

**Manchester Transit Authority  
Title VI Program Plan  
Commission Approval: November 29, 2022**

**I. OBJECTIVES**

The Manchester Transit Authority has in place a Program based on Title VI of the Civil Rights Act of 1964 (42 U.S.C Section 2000d) and U.S.D.O.T. Regulation 49 CFR Part 21 “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation”. The Program is based on Federal Transit Administration Circular FTA C 4702.1B, “Title VI and Guidelines for Federal Transit Administration Recipients”, October 1, 2012.

The objectives of the program are as follows:

- A. To ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- B. To promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- C. To ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

## **II. GENERAL REQUIREMENTS**

As part of the Manchester Transit Authority's Title VI Program, the transit system maintains certain reporting requirements and provides the Federal Transit Administration the following information regarding these reporting requirements.

### **A. Requirement to Provide an Annual Title VI Certification and Assurance**

MTA shall submit its annual Title VI Assurance as part of its Annual Certifications and Assurances submission to FTA. While MTA does not currently have any sub-recipients, should sub-recipients exist in the future, MTA shall collect Title VI Assurances from sub-recipients prior to passing through FTA funds.

MTA has executed FY 2022 Certifications and Assurances for the FTA.

### **B. Requirement to Notify Beneficiaries of Protection under Title VI**

The MTA has established methods for notification to the public regarding its Title VI obligations, how to get more information regarding MTA's non-discrimination obligations, and procedures for filing a discrimination complaint against the MTA. The public notice is included in Appendix A1 as well as Spanish translation in A2.

The public notice is placed on MTA's website and all Revenue vehicles in English and Spanish language versions. The MTA website is compatible with Google Translate so that the notice may be translated into dozens of languages beyond those required under the Safe Harbor thresholds which for MTA, is only Spanish.

MTA also publishes the notice in local print every three (3) years with the last date of publish being September 12, 2022 in the Union Leader, the most widely circulated newspaper in our area. The next printing will be in September 2025.

C. Requirement to Develop Title VI Complaint Procedures

MTA has developed procedures for investigating and tracking Title VI complaints that may be filed against the MTA and for making these procedures available to members of the public upon request. Should MTA have any sub-recipients in the future, sub-recipients shall be required to have such procedures and shall be encouraged to adopt MTA's complaint investigation and tracking procedures.

A copy of the MTA's Title VI Complaint and Investigation Procedures is included in Appendix B. The Title VI complaint procedures were adopted by the MTA Board of Commissioners, MTA's policy board, on August 27, 2013. The MTA Title VI Coordinator is the Assistant Director, Manchester Transit Authority, 110 Elm Street, Manchester, NH 03101. A copy of the MTA Title VI Complaint Form is included in Appendix C.

D. Requirement to Record Title VI Investigations, Complaints and Lawsuits

In compliance with 49 CFR Section 21.9(b), the MTA (and any sub-recipient) shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the MTA (or sub-recipient) alleging discrimination on the basis of race, color, or national origin. This list shall include the date the investigation, lawsuit, or complaint was filed and received by MTA, a summary of the allegation(s), the status of the investigation, lawsuit or complaint, and actions taken by the MTA (or sub-recipient) in response to the investigation, lawsuit, or complaint.

MTA's form for recording this information is included in Appendix D. The list shall comprise all of the records of active investigations, lawsuits, and complaints recorded on these forms. During the processing of active investigations, lawsuits, or complaints, the Title VI Coordinator shall update the record form as necessary. Upon resolution and closure of an investigation, lawsuit or complaint, the Title VI Coordinator shall record such closure on this form.

During the most recent reporting period, there were no Title VI complaints, investigations, or lawsuits filed against the MTA.

E. Requirement to List Membership on Non-elected Board and Committees Depicting Racial Breakdown of the Membership and Description of Efforts Made to Encourage the Participation of Minorities on Such Committees.

MTA has no such committees, boards, or councils at the present time. Should MTA seek to establish such a body, action will be taken to ensure active participation by minorities throughout the process.

F. Requirement to Develop a Public Participation Plan

MTA has developed a Public Participation Plan which is included as Appendix E. This Plan was developed during the late summer and early fall of 2016 before being approved by the MTA Commission on September 27, 2016. MTA has not yet had a qualifying service/fare change be considered that would trigger the Plan. The most recent service change proposal occurred in 2015 at which time MTA was considering eliminating service to a shopping plaza located in a low income neighborhood. As a direct result of the public participation process and comments received, MTA changed our plan and kept service to that plaza in place. It continues to operate today. The PPP included in this plan should build upon that success to make it even easier for stakeholders to share comments/concerns with MTA so that we ensure equal access to all residents and that MTA is doing everything possible to meet the transportation needs of our community.

G. Requirement to Develop a Language Assistance Plan (LAP)

MTA has developed a Language Assistance Plan (LAP) in order to ensure meaningful access to programs and activities for individuals with Limited English Proficiency (LEP). To develop this Plan, a four factor analysis was performed to determine specific language services that are appropriate. This analysis helps MTA to determine if it communicates effectively with LEP persons and informs language access planning.

**Factor 1: Number of LEP Persons in Service Region**

MTA begins by developing an understanding of the proportion of LEP persons who may encounter our services, their literacy skills in English and their native language, the location of their communities and neighborhoods and, more importantly, if any