer Service Representatives.

The vast majority of NICE's interactions with individuals who are LEP are with individuals who speak Spanish as their primary language. For that reason, NICE has adapted its language services with the public to make the customer service telephone line more accessible to Spanish-speaking individuals who contact the agency. Most Customer Service Representatives are bilingual in English and Spanish. NICE contracts for a third-party translation service for document translation into other languages as required. Major documents such as pamphlets and route brochures are printed in English and Spanish.

NICE's goal is to make its service accessible to those who rely upon transit for their transportation needs. The analysis that follows has been completed to identify areas where NICE can expect to encounter LEP individuals in its operation of transit services and to determine whether NICE's efforts are sufficient to ensure that LEP individuals are not prevented from using NICE services.

NICE's primary language assistance measures are to print all major documents, including service brochures and routes schedules, in English and Spanish, to post notices in both languages in its office lobby, major transit hubs in Hempstead and Mineola, and on its buses, to ensure that telephone operators in the Customer Service Department are fluent in English and Spanish. While not a formal requirement for employment, many drivers speak a second language.

### **III. Language Assistance Plan**

#### **Introduction**

In developing a Limited English Proficiency Plan, FTA guidance recommends the analysis of an implementation plan. Generally, these Language Assistance Plans include the following five elements: 1)

Identifying LEP individuals who need language assistance; 2) Providing language assistance measures; 3) Training staff; 4) Providing notice to LEP persons, and 5) Monitoring and updating the plan.

Each of these five elements is addressed below.

### **Element 1: Identifying LEP Individuals Who Need Language Assistance**

Federal guidance provides that “there should be an assessment of the number or proportion of LEP individuals eligible to be served or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.”

There is considerable overlap between this request and analysis that were done during the LEP four-factor analysis. NICE has identified the number and proportion of LEP individuals within its service area using United States Census data, (See Tables 1 and 2 in Task 1, Step 2A above).

As presented in Table 1 earlier, 71% of the service area population speaks English only. The largest non-English language spoken in the service area is Spanish (13.8%). As shown in Table 1, service area residents whose primary language is not English or Spanish and who speak English “less than very well” account for only 6.65% of the County population.

NICE staff may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Having Census Bureau Language Identification Flashcards available at NICE meetings. This will assist NICE in identifying language assistance needs for future events and meetings and;
3. Have Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered,

vehicle operators will be instructed to try to obtain contact information to give to NICE's management for follow-up.

4. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year

### **Element 2: Language Assistance Measures**

Federal Guidance provides that "an effective LEP plan would likely include information about the ways in which language assistance will be provided." This refers to listing the different language services an agency provides and how staff can go about accessing this information.

For this task, the Federal guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively assist LEP individuals when they either call in to agency call centers or otherwise interact with the agency.

NICE is undertaking actions to improve access to information and services for LEP individuals:

1. Provide a bilingual Community Outreach Coordinator at community events, public hearings and Bus Transit Committee meetings.
2. Survey bus drivers and other front-line staff (i.e. dispatchers, TOSs, etc.), annually on their experience concerning any contacts with LEP persons during the previous year.
3. Provide *Language Assistance Signs* with contact information onboard all NICE buses
4. Include language "Spanish a plus" on bus driver recruitment flyers and onboard recruitment posters.
5. When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers. A list of volunteers will need to be developed.

### **Task 3: Training Staff**

Federal guidance states that staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing this Task 3 of the Language Assistance Plan, involve (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities and provide regular re-training for staff for assisting LEP individual needs; and (3) designing and implementing LEP training for agency staff.

In the case of NICE, the most important staff training is for Customer Service Representatives and Bus Operators. Most representatives are bi-lingual in English and Spanish.

The following training will be provided to Customer Service Representative:

1. Information on the NICE Title VI Procedures and LEP responsibilities.
2. Documentation of language assistance requests.
3. How to handle a potential Title VI/LEP complaint.
4. Feature a language assistance phone number on vehicles.

### **Task 4: Providing Notice to LEP Persons**

NICE will make Title VI information available in English and Spanish on the Agency's website. Key documents are written in English and Spanish. Notices are also posted in NICE's office lobby, on buses, and at the Hempstead Transit and Mineola Intermodal Center. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, the documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

### **Task 5: Monitoring and Updating the LEP Plan**

NICE will update the LEP as required by the U.S. DOT. The plan will be reviewed and updated with the next Title VI filing in 2022 or when it is clearly higher concentrations of LEP individuals are present in the NICE service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether NICE's financial resources are sufficient to fund language assistance resources needed.

NICE understands the value that its service plays in the lives of individuals who rely on our service, and is committed to taking important measures to make the use of system easier. NICE welcomes suggestions from all sources, including customers, NICE staff, other transportation agencies with similar experiences with LEP communities, and the general public regarding additional methods to improve accessibility for its LEP communities.

## TABLE DEPICTING THE MEMBERSHIP OF THE TRANSIT COMMITTEE

### Transit Committee

The County appointed the members of the Nassau County Bus Transit Committee, the committee was formed in accordance with applicable Nassau County laws, rules and regulations (the “Transit Committee”) were empowered to act on behalf of the County. The Transit Committee meets with Transdev as necessary to timely review and approves, propose modifications to, or disapprove Transdev’s proposed Annual Plans and Budgets, and undertake such other actions as are expressly provided under applicable law.

The Transit Committee has the following representation:

<b><u>Body</u></b>	<b><u>Caucasian</u></b>	<b><u>Latino</u></b>	<b><u>African American</u></b>
Nassau Demographics Demographic	62%	16%	12%
Committee Members Demographics	60%	20%	20%



# Nassau Inter-County Express Service Standards 2019

## **Executive Summary**

“NICE Bus operates on a mission of meeting the needs of its community by providing efficient and economical public transportation services in keeping with our commitment to safety, quality and effectiveness.”

## **Core Values**

- Commitment to Customers
- Accountability, especially for Safety
- Respect for Others and the Planet
- Empowerment of Employees

## **Objectives**

As a provider of transportation to the residents of Nassau County, NICE strives to be at our highest level of performance, which is reflected in our core values to provide quality service to our customers. Managing a public transit operation is a serious undertaking; therefore having an outline of our standards and expectations, will guide our company in the right direction to achieve our goals as a transit company. This document does not only outline how our system runs, but also assists us in staying consistent in providing quality and service to all the different areas we operate in.

## **Service Standards and Policies**

Service guidelines build a systematic foundation for allocating capital and operating resources. Guidelines set criteria for the amount and quality of services carried out. NICE Bus uses the guidelines to develop optimal fixed route service configuration, to assess these services, and to institute a foundation for evaluating service alternatives consistently and equitably. Because markets, customer expectations and NICE’s resources change over time, NICE must be receptive to these changes in order to keep hold of current customers and stimulate ridership growth.

NICE Bus uses performance indicators, internal service committee and quarterly progress reviews to evaluate fixed route and paratransit service delivery. Agency-wide and departmental goals are created annually and tracked through quarterly progress reports. Customer satisfaction is measured quarterly through system-wide surveys. Service changes and enhancements are programmed for quarterly schedule and operator picks.

Six key measures that have the utmost influence on service design are: service availability, span of service, vehicle headway, vehicle load, on-time performance, vehicle assignment, and distribution of transit amenities.

NICE's *service availability* policy determines the average customer's walk to get to a bus stop at certain times of the day.

*Span of service* are the hours and days a route operates which are based on a balance of market demand and service coverage.

*Service frequency* (headways) governs how long customers wait for service.

*Vehicle load* determines how crowded the bus will be when it arrives at the busiest location on a route.

*On-time performance* refers to the number of runs completed on time.

*Vehicle assignment* refers to the method by which vehicles are assigned to routes throughout the system.

*Distribution of transit amenities* refers to the items of ease and convenience available to the riders.

## **Overview**

### **NICE in Brief**

Nassau Inter-County Express is an integral link for thousands of residents of Nassau County, New York and nearby communities. NICE runs fixed-route service on 38 routes and paratransit service known as Able-Ride. NICE's service area is approximately 287 square miles and serves a population of 1.36 million. There are two operating facilities within the region, one for fixed-route and one for paratransit. There are 275 vehicles operated by the fixed route service and 96 vehicles operated by the paratransit service. NICE's service links riders to/from the city.

### **Our Mission**

NICE Bus operates on a mission of meeting the needs of the community by providing safe, efficient, and economical public transportation services. In addition, we also strive to deliver an affordable transit service which is vital to our customers. Service standards steer the planning and design of transit service in support of NICE's mission.

Providing affordable service is not only key to our customers, but to NICE Bus as well. We must present services that maximize efficiency. At the same time, we must keep fares reasonably priced. From a corporate viewpoint, externally imposed funding constraints can influence the amount of service that we can provide.

### **The Need for Service Standards**

The foremost objective of the service standards is to provide a structure for a consistent and fair assessment of both existing and projected services. Because markets, customer expectations and NICE Bus resources vary over time, service standards are evolutionary by nature.

NICE Bus must be quick to respond to these changes in order to preserve existing customers and achieve and maintain ridership. The link between our service standards and our funds are dynamic. The level of service NICE provides has a direct result on our operating and capital budgets. In turn, our service standards have an effect on the amount of service that we offer. Moreover, the amount of service provided must also operate within the bounds of limited financial resources.

Balancing customer expectations and budget constraints is an arduous challenge. NICE Bus' current services must be managed carefully and modified frequently to match service labels to demand and respond to opportunities for new or enhanced services.

## **GOALS AND OBJECTIVES**

NICE Bus is designed to meet or exceed the needs and expectations of its customers and its employees. NICE is dedicated to:

- Creating a bus system and paratransit network that above all is safe, as well as reliable, accessible, and affordable.
- Delivering the highest possible levels of customer service, welcoming the input of its riders through numerous open communications channels, and responding to the needs of current customers and those of new ones.
- Working cooperatively with labor unions representing our employees to create a positive, diverse workplace, fulfilling careers and productive lines of communications; building strong and constructive relationships with the unions; and valuing the contributions of all employees and treating them with dignity and respect.
- Building an organization that maximizes the financial resources that are available to it by creating new operating efficiencies, improving system performance and maximizing best practices in all aspects of its operations.
- Creating a culture where employees are accountable for top performance, and are respected, valued, and appreciated by their supervisors and peers.

The following essential goals and objectives offer context for the service guidelines:

1. Guarantee the design of efficient and equitable transit service.

### **Objectives**

- Create a cost-effective transit service that favors both current and emergent origin-destination patterns.

- Improve the bus service to guarantee critical regional mobility and to ensure that all neighborhoods have access to NICE service.
  - Allocate services and customer amenities based on ridership, equity, and geographic balance.
2. Make available a consistent method for planning, designing, and evaluating transit services and proposals within related laws and regulations.

#### Objectives

- Develop a consistent, regular process for improving service in those areas within established demand.
  - Attend to customer and community service needs and requests in a consistent and thorough manner by better engaging local communities.
  - Evaluate and execute services consistent with Title VI and the Americans with Disabilities Act requirements.
3. Provide mobility to our customers by responding to varying travel patterns and new markets opportunities.

#### Objectives

- Support intermodal services and connections that maximize the trip-making options offered to customers.
- Observe the results of customer service and satisfaction surveys to support service changes that will progress NICE Bus' overall performance.

## **SERVICE DELIVERY GUIDELINES**

### **Types of NICE Service:**

- Bus
- Paratransit Service
- Emergency Response Service
- Special Events Service
- Niche Market Service
- Flexible Service

### **Bus**

NICE Bus currently has a total of 285 vehicles operating from two different facilities in Garden City. The vehicles are used to run service for 40 distinct routes. Key routes and suburb routes define the bus system. The key bus routes provide the majority of the farebox revenue.

### **Paratransit Service**

NICE's paratransit service is known as Able-Ride. It provides door-to-door service for customers with disabilities. The Americans with Disabilities Act defines the standards for paratransit. Service coverage is defined by the ADA as within  $\frac{3}{4}$  mile of fixed route service. Frequency is based on demand. Currently, Able-Ride has a total of 98 vans, cut-a-way buses and town cars.

### **Emergency Response Service**

NICE provides emergency service for customers when requested by the county or fire department. If a situation is to occur, such a fire, NICE sends out buses to the location to pick up individuals in need through cooperation with county or state emergency services organizations.

### **Special Events Service**

NICE provides additional bus service for events that occur in Nassau County. During the summer months, NICE sends out additional buses to and from Freeport to Jones Beach on concert nights. Because these services are temporary, and have atypical operating characteristics, they may not follow regular service procedures.

### **Niche Market Service**

Niche market services are established in response to a demonstrated need for specialized transit services. These services are open to the public and can include alterations to existing bus routes or new routes for shift changes and other work intentions. Services can also be modified for large employment centers, universities, high schools, medical centers, sports venues, industrial parks and other large traffic generators.

In some occurrences, NICE Bus creates a financial partnership with organizations to offer these niche market services. In these agreements, the partnering organization provides funding that, in combination with the projected customer revenue, meets variable cost for a particular service. (For more detail see Appendix C: *Niche Market Services*.)

### **Flexible Service**

Flexible service was created as a means to balance customer needs with productivity goals. It is generally provided by smaller vehicles and is added to the key and support bus network. NICE Bus is currently studying the feasibility of this service and will be implemented if the results are positive.

### **Service Standard Measures**

- Service Availability
- Span of Service
- Vehicle Headways
- Vehicle Load
- On-time performance
- Vehicle Assignment
- Distribution of Transit Amenities

These measures allow NICE to establish appropriate levels of service to meet existing demand, while maximizing use of equipment and labor. Alterations made to any of the guidelines influence the size and cost of services and the charisma of the service to customers. Consequently, each guideline is significant, and all are used in conjunction to make service choices.

#### **1. Service Availability**

NICE's service availability is a measure of the distance a person must travel to gain access to a transit service. When measured in time intervals,

it is a factor of the travel time calculation. Service availability is a general measure of the distribution of routes within a transit area. The standards covering this area relate to existing services as well as proposed changes in levels of service.

Service availability and coverage are based on density of development. The maximum distance one must walk to obtain access to a transit service is 1-mile. In the more urban areas of Nassau County, routes will be spaced every 3/8ths to every 1-mile. In the lesser dense/suburban areas of Nassau County, busses will operate on major roads.

### Guidelines for Employment/Commercial Trip End

Service should be provided to chief activity centers that produce adequate trip activity to support cost-effective operations. Below are some key activity centers that may generate trip levels warranting bus services:

- Existing employment centers with 500 persons or more per shift
- At new or emerging employment centers; 2,000 employees is the threshold for extending a route or initiating an employee's shuttle loop
- Hospitals with 400 beds or more
- Colleges with 4,000 or more day students
- Shopping centers and freestanding stores and village business districts of 200,000 square feet or longer

### Directness

Because the NICE Bus system is operated in a north-south or east-west fashion many passengers must transfer to reach their destination.

### Connections

NICE Bus has connections to the LIRR, MTA Bus, Subway, Suffolk County Bus, and Huntington Bus. The need for bus service to the LIRR stations is governed by parking availability, customer volumes, population density and railroad service frequency.

New service, service changes, and improvements will be provided based on identified needs and demand levels in NICE Bus' service area. In the

interest of furthering public participation in service planning, delivery and changes, NICE Bus will include local, state, and federal government agencies, community groups, non-profit and public interest entities in planning new services or major service changes. Public participation undertaken as required for new routes, and for determining the threshold for major service changes. In terms of monitoring this, system-wide evaluations will be made annually.

## **2. Span of Service**

Span of service refers to the hours that service is provided and defines the minimum period of time that service will operate at any point in the system. This provides customers with the self-assurance that direct and connecting service will be provided during the span hours.

For the city routes, services are offered every day, usually for at least 14 hours. For the suburb routes, services are determined by demand. These routes are offered for a minimum of 6 hours.

### **Key Routes**

- n1 Jamaica-Elmont-Hewlett
- n4 Freeport-Jamaica
- n6 Hempstead-Jamaica
- n15 Long Beach-Hempstead-Roosevelt Field
- n20 Flushing-Great Neck-Hicksville
- n21 Great Neck - Hicksville
- n22 Hicksville-Roosevelt Field-Jamaica
- n24 Hicksville-Roosevelt Field-Jamaica
- n31/32 Hempstead-Far Rockaway
- n40/41 Mineola-Freeport
- n70/71/72 Hempstead-Farmingdale-Sunrise Mall

## **Suburb Routes**

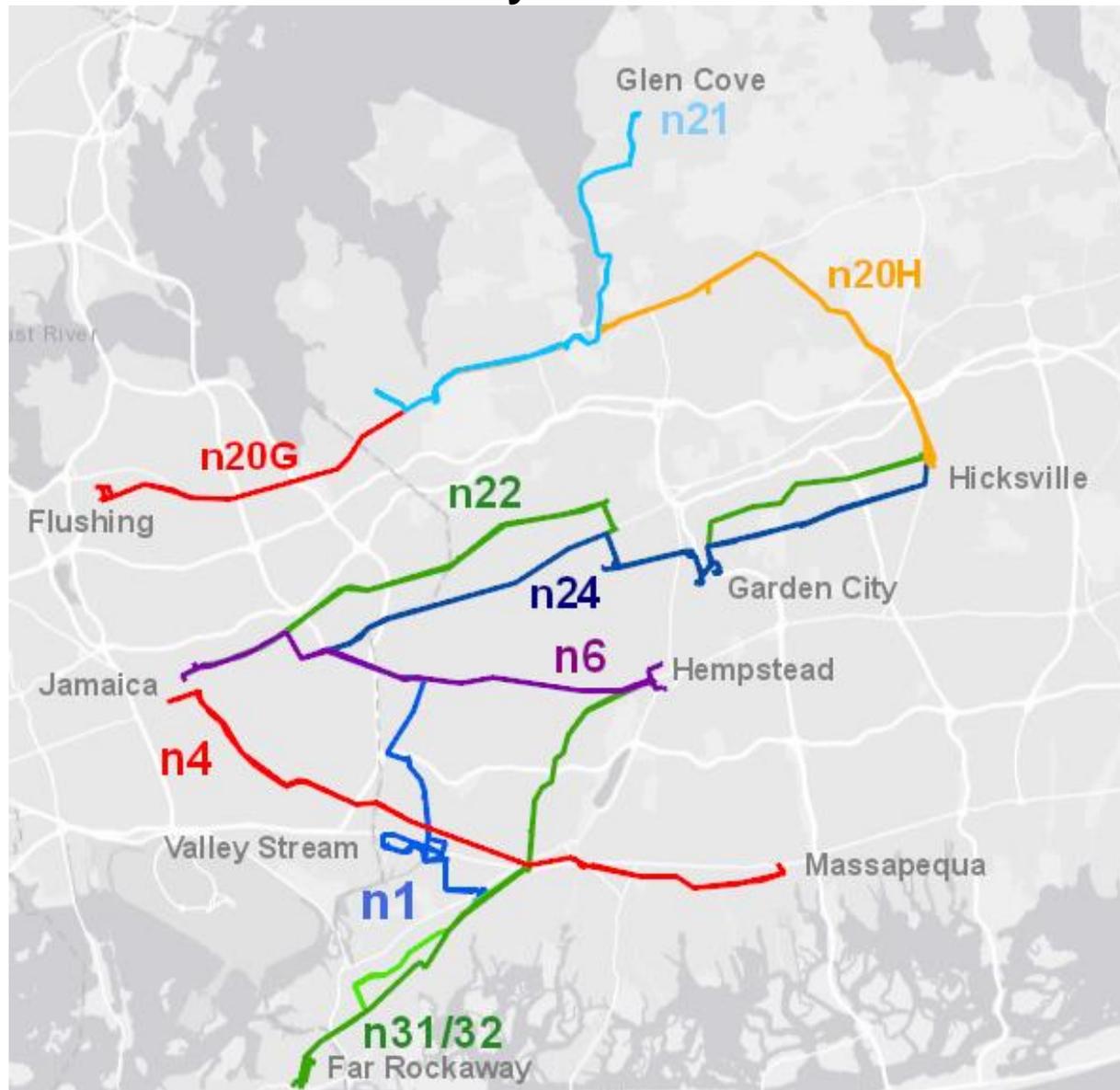
n15 Long Beach-Hempstead-Roosevelt Field  
n16 NCC-Hempstead-RVC LIRR  
n19 Freeport-Sunrise Mall  
n23 Mineola-Manorhaven  
n25 Lynbrook-Great Neck  
n26 Jamaica-Great Neck  
n27 Hempstead-Roosevelt Field-Glen Cove  
n33 Long Beach-Far Rockaway  
n35 Baldwin-Hempstead-Westbury  
n40/41 Mineola-Freeport  
n43 Freeport-Roosevelt Field  
n48/49 Hempstead-Hicksville-Jericho  
n54/55 Hempstead-Sunrise Mall  
n57 Great Neck Loop  
n58 Great Neck-Kings Point  
n70 Hempstead-Sunrise Mall  
n71 Hempstead-Sunrise Mall  
n72 Hempstead-Farmingdale  
n78 Plainview-Hicksville  
n79 Hicksville-Walt Whitman  
n80 Hicksville-Sunrise Mall  
n88 Freeport-Jones Beach

Span of service, when provided during the Owl (overnight) period, is mostly market driven with consideration given to coverage and equitable service distribution. Owl service is offered to protect work trips in the strongest markets and to uphold some coverage in those markets at all times. NICE Bus provides Owl service for two routes: n4 and n6. These two routes operate 7 days a week, 24 hours a day.

## All Routes:

n1 Jamaica-Elmont -Hewlett  
n4 Freeport- Jamaica  
n4X Freeport-Jamaica Express  
n6 Hempstead - Jamaica  
n6X Hempstead - Jamaica Express  
n15 Long Beach- Roosevelt Field  
n16 Hempstead-Rockville Centre  
n16X NCC-Hempstead-Rockville Centre  
n19 Freeport-Sunrise Mall  
n20G Great Neck-Flushing  
n20H Great Neck-Hicksville  
n21 Great Neck-Glen Cove  
n22 Hicksville-Roosevelt Field-Jamaica  
n22X Jamaica-Hicksville Express  
n23 Mineola-Manorhaven  
n24 Hicksville-Roosevelt Field-Jamaica  
n25 Great Neck-Lynbrook  
n26 Jamaica - Great Neck  
n27 Hempstead- Glen Cove  
n31/32 Hempstead-Far Rockaway  
n33 Long Beach-Far Rockaway  
n35 Baldwin-Hempstead-Westbury  
n40/41 Freeport- Mineola  
n43 Roosevelt Field- Freeport  
n48/49 Hempstead- Hicksville  
n54/55 Hempstead-Sunrise Mall  
n57 Great Neck Loop  
n58 Great Neck LIRR-Kings Point  
n70 Hempstead- SUNY Farmingdale  
n71 Hempstead- Sunrise Mall  
n72 Hempstead-Farmingdale  
n78 Hicksville- Plainview  
n79 Hicksville- Walt Whitman  
n80 Hicksville-Sunrise Mall  
n88 Freeport-Jones Beach  
MMCS Mercy Medical Shuttle  
EIFx Elmont Flexi  
SRS Shore Road Shuttle

## Key Routes



### 3. Frequency of Service

Frequency of service is a measurement of the time interval between two vehicles traveling in the same direction on the same route. The frequency of service is a general indication of the level of service provided along a route and an aspect in the computation of the amount of travel time spent by a passenger to reach his/her endpoint. On heavily traveled routes, the frequency of service provided is a function of demand and peak period loading levels. The average maximum frequency of service for key routes during the day is 30 minutes. The average maximum frequency of service for secondary routes is 60 minutes. The table shown to the right indicates the frequency of service for each route throughout the day on Weekdays, Saturdays and Sundays.

#### Schedule Adherence

- On-time performance is defined as up to 5 minutes late.
- At no point should a bus depart from a single point before its scheduled departure time.

#### Policy

Within available resources, NICE Bus will provide a level of service essential to meet recognized customer demand. NICE Bus evaluates reliability and schedule adherence performance through quarterly reports and reviews

Route	Frequency				
	Weekday AM	Weekday Noon	Weekday PM	Saturday Noon	Sunday Noon
n1	30	30	20	60	90
n4	10	15	10	20	30
n4X	10		10		
n6	15	15	15	15	15
n6X	10		10		
n15	15	20	15	20	30
n16	30	30	30		
n16X	30		40		
n19	30	60	40		
n20G	15	15	15	15	30
n20H	20	30	20	30	60
n21	30		30	60	
n22	20	30	15	20	30
n22X	15		15		
n23	20	30	60	60	60
n24	15	30	20	30	60
n25	15	30	15	60	60
n26	30				
n27	60	60	60		
n31/32	15	15	15	30	30
n33	30	60	30	30	
n35	20	60	30	30	30
n40/41	10	15	20	20	30
n43	30	30	30	30	50
n48/49	15	60	15	40	60
n54/55	30	60	30	40	60
n57	25				
n58	30	30	30	60	60
n70	15	40	40		
n71	60	60	60	60	60
n72			60	60	60
n78	60		60		
n79	60		60		
n80	60		60		
n88 *	30	30	30	30	30
MMCS	40		40		
Flexi	60		60		
SRS	30		30		

\*Summer Only

#### **4. Vehicle Load**

Vehicle load is a ratio of the number of seats on a vehicle to the number of passengers. Load factor is an indicator of the extent of possible overcrowding or the need for supplementary vehicles. It is also a means to determine whether the level of service on a route at a particular time is adequate to guarantee a level of service demand appropriate for the transit system. Each bus is evaluated in terms of passenger flow, which is the number of passengers on buses at the busiest location along a route. This is known as the maximum load point.

NICE Bus will monitor peak loads on lines that are at or above ratios. When loads at the peak load point exceed vehicle load standards, service should be evaluated for adjustment.

System-wide evaluations will be conducted annually. The guidelines allow for a scheduled load of no more than 66 passengers per bus.

*Standard 40-foot Bus: ORION VII & New Flyer*

Average seating capacity: 44 / 39

Average Standees: 21 / 22

Peak hours: 150% of seated load

Off-Peak hours: 125% of seated load

Weekends: 125% of seated load

#### **5. Vehicle Assignment**

Vehicle assignment refers to the method by which transit vehicles are assigned to routes throughout the system due to variations among vehicles. Vehicles are assigned based on the depots vehicle requirement needs. Runs are distributed between depots strategically to minimize deadhead time to starting time point. All vehicles at NICE Bus are maintained in a state of good repair and assigned equitability throughout the system and service periods. Transit vehicle distribution equity should be maintained for:

- New buses

- Mobility devices: Wheelchairs, lifts and kneeling equipped vehicles
- Non-polluting and new technology vehicles
- Clean, operational vehicles in a state of good repair
- Heating and air-conditioned vehicles
- Operational radio, public address and annunciator systems
- NICE Bus will periodically review vehicle age and condition.

## **6. On-Time Performance**

On-time performance refers to the number of runs completed on time. Routes are monitored every Pick and a hierarchy is set using information from customers, drivers and service quality managers to identify routes that need improvement.

## **7. Distribution of Transit Amenities**

Bus customer shelters, benches and signs make NICE Bus secure and pleasant. These amenities are dispersed by factors that consider equity in distribution throughout the service area, the utility of the advantage to the customer and site-related constraints. Furthermore, high consideration is given to stops on key bus routes due to a higher level of demand.

### Stop Spacing and Location

A system-wide guideline for bus stop spacing is no less than four stops per mile. In denser parts of the county, stop spacing will be ¼ mile, wider in less dense areas.

### Bus Shelter Location

Nassau County Planning Department is the responsible agency for bus shelter installation and maintenance, which are provided, repaired and cleaned by a private contractor. All shelter and bench sites are approved by the County and local municipalities in the view of safety and spatial concerns.

### Bus Stop Signs

All bus stop signs should indicate, at minimum, route number, route destination, and Travel Information Center telephone number. New signs will be distributed starting with routes with the highest ridership numbers.

### Public Information

- Public timetables contain a route map, intermediate time points, fare and transfer information, and holiday schedule
- Bus information is obtainable by telephone and a representative or recorded message is available at all times
- Bus information is available on the NICE Bus website and can assist one to his/her destination with the use of the interactive system map and trip planner
- Bus information is readily available on smartphone through the GoMobile app

NICE Bus will uphold equitable distribution of transit amenities. Subject to supply and demand, public timetables should be available to customers.

System-wide evaluations will be made annually. Customer satisfaction surveys will be conducted quarterly.

The transit amenities policy is designed to provide the framework for the distribution of amenities equitably throughout the system, targeting locations with the highest number of boarding passengers; and taking into account other factors such as transfers between routes and access to other modes of transportation.

In situations where the County has the authority and available resources to site new amenities at multiple bus stops, amenities will be programmed for placement at those stops or terminals based on a ranked score. The ranking is determined by the system-wide evaluations. Amenities may include, but are not limited to, shelters, seating, trash receptacles, and transit information displays. Rankings are based on total scores assigned to each candidate stop or terminal and are based on weighted factors, including passenger boardings, transfer opportunities, and access to major activity modes. While the ranking system will be used to program the installation of amenities, external factors (e.g., site limitations, regulations

of local jurisdictions, etc.) may dictate that amenities be installed out of order or not at all.

## **SERVICE CHANGE PROCESS**

*NICE Bus has a well thought-out method for evaluating services and anticipated changes that is tied to the annual budget, yet is responsive to small market changes all year long.*

As part of the continuing evaluation of the performance of all routes and services and contemplation of service change proposals, moderate and major service changes are to be brought to the Travel Advisory Committee for approval once a year. Minor service changes are examined frequently and can be executed at each section pick.

The process comprises of the following attributes:

- Development of an Annual Service Budget Proposal
- A translucent procedure for evaluating service changes
- Accountability and flexibility in minor and major service change decisions
- An annual comparative assessment for major alterations

### **Annual Service Budget Proposal**

In support of the annual budget process, Planning & Scheduling creates an Annual Service Budget Proposal that recognizes budget needs for each service change type for the following year's finances. This is derived from an evaluation of the performance of all routes and the service change proposals received.

Once approved, the Annual Service Change Budget guides the service changes that will be assessed and executed over the budget year. The Service Change Budget includes allotments for various classifications of service changes such as enhancements, reductions and major, moderate, and minor service alterations.

## **Service Change Process Overview**

Requests for service alterations and new services can be proposed by anyone such as private citizens, elected officials, NICE Bus employees, employers, etc. It can also be an effect of ongoing monitoring and data compilation.

Minor and moderate service changes are assessed within Planning and Scheduling through the Service Change Committee and can be executed throughout the year, in agreement with section picks, with the exception of when Bus Transit Committee approval is necessary. Major service changes must undergo an annual review and may be executed only once a year. These changes affect the budget and vehicle requirements and necessitate approval from the Board.

Once the Committee obtains a proposal, it is screened to see if it warrants additional study or rejection. This necessitates a brief analysis.

## **SERVICE MONITORING AND REPORTING**

*Service monitoring and data compilation are essential elements of the service evaluation process. All services and routes are regularly reviewed to assess their performance and efficiency.*

### **Monitoring & Data Collection**

The two broad classifications of service monitoring activities are ridership monitoring and route/branch performance monitoring.

Through the monitoring of ridership and customer feedback, NICE is able to ensure that service frequency is suitable to passenger demand. Data collection and analysis activities for this type of monitoring include point checks, ride checks, and analysis of AFC data. Monitoring ridership allows for an immediate response to demand changes.

Monitoring route performance confirms the efficiency of existing services with respect to their variable operating costs and usage. Data collection and analysis activities for performance monitoring include point checks, productivity analysis, and analysis of AFC and APC data.

Operations Analysis, Maintenance, and Planning & Scheduling all evaluate the service and work together in approving any changes being made in service.

## **Reporting**

Planning and Scheduling reports bus ridership and passenger entries at bus stops monthly. Bus routes are ranked using passengers per vehicle hour to emphasize productivity. Passenger entries are used to rank the performance of different routes. It serves as an initial screening method for investigating service improvements and associated expenses.

## **BUS DESIGN GUIDELINES**

When designing routes and making alterations to current routes, a balance is attempted between accessibility and reducing travel time. An objective is to control and reduce door-to-door travel time for all potential customers. Transit travel time factors for a particular trip are made up of four components:

1. Walk access: amount of time from when one leaves his/her starting point to the bus stop
2. Wait for service: amount of time one is waiting on the bus for it to depart
3. On-board: amount of time traveling on the bus. Including delays
4. Walk distribution: amount of time to get to the destination point from the point where one got off the bus stop

### **Walking Distance to Service**

It is the Authority's policy to provide service accessible to nearly all of the residents within the NICE Bus service area with a 1-mile walking distance during the weekday peak period. These walking distances increase during the midday, evenings, weekends, and owl periods due to a decrease in the level of passenger demand at these times and thus fewer frequencies of service. Demand generators, such as shopping centers, factories, and schools that are not within a 1-mile walking distance to a bus route and have streets competent of supporting bus service, will be considered for service if there is probable ridership.

### Stop Spacing – Local Service

When locations of stops are being thought-out for a route, it is essential to create a balance among customer convenience, result on average bus speed, and safety. A stop is usually located at major cross-street intersections and/or major traffic generators. In most cases, stops will be approximately 1/4 mile apart, depending on neighborhood density.

### Travel Time

Routes should be designed to reduce on-boardtime, while taking into account customers' overall travel time. Short routes maximize operating efficiency, by allowing a better match of service levels to demand along certain zones of a street, but may lead to additional transfers. Long routes, where one-way running time exceeds 75 minutes, are more susceptible to schedule adherence problems, but will reduce the need for customers to transfer.

### Route Branch

A branch is a new route that departs from the main route to serve a different market. It shares a common trunk segment; it may or may not have the same route name and number. To keep service intervals even, trunk line buses are usually alternated between branches. This leads to the branch interval being two times that of the trunk. Routes 40/41, 57/58, 70/71/72, and 78/79 are examples of a branch.

### Bus Route Deviation

Routes will be intended to operate as directly as possible, using key streets. A route deviation brings service closer to a trip generator, decreasing walk access travel time for customers to/from the location, and thus making the route more attractive.

### Express Services

#### Limited-Stop

A limited-stop service is one that stops only at major transfer points. It typically operates on the same street with local service, with the local route making all the stops. NICE Bus has limited service for the N20 and N22 routes.

## Express

Express service is considered where there is a significant market that is utilizing the route from the start point to the end point and decreasing travel time could be acquired by introducing an express portion to a route. This would uphold our goal of increasing productivity. The express service draws customers from the local portion and thus service intervals widen. It appeals to existing/new passengers who are sensitive to time, convenience and comfort. NICE has an express service for N4, N6, N16 and N22 routes.

## Facilities Characteristics

Any roadway section anticipated for operations with buses must meet minimum design standards for safe operations:

- Minimum turning radius of 50 feet
- Street composition must adequately support a bus' weight
- Minimum lane width of 12 feet
- No speed bumps
- Overhead clearance of 14 feet

Utilization of local streets should be avoided, except as part of a terminal routing. Turnarounds and off-street stands should comprise of a range of amenities such as operator restrooms, shelters, seating, and operational needs. Partnerships with the primary beneficiary of the service are encouraged for the supply and maintenance of these facilities.

## **CALCULATING SERVICE COSTS**

A fundamental component of service planning is factoring in the financial impacts of certain service proposals. In determining the costs for most service proposals, Planning will compute the estimated direct operational costs, which are known as the variable costs. Examples of variable costs are operator pay, fuel and light maintenance supplies.

### **Variable Cost Estimates**

A straightforward variable cost model is used to calculate the overall operational cost effects of a service plan. A cost model is an estimating method that uses past expenditures for certain functions and divides them

based on cost drivers, such as pay hours, platform hours or vehicle mileage.

In nearly all instances, the labor rate will be applied to the labor pay hours for a projected service change. NICE Bus uses platform hours as a substitute. NICE Bus bills Nassau County based on platform hours. The fuel, power and maintenance supply costs are all applied to the vehicle miles of the service proposal, since those costs are more probable to be affected by distance traveled and not time traveled.

In scrutinizing a service proposal, all aspects of the plan will be calculated to assure that there are no additional costs that should be incorporated in addition to the variable costs. An example of this could be whether an additional administrator would be needed if NICE were to add on a new bus service. Also considered are administrative costs such as marketing and community outreach costs.

## **NICHE MARKET SERVICES**

### **Introduction**

NICE Bus recognizes that there are many advantages in operating niche market services. Such services assist NICE in entering new markets and intensifying ties to the community. Niche market services strengthen NICE's current bus route network and as a result helps provide greater mobility and access to demand generators such as schools and tourist attractions. As a result, it would then improve the quality of transit in NICE's service area.

A niche market service is one that is open to the public but is targeted to a particular group with common characteristics. Examples of this are employers, residential area, and universities. A niche market service guarantees operating cost recovery.

### **Mission**

- Enter new markets and increase ridership
- Promote NICE as a key transportation option in the area
- Institute business relationships with private and non-profit business and organizations

### **Goals**

1. Expand markets and ridership
  - Inquire services that have potential for growth

- Inquire services in markets not already served or are indirectly served by transit
- 2. Seek an optimistic fiscal position
  - Cover direct operating costs with farebox income
  - Make certain that cost recovery is well-suited with NICE's system-wide average variable cost recovery
- 3. Guarantee that the service is justifiable as a publicly operated service
  - Ensure that existing services are not pessimistically impacted by new niche services

## **Types**

There are several types of niche market service that NICE Bus provides/or is planning to operate.

- Employment Center Services: Special changes to existing bus service or additional service for a group of employers' shift alterations outside the downtown area. A high priority is targeted for low income workers and services tailored for large employment centers such as medical centers.
- Downtown Services: Special supplementary service to existing routes or new routes to employer sites in the downtown area. Downtown shuttles could be presented with lower fares under subsidy arrangements.
- Institutional Services: New routes or alterations to existing routes or new routes for students and employees of institutions including universities and medical centers. Institutional services include special campus and/or shuttle services designed around institutional campuses.

## **Process of Receiving and Choosing Requests for Niche Services**

1. Requests are received from employers, employment centers, agencies, or institutions via phone calls or letters.
2. Rank requests based on simplicity of execution, importance, readiness for execution, level of interest, practicability, capital and/or land acquisition requirements, forecasted productivity compared with other NICE Bus routes, and anticipated costs involved.

3. Choose requests for implementation based on forecasted efficiency, compliance with NICE Bus goals, and whether the change is a time-sensitive opportunity.

## **Examples**

### **1. University Campus Service**

- Provide mobility within campus and major destinations; including express service to and from campus to the LIRR in order to offer seamless service.
- Increase NICE Bus ridership in the market.
- Establish U-Pass program to attract student ridership. If a university requests a service improvement, U-Pass could be used to subsidize the request.

### **2. Major Employers**

- Serve employees, including persons transitioning from welfare, more suitably at times with NICE Bus service is insufficient, inconvenient, and/or too distant, such as late at night.
- If major job center exists outside of route, create branch to service.
- When branch is not an option, create a shuttle.

## **Pricing Subsidized Bus Services**

When attempting to create a niche service, NICE Bus looks to cover direct operating costs by means of farebox revenue. NICE Bus will enter into contractual agreement with third parties, such as non-profit organizations and businesses, and in this agreement the third party will present full or partial revenue guarantee to a particular bus service.

In a subsidized service, as long as the service stays open to the general public, NICE Bus is not obligated to charge the charter rate. NICE Bus can design its contracts to attain performance goals based on market progress, social equity and revenue-enhancement ambitions to NICE.

### In pricing these services:

1. Employees will compute the operational costs of the service, based on the service design and the variable cost model that comprises of operator pay, fuel, light maintenance parts, and continuing costs directly related to the service, such as marketing.
2. Farebox revenues should cover the routes' variable costs. The average bus variable cost recovery is intended for the entire bus system and is used as a benchmark for niche services.
3. All niche services will be experimental at first to ensure that they meet NICE Bus goals. Services will be examined consistent with fixed-route service standards.

### **Implementation Issues**

Niche services may be implemented on an experimental basis. The new service will be examined and assessed after completions in order to conclude if the service meets ridership and productivity expectations. Special vehicles or special paint design on vehicles for service may entail an additional charge to the person or organization requesting the service. An agreement between NICE Bus and the requesting entity outlines the essential operating and subsidy arrangements.

**Title VI  
Service Standards Compliance**

<u>Route</u>	<u>Direction</u>	<u>Minority Route</u>	<u>Average Spacing</u>	<u>Service Standard</u>	<u>Compliant</u>
n6	East	Yes	0.18	0.25	Yes
n6	West	Yes	0.17	0.25	Yes
n4	East	Yes	0.19	0.25	Yes
n4	West	Yes	0.18	0.25	Yes
n19	East	No	0.21	0.25	Yes
n19	West	No	0.21	0.25	Yes
n24	East	Yes	0.19	0.25	Yes
n24	West	Yes	0.2	0.25	Yes
n15	North	No	0.18	0.25	Yes
n15	South	No	0.17	0.25	Yes

**DEMOGRAPHIC AND SERVICE PROFILE MAPS**

Demographic and Service Profile and Charts

On April 8 2012, a major service redesign project was put into place. Most of the 40 routes operated by the previous operator, Long Island Bus, an arm of the Metropolitan Transit Authority, were affected in some way. Many had schedule changes and adjustments implemented which adapted them to current ridership, running time, and traffic conditions and to improved transfer opportunities between NICE routes and between NICE and other carriers, principally the Long Island Rail Road. Some routes saw increases in vehicle hours and miles and others saw decreases. Care was taken to stop short of the 25% threshold in order to implement the change expeditiously and with a minimum of disruption to passengers and to Nassau County government.

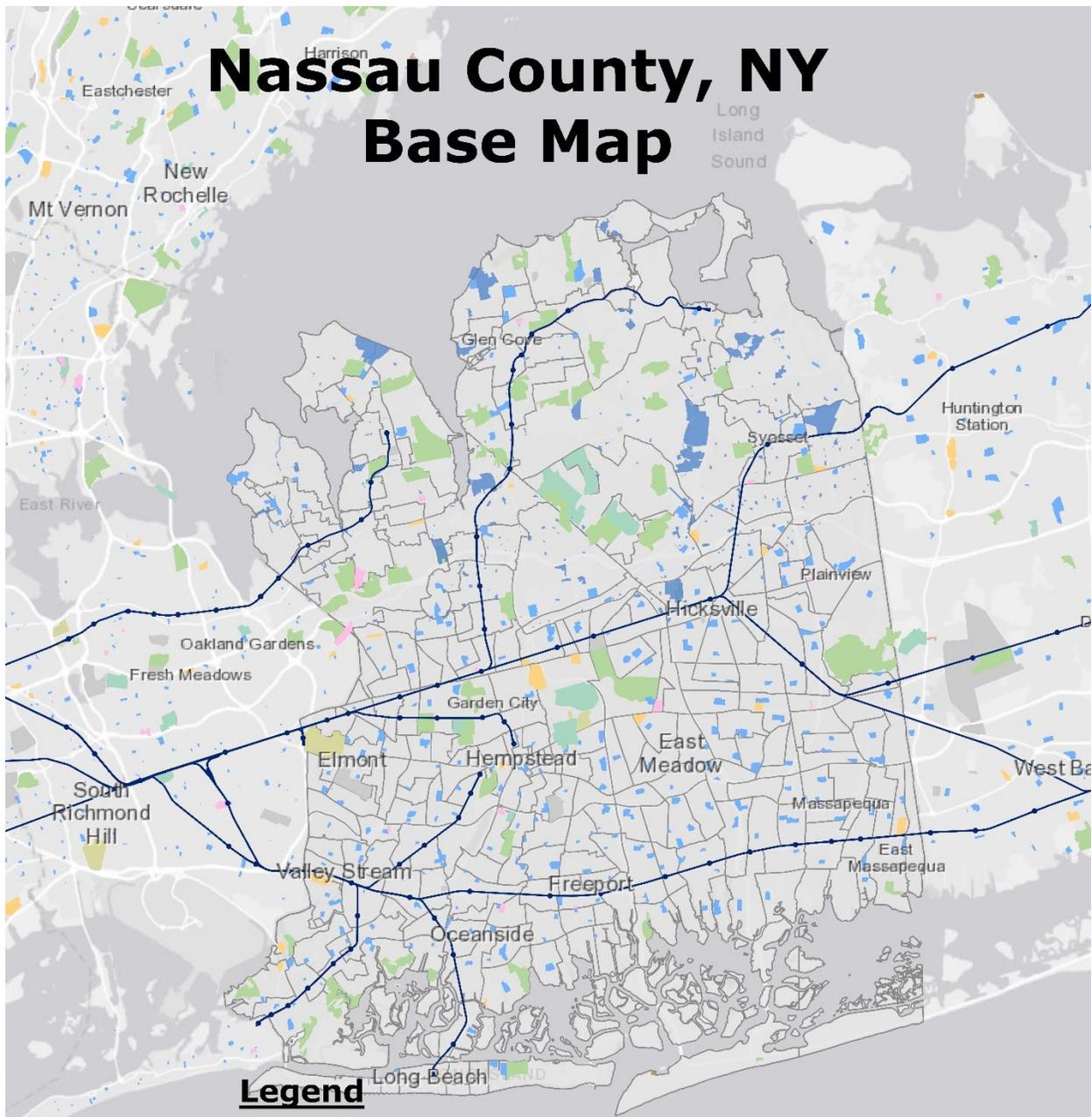
Additionally, significant improvements were created in the form of reinstatement of a route (n17 Hempstead-Rockville Centre) that had been eliminated by MTA several years earlier, addition of express trips to two routes, both of which are designated as minority routes, and improvements in connectivity with LIRR stations and schedules. During June of 2012 seasonal service to Jones Beach (n88) was also restored though it had been eliminated the previous year by the MTA.

In general, resources were allocated to the most heavily used routes in the system and away from very lightly used routes. But all existing routes were preserved and the service hours on every route were preserved at a level of no less than 75% of the previous levels. Chief beneficiaries of the reallocation process were two of the heaviest routes, n6 Hempstead-Jamaica and n22 Hicksville-Roosevelt Field-Jamaica, both of which saw additional service and the addition of express service. Both are classified as minority routes.

Integral to the planning process for this major service revision was a “Title VI Analysis” which was submitted to Nassau County for information purposes. Among its conclusions was that no route experienced a “major change” as then defined by the FTA. Though no formal public participation process requirement was triggered by the changes, public information sessions were held in two different locations in Nassau County during February of 2012. Included in the analysis of the April changes was the following table.

Maps were prepared in late 2018, using 2017 ACS data and are presented within this report for informational purposes.

# Nassau County, NY Base Map

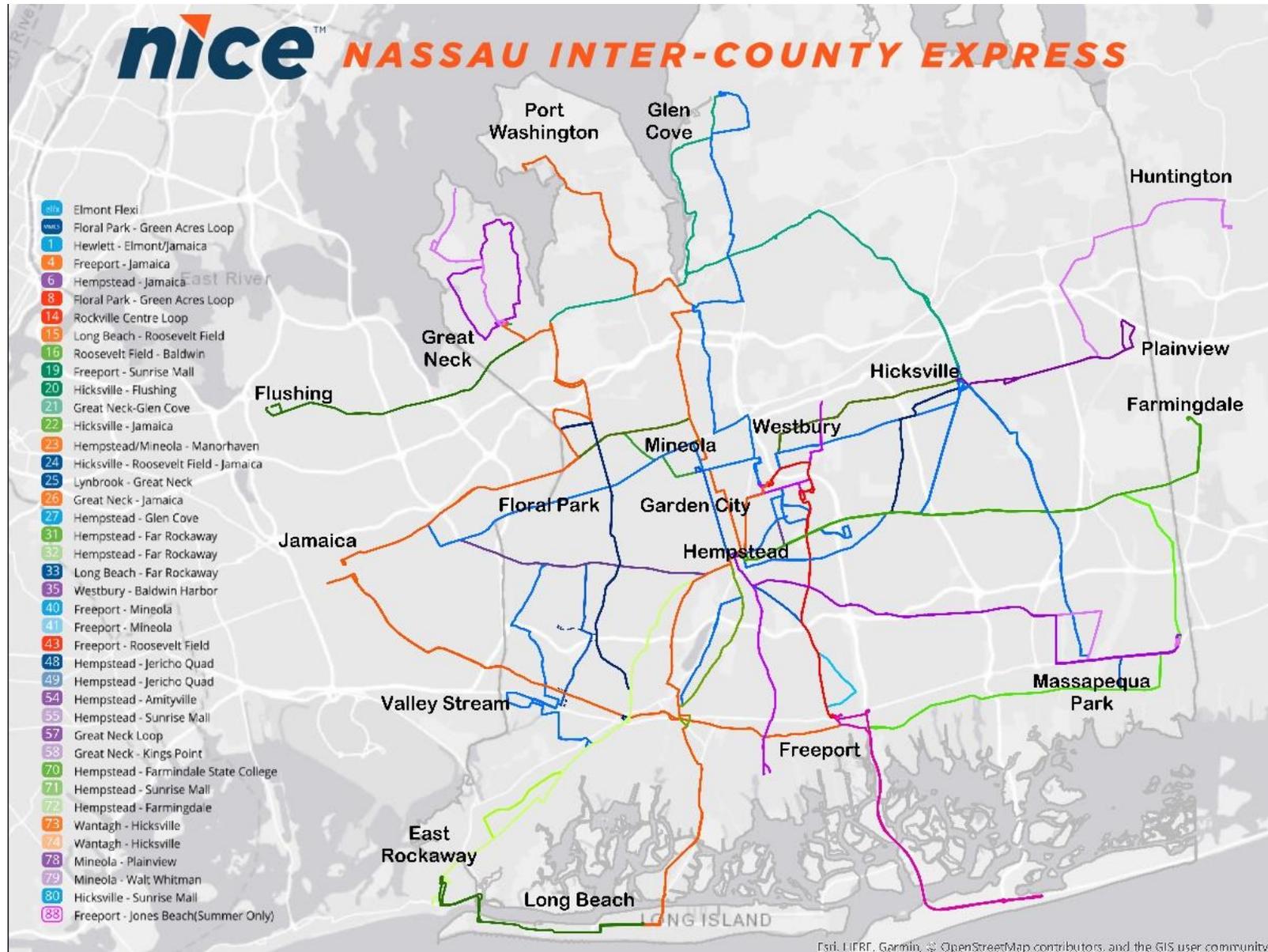


Amusement Park	Stadium
Cemetery	University or College
Golf Course	Federal Land
Hospital	County Property
Industrial Area	Census Tracts
Military Territory	LIRR Branch
School	LIRR Stations
Shopping Center	

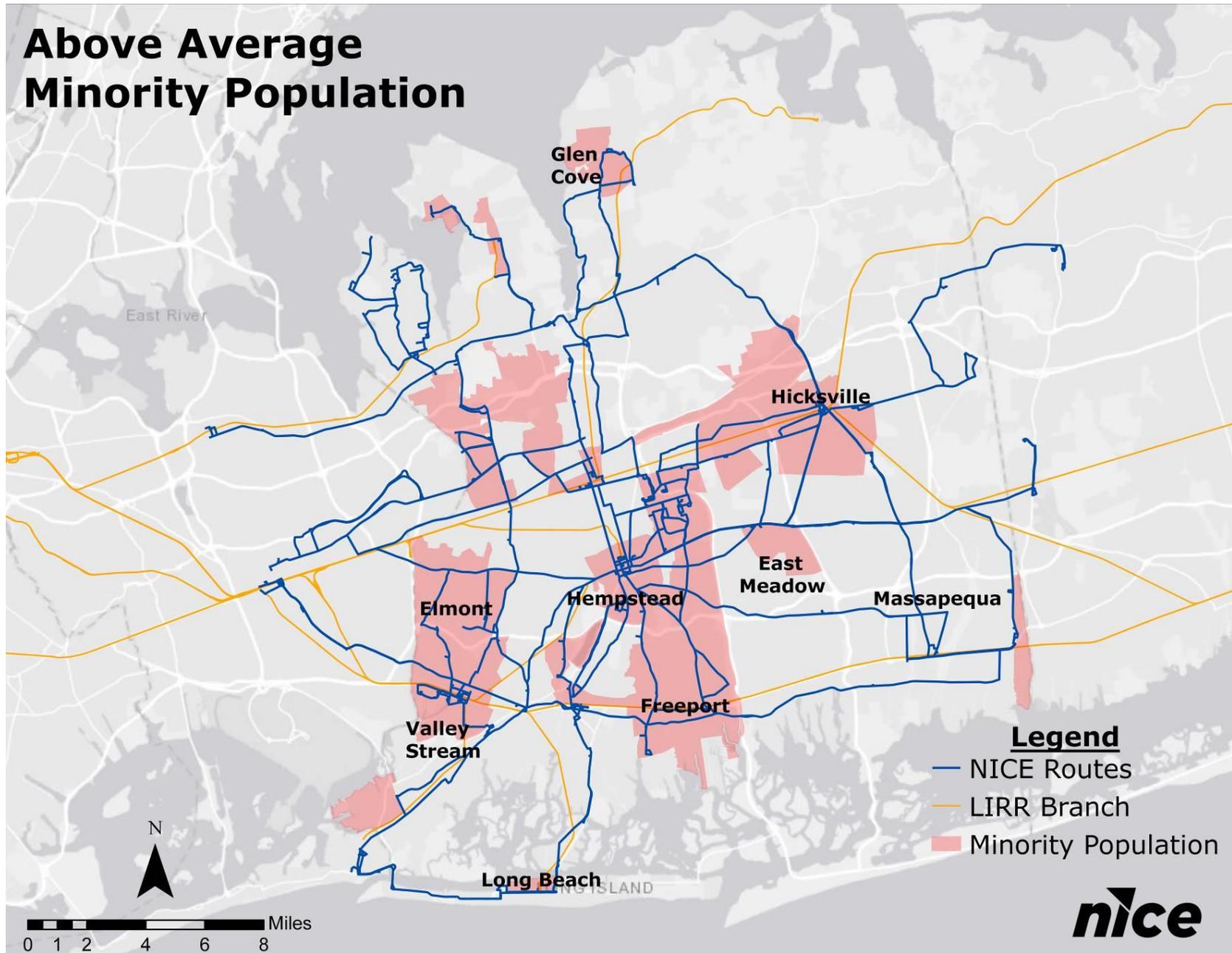
**nice**

Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

# NICE SERVICE AREA



# Above Average Minority Population

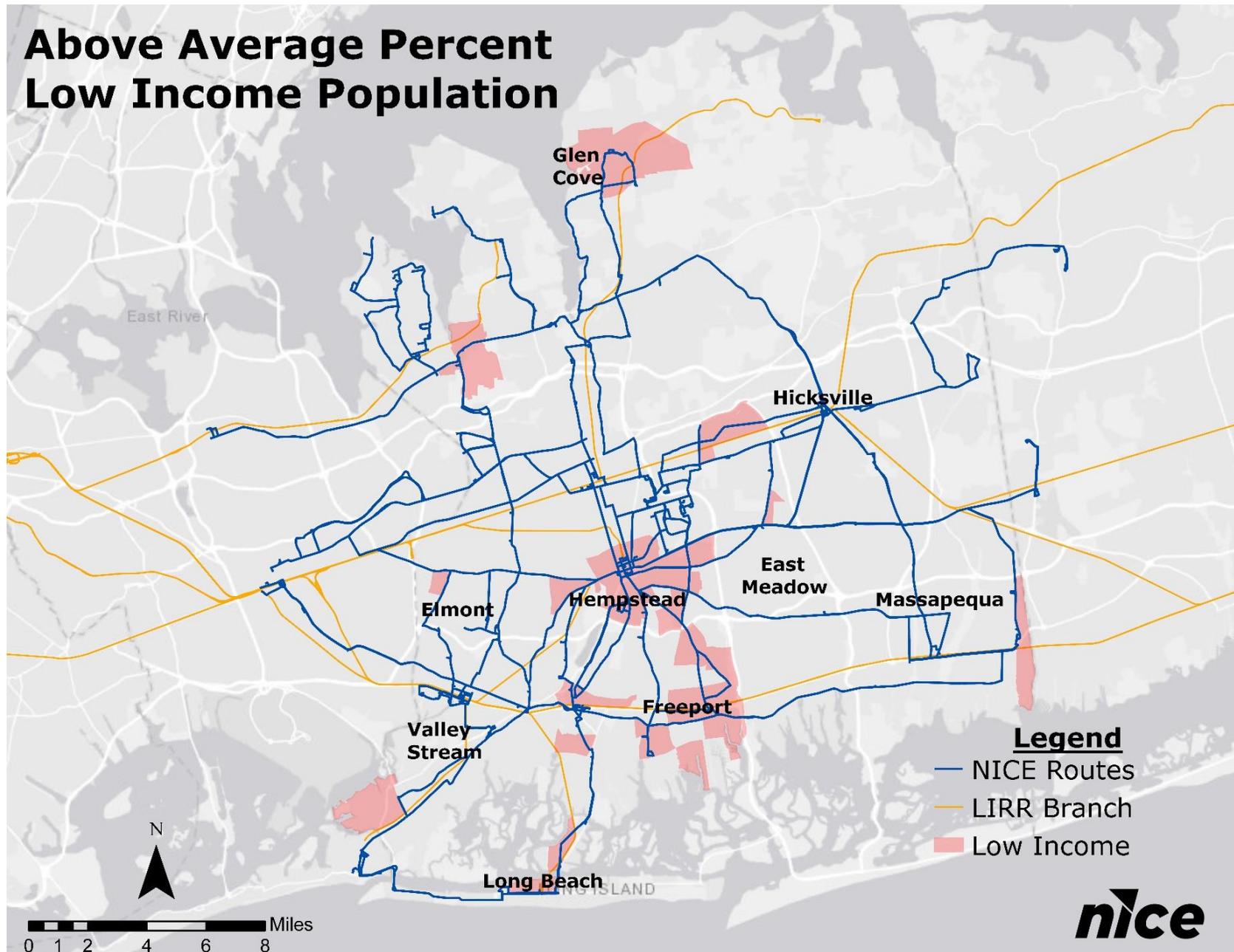


### Legend

- NICE Routes
- LIRR Branch
- Minority Population



# Above Average Percent Low Income Population



## MONITORING PROGRAM AND REPORT

### REQUIREMENT TO MONITOR TRANSIT SERVICE

Recipients are to adopt service standards describing the design and performance of transit routes and to then perform analyses of “Minority Transit Routes” versus non-minority routes comparing the degree to which the standards are met. Nassau County’s Bus Transit Committee adopted service standards on December 18, 2012. There are 6 standards which are described briefly here:

- **OTP** All routes are measured for On-time Performance with a minimum goal of 75%. OTP is currently measured using Clever Devices which capture real-time data, providing NICE with up-to-the-minute performance numbers. OTP = up to 5 minutes late or up to 1 minute early.
- **Span of Service** Routes identified as “key routes” are to operate for at least 14 hours a day between the commencement of the first morning trip and the conclusion of the last trip in the evening. Routes identified as “Suburb Routes” will operate for a span of at least 6 hours.
- **Frequency of Service** Key routes are to average a frequency of no greater than 30 minutes during the day and Suburb Routes no greater than 60 minutes between trips.
- **Vehicle Load** Buses operating during peak hours are to carry no more than 150% of seated capacity and during the off-peak hours and on weekends no more than 125%. Seated capacity is 41 on the newest buses.
- **Vehicle Assignment** To the extent that buses vary in material ways that affect passenger experience, buses are to be distributed equitably between Minority and non-minority routes. NICE has only two kinds of buses and the only material differences are floor height and mobility device access method.
- **Distribution of Transit Amenities** Non-vehicular elements of riders’ experience such as stop spacing, signage, shelters, and information resources are to be distributed equitably between minority and non-minority routes.

- **Service Accessibility** It is the Authority's policy to have service accessible to nearly all of the residents in NICE Bus' service area within a 1-mile walking distance during the weekday peak period. These walking distances increase during the midday, evenings, weekends, and owl periods due to a decrease in the level of passenger demand at these times and thus fewer frequencies of service.

## **Monitoring Service Standards**

### **Vehicle Assignment**

NICE Bus does not currently run vehicle specific routes. All vehicles, including new vehicles are randomly assigned each pull out. This ensures a random and fair distribution of the fleet throughout the system without regard to route.

## **Monitoring of Service Standards**

### **On-Time Performance Measurement**

<b>Minority Routes</b>		<b>Non-Minority Routes</b>	
<b><u>Routes</u></b>	<b><u>OTP</u></b>	<b><u>Routes</u></b>	<b><u>OTP</u></b>
n4	81%	n20	85%
n6	Headway	n23	85%
n15	85%	n54	79%
n31	Headway	n70	85%
		n80	82%

Data collected through Clever Devices daily for the period of September 2018 through January 2019. OTP is the average of all rides taken during this period per route. A trip is considered On-time when it arrives up to 5 minutes late and 1 minute early.

**Span of Service**

**Minority Routes Mon-Fri**

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n4	24h	
n6	24h	
n15	20h	5:10-1:11
n31	16h	5:15-8:48

**Non Minority Routes Mon-Fri**

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n20	17h	4:55-11:23
n23	18h	5:00-11:36
n54	17h	5:34-10:24
n70	17h	4:56-9:48
n80	14h	6:40-8:26

**Minority Routes Sat-Sun**

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n4	24h	
n6	24h	
n15	18h	6:25-12:49
n31	14h	5:55-8:05

**Non Minority Routes Sat-Sun**

<u>Routes</u>	<u>Span</u>	<u>Hours</u>
n20	17h	5:30-11:23
n23	16h	6:55-10:46
n54	17h	6:00-10:40
n70		
n80		

As demonstrated above, span of service is equitable across both minority and non-minority routes and, in general, falls within our overall system plan of 14 hours.

## Monitoring of Service Standards

### Headway Comparisons

#### Minority Routes

<u>Routes</u>	<u>Begin</u>	<u>End</u>	<u>Peak</u>	<u>Base</u>	<u>Peak</u>	<u>Night</u>	<u>Sat</u>	<u>Sun</u>
n4	24- Hour	Service	10	15	10	10	20	30
n6	24- Hour	Service	10	15	10	15	15	15
n15	5:10	01:11	15	20	15	30	20	30
n31	5:15	08:48	15	30	15	15	30	

#### Non Minority Routes

<u>Routes</u>	<u>Begin</u>	<u>End</u>	<u>Peak</u>	<u>Base</u>	<u>Peak</u>	<u>Night</u>	<u>Sat</u>	<u>Sun</u>
n20	4:55	11:23	15	30	20	30	15	30
n23	5:00	11:36	20	30	20	60	60	60
n54	5:34	10:24	30	60	30	40	40	60
n70	4:56	09:48	15	40	40	40		
n80	6:40	08:26	60	60	60	60		

As demonstrated above, headways for both minority and non-minority routes fall within our guidelines.

**Average Customer Loads**

Monday - Friday

**Minority Routes**

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n4	36	0	36
n6	38	0	38
n15	26	0	26
n31	12	0	12

**Non Minority Routes**

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n20	37	0	37
n23	24	0	24
n54	31	0	31
n70	29	0	29
n80	12	0	12

Saturday – Sunday

**Minority Routes**

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n4	11	0	11
n6	35	0	35
n15	37	0	37
n31	24	0	24

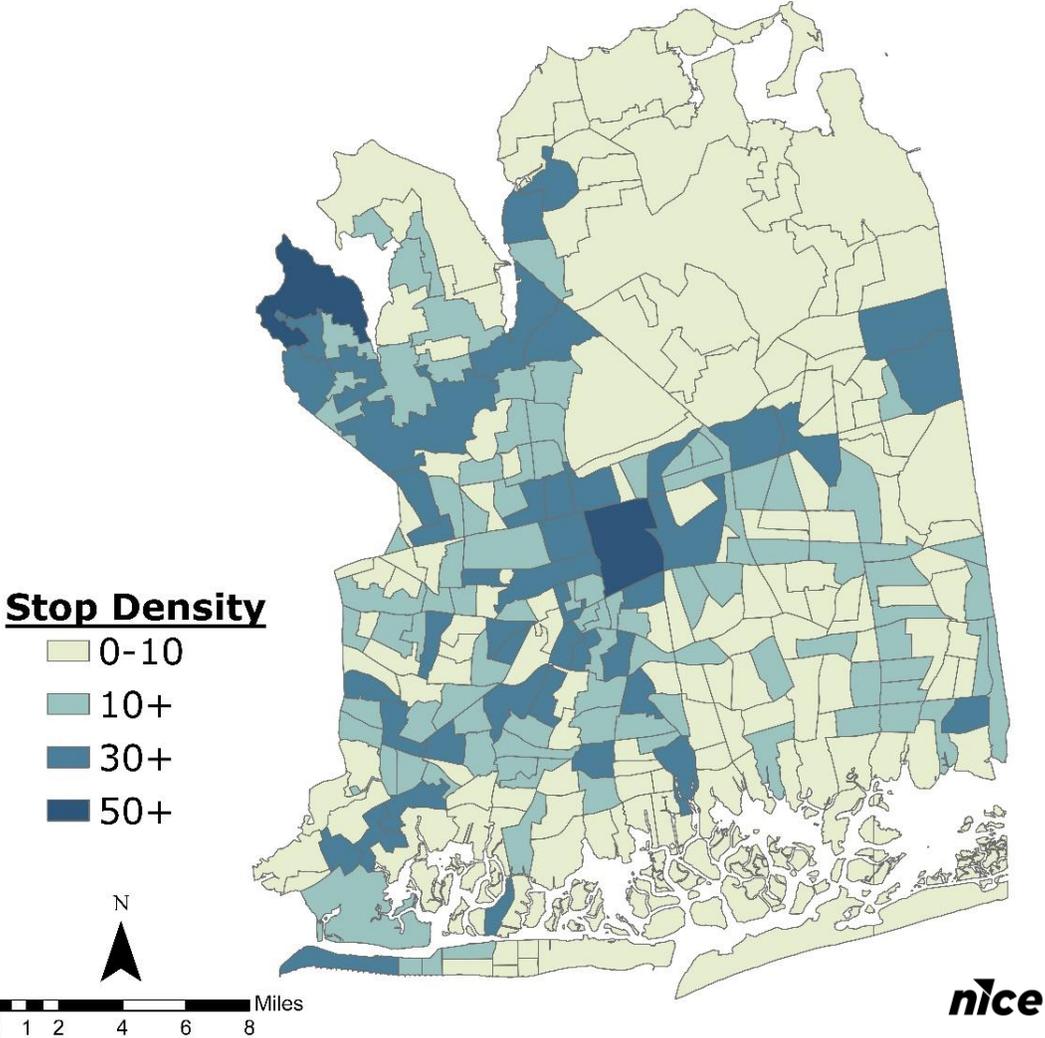
**Non Minority Routes**

<u>Routes</u>	<u>Sitting</u>	<u>Standing</u>	<u>Total</u>
n20	30	0	37
n23	16	0	24
n54	20	0	31
n70			
n80			

As demonstrated above, average Customer loads fall within our guidelines and are equitable for both groups.

**Service Accessibility**

It is NICE Bus policy to have service accessible to nearly all of the residents in the NICE Bus service area within a 1-mile walking distance during the weekday peak period. These walking distances increase during the midday, evenings, weekends, and owl periods due to a decrease in the level of passenger demand at these times and thus fewer frequencies of service.



The map above demonstrates stop density as it relates to various communities throughout Nassau County. Nassau County has approximately 4000+ stops with almost all falling within a half-mile of most residents which achieves our overall system goal and is equitable for both minority and non-minority residents.

## **Distribution of Transit Amenities**

Bus stops are spaced throughout the County at no more than ¼ of a mile in either direction.

<b><u>Route</u></b>	<b><u>Direction</u></b>	<b>Minority <u>Route</u></b>	<b>Average <u>Spacing</u></b>	<b>Service <u>Standard</u></b>	<b><u>Compliant</u></b>
n6	East	Yes	0.18	0.25	Yes
n6	West	Yes	0.17	0.25	Yes
n4	East	Yes	0.19	0.25	Yes
n4	West	Yes	0.18	0.25	Yes
n19	East	No	0.21	0.25	Yes
n19	West	No	0.21	0.25	Yes
n24	East	Yes	0.19	0.25	Yes
n24	West	Yes	0.2	0.25	Yes
n15	North	No	0.18	0.25	Yes
n15	South	No	0.17	0.25	Yes

As shown above, the stop locations are set within the guidelines discussed in this document and are equitable across both groups. NICE Bus does not control, own or maintain various bus shelters found throughout Nassau County as many are overseen by individual municipalities.

## **Analysis and Mitigation**

Service Standards are fully met on all routes including Minority Transit Routes, thus no mitigation measures are required at this time. NICE services on certain routes are heavily used and, though the Vehicle load standard is not violated, NICE is cognizant of the intense usage of certain lines and continues to look for ways to add service to over crowded routes, including the use of articulated buses.

## **Proof of Approval of Monitoring of Service Standards**

NICE Bus, operated by Transdev Services, on behalf of Nassau County has carried out monitoring of service standards as required by Title VI of the Civil Rights Act of 1964 and the implantation guidelines under circular 4702.1B

To my knowledge and belief, all data is correct and true:

A handwritten signature in cursive script, appearing to read "Jack Khzouz".

Jack Khzouz – CEO NICE Bus

## **MONITORING PROCESS OF NASSAU'S COUNTY SUBRECIPIENTS FOR TITLE VI COMPLIANCE**

Nassau County as a designated recipient of the Federal Transit Administration (FTA), submits a Title VI Program in compliance with the Civil Rights Act of 1964 and implementing guidelines under FTA Circular 4702.1B, published October 1, 2012.

In addition to the NICE service, Nassau County has a sub-recipient: the Town of North Hempstead previously received FTA funding in 2007 through the County for the purchase of two 30-foot transit vehicles. The Town operates a demand responsive transportation service (Project Independence) that allows the Town's senior and disabled residents to schedule a trip to shopping centers, doctor's visits and community events. The Town Board approved a Title VI Policy for the Town's transit program in 2011 and 2015. The transit program began operating in February 2012.

In accordance with 49 CFR 21.9(b), and to ensure that the County and its sub-recipient are in compliance with the Title VI requirements, the County undertakes the following activities as part of its annual monitoring process:

- (1) Conduct an annual site visit review to ensure compliance with the general reporting requirements, as well as other requirements that apply to the sub-recipient based on the type of entity and the number of fixed route vehicles it operates in peak service as a transit provider.
- (2) Notify, collect, and review the Title VI Program from the sub-recipient within a three-month time frame of due dates.
- (3) At the request of FTA, in response to a complaint of discrimination or as otherwise deemed necessary by the County, the sub-recipient will be required to verify that their level and quality of service provided is conducted on an equitable basis.



## **TOWN OF NORTH HEMPSTEAD TITLE VI POLICY**

### ***I. TITLE VI NONDISCRIMINATION STATEMENT***

The Town of North Hempstead (“Town”) seeks to ensure full compliance with Title VI of the Civil Rights Act of 1964; 49 CFR, Part 21; and related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, or national origin.

### **Toward this end, it is the Town’s objective to:**

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- B. Identify and address, as appropriate, disproportionately high and adverse effects of programs and activities on minority populations and low-income populations;
- C. Promote the full and fair participation of all affected populations in transportation decision making;
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to programs and activities by persons with limited English proficiency.

The responsibility for carrying out the Town’s commitment to this program has been delegated to the Title VI Coordinator by the Town Board and is responsible for the day-to-day operations of this Program.

The Town Attorney’s Office shall maintain overall authority for enforcement of the Town’s Title VI policies instituted and carried out by the Town. The Town Attorney shall exercise all powers delegated by the Supervisor, including, but not limited to, the receipt, acknowledgement, investigation, review, final disposition, and reporting of Title VI complaints. However, all managers, supervisors and employees share in the responsibility for making the Town’s Title VI Program a success.

Additional information concerning the Town’s Title VI obligations and the complaint procedure can be found on the Town’s web site [www.northhempsteadny.gov](http://www.northhempsteadny.gov) or by calling (516) 869-6311.

## **II. COMPLAINT PROCEDURES**

### **a. PURPOSE**

This complaint procedure is designed to provide guidance on the identification, reporting and investigation of complaints asserting claims arising under Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations “Title VI”. Title VI prohibits discrimination on the basis of race, color, and national origin, and provides that no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any federally-funded program or activity, including the services and other transit-related benefits provided by the Town. Title VI does not cover employment-related discrimination complaints arising under Title VII of the Civil Rights Act of 1964 and other statutes, which are governed by Policy/Code entitled Equal Employment Opportunity Policy (EEO)/ Anti-Discrimination Law.

### **b. SCOPE**

This procedure applies to all Town departments responsible for receiving, identifying, reporting, processing, and resolving complaints of discrimination asserted under Title VI.

### **c. DEFINITIONS**

1. Administrative Closure: A complaint that is closed without an investigation.
2. Complainant: An individual who files a Title VI complaint.
3. Discrimination: Any act or any failure to act, which has the effect of excluding or denying a person from participation in benefits, or has otherwise subjected a person to unequal treatment under any program or activity, including transit services and other benefits, because of race, color, or national origin.
4. Title VI Complaint: A written complaint alleging a violation of Title VI made by a Complainant, usually a customer, and filed with the Town Attorney’s office. Only complaints alleging discrimination in transit services and benefits provided by the Town on the basis of race, color, or national origin will be considered Title VI complaints for purposes of this Policy.
5. Title VI Program: The system of requirements, procedures, and actions adopted by the Town, and approved by the Federal Transit Administration (FTA), which are deemed necessary and appropriate to comply with Title VI.

### **d. RESPONSIBILITIES**

1. Town Attorney’s office- Maintains overall authority for enforcement of the Town’s Title VI policies instituted and carried out by the Town Attorney’s office. The Town Attorney shall exercise all powers delegated by the Supervisor, including,

but not limited to, the receipt, acknowledgement, investigation, review, final disposition, and reporting of Title VI complaints.

2. Title VI Coordinator: Reports to the Town Attorney and is responsible for the coordination, development, implementation, and monitoring and training of and for the Town's Title VI Program. The Coordinator will reside in the Department of Finance.
3. Town Responsibilities: Any department, division, or office may receive a complaint alleging what might arguably be construed as a Title VI violation. For those complaints it receives, the department or division is responsible for responding in the same fashion as it would respond to any other service-related complaint. However, if the complaint appears to allege a Title VI violation, the receiving department should also notify the Complainant of his or her right to follow up by filing a written Title VI complaint. With respect to each such response, the receiving department should advise the Complainant of the following:

“The Town is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its services on the basis of race, color or national origin as protected by Title VI of the Civil Rights Act of 1964 (“Title VI”). If you believe you have been subjected to discrimination under Title VI, you may file a written complaint with the Town Attorney’s office at 220 Plandome Road, Manhasset, NY 11030”.

The department or division shall report all complaints it receives that might arguably be construed as asserting allegations of Title VI discrimination to the Town Attorney’s office within a reasonable time after receiving such complaint.

*e. PROCEDURES*

1. How to File a Title VI Complaint (using the Title VI complaint form)

Title VI complaints must be filed within 180 days of the most recent allegation of discrimination. The complaint must include the following information:

- A written statement of facts supporting the allegation of discrimination, including the date of the alleged discrimination, the location and the names, addresses, and telephone numbers of any witnesses;
- The Complainant’s name, address, telephone number, electronic mail address or other method of communicating with the Complainant;
- The type of discrimination alleged, i.e., race, color, or national origin;
- The name or other identifying information of the individual alleged to have engaged in the discrimination;
- The transit service or other benefit that the Complainant was allegedly

denied.

A complaint must be filed in writing with the Town as follows:

Town Attorney's Office  
Town of North Hempstead  
220 Plandome Road  
Manhasset, NY 11030

An individual who alleges a violation of Title VI either by telephone or e-mail will be advised that such a complaint must be made in writing to the Town Attorney's office.

For assistance to complainants, a sample Complaint Form is included for filing a Title VI complaint with the Town.

## 2. Assignment of Title VI Complaint Number

All complaints alleging race, color, or national origin discrimination in a service or benefit provided by the Town should be immediately assigned a complaint number by the Town Attorney's office. However, only when a written complaint is received should the Town Attorney's office assign a Title VI complaint number.

## 3. Acknowledgement of the Complaint

The Town Attorney's office should send written confirmation to the Complainant within a reasonable time, advising the Complainant that the Town has received the complaint and is reviewing its allegations.

## 4. Processing the Complaint

The Town Attorney's office should provide appropriate assistance to Complainants, including those persons with disabilities, or who speak a language other than English, or who may need assistance in submitting their complaints to the appropriate department.

In instances where additional information is needed for assessment or investigation of the complaint, the Town Attorney's office shall contact the Complainant in writing within a reasonable time. The Town Attorney's office should explain in the letter to the Complainant that the failure to provide the requested information by a certain date may result in the administrative closure of the complaint.

## 5. Complaint Investigation

The Town Attorney's office should prepare a draft written response or, if appropriate, administratively close the complaint. The Town Attorney's office should use best efforts to respond to Title VI complaints within 60 working days of its receipt of such complaints. The Town Attorney's office will send a final written response to the Complainant and advise the Complainant of his or her right to file a complaint externally.

6. External Redress

In addition to the complaint process within the Town, a Complainant may file a Title VI complaint with the U.S. Department of Transportation, Federal Transit Administration, Office of Civil Rights, One Bowling Green, Room 429, New York, NY 10004-1415.

7. Freedom from Reprisal or Interference

Reprisal against or interference with a Complainant's right to file a Title VI complaint, testify, assist, or participate in any manner in an investigation constitutes a violation of the Town's Title VI Program.

8. Title VI Training

The Coordinator is responsible for the coordination of Title VI Awareness Training. Personnel in Town departments who manage and supervise the handling of customer complaints will periodically attend such Title VI Awareness Training.

9. Monitoring and Reporting

The Coordinator shall monitor the implementation of the Title VI complaint procedure and shall annually develop a report of alleged Title VI complaints and the disposition of such complaints. The Coordinator will also ensure that the public is made aware of the avenues for filing Title VI complaints.

Approved by North Hempstead Town Board on May 24, 2011/Resolution #346-2011



TOWN OF NORTH HEMPSTEAD

(THE TOWN) TITLE VI COMPLAINT FORM

Title VI of the Civil Rights Act of 1964 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.”

The Environmental Justice component of Title VI guarantees fair treatment for all people and provides for the Town, to identify and address, as appropriate, disproportionately high and adverse effects of its programs, policies, and activities on minority and low-income populations, such as undertaking reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful access to the programs, services, and information the Town provides.

The Town works to ensure nondiscriminatory transportation in support of our mission to provide effective and efficient management and delivery of public, specialized, and coordinated transportation services in North Hempstead. The Town’s Title VI Coordinator is responsible for civil rights compliance and monitoring to ensure non-discriminatory provision of transit services and programs.

Complaint No.: \_\_\_\_\_

Complainant’s Name \_\_\_\_\_

Home Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Work Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

List type of discrimination (please check all that apply):

Race ( )

National Origin ( )

Color ( )

Other \_\_\_\_\_

Please indicate your race/color, if it is a basis of your complaint: \_\_\_\_\_

Please describe your national origin, if it is a basis of your complaint: \_\_\_\_\_

Location where incident occurred: \_\_\_\_\_

Time and date of incident: \_\_\_\_\_

Name/Position title of the person who allegedly subjected you to Title VI discrimination:

\_\_\_\_\_

Briefly describe the incident (use a separate sheet, if necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Did anyone else witness the incident? Yes ( ) No ( ) List

witnesses (Use a separate sheet, if necessary):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Have you or the person identified in section 6 filed this complaint with any other federal, state, or local agency; or with any federal or state court? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, check all that apply:

\_\_\_\_\_ Federal agency \_\_\_\_\_ Federal court \_\_\_\_\_ State agency \_\_\_\_\_ State court

\_\_\_\_\_ Local agency

Please provide information about a contact person at the agency/court where the complaint was filed.

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **MUNICIPIO DE NORTH HEMPSTEAD POLIZAS DE TÍTULO VI**

### **I. Título VI declaración de no discriminación**

**El Municipio de North Hempstead ("pueblo") intenta garantizar el pleno cumplimiento de Título VI de la ley de Derechos Civiles de 1964; 49 CFR, parte 21; relacionados estatutos y reglamentos cuales indican que ninguna persona deberá ser excluida de la participación en o ser negada los beneficios de o ser objeto de discriminación bajo ningún programa o actividad cual recibe asistencia financiera federal bajo el Departamento de Transporte de los Estados Unidos por motivos de raza, color u origen nacional.**

**Por esa razón, es objetivo del Municipio:**

- A. Asegúrese de que el nivel y la calidad de servicios de transporte es proporcionado sin distinción de raza, color u origen nacional;**
- B. Identificar y dirigir, en forma adecuada, desproporcionadamente altos y adversos efectos de programas y actividades en las minorías y las poblaciones de bajos ingresos**
- C. Promover la participación plena y equitativa de todas las poblaciones afectadas en las decisiones de transporte;**
- D. Evitar la negación, reducción o retraso en los beneficios relacionados con programas y actividades que benefician a las poblaciones minorías o poblaciones de bajos ingresos;**
- E. Asegurar un acceso significativo a los programas y las actividades de las personas con conocimiento limitado del inglés.**

**La responsabilidad de este programa ha sido delegado al Coordinador de Título VI por la Junta del Municipio y es responsable por manejar las responsabilidades diarias de este programa.**

**La Fiscalía del Municipio deberá mantener la autoridad general para la ejecución de pólizas de Título VI del Municipio instituido y llevada a cabo por el Municipio. El abogado del Municipio podrá ejercer todos los poderes delegados por el Supervisor, incluyendo, pero no limitado a, la recepción,**

**reconocimiento, investigación, revisión, disposición final y la notificación de las denuncias del Título VI. Sin embargo, todos los gerentes, supervisores y empleados comparten la responsabilidad de hacer que el programa Título VI sea un éxito.**

**Para información adicional sobre las obligaciones de Título VI Del Municipio North Hempstead, visite [www.northhempsteadny.gov](http://www.northhempsteadny.gov) o llamando al (516) 869-6311.**

## ***1. Procedimientos de denuncia***

### ***a. Propósito***

Este procedimiento de queja está diseñado para proporcionar orientación sobre la identificación, reporte e investigación de quejas afirmando las reclamaciones acerca de título VI de la ley de derechos civiles de 1964, enmendada y su normativa de desarrollo "Título VI". Título VI prohíbe la discriminación de la base de raza, color y origen nacional y proporciona que ninguna persona deberá ser excluida de la participación, negado los beneficios de, o ser objeto de discriminación en programas financiados por el Gobierno Federal de actividad, incluyendo los servicios y otros beneficios relacionados con el transporte proporcionados por la ciudad. Título VI no cubre las quejas de discriminación laboral que surjan bajo el título VII de la ley de derechos civiles de 1964 y otras leyes, que se rigen por la política/código titulado política de igualdad de oportunidad de empleo (EEO) / Ley contra la discriminación.

### ***b. Ámbito de aplicación***

Este procedimiento se aplica a todos los departamentos del Municipio responsables de recibir, identificar, informes, procesamiento y resolver denuncias de discriminación afirmado bajo el Título VI.

### ***c. definiciones***

1. **Cierre administrativo**: una denuncia que está cerrada sin una investigación.
2. **Autor**: un individuo que presenta una queja del título VI.
3. **Discriminación**: cualquier acto o cualquier omisión, que tiene el efecto de excluir o negar a una persona de la participación en beneficios, o ha sufrido una persona a un trato desigual bajo cualquier programa o actividad, incluyendo servicios de tránsito y otros beneficios, a causa de raza, color u origen nacional.

4. Título VI denuncia: una queja alegando una violación del título VI hecha por el demandante, por lo general un cliente y ante la Fiscalía del Municipio. Sólo denuncias de discriminación en los servicios de tránsito y los beneficios proporcionados por el municipio por motivos de raza, color u origen nacional se considerará quejas título VI para propósitos de esta política.
5. Título VI Programa: el sistema de requisitos, procedimientos y acciones adoptadas por el Municipio y aprobado por la Administración Federal de tránsito (FTA), que se consideran necesarias y adecuadas cumplir con el título VI.

#### ***d. responsabilidad***

1. Oficina del fiscal del Municipio- mantiene la autoridad general para la ejecución de políticas de título VI de la ciudad instituido y llevada a cabo por la Fiscalía de la ciudad. El abogado de la ciudad podrá ejercer todos los poderes delegados por el Supervisor, incluyendo, pero no limitado a, la recepción, reconocimiento, investigación, revisión, disposición final y la notificación de las denuncias del título VI.
2. Título VI Coordinador: informes a la Fiscalía del Municipio y es responsable de la coordinación, desarrollo, implementación y supervisión y capacitación de y para título VI Programa del pueblo. El Coordinador se ubicará en el Departamento de Finanzas.
3. Responsabilidades del Municipio: cualquier departamento, división u oficina puede recibir una queja de lo que posiblemente podría interpretarse como una violación del título VI. Para las quejas que recibe, el departamento o división es responsable de responder de la misma manera como respondería a cualquier queja relacionada con el servicio. Sin embargo, si la queja parece que alegan una violación del título VI, el Departamento de recepción también debe notificar al demandante de su derecho de seguimiento mediante la presentación de una queja por escrito del título VI. Con respecto a cada respuesta de este tipo, el Departamento de recepción debe aconsejar al demandante de las siguientes acciones:

"El Municipio de North Hempstead se compromete a garantizar que ninguna persona está excluida de la participación en, o negada los beneficios de sus servicios sobre la base de raza, color u origen nacional como protegido en el título VI de la ley de derechos civiles de 1964"(título VI de). Si usted cree que ha sido sometidos a discriminación bajo el Título VI, usted puede presentar una queja por escrito con la Fiscalía del Pueblo, dirección postal: 220 Plandome Road, Manhasset, Nueva York 11030 ".

El departamento o la División informará a todas las quejas que recibe posiblemente podrían interpretarse como afirmación de denuncias de discriminación de título VI a la Fiscalía del Municipio en un plazo razonable después de recibir la denuncia.

#### ***e. procedimientos***

1. Cómo presentar una queja de título VI (usando el formulario de queja de título VI)

Título VI quejas deben ser presentadas dentro de 180 días de la más reciente acusación de

discriminación. La queja debe incluir la siguiente información:

- **Una declaración escrita de los hechos en que la denuncia de** discriminación, incluida la fecha de la supuesta discriminación, la ubicación y los nombres, direcciones y números de teléfono de los testigos;
- **Nombre del autor, dirección, teléfono dirección de correo** electrónico, número u otro método de comunicación con el demandante;
- **El tipo de discriminación, afirma, es decir, raza, color u origen** nacional;
- **El nombre u otra información de la persona que supuestamente han** participado en la discriminación;
- **El tránsito de servicio u otro beneficios que supuestamente negó el** querellante.

**Una queja debe presentarse por escrito con la ciudad como sigue:**

**Oficina del fiscal**

*Municipio de North Hempstead*

220 Plandome Road  
ManhassetNY 11030

Un individuo que alegue una violación del título VI, ya sea por teléfono o correo electrónico será informado que dicha queja debe hacerse por escrito a la Fiscalía de la ciudad.

Asistencia a los denunciantes, una muestra de formulario de reclamación se incluye para presentar una queja de título VI con la ciudad.

**2. Asignación de título VI queja número**

Todas las denuncias de raza, color o discriminación de origen nacional en un servicio o beneficio proporcionado por la ciudad deben ser inmediatamente le asigna a un número de queja por la Fiscalía de la ciudad. Sin embargo, sólo cuando se recibe una queja por escrito debe la Fiscalía de la ciudad asignar a un número de queja del título VI.

**3. Reconocimiento de queja**

La Fiscalía de la ciudad debe enviar una confirmación por escrito al demandante dentro de un plazo razonable, asesorando a los querellantes que la ciudad ha recibido la denuncia y está revisando sus alegatos.

**4. Proceso de queja**

La Fiscalía del Municipio debe proporcionar asistencia apropiada a los denunciantes,

incluyendo a las personas con discapacidad, que hablan un idioma diferente al inglés, o que necesite ayuda en la presentación de sus quejas al departamento correspondiente.

En casos donde se necesita información adicional para la evaluación o investigación de la denuncia, la Fiscalía del Municipio pondrá en contacto con el autor por escrito dentro de un plazo razonable. La Fiscalía del Municipio debe explicar en la carta a la organización querellante que la falta de proporcionar la información solicitada en una fecha determinada puede resultar en el cierre administrativo de la queja.

#### **5. Investigación de la queja**

La Fiscalía del Municipio debe preparar un borrador de respuesta por escrito o, en su caso, cierre administrativamente la queja. La Fiscalía de la ciudad debe utilizar mejores esfuerzos para responder a quejas del título VI dentro de 60 días hábiles de la recepción de las quejas.

La Fiscalía del Municipio enviará una respuesta por escrito final al demandante y aconsejar al demandante de su derecho a presentar una queja externamente.

#### **6. Reparación externa**

Además del proceso de queja dentro de la Pueblo, el demandante puede presentar una queja de título VI con el Departamento de transporte de Estados Unidos, Administración Federal de tránsito, Oficina de Derechos Humanos, One Bowling Green, sala 429, Nueva York, NY 10004-1415.

#### **7. Libertad de represalia o interferencia**

Represalia contra o interferencia con el demandante del derecho a presentar una queja del título VI, testificar, ayudar o participar en alguna manera en una investigación constituye una violación del título VI Programa de la.

#### **8. Título VI formación**

El coordinador es responsable de la coordinación de la formación de conciencia de título VI. Personal en los departamentos del Municipio que administran y supervisan el manejo de quejas de clientes periódicamente asistirán a esa formación de conciencia título VI.

#### **9. Monitoreo y Informe**

El Coordinador supervisará la aplicación del procedimiento de queja del título VI y elaborará anualmente un informe de supuestas denuncias de título VI y la disposición de tales denuncias. El Coordinador también se asegurará de que el público se hace consciente de las avenidas para la presentación de quejas del título VI.

FECHA: APROBADO:

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Abogado del Municipio

**MUNICIPIO DE NORTH HEMPSTEAD**  
**FORMULARIO DE QUEJA DE TÍTULO VI**

Título VI de la ley de derechos civiles de 1964 prohíbe la discriminación por **raza, color, u origen nacional** en programas y actividades que reciben asistencia financiera Federal. Específicamente, título VI establece que "ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, se excluirá de la participación en, ser negada los beneficios de o ser objeto de discriminación bajo ningún programa o actividad que reciba asistencia financiera Federal."

El componente de justicia ambiental del título VI garantiza un trato justo para todas las personas y ofrece para que la ciudad, para identificar y proporciona dirección, según corresponda, desproporcionadamente altas y adversos efectos de sus actividades, programas y políticas sobre minorías y las poblaciones de bajos ingresos, como empresa medidas razonables para garantizar que las personas de inglés limitado (LEP) tienen significativa el acceso a la información, programas y servicios del Municipio.

El Municipio de North Hempstead trabaja para asegurar el transporte NO discriminatorio para apoyar nuestra misión proporcionar eficaz y eficiente la gestión y prestación de servicios de transporte público, especializados y coordinados en el Municipio de North Hempstead. El Coordinador de la Municipio título VI es responsable del cumplimiento de los derechos civiles y monitoreo para garantizar no discriminatoria prestación de servicios de tránsito y programas.

Queja N°:

Nombre de querellante \_\_\_\_\_

Telefono de casa: \_\_\_\_\_ dirección de correo electrónico: \_\_\_\_\_

Telefono de Trabajo: \_\_\_\_\_

(direccion): \_\_\_\_\_

(Ciudad): \_\_\_\_\_ (Codigo Postal): \_\_\_\_\_

Tipo de discriminación (Marque todas las que apliquen): Raza ( ) ( )

de origen nacional

( ) (de Color)

Other(Otro) \_\_\_\_\_

Por favor indique su raza/color, si es una base de su queja: \_\_\_\_\_

Por favor describa su origen nacional, si es una base de su queja: \_\_\_\_\_

Lugar donde ocurrió el incidente: \_\_\_\_\_

Hora y fecha del incidente: \_\_\_\_\_

Nombre/posición de la persona que supuestamente le sometidos a discriminación de título VI:

\_\_\_\_\_

Describa brevemente el incidente (use una hoja aparte, si es necesario):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

¿Nadie presenció el incidente? No \_\_\_\_\_ Sí \_\_\_\_\_

Testigos de la lista (Use otra hoja, si es necesario):

(Nombre): \_\_\_\_\_

(Direccion): \_\_\_\_\_

Telefono: \_\_\_\_\_

(Nombre): \_\_\_\_\_

(Direccion): \_\_\_\_\_

**Telefono:** \_\_\_\_\_

¿Usted o la persona identificada en la sección 6 presentada esta queja con cualquier otro federal, estatal o agencia local; ¿o con cualquier tribunal federal o estatal? \_\_\_\_\_ Sí  
\_\_\_\_ No

Si sí, compruebe todas las que apliquen:

\_\_\_\_ Agencia Federal \_\_\_\_\_ Federal \_\_\_\_\_ Agencia Estatal \_\_\_\_\_ Tribunal Estatal

Agencia \_\_\_\_\_ Local

Sírvanse proporcionar información sobre una persona de contacto en la Agencia/corte donde se presentó la queja.

(Nombre) \_\_\_\_\_

(Direccion) \_\_\_\_\_

\_\_\_\_ Ciudad, estado y código postal

\_\_\_\_Número de teléfono

Por favor firme abajo. Puede adjuntar cualquier material escrito o cualquier otra información que usted piensa que es relevante a su queja.

\_\_\_\_\_ Firma

\_\_\_\_\_ Fecha

**Telephone No.:(Num.Telefono)** \_\_\_\_\_

## **PUBLIC ENGAGEMENT PROCESS FOR SETTING THE “MAJOR SERVICE CHANGE POLICY,” DISPARATE IMPACT POLICY, AND DISPROPORTIONATE BURDEN POLICY**

NICE and Nassau County are committed to engage the public in a meaningful way (including receipt and consideration of the public’s comments on the draft Title VI Program for NICE Bus operations) prior to approval of the Program (that is, prior to approval of the Program by Nassau County Executive).

NICE in conjunction with Nassau County followed the following process to engage the public in the review/comment of the Title VI Program and all its elements.

Notices were posted during the third week in March 2016, in a variety of media (NICE and Nassau County websites, NICE Facebook page, in local newspapers, on buses and transit centers (Hempstead Transit Center, Roosevelt Field, Hicksville and Mineola) advising the public of the following:

- That a draft Title VI Program for NICE Bus had been developed;
- That the draft Title VI Program was available for public review;
- That the Program was to be subject to final approval by the County Executive
- That the public was invited to file comments in writing to Transdev and the County Executive by the end of March allowing sufficient time for receipt and consideration of the comments before the Program was reviewed for approval.

## **MAJOR SERVICE CHANGE POLICY**

All major increases or decreases in transit service are subject to a Title VI Equity Analysis prior to approval of the service change. A Title VI Equity Analysis completed for a major service change must be presented to the Bus Transit Committee for its consideration and included in the NICE Title VI Program with a record of action taken by the BTC.

A major service change is defined as:

A reduction or increase of 25 percent or more in total vehicle revenue miles or hours in service on any specific route. The following service changes are exempted:

Changes to a service on a route with fewer than 10 total trips in a typical service day are not considered “major” unless service on that route is reduced or increased by 50 percent or more in total vehicle revenue miles or hours.

The introduction or discontinuation of short- or limited-term service (e.g., promotional, demonstration, seasonal or emergency service, or service provided as mitigation or diversions for construction or other similar activities), as long as the service will be/has been operated for no more than twelve months. NICE-operated transit service that is replaced by a different mode or operator providing a service with the same or better headways, fare, transfer options, a span of service, and stops.

## **REGULATORY REQUIREMENTS**

As stated in the Major Service Change Policy, all major increases or decreases in transit service must be presented to the Bus Transit Committee for its consideration. Nassau Inter-County Express (NICE) during its annual system-wide evaluations will identify any necessary changes.

NICE in accordance with Title VI regulations, will assess whether the needed changes will constitute a change that meets the category of “Major Service Change”. If the changes will be Major, NICE will conduct the proper analysis to make sure that the changes are implemented in a non-discriminatory manner with respect to both the minority and income status of riders.

## **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 exist 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 nonminority 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, NICE will 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, NICE will evaluate whether there is an alternative that has a more equitable impact. Otherwise, NICE will 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 20 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.

## **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.*

NICE 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 20 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.

**RESULTS OF SERVICE AND/OR FARE EQUITY  
ANALYSES CONDUCTED SINCE THE LAST  
TITLE VI PROGRAM SUBMISSION  
SPRING 2016 – SPRING 2016**

<b>Analysis</b>	<b>Conclusion Page</b>	<b>TC Approval</b>	<b>Approval Page(s)</b>
Fare Equity Analysis – 2019	120		
Service Equity Analysis – 2017	138		
Service Equity Analysis – 2016	148		



Title VI Fare Equity Analysis  
Nassau Inter-County Express  
2019

## **EXECUTIVE SUMMARY**

### **Regulatory Requirements**

Nassau Inter-County Express or NICE operated by Transdev North America is conducting a Fare Equity Analysis under Title VI of the Civil Rights Act of 1964 to evaluate a proposal to increase cash fares by \$0.25 in the Spring of 2019. In compliance with the Federal Transit Administrations (FTA) Circular 4702.1B, NICE will conduct a study which requires NICE Bus to evaluate fare change proposals to determine if such changes have a discriminatory impact on minority or low-income populations.

### **NICE Bus Service Profile**

NICE service covers Nassau County, New York and serves the County's 1.3 million residents over 285 square miles. The service area extends to Suffolk County in the East and into Queens to the West. The area is comprised of both suburban and urban areas. The service provides approximately twenty-nine million rides annually, or approximately 100,000 per day.

The proposed \$0.25 fare increase to cash fares are needed to help bridge a funding gap created by rising costs, attributable to negotiated labor increase, fuel costs and the rising cost of medical benefits.

## **Title VI Guidelines**

Section 601 of Title VI of the Civil Rights Act of 1964 states the following:

*“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 FTA Circular 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients was published in 2012 by the FTA in order to comply with the law and fulfill the requirement for all transit agencies receiving Federal funds to develop and implement an agency-wide Title VI program. Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” is a directive from the Federal government to prevent minority communities and low-income populations from being subject to disproportionately high and adverse environmental effects. The FTA circular on Title VI compliance states that while low-income populations are not a protected class under Title VI there is an “...inherent overlap of environmental justice principles in this area, and because it is important to evaluate the impacts of service and fare changes on passengers who are transit-dependent, FTA requires transit providers to evaluate proposed service and fare changes to determine whether low-income populations will bear a disproportionate burden of the changes.”

Since NICE receives federal funding from the FTA via Nassau County’s administration, NICE Bus must comply with the circular. In accordance with Chapter 4 of 4702.1B of the FTA Title VI guidelines, fixed route transit providers that operate fifty or more fixed route vehicles in the peak and are in an urbanized area of a population of 200,000 or more are required to analyze the impacts of any fare changes to their system. NICE’s service exceeds these thresholds, and therefore a fare equity analysis is required for the proposed fare increase.

## CURRENT FARE STRUCTURE

The following is a summary of the fare categories and pricing currently governing NICE Bus system:

\$2.75	<b>Regular Fare</b>
\$1.35	<b>Senior Fare</b> <hr/> <p>Must be 65 years and older or a Medicare Card Holder</p> <p><i>Acceptable Forms of ID:</i></p> <ul style="list-style-type: none"><li>• Medicare Card</li><li>• Governmental Issued ID</li><li>• Nassau County Senior Citizen Leisure pass ( <a href="#">Apply Here</a> )</li></ul>
	<b>Disabled Fare</b> <hr/> <p><i>Acceptable Forms of ID:</i></p> <ul style="list-style-type: none"><li>• MTA Reduced-Fare MetroCard ( <a href="#">Apply Here</a> )</li><li>• Any Disable ID issued by any Governmental agency or other Transit Agency</li><li>• Medicare Card</li><li>• Nassau County Disability Leisure Pass ( <a href="#">Apply Here</a> )</li><li>• Nice Able-Ride ID ( <a href="#">Apply Here</a> )</li></ul>
\$2.25	<b>Children's Fare</b> <hr/> <p>Children under 44" ride for free with fare paying adult, limit 3 children per adult.</p>
	<b>Student's Fare</b> <hr/> <p><i>Student fares apply to elementary and high school students only.</i></p> <p>College students are NOT eligible for our Student Fare.</p> <p>The Student Fare is only valid with a NICE student pass, which is issued to students, on request, by their school system. To obtain a pass, please email a photo of the student's current school ID to <a href="mailto:NICE.Ticketing@transdev.com">NICE.Ticketing@transdev.com</a> for account set up and verification. Student passes are valid for travel ONLY Monday-Friday during the school year from 6:00 am -7:00 pm, for travel to and from school only.</p>

The base cash fare (\$2.75) is currently less than both MTA's one trip fare (\$3.00) and the MetroCard's pay-per-ride fare (\$3.00).

## COMPARATIVE FARE STRUCTURE OF PEER AGENCIES

The following chart shows comparative systems (in both size and location) that offer non-zoned single ride cash fares. Currently, NICE Bus offers single ride cash fares for \$2.75. The chart compares fares in areas demographically similar serving populations that are comparable to the NY metro area.

	<u>Long Island</u>	<u>NYC</u>	<u>Westchester</u>	<u>Suffolk</u>	<u>Philadelphia</u>
	<b>NICE</b>	<b>MTA</b>	<b>Bee-Line</b>	<b>SCT</b>	<b>SEPTA</b>
<b>Cash Fare</b>	\$3.00*	\$3.00	\$2.75	\$2.25	\$2.50
	<u>Chicago</u>	<u>Los Angeles</u>	<u>Atlanta</u>	<u>Portland</u>	<u>Dallas</u>
	<b>CTA</b>	<b>Metro</b>	<b>MARTA</b>	<b>TriMet</b>	<b>DART</b>
<b>Cash Fare</b>	\$2.25	\$1.75	\$2.50	\$2.50	\$2.50

\*proposed

## BACKGROUND

Many NICE Bus passengers travel into NYC and utilize the MTA-issued MetroCard. NICE Bus is committed to accepting the MetroCard on its system, and thus identifies and aligns with the MTA on many issues that affect our collective customers.

In Spring of 2019, the MTA raised its MetroCard and cash fares from 2.75 to 3.00. The cash fare was maintained at \$2.75, a decision that exclusively benefitted cash fare travelers on the NICE Bus system. At present, the proposed 25 cents fare increase to cash fares is needed, as the company works to bridge a funding gap created by rising costs attributable to negotiated labor increases, fuel costs and the rising cost of medical benefits. While NICE has kept the cash fare below the MetroCard fare for the past 18 months, it is now necessary to review fare structure, considering current financial challenges.

## **METHODOLOGY**

The main steps in completing the Fare Equity Analysis included:

- Determine overall ridership and ridership by fare category for Title VI populations
- Establishing fare equity impact analysis thresholds
- Evaluating whether planned fare changes will have a disparate impact on populations protected under the Title VI and whether low-income populations will bear a disproportionate burden of the changes
- Recommending methods to avoid, minimize or mitigate impacts as needed
- Propose alternatives to fare increase.

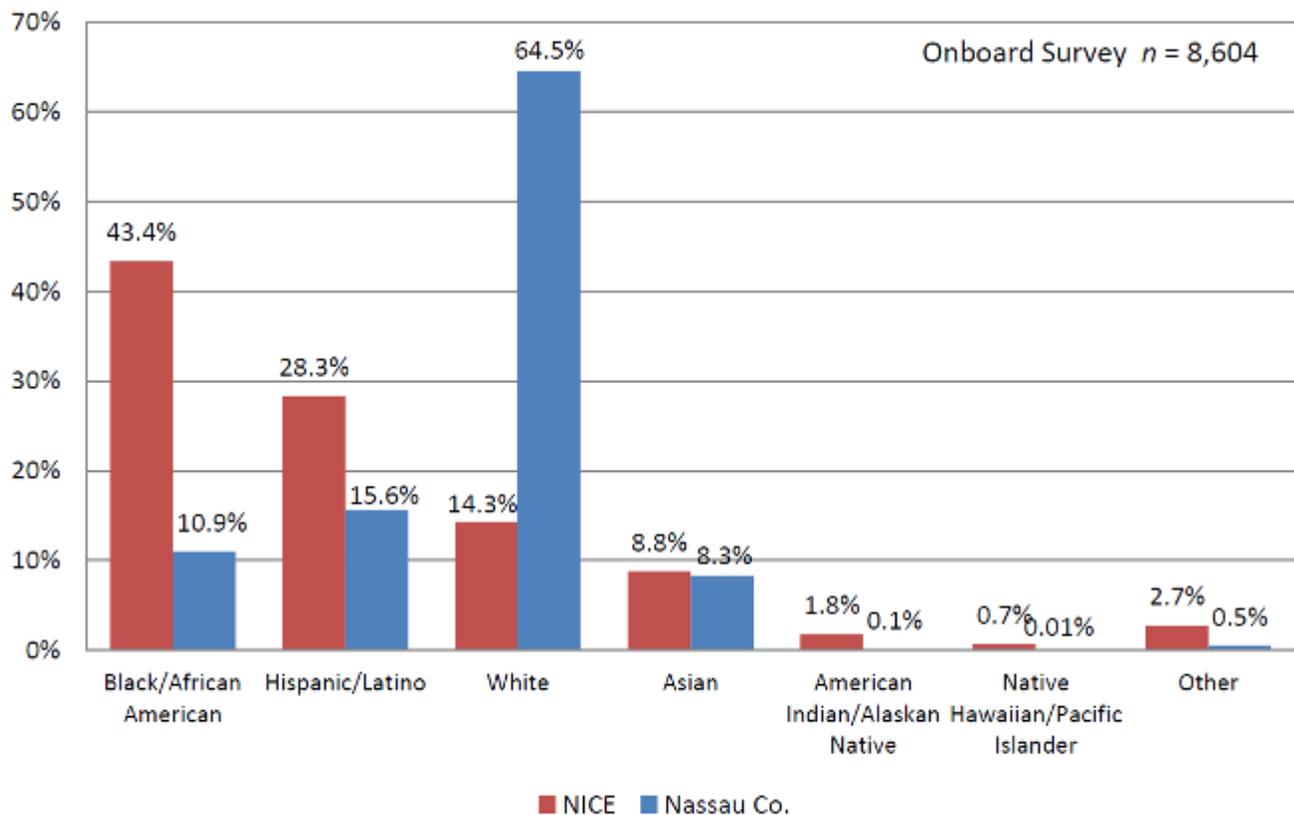
NICE collected onboard survey data in order to assess ridership characteristics. Data on age, race, income, minority status, ability to speak English and type of fare used are provided in the 2017 NICE Bus System-wide Survey. To help identify the Title VI populations, demographic data from the region and transit providers were examined. Data for the county were compiled to provide context and comparison for the survey data. A full FTA mandated system survey was completed and filed in 2017. Data collected in the survey were compiled and compared to the US Census Survey from 2010. The data and proposed fare changes were then evaluated to determine whether the proposal will create a disparate impact or a disproportionate burden on Title VI populations. The fare equity analysis focused on the transit provider information, given that the fare increase will specifically affect existing riders.

The Title VI guidelines identify disparate impacts as impacts to the minority population, while disproportionate burdens address impacts on low-income populations. The assessment of these potential impacts were also completed using the onboard survey data.

# RIDERSHIP ANALYSIS

## Survey Population Demographics

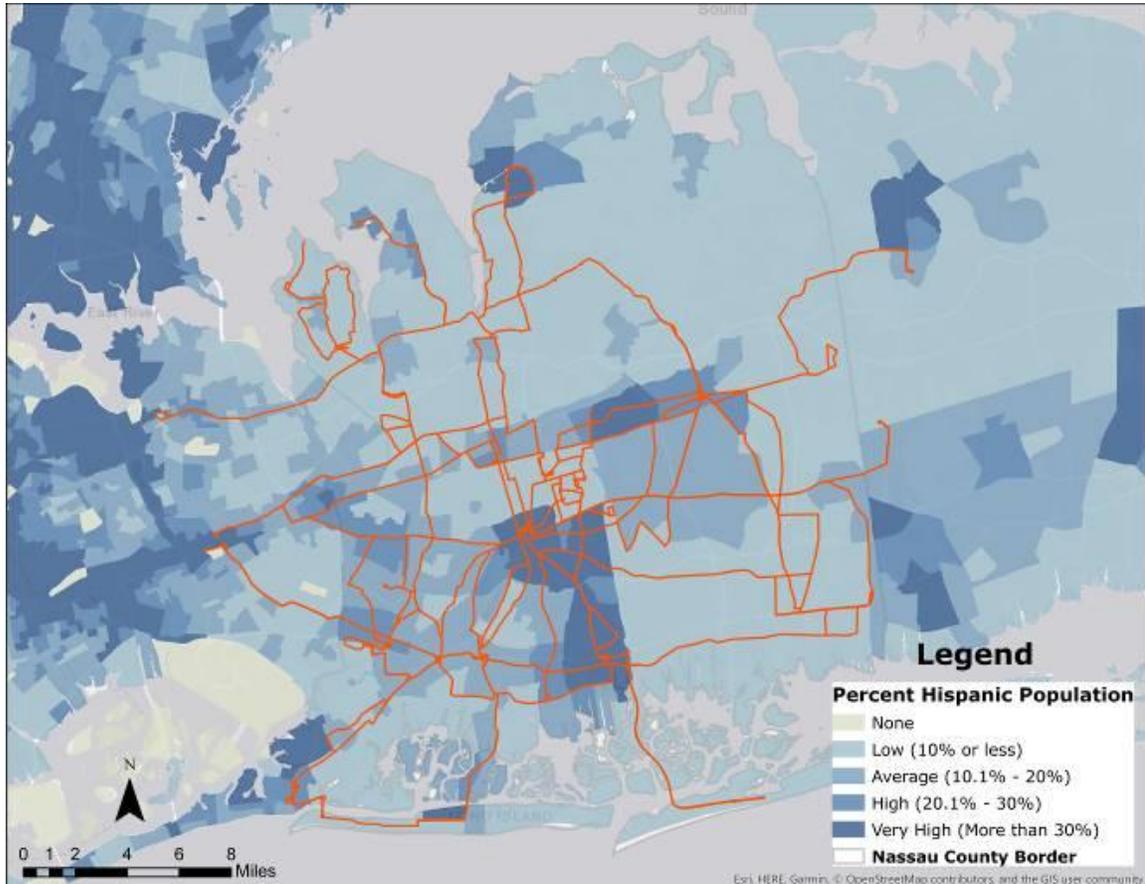
The most recent system-wide survey shows Black or African American was the most frequently selected response cited by 43.4 of those surveyed. Persons of Hispanic/Latino heritage made up 28.3 percent of those sampled. Respondents identifying themselves as white represented 14.3 percent, while 8.8 percent identified themselves as Asian.



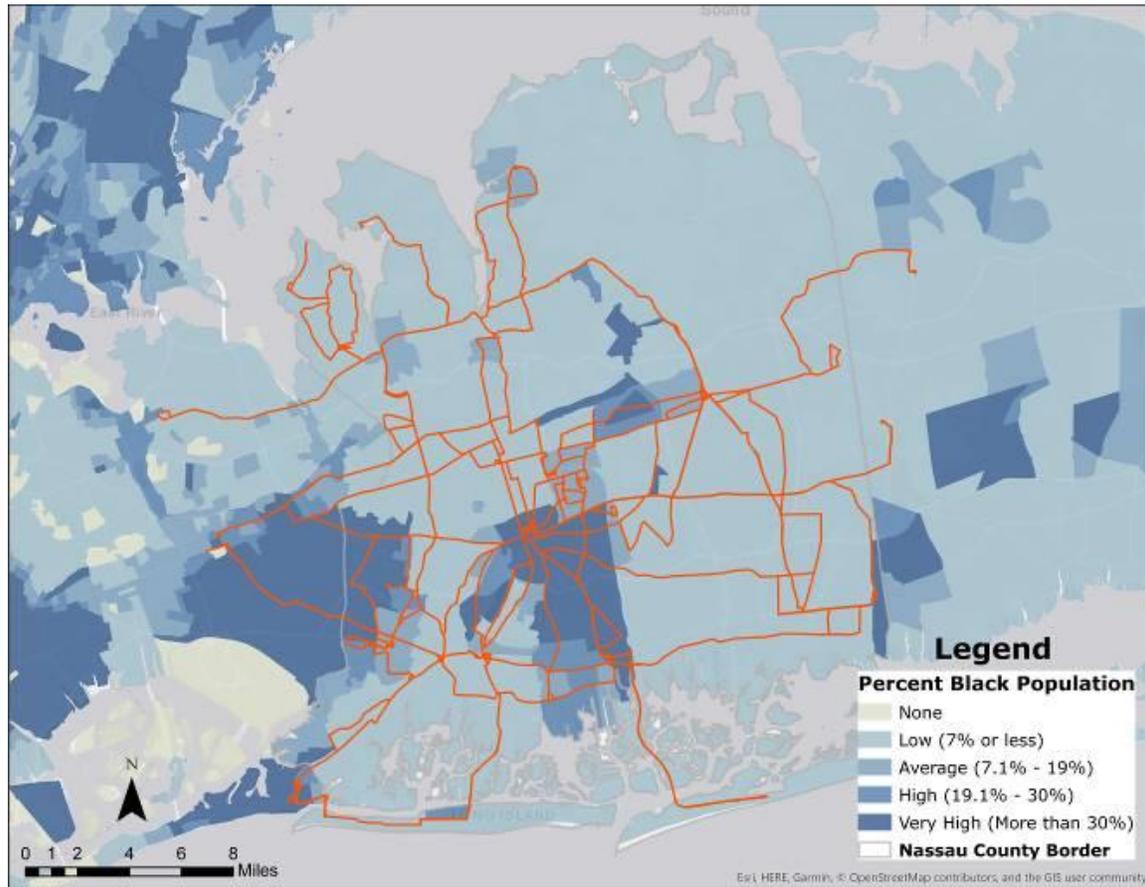
The following are maps that represent the minority /low-income populations with NICE Bus route overlays for Nassau County (2010 Census). Each map represents a minority population's distribution across the county, and the system routes are overlaid for comparison/assessment of their access to existing service. A similar analysis was done for the low-income population in the county. Legends with concentrations are located at the bottom left of each map.

### **Hispanic /Latino Populations**

Hispanic/Latino populations are primarily clustered around transit lines. There is one modest concentration in the far northeast portion of the county (Oyster Bay), with transit service from the Long Island Railroad (LIRR). Other key concentrations are in or near Westbury, Hempstead, Plandome Manor, Thomaston, Freeport, Hewlett Bay Park, Inwood, and Long Beach. Nearly all routes serve one or more census blocks that include 22 percent or more of individuals who identify themselves as Hispanic/Latino.

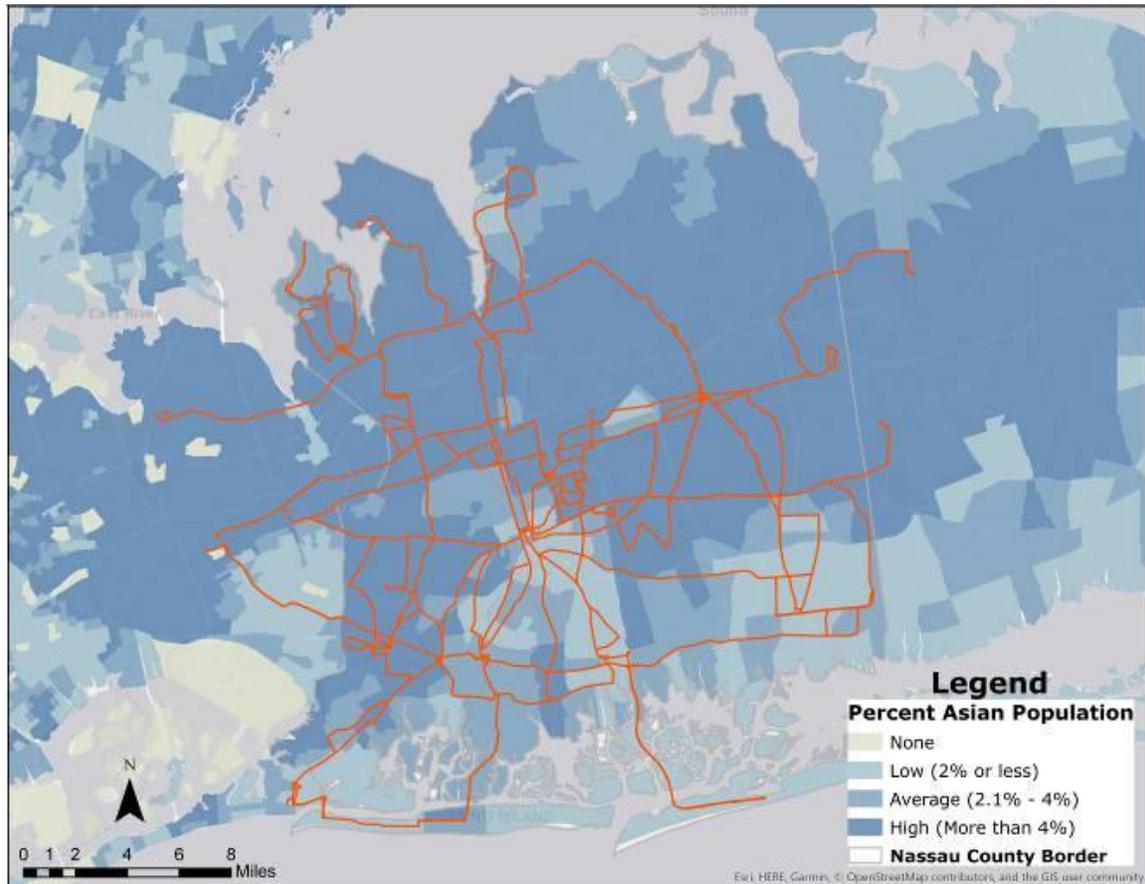


## Black/African American



Black/African-American populations are primarily concentrated through central Nassau County (Hempstead, Freeport, Lynbrook, Garden City, and Westbury) and far west Nassau County (Elmont). Most of the routes in the southern portion of the county travel through one or more census block with a substantial Black/African-American population.

## Asian



Asian populations are primarily concentrated in the northern half of the county; however, the sub-population are evenly dispersed with a few areas of higher densities. These denser areas are comprised of census blocks in Hicksville, New Hyde Park, West Hempstead, Franklin Square, and Valley Stream. Two areas in eastern Nassau County have an absence of NICE service – Muttontown and Syosset (Syosset, however, is served by LIRR). Most of the routes in the northern portion of the county travel through one or more census block with a substantial Asian population.

## American Indian/Alaskan Native

American Indian/Alaskan Native populations are average across the county.



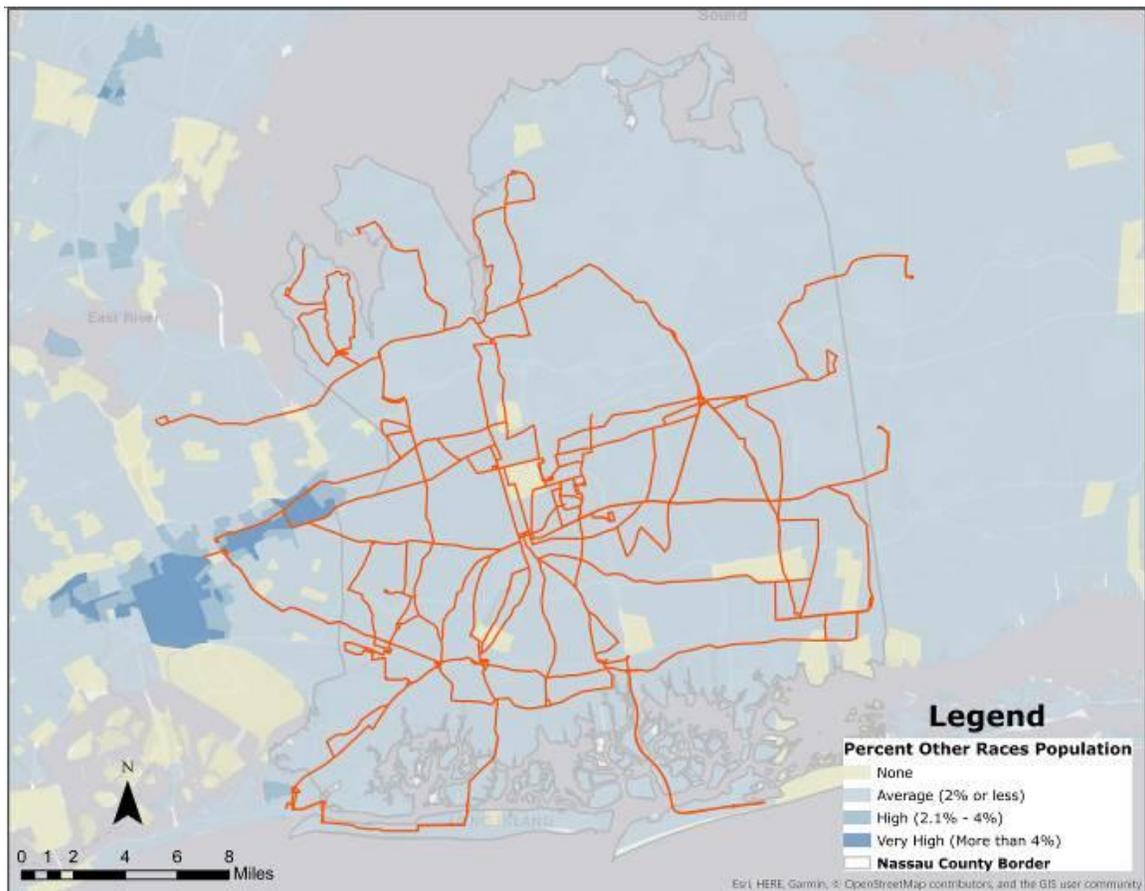
## Hawaiian/Pacific Islander

There are no significant concentrations of persons identifying themselves as being Native Hawaiian/Pacific Islander in Nassau County. Small low-density pockets exist near New Hyde Park and Locust Valley.



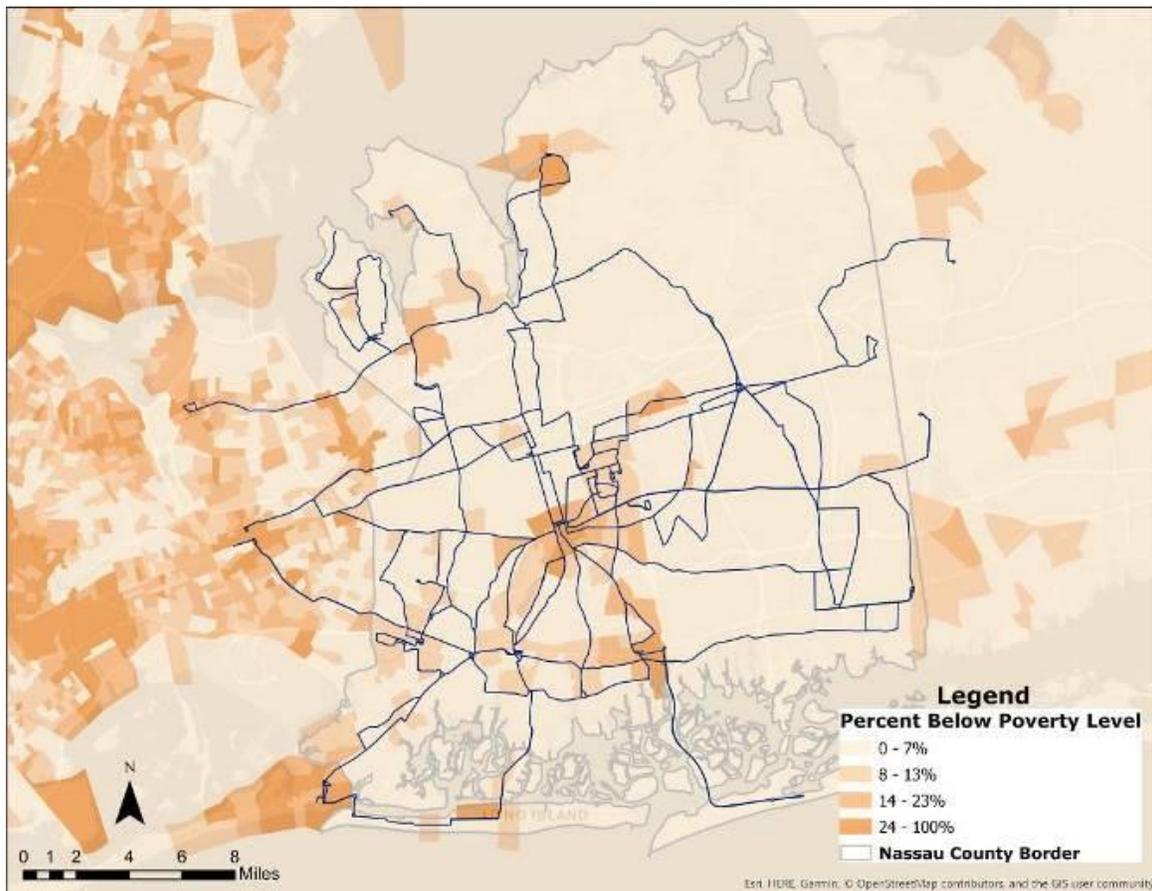
## Other Minority Populations

Other minority populations (those who indicated being something other than those cited above on the 2010 census) are average throughout Nassau.



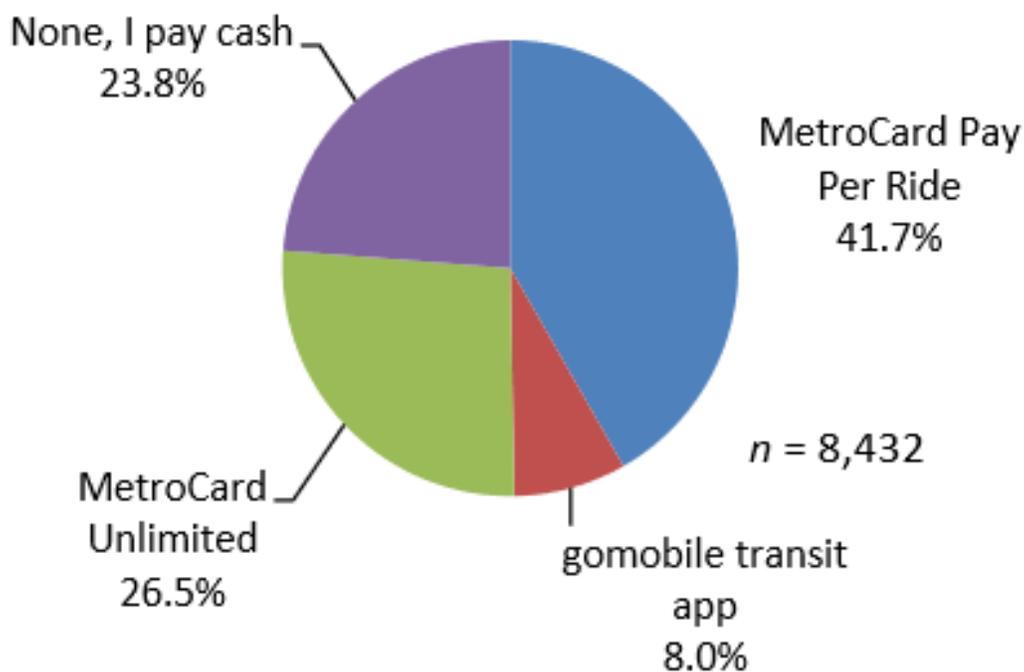
## Low-Income Populations

Low-income residents are primarily clustered around central Nassau. Areas with a denser concentration include Plandome Manor, Thomaston, Westbury, Hempstead, and Freeport. Nearly all routes serve one or more census blocks that include a 4.6 percent or greater concentration of individuals considered to be low-income.



## Ridership by Fare Type

The following chart shows the fare media by usage, system-wide:



**System Fare Media by Usage**

Nearly 24 percent of surveyed riders use cash instead of a MetroCard. Access to MetroCards is extremely limited inside the County and is a contributing factor to a higher percentage of riders using cash. Currently Hempstead Transit Center is the only location within the County that has machines that allow customers to reload their MetroCards. Nearly 42% use the Pay-Per-Ride option, while 26.5% choose the Unlimited option. Those who use the Pay-Per-Ride option get a 5% bonus to any money they add onto the card, which slightly reduces the cost of each trip. Customer who purchases a 7 or 30-Day Unlimited pass can see significant savings, depending on how many trips they make in the covered period.

## FARE EQUITY IMPACT - THRESHOLDS ANALYSIS

### Fare Usage by Route

The n21 has the highest percentage of those surveyed using a Pay-Per-Ride MetroCard (51.1%), while almost half of the respondents on the n26 preferred the Unlimited MetroCard(46.3.5%). The n81 saw the highest use of cash, with less than half of the riders (44.0%) citing its use. The n81 had the lowest Pay-Per-Ride MetroCard usage (26.0%) while the n54 had the lowest level of Unlimited MetroCard usage (19.4%). The n20 had the lowest level of cash (11.5%).

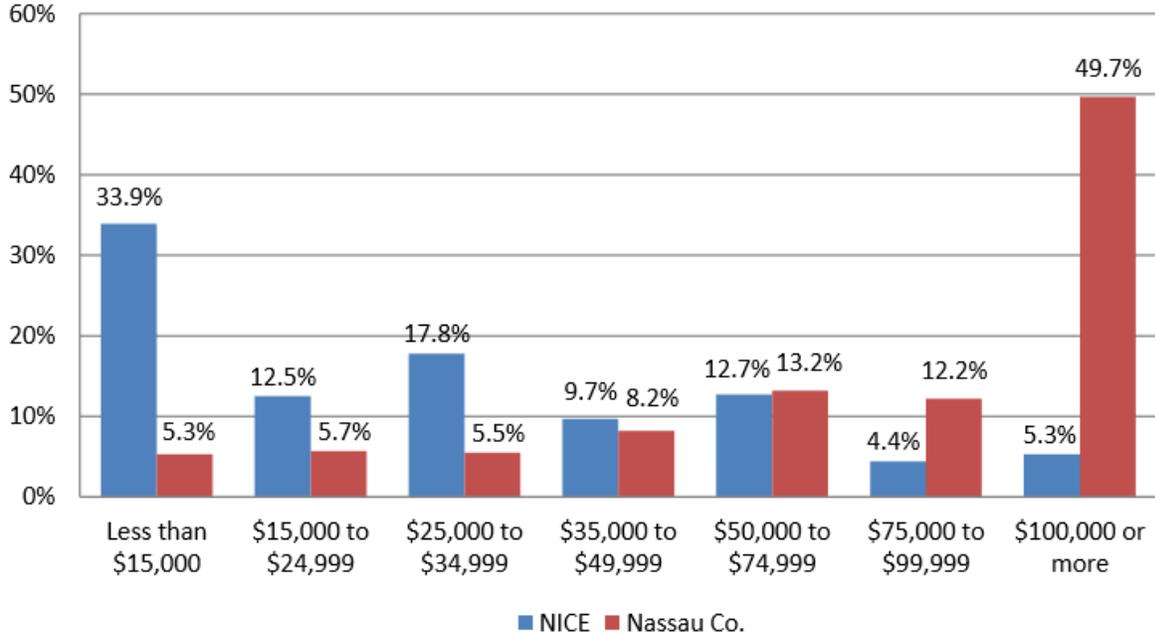
### Income

The following table and chart summarize Federal Poverty Guidelines and the Household Incomes of the NICE Bus Survey and Nassau County, respectively. The Nassau County households are adjusted based upon cost of living. Nearly 34% of respondents cited an annual household income of less than \$15,000. Depending on the size of the household, many of these individuals may live in households below the federal poverty guidelines.

#### Federal Poverty Guidelines

Size of Family	100%	120%	135%	138%	150%	185%	200%	253%	261%
1	\$11,670.00	\$14,004.00	\$15,754.50	\$16,104.60	\$17,505.00	\$21,589.50	\$23,340.00	\$29,525.00	\$30,458.70
2	\$15,730.00	\$18,876.00	\$21,235.50	\$21,707.40	\$23,595.00	\$29,100.50	\$31,460.00	\$39,796.90	\$41,055.30
3	\$19,790.00	\$23,748.00	\$26,716.50	\$27,310.20	\$29,685.00	\$36,611.50	\$39,580.00	\$50,068.70	\$51,651.90
4	\$23,850.00	\$28,620.00	\$32,197.50	\$32,913.00	\$35,775.00	\$44,122.50	\$47,700.00	\$60,340.50	\$62,248.50
5	\$27,910.00	\$33,492.00	\$37,678.50	\$38,515.80	\$41,865.00	\$51,633.50	\$55,820.00	\$70,612.30	\$72,845.10
6	\$31,970.00	\$38,364.00	\$43,159.50	\$44,118.60	\$47,955.00	\$59,144.50	\$63,940.00	\$80,884.10	\$83,441.70

## NICE Survey Household Incomes



Overall, 27% of the sampled ridership will be affected by the cash fare increase, and within those that reported less than \$15,000 household income, 34%. Overall, the impact to the cash paying passengers from households below the poverty guidelines does not appear to be adversely different from that of passengers above it.

## **PUBLIC OUTREACH**

The Title VI guidelines recommend the public be included in the decision-making process for determining the disparate impact thresholds for fare equity review. The guidelines for general Title VI program public involvement are fairly broad and allow the transit providers to choose specific strategies that will best meet the needs of their rider demographics but requires a public participation plan to outline the strategies for engaging minority, low-income, and LEP populations. A detailed plan was drafted for the proposed fare change and below is a summary of the strategies.

### **Goals and Measures**

The overall goal of this process was to raise awareness of the study and provide opportunities for learning about the study and providing valuable input to be used in the decision-making process. The objectives of the Public Participation Plan, in support of this goal, included:

- Actively engage regional transit agencies on the Title VI Fare Equity Analysis;
- Solicit participation and feedback from target Title VI populations;
- Hold meetings early in the process;
- Provide frequent notification of opportunities to be involved;
- Provide equitable access to relevant project information; and
- Monitor and evaluate outreach activities to determine effectiveness; The performance measures to determine the effectiveness of the participation plan are the following:
  - Accessibility
  - Reach
  - Diversity/Equity
  - Decision Integration

## **Outreach Meetings**

A variety of public participation methods were used to facilitate public involvement throughout the Title VI Fare Equity Analysis. The public outreach included public meetings, press releases, a car card campaign, posters at major transit centers, notifications and announcements in area newspapers, website and social media and media coverage.

## **Public Meetings**

Two public meetings have been scheduled to present draft findings and obtain feedback on the Fare Equity Analysis. Meetings were provided to educate attendees on the project; obtain feedback on fare equity findings and provide input on any mitigation that may be needed. The following is a list of the meetings:

NICE Bus  
700 Commercial Ave  
Garden City, NY 11530  
January 31, 2019 at 4:00PM and 7:00PM

Summaries of the public meetings including comments will be provided for review.

## **Communications Methods**

Several notification strategies have been implemented to ensure the public remains aware of upcoming opportunities to engage in the study. A series of posters were created to convey key project information and to advertise the public forums. Posters were strategically placed and/or distributed in public locations in an effort to reach the target audiences; locations included at transit centers, on buses and at other locations effective at reaching audiences with limited access to the online information. Notification materials were translated in Spanish to reach LEP populations. Copies of these handouts, flyers and notifications are found in the Public Participation Summary document.

Web-based communications and social media outreach was another component of the public outreach strategies that was a highly effective tool in providing information quickly to a wide and diverse audience, all for little

cost. Updates and announcements were included in the web page, Facebook pages and Twitter pages.

Press releases were developed and circulated to media outlets across the region and provided updates on the project and important meeting notifications. The news releases are distributed to minority and Spanish language media outlets to support outreach to Title VI minority population groups and those LEP populations. A copy of the notification list for all stakeholders were provided in the Public Participation Summary document.

### **Minority, Low-Income, And Limited-English Proficiency Populations**

The demographic data identified a significant proportion of Spanish speakers in the region that use NICE Bus transit services, therefore, translation services were recommended. Translation of vital project materials, such as handouts and comment forms, were developed, and targeted meetings were scheduled for groups that serve Spanish-speaking LEP populations and interpretation services were provided at select public forums and community events

### **Public Comments**

Comment forms will continue to be collected at all community events and public meetings, and through a project webpage, dedicated phone line, and email. Information on name, address, email, stakeholder type, voluntary demographic data, and specific comments were entered into a comment database. Comments will be tabulated upon completion of the PPP process, categorized and analyzed.

## **CONCLUSIONS TO FARE EQUITY EVALUATION**

This fare equity analysis has shown that the cash fare increase will impact low income riders disproportionately compared to the overall ridership that uses cash (33.80% compared to overall cash usage of 26.96%), though it is highly likely that the result may be artificially inflated because of the lack of retail outlets to purchase MetroCards in Nassau County. However, research shows that the fare is aligned with other comparable systems.

## **RECOMMENDATIONS**

It is recommended that the \$0.25 fare increase to the cash fare be implemented, as it is the best solution to assist with the budget deficit, minimally impacts the system and the customer, and satisfies the Title VI guidelines. Other options for NICE would include reducing service or elimination of routes, this would have a more significant impact on low income riders and riders overall.

## **ALTERNATIVES TO FARE INCREASE**

NICE Bus has as its top priority, the provision of service that is attractive and cost-effective to the customer, and as such made every effort to retain the cash fare at its current price, even though the MTA raised both cash and MetroCard Fares in spring of 2019. As operating costs have since increased and continue to be on the rise, NICE Bus is mandated by our County contract to present a balanced budget. NICE Bus has explored all options for additional funding without sacrificing service. Raising the cash fare has remained the last resort, and though NICE Bus was able to save its riders 18 months of additional fares, mitigating the full impact without major service reductions, it may not be possible to continue status quo.

The alternative to a cash fare increases to balance the budget, aside from a cash fare increase, is system-wide service reductions, which would include canceling entire routes, reducing frequency on heavily traveled routes, eliminating weekend or mid-day service and eliminating one seat rides especially on the heavily traveled college routes. It would also mean reducing or eliminating under-performing and minimum-service routes that currently serve some areas with significant concentrations of minority passengers, in addition to other select populations such as the elderly that depend on the service.

LAURA CURRAN  
County Executive



JARED A. KASSCHAU  
County Attorney

COUNTY OF NASSAU  
OFFICE OF THE COUNTY  
ATTORNEY  
One West Street  
Mineola, New York 11501-4820  
516-571-3056  
FAX: 516-571-6684, 571-6604

## **Nassau County Bus Transit Committee**

*Thursday, January 31<sup>st</sup>, 2019 at 3:00 pm*

*Thursday, January 31<sup>st</sup>, 2019 at 6:00 pm*

- I. Call to Order
- II. General Items
  - Introduction of Members and Roll Call
- III. Presentation by NICE CEO Jack Khzouz
  - Acknowledgment of receipt of title 6 study
  - Discussion of April fare increase
- IV. Public Comment
- V. Vote on fare increase proposal based upon MTA decision
- VI. Adjournment



Title VI Analysis  
April 2017

## **Executive Summary**

### **Regulatory Requirements**

Nassau Inter-County Express or NICE operated by Transdev is conducting an Equity Analysis under Title VI of the Civil Rights Act of 1964 to evaluate a proposal to eliminate or reduce current 2017 service. In compliance with the Federal Transit Administrations (FTA) Circular 4702.1B, NICE will conduct a study which requires NICE Bus to evaluate a proposal to reduce service in order to maintain current Nassau County funding for 2017.

### **NICE Bus Service Profile**

NICE service covers Nassau County, New York and serves the County's 1.3 million residents over 285 square miles. The service area extends to Suffolk County in the East and into Queens to the West. The area is comprised of both suburban and urban areas. The service provides approximately twenty-nine million rides annually, or approximately 100,000 per day.

### **Title VI Guidelines**

In compliance with Federal Transit Administration Circular 4702.1B dated October 1, 2012 which requires that Under Title VI of the Civil Rights Acts of 1964, NICE evaluates significant system-wide service changes and proposed improvements at the planning and programming stages to determine whether those changes have a discriminatory impact on minority and low income populations.

An analysis will be conducted by Nassau Inter-County Express (NICE) for all service changes that meet the definition of a Major Service Change as provided in NICE's system-wide service standards and policies, which equals a change of 25 percent change in transit revenue vehicle hours. In order to address the mandates in Title VI of the Civil Rights Act of 1964, as well as the Environmental Justice (EJ) provisions in Presidential Executive Order 12898, the service change analysis will evaluate minority (Title VI protected classes) as well as low-income populations (persons who are either members of a minority and/or at or below the U.S Department Of Health and human Services poverty guidelines). NICE's approach must include:

- A description of the methodology used to determine the impact of the service change
- A determination as to whether the proposed change would have discriminatory impacts
- An analysis of modifications to avoid, minimize, or mitigate potential discriminatory impacts
- A description of what, if any, action was taken by the agency in response to the analysis conducted

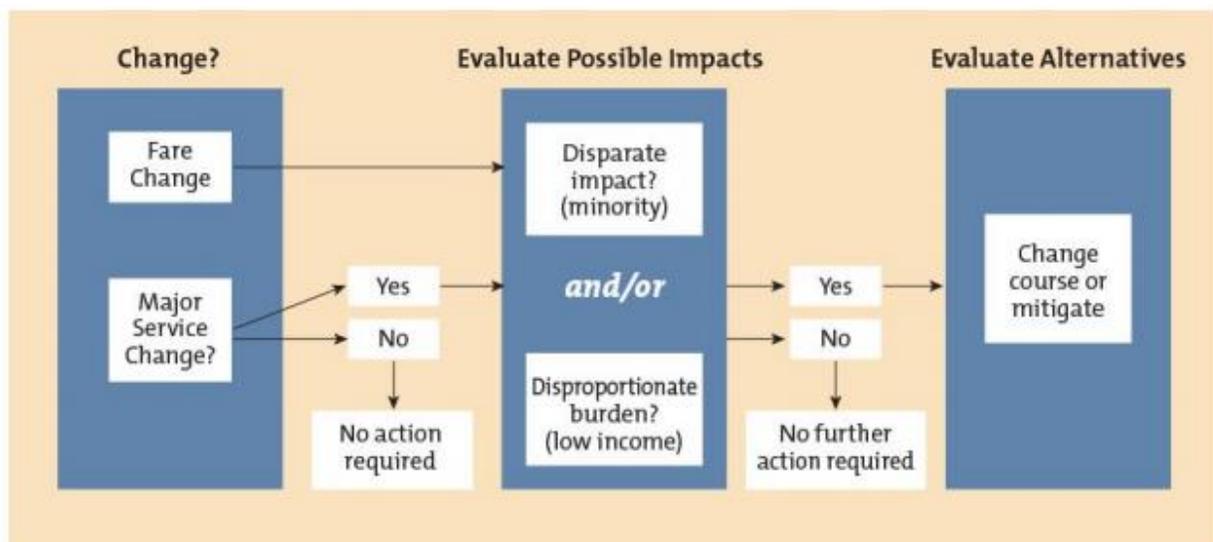
## Background

Nassau County has reduced its County contribution for the 2017 budget year in order to help close a large County budget gap. This factor, along with a 3% contractual wage increase for the represented bus employees, has left a major operating budget deficit in the bus system.

As a recipient of Federal financial assistance, NICE Bus must ensure that service changes – both increases and reductions – comply with Title VI of the Civil Rights Act of 1964, which 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.”*

The FTA has provided specific implementing guidelines and regulations for complying with Title VI in Circular 4702.1B (“Circular”). Due to the interrelated nature of race/ethnicity and income, the Circular instructs transit agencies to consider impacts on low-income populations as well as minority populations; the assessment of potential Title VI issues related to service changes is completed through a service equity analysis.



## **Major Service Change Policy**

All changes in service meeting the definition of Major Service Change are subject to a Title VI Equity Analysis prior to Board approval of the service change. A NICE Bus Title VI Equity Analysis will be completed for all Major Service Changes and will be presented to the Bus Transit Committee for its consideration and included in the subsequent NICE Bus Title VI Program report with a record of action taken by the Bus Transit Committee.

A Major Service Change is defined as:

A change in service of 25 percent or more of the number of route miles, or a 25 percent or more of the number of revenue vehicle hours of service on a daily basis for the day of the week for which a change is made, or;

A new transit route is established.

If changes in service on a route to be effective at more than one date within any fiscal year would equal or exceed 1(a) and/or 1(b) above, the changes in total will be considered a Major Service Change, and an equity analysis will be completed in advance of action on the proposed change.

## **Disparate Impact Policy**

Testing for Disparate Impact evaluates effects on minority riders or populations as compared to nonminority riders or populations. “Minority” is defined as all persons who identify as being part of racial/ethnic groups besides white, non-Hispanic.

Major Service Changes – a Major Service Change to a line will be considered to have a Disparate Impact if condition 1 and either condition 2(a) or 2(b) below is found to be true:

The percentage of impacted minority population in the service area of the line exceeds the percentage of minority population of the NICE Bus System as a whole, and;

2. (a) In the event of service reductions, the service change has an adverse effect on the minority population in the service area of the line.

2. (b) In the event of service additions, the addition is linked to other service changes that have adverse effects on the minority population in the service area of the line, or; the service addition on the subject line is linked with a service change(s) on other line(s) that have adverse effects on the minority population in the service area of that line or lines.

For lines with Major Service Changes, if the percentage of minority population in block groups 1 served by the impacted portion of the line (sum of minority population in all impacted block groups divided by the total population in all impacted block groups) exceeds the percentage of minority population of Nassau County as a whole, the impacts of changes to the line will be considered disparate.

### **Evaluation Methodology**

Impacts of the proposed service changes on residents of the study area are determined based on the change in access to transit. Access to transit is measured as the number of bus trips that serve a given population. Since Census data is used for this analysis, service change impacts are determined by Census division. For Minority populations, the Census “block” divisions are used. For Low-Income populations, the Census “block group” divisions are used. In the analysis, the number of transit trips serving each Census division is calculated for both the existing service and the proposed Concept Plan. The change in service level is calculated for each census division by subtracting current total trips from future total trips, as shown:

$$\begin{array}{l} \text{Future trips available} \\ \text{within census division} \\ \text{(modified/planned bus} \\ \text{routes)} \end{array} - \begin{array}{l} \text{Current trips available} \\ \text{within census division} \\ \text{(existing bus routes)} \end{array} = \begin{array}{l} \text{Change in service} \\ \text{by census division} \end{array}$$

Under the population method, the average percent change in service is calculated by assigning weights to each division’s individual percent change according to its population makeup. This is achieved by multiplying each division’s population by the

percent change in that division, summing the results for all analyzed areas, and dividing the sum by the total population of the analyzed census divisions, as shown:

$$\text{Avg } \% \Delta = \frac{\sum \text{Population}_i \times \text{Percent Change}_i}{\sum \text{Population}_i}$$

## ROUTES AFFECTED

The following is a summary of the proposed service changes and customers affected:

Routes Affected			
Route	Summary of Changes	Avg Ridership Affected	
<i>Elmont Flexi</i>	Frequency reduced to 60 Minutes	150	150
<i>Freeport Community Shuttle</i>	Eliminate	35	35
<i>Hicksville Wantagh Community Shuttle</i>	Eliminate	120	120
<i>Rockville Centre Community Shuttle</i>	Eliminate	50	50
<i>n 19</i>	Eliminate	360	630
<i>n 27</i>	Weekday Frequency reduced to 60 Minutes & No Weekend Service	550	150
<i>n 36</i>	Eliminate	423	423
<i>n 45</i>	Eliminate	271	271
<i>n 47</i>	Eliminate	515	515
<i>n 51</i>	Eliminate	45	45
<i>n 57</i>	Eliminate	280	280
<i>n 70/72</i>	Route will end at Suny Farmingdale	350	350
<i>n 78/79</i>	Eliminate	710	710
<i>n 80/81</i>	Combined into new routing & Frequency reduced to 60 Minutes	130	130

Of these routes only the Elmont Flexi and Freeport Community Shuttle, n36 and n45 are considered minority and low income. All other routes affected are not considered low-income or minority and require no further analysis.

## METHODOLOGY

The main steps in completing the Service Change Analysis included:

- Determine if route is minority or low income
- Establishing service equity impact analysis thresholds
- Evaluating whether planned service changes will have a disparate impact on populations protected under the Title VI and whether low-income populations will bear a disproportionate burden of the changes
- Recommending methods to avoid, minimize or mitigate impacts as needed
- Propose alternatives to service changes.

NICE collected onboard survey data in order to assess ridership characteristics. Data on age, race, income, minority status, ability to speak English and type of fare used are provided in the 2013 NICE Bus System-wide Survey. In order to help identify the Title VI populations, demographic data from the region and transit providers were examined. Data for the county were compiled in order to provide context and comparison for the survey data. A full FTA mandated system survey was completed and filed in 2013. Data collected in the survey were compiled and compared to the US Census Survey data between 2000 and 2011. The data and proposed fare changes were then evaluated to determine whether the proposal will create a disparate impact or a disproportionate burden on Title VI populations. The fare equity analysis focused on the transit provider information, given that the fare increase will specifically impact existing riders.

The Title VI guidelines identify disparate impacts as impacts to the minority population, while disproportionate burdens address impacts on low-income populations. The assessment of these potential impacts was also completed using the onboard survey data.

### Major Service Changes – System Level

To determine the system-wide impacts of service changes on more than one line, the percentage of impacted minority population (sum of minority population in all impacted block groups divided by the minority population of the NICE Bus System as a whole) is compared to the percentage of impacted nonminority population (sum of non-minority population in all impacted block groups divided by the nonminority population of the NICE Bus System as a whole). Comparisons of impacts between minority and nonminority populations will be made for all changes for each respective day of service — weekday, Saturday, and Sunday. If the percentage of impacted minority population

differs from the percentage of impacted non-minority population by more than 20 percent, the overall impact of changes will be considered disparate.

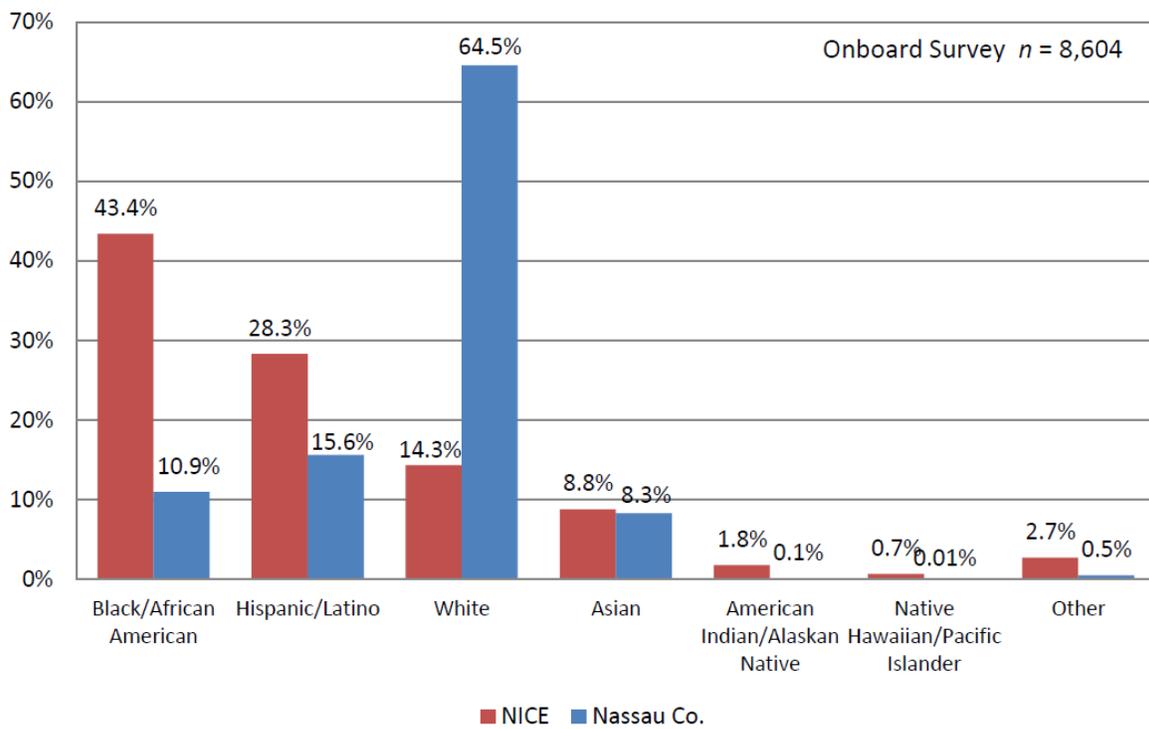
### Disproportionate Burden Policy

Testing for Disproportionate Burden evaluates potential effects on low-income riders or populations, defined as at or below 150% of the U.S. Department of Health and Human Services Poverty Guidelines. The line and system level evaluations are identical to those used to determine potential Disparate Impacts but comparing low-income and higher income populations rather than minority and non-minority populations.

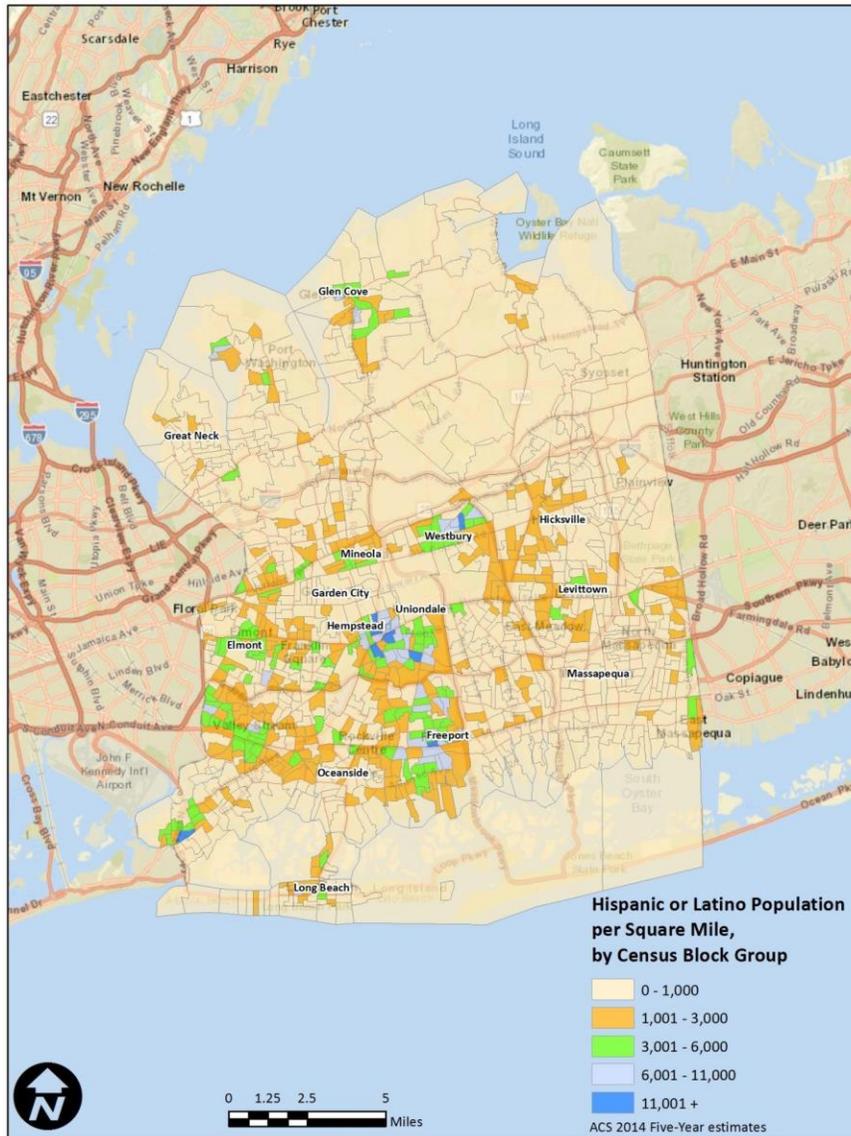
### Ridership Analysis

#### Survey Population Demographics

The most recent system-wide survey shows Black or African American was the most frequently selected response cited by 43.4 percent of those surveyed. Persons of Hispanic/Latino heritage made up 28.3 percent of those sampled. Respondents identifying themselves as White represented 14.3 percent, while 8.8 percent identified themselves as Asian.



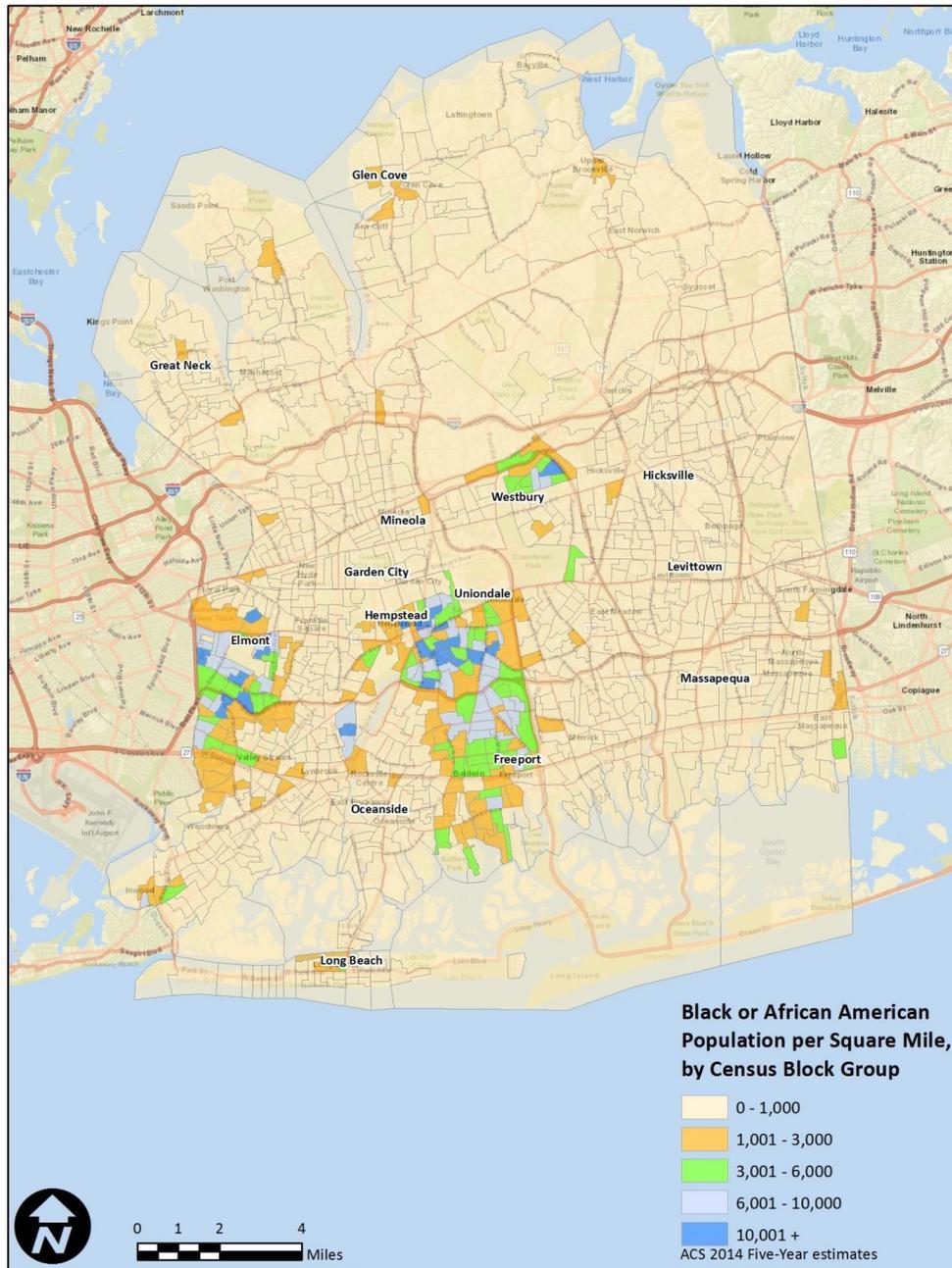
The following are maps that represent the minority /low income populations with NICE Bus route overlays for Nassau County. The data was gathered from the 2010-2014 American Community Survey. Each map represents a minority population's distribution across the county, and the system routes are overlaid for comparison/assessment of their access to existing service. A similar analysis was done for the low-income population in the county. Legends with concentrations are located at the bottom right of each map.



### Hispanic /Latino Populations

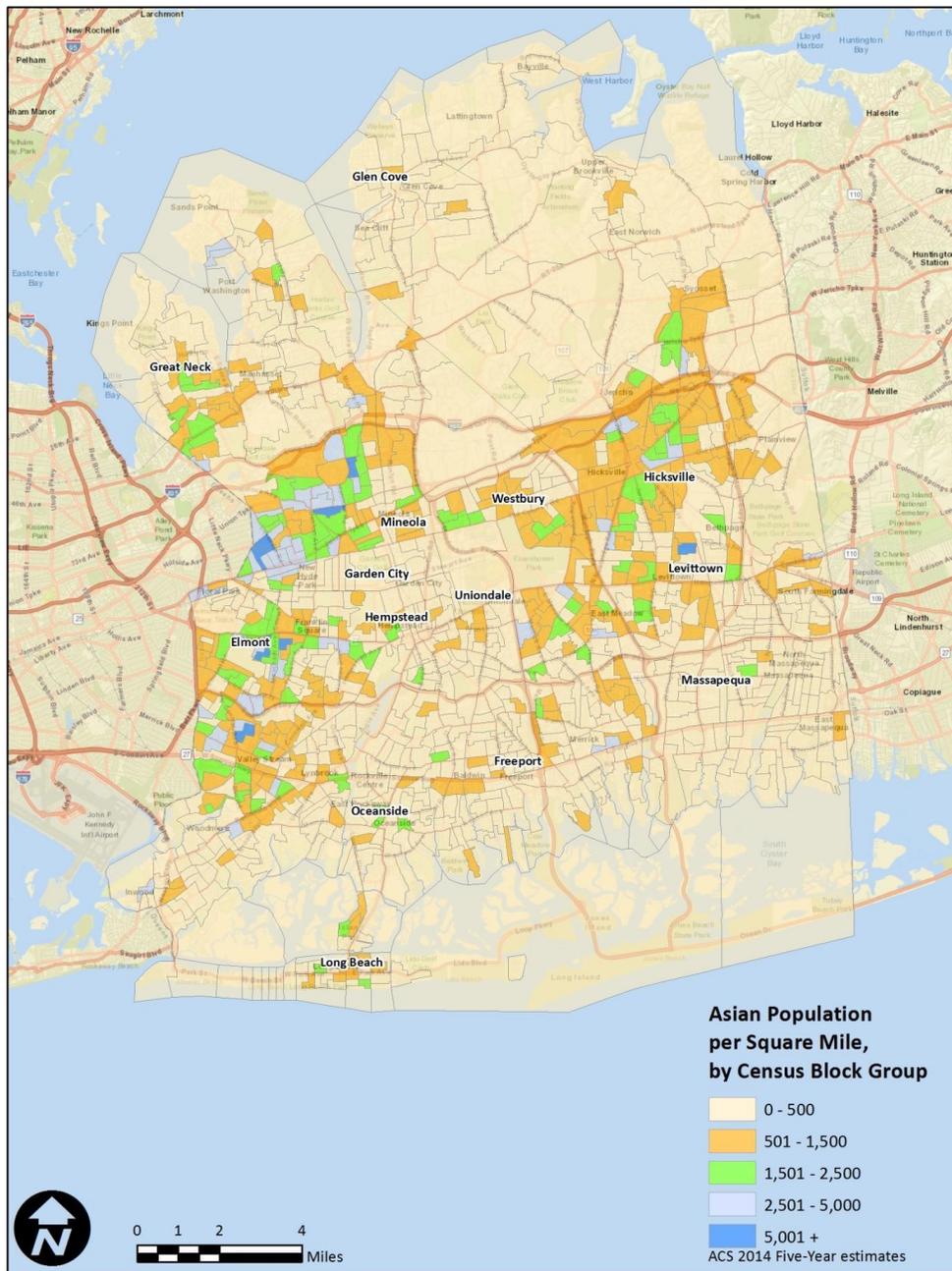
Hispanic/Latino populations are primarily clustered around transit lines. There is one modest concentration in the far northeast portion of the county (Glen Cove), with transit service from the Long Island Railroad (LIRR). Other key concentrations are located in or near Westbury, Hempstead, Freeport, Roosevelt, Hewlett Bay Park, Inwood, and Long Beach. Nearly all routes serve one or more census blocks that include 22 percent or more of individuals who identify themselves as Hispanic/Latino.

## Black/African American



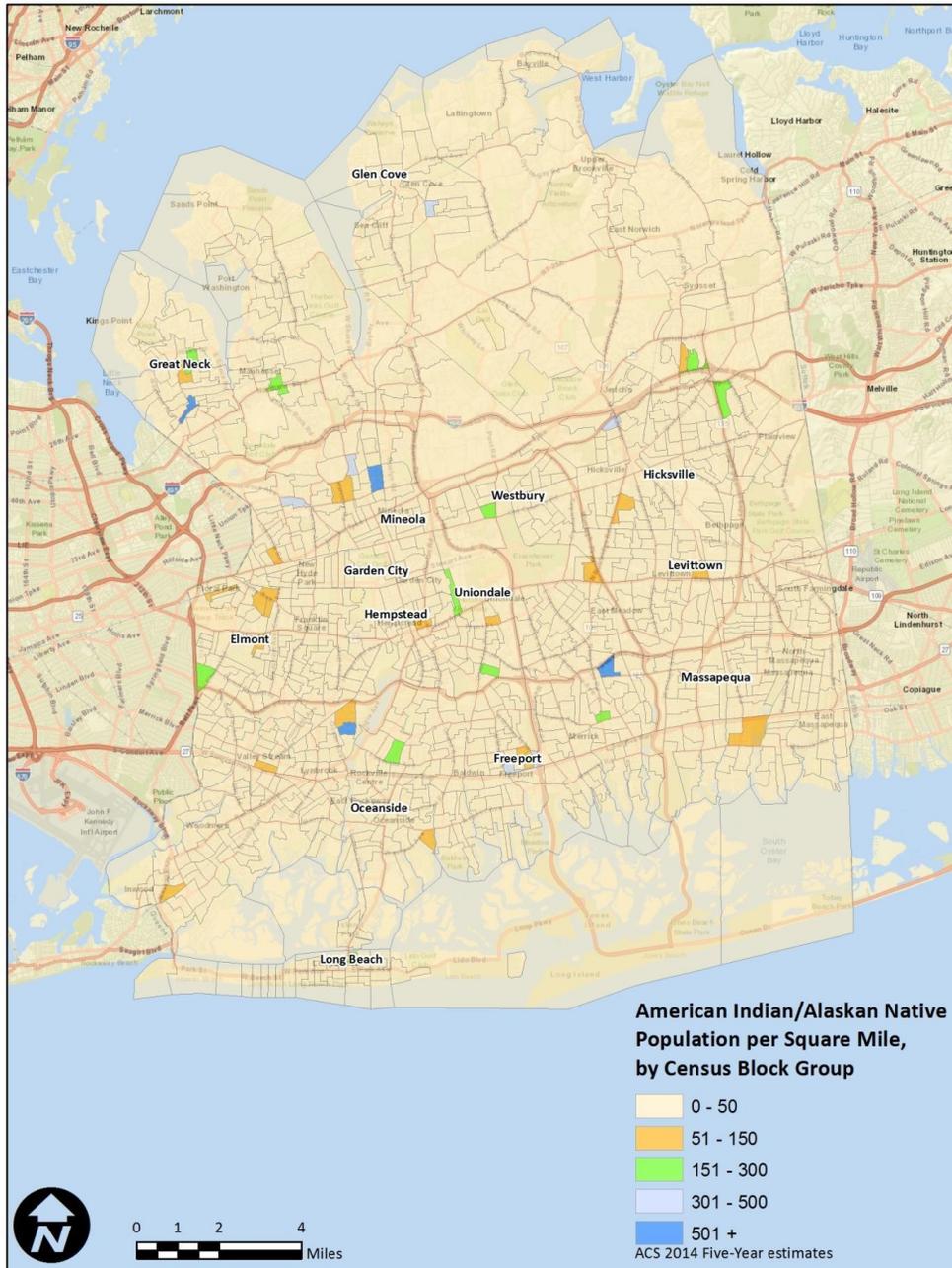
Black/African-American populations are primarily concentrated through central Nassau County (Hempstead, Freeport, Roosevelt, Lynbrook, Garden City, and Westbury) and far west Nassau County (Elmont). A majority of the routes in the southern portion of the county travel through one or more census block with a substantial Black/African-American population.

## Asian



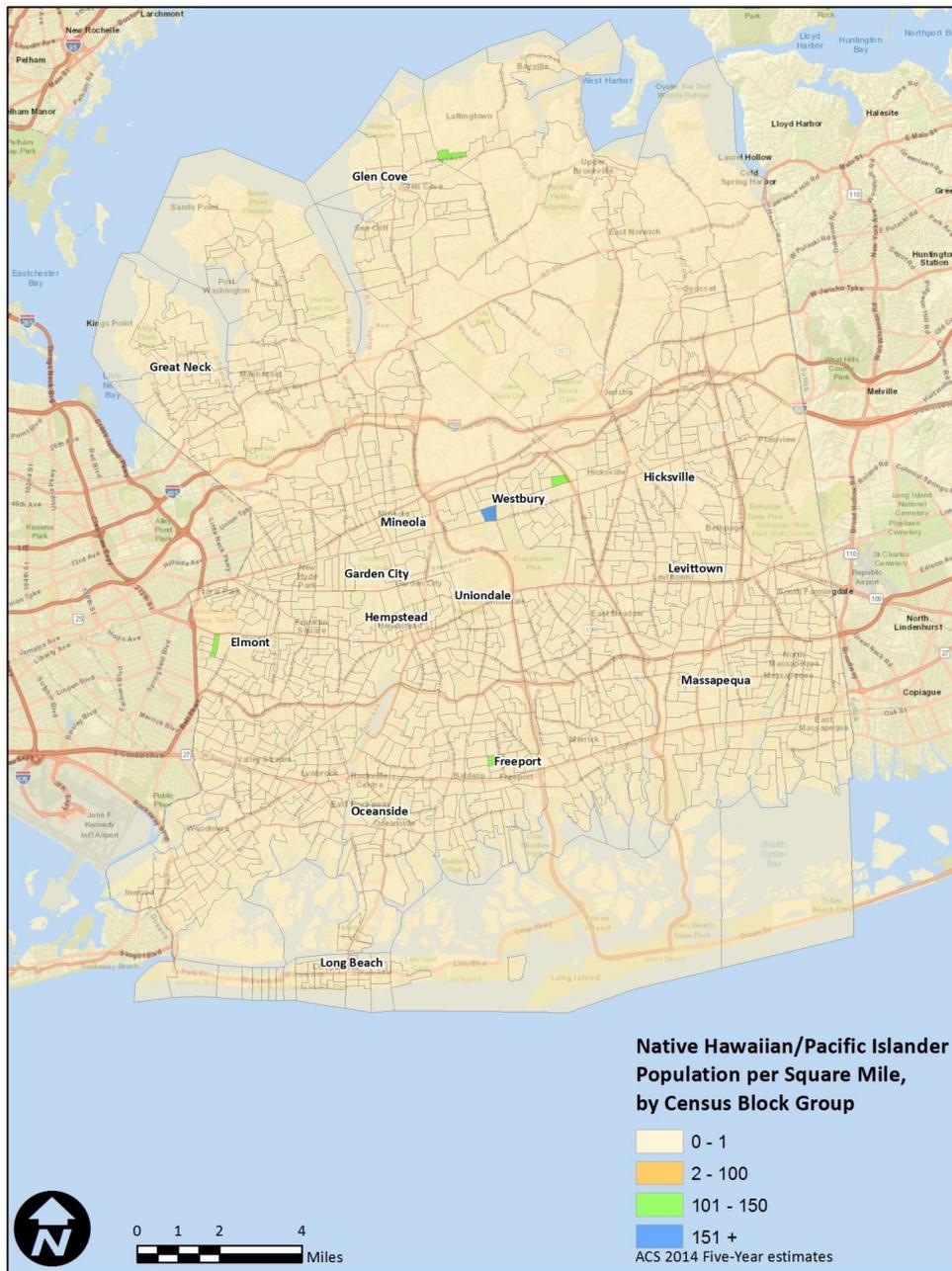
Asian populations are primarily concentrated in the northern half of the county; however, the sub-population is fairly evenly dispersed with a few areas of higher densities. These denser areas are comprised of census blocks in Hicksville, New Hyde Park, West Hempstead, Franklin Square, and Valley Stream. Two areas in eastern Nassau County have an absence of NICE service – Muttontown and Syosset (Syosset, however, is served by the LIRR). The majority of the routes in the northern portion of the county travel through one or more census block with a substantial Asian population.

## American Indian/Alaskan Native



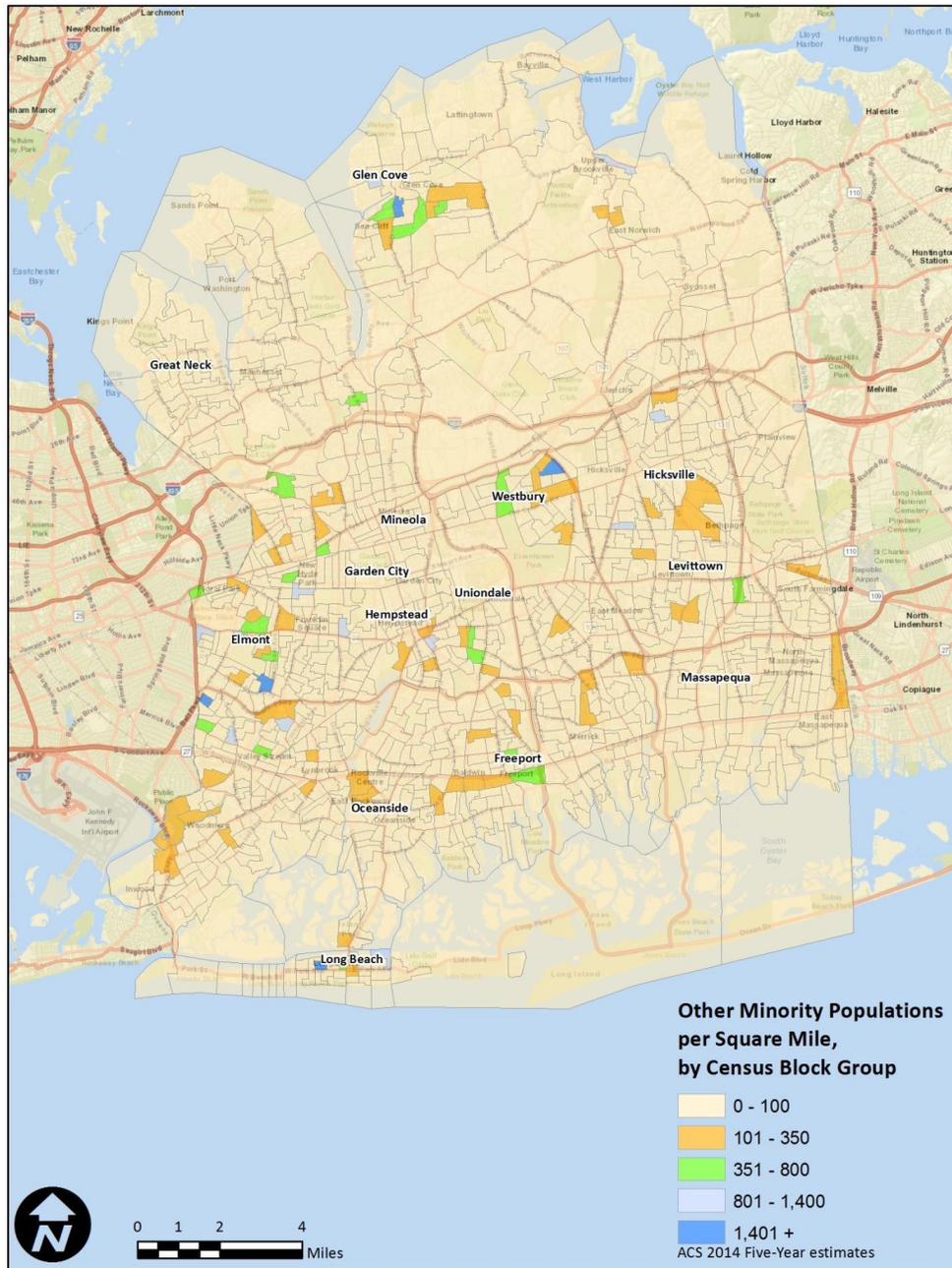
American Indian/Alaskan Native populations are moderately concentrated across the county but are primarily clustered around transit service. These small concentrations are located in or near Williston Park, Hicksville, Westbury, Baldwin, Lynbrook, Westwood, Island Park, and Long Beach. There is one moderately dense area in the far northeast portion of the county (east of Jericho) that is not currently served by NICE.

## Hawaiian/Pacific Islander



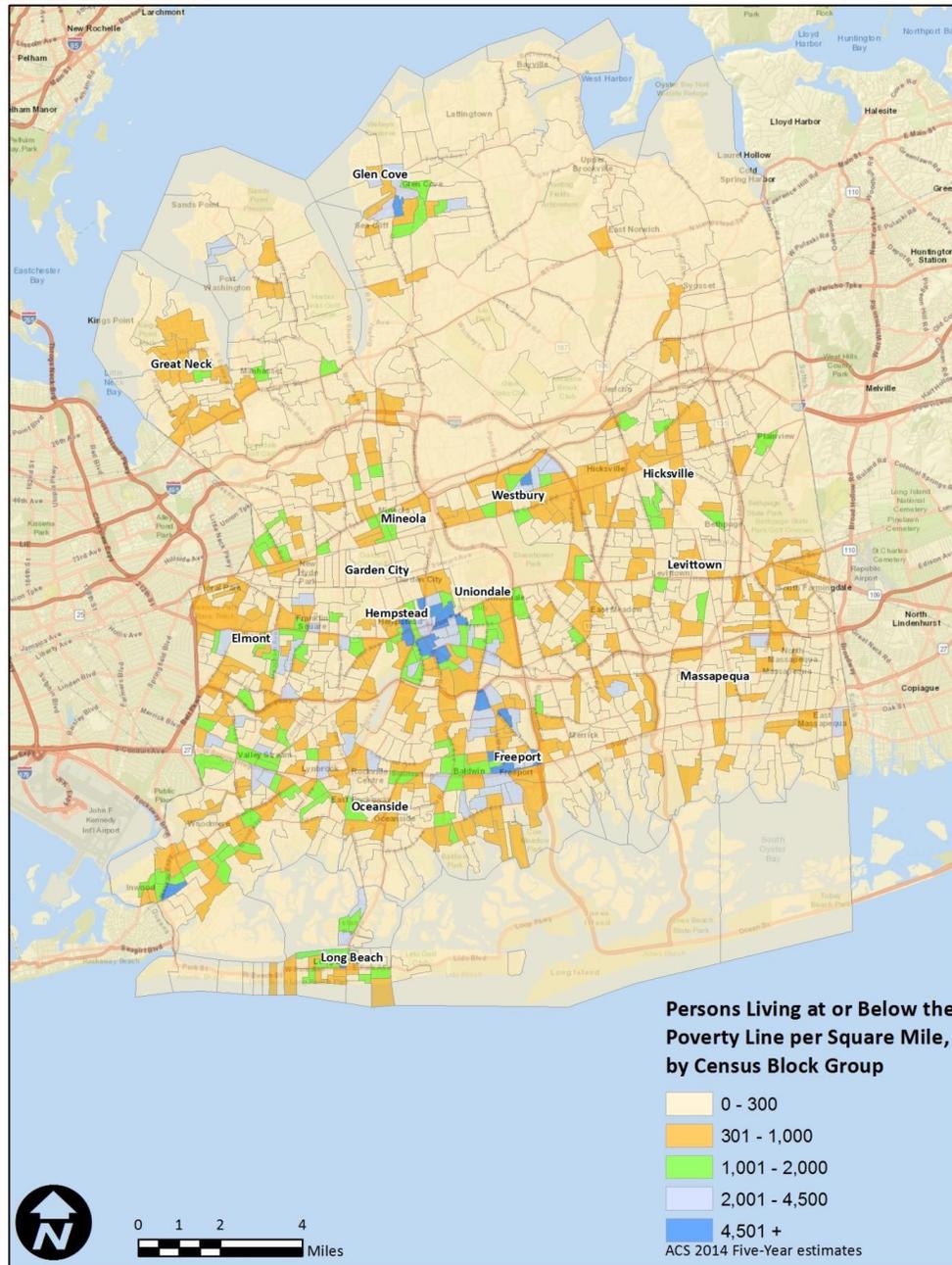
There are no significant concentrations of persons identifying themselves as being Native Hawaiian/Pacific Islander in Nassau County. Small low-density pockets exist in the vicinity of New Hyde Park and Locust Valley.

## Other Minority Populations



Other minority populations (those who indicated being something other than those cited above on the 2010 census) are dispersed through northern and central Nassau County, including Sea Cliff, Hempstead, Westbury, and Freeport.

## Low-Income Populations



Low-income residents are primarily clustered around central Nassau. Areas with a denser concentration include Westbury, Hempstead, Freeport Roosevelt, Glen Cove and Inwood. There are several modest concentrations in the far northeast portion of the county which currently is not served by NICE. Nearly all routes serve one or more census blocks that include a 4.6 percent or greater concentration of individuals considered to be low-income.

## SERVICE EQUITY ANALYSIS

Minority Proportion of the Service Area			
Route	Census Tracts	Average Population	Difference
	Along Route	in Service Area	
<i>Elmont Flexi</i>	62.06%	34.00%	28.06%
<i>Freeport Community Shuttle</i>	73.25%	34.00%	39.25%
<i>Hicksville Wantagh Community Shuttle</i>	18.62%	34.00%	-15.38%
<i>Rockville Centre Community Shuttle</i>	13.31%	34.00%	-20.69%
<i>n 19</i>	26.09%	34.00%	-7.91%
<i>n 27</i>	45.00%	34.00%	11.00%
<i>n 36</i>	35.00%	34.00%	1.00%
<i>n 45</i>	23.00%	34.00%	-11.00%
<i>n 47</i>	10.27%	34.00%	-23.73%
<i>n 51</i>	23.48%	34.00%	-10.52%
<i>n 57</i>	37.00%	34.00%	3.00%
<i>n 70/72</i>	41.00%	34.00%	7.00%
<i>n 78/79</i>	16.00%	34.00%	-18.00%
<i>n 80/81</i>	21.83%	34.00%	-12.17%

Low Income Proportion of the Service Area			
Route	Census Tracts	Average Population	Difference
	Along Route	in Service Area	
<i>Elmont Flexi</i>	10.00%	9.00%	1.00%
<i>Freeport Community Shuttle</i>	20.00%	9.00%	11.00%
<i>Hicksville Wantagh Community Shuttle</i>	5.00%	9.00%	-4.00%
<i>Rockville Centre Community Shuttle</i>	9.00%	9.00%	0.00%
<i>n 19</i>	8.00%	9.00%	-1.00%
<i>n 27</i>	14.60%	9.00%	5.60%
<i>n 36</i>	13.80%	9.00%	4.80%
<i>n 45</i>	6.00%	9.00%	-3.00%
<i>n 47</i>	9.00%	9.00%	0.00%
<i>n 51</i>	6.00%	9.00%	-3.00%
<i>n 57</i>	6.00%	9.00%	-3.00%
<i>n 70/72</i>	7.00%	9.00%	-2.00%
<i>n 78/79</i>	6.00%	9.00%	-3.00%
<i>n 80/81</i>	6.00%	9.00%	-3.00%

## **CONCLUSIONS TO SERVICE EQUITY ANALYSIS**

The analysis indicates that these changes will have a disparate impact on the minority and low-income population in the following routes; Elmont Flexi and Freeport Community Shuttle. In total these routes carry a total of 185 passengers on an average weekday and in some cases these changes represent improvements.

## **RECOMENDATIONS**

It is recommended that these service changes be implemented, as it is the best solution to assist with the budget deficit, minimally impacts the system and the customer, and satisfies the Title VI guidelines. These changes affect total of roughly 11,000 daily customers but will allow us to balance the budget and improve running time and service on high ridership routes throughout the system. These cuts are targeted at the lowest performing routes and which do not have a disproportionate impact on low income or minority riders.

## **ALTERNATIVES TO SERVICE CHANGES**

The alternative to making these cuts of under-performing routes in order to balance the budget is a system-wide service reduction, which would include canceling entire routes, reducing frequency on heavily traveled routes, eliminating weekend or mid- day service and eliminating one seat rides especially on our heavily traveled routes. The current routes scheduled to be eliminated combined have an average subsidy per ride of \$25.01 per ride for the Community Shuttles and \$6.36 for fixed routes. In order to spread the cuts around the system we would have to target routes like the n4, n6 and n40/41 which carry about 35% of our ridership and have an average subsidy per passenger of \$0.20 per ride.

# Transit Committee Meeting Agenda

## Nassau County Bus Transit Committee

### Agenda for Regular Meeting

Thursday, March 30, 2017 4:00PM

Legislative Chamber, Theodore Roosevelt Executive & Legislative Building, 1550 Franklin Avenue,  
Mineola, NY 11501

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#### **A. General Items**

1. Introduction of Members and Roll Call
2. Acknowledgement of Receipt of Transcript from meetings held on February 16, 2017

#### **B. Presentation by NICE CEO Michael Setzer**

#### **C. Public Comments**

#### **D. Resolution to Approve 2017 Annual Plan and Budget**

#### **E. Adjournment**

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Title VI Service Equity Analysis  
Nassau Inter-County Express  
January 2016

## **EXECUTIVE SUMMARY**

### **Regulatory Requirements**

Nassau Inter-County Express or NICE operated by Transdev is conducting an Equity Analysis under Title VI of the Civil Rights Act of 1964 to evaluate a proposal to eliminate low ridership routes beginning January 17, 2016. In compliance with the Federal Transit Administrations (FTA) Circular 4702.1B, NICE will conduct a study which requires NICE Bus to evaluate service change proposals in order to determine if such changes have a discriminatory impact on minority or low-income populations.

### **NICE Bus Service Profile**

NICE service covers Nassau County, New York and serves the County's 1.3 million residents over 285 square miles. The service area extends to Suffolk County in the East and into Queens to the West. The area is comprised of both suburban and urban areas. The service provides approximately twenty-nine million rides annually or approximately 100,000 per day.

The proposed service cut is needed to help bridge a funding gap created by rising costs, attributable to negotiated labor increase, fuel costs and the rising cost of medical benefits. NICE has managed to maintain all routes in service and have distributed cuts throughout the system when needed. The current alternatives are to cut routes with low ridership or spread the cuts throughout the system and potentially impact more customers than proposed.

### **Title VI Guidelines**

In compliance with Federal Transit Administration Circular 4702.1B dated October 1, 2012 which requires that Under Title VI of the Civil Rights Acts of 1964, NICE evaluates significant system-wide service changes and proposed improvements at the planning and programming stages to determine whether those changes have a discriminatory impact on minority and low-income populations.

An analysis will be conducted by Nassau Inter-County Express (NICE) for all service changes that meet the definition of a Major Service Change as provided in NICE's system-wide service standards and policies, which equals a change of 25 percent change in transit revenue vehicle hours. In order to address the mandates in Title VI of the Civil Rights Act of 1964, as well as the Environmental Justice (EJ) provisions in Presidential Executive Order 12898, the service change analysis will evaluate minority (Title VI protected classes) as well as low-income populations (persons who are either members of a minority and/or at or below the U.S Department Of Health and Human Services poverty guidelines). NICE's approach must include:

- A description of the methodology used to determine the impact of the service change

- A determination as to whether the proposed change would have discriminatory impacts
- An analysis of modifications to avoid, minimize, or mitigate potential discriminatory impacts
- A description of what, if any, action was taken by the agency in response to the analysis conducted

**BACKGROUND**  
**ROUTES AFFECTED**

The following is a summary of the proposed service changes and customers affected:

<b>WEEKDAY</b>			
<u>Route</u>	<u>Change</u>	<u>Avg Ridership</u>	<u>Affected</u>
n2/n8	Eliminate	611	286
n14	Eliminate	134	134
n17	Eliminate	123	123
n19	All Trips end at Sunrise Mall	1089	280
n46	Eliminate; trips become n47	592	125
n50	Eliminate	242	242
n51	Eliminate	203	203
n62	Eliminate	124	124
n73/74	Eliminate	372	372
n80	Eliminate	358	358
<b>SATURDAY</b>			
<u>Route</u>	<u>Change</u>	<u>Avg Ridership</u>	<u>Affected</u>
n2/n8	Eliminate	234	234
n19	All Trips end at Sunrise Mall	791	290
n73/74	Eliminate	153	153
n80	Eliminate	190	190
<b>SUNDAY</b>			
<u>Route</u>	<u>Change</u>	<u>Avg Ridership</u>	<u>Affected</u>
n19	All Trips end at Sunrise Mall	348	107

Of these routes only the n2/n8 and n62 are considered minority and low income. The n17 and n46 are considered only low income but not a minority. All other routes affected are not considered low-income or minority and require no further analysis.

## **METHODOLOGY**

The main steps in completing the Service Change Analysis included:

- Determine if route is minority or low income
- Establishing service equity impact analysis thresholds
- Evaluating whether planned service changes will have a disparate impact on populations protected under the Title VI and whether low-income populations will bear a disproportionate burden of the changes
- Recommending methods to avoid, minimize or mitigate impacts as needed
- Propose alternatives to service changes.

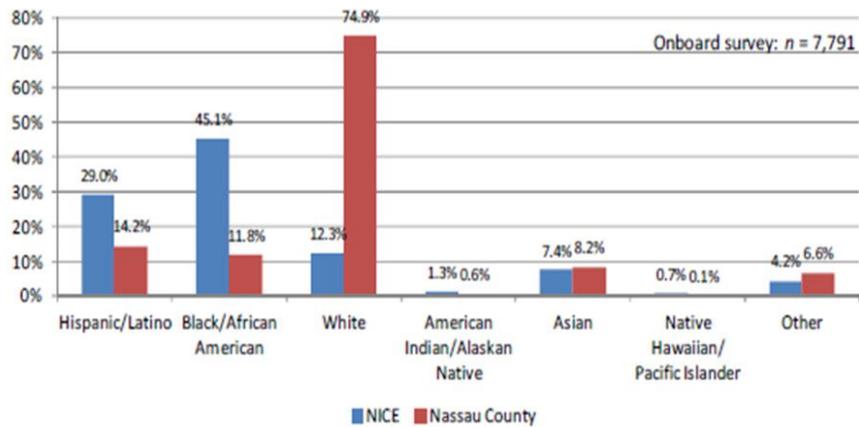
NICE collected onboard survey data in order to assess ridership characteristics. Data on age, race, income, minority status, ability to speak English and type of fare used are provided in the 2013 NICE Bus System-wide Survey. In order to help identify the Title VI populations, demographic data from the region and transit providers were examined. Data for the county were compiled in order to provide context and comparison for the survey data. A full FTA mandated system survey was completed and filed in 2013. Data collected in the survey were compiled and compared to the US Census Survey data between 2000 and 2011. The data and proposed fare changes were then evaluated to determine whether the proposal will create a disparate impact or a disproportionate burden on Title VI populations. The fare equity analysis focused on the transit provider information, given that the fare increase will specifically impact existing riders.

The Title VI guidelines identify disparate impacts as impacts to the minority population, while disproportionate burdens address impacts on low-income populations. The assessment of these potential impacts was also completed using the onboard survey data.

## RIDERSHIP ANALYSIS

### Survey Population Demographics

The most recent system-wide survey shows Black or African American was the most frequently selected response cited by 45.1 of those surveyed. Persons of Hispanic/Latino heritage made up 29 percent of those sampled. Respondents identifying themselves as white represented 12.3 percent, while 7.4 percent identified themselves as Asian.



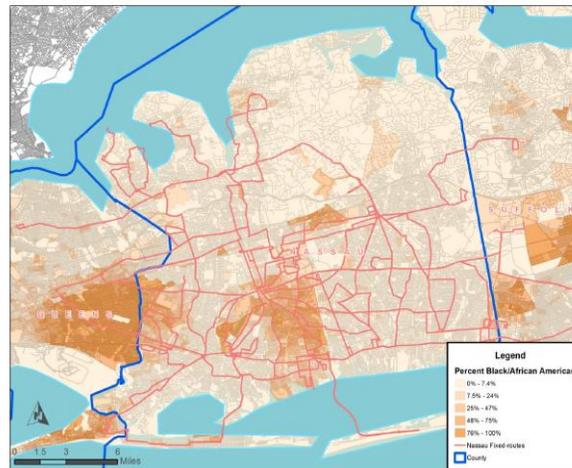
The following are maps that represent the minority /low income populations with NICE Bus route overlays for Nassau County (2010 Census). Each map represents a minority population’s distribution across the county, and the system routes are overlaid for comparison/assessment of their access to existing service. A similar analysis was done for the low income population in the county. Legends with concentrations are located at the bottom left of each map.

### Hispanic /Latino Populations



Hispanic/Latino populations are primarily clustered around transit lines. There is one modest concentration in the far northeast portion of the county (Oyster Bay), with transit service from the Long Island Railroad (LIRR). Other key concentrations are located in or near Westbury, Hempstead, Plandome Manor, Thomaston, Freeport, Hewlett Bay Park, Inwood, and Long Beach. Nearly all routes serve one or more census blocks that include 22 percent or more of individuals who identify themselves as Hispanic/Latino.

### Black/African American



Black/African-American populations are primarily concentrated through central Nassau County (Hempstead, Freeport, Lynbrook, Garden City, and Westbury) and far west Nassau County (Elmont). A majority of the routes in the southern portion of the county travel through one or more census block with a substantial Black/African-American population.

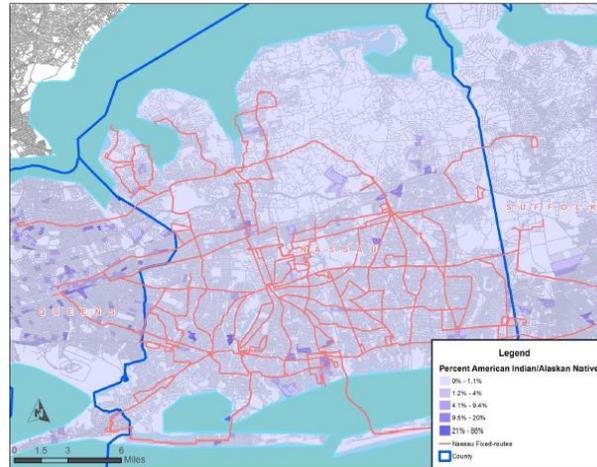
### Asian



Asian populations are primarily concentrated in the northern half of the county; however the sub-population is fairly evenly dispersed with a few areas of higher densities. These denser areas

are comprised of census blocks in Hicksville, New Hyde Park, West Hempstead, Franklin Square, and Valley Stream. Two areas in eastern Nassau County have an absence of NICE service – Muttontown and Syosset (Syosset, however, is served by LIRR). The majority of the routes in the northern portion of the county travel through one or more census block with a substantial Asian population.

### American Indian/Alaskan Native

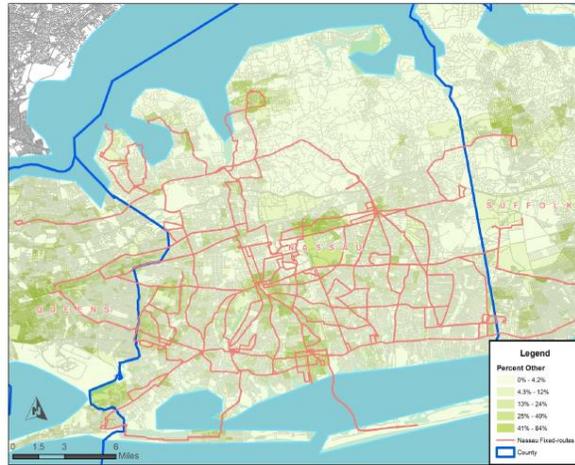


American Indian/Alaskan Native populations are moderately concentrated across the county, but are primarily clustered around transit service. These concentrations are located in or near Williston Park, Hicksville, Westbury, Baldwin, Lynbrook, Westwood, Island Park, and Long Beach. There is one moderately dense area in the far northeast portion of the county (east of Jericho) that is not currently served by NICE.

### Hawaiian/Pacific Islander

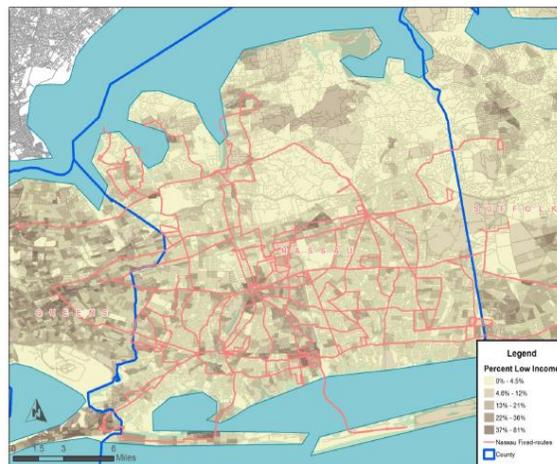
There are no significant concentrations of persons identifying themselves as being Native Hawaiian/Pacific Islander in Nassau County. Small low-density pockets exist in the vicinity of New Hyde Park and Locust Valley.

### Other Minority Populations



Other minority populations (those who indicated being something other than those cited above on the 2010 census) are dispersed through northern and central Nassau County, including Sea Cliff, Plandome Manor, Thomaston, Hempstead, Westbury, and Freeport.

### Low-Income Populations



Low-income residents are primarily clustered around central Nassau. Areas with a more dense concentration include Plandome Manor, Thomaston, Westbury, Hempstead, and Freeport. There are several modest concentrations in the far northeast portion of the county (primarily the Upper Brookville area) which currently are not served by NICE. Nearly all routes serve one or more census blocks that include a 4.6 percent or greater concentration of individuals considered to be low-income.

## SERVICE EQUITY ANALYSIS

Route	Minority Proportion of the Population			Low Income Proportion of the Population		
	Census Tracts Along Route	Average Population in Service Area	Difference	Census Tracts Along Route	Average Population in Service Area	Difference
n2/n8	62.06%	34.00%	28.06%	10.00%	9.00%	1.00%
n14	13.31%	34.00%	-20.69%	9.00%	9.00%	0.00%
n17	32.92%	34.00%	-1.08%	13.00%	9.00%	4.00%
n19	26.09%	34.00%	-7.91%	8.00%	9.00%	-1.00%
n46	40.58%	34.00%	6.58%	13.00%	9.00%	4.00%
n50	23.48%	34.00%	-10.52%	5.00%	9.00%	-4.00%
n51	23.48%	34.00%	-10.52%	6.00%	9.00%	-3.00%
n62	73.25%	34.00%	39.25%	20.00%	9.00%	11.00%
n73/74	18.62%	34.00%	-15.38%	5.00%	9.00%	-4.00%
n80	21.83%	34.00%	-12.17%	6.00%	9.00%	-3.00%

## CONCLUSIONS TO SERVICE EQUITY ANALYSIS

The analysis indicates that these changes will have a disparate impact on the minority and low income population in the following routes n2/n8, n62, n17 and n46. In total these routes carry a total of 1400 passengers an average weekday and in some cases these changes represent improvements. n2/n8 will be extended to Jamaica during the rush hour to help the n1 and n6 carry more passengers in Elmont. n46 will turn into n47 trips and will benefit the Front Street in Hempstead and Uniondale which is the major corridor on those two routes.

## **RECOMMENDATIONS**

It is recommended that these service changes be implemented, as it is the best solution to assist with the budget deficit, minimally impacts the system and the customer, and satisfies the Title VI guidelines. These changes affect a total of roughly 3000 customers, but will allow us to balance the budget and improve running time and service on high ridership routes throughout the system. These cuts are targeted at the lowest performing routes and which do not have a disproportionate impact on low income or minority riders.

## **ALTERNATIVES TO SERVICE CHANGES**

The alternative to making these cuts of under-performing routes in order to balance the budget is a system-wide service reductions, which would include canceling entire routes, reducing frequency on heavily traveled routes, eliminating weekend or mid- day service and eliminating one seat rides especially on our heavily traveled routes. The current routes scheduled to be eliminated combined have an average subsidy per ride of \$4.71 per ride, and in order to spread the cuts around the system we would have to target routes like the n4, n6 and n40/41 which carry about 35% of our ridership and have an average subsidy per passenger of \$0.20 per ride.

# Transit Committee Meeting Agenda

## Nassau County Bus Transit Committee

### Agenda for Public Hearing

Thursday, November 19, 2015 6:00PM

Legislative Chamber, Theodore Roosevelt Executive & Legislative Building, 1550 Franklin Avenue,  
Mineola, NY 11501\

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#### **A. General Items**

1. Introduction of Members and Roll Call

#### **B. Presentation by NICE CEO Michael Setzer**

#### **C. Public Comments**

#### **D. Resolution regarding the Fare Equity Analysis**

#### **E. Resolution regarding the Service Equity Analysis**

#### **F. Resolution regarding NICE Fare Structure**

#### **G. Resolution regarding NICE Service Structure**

#### **H. Adjournment**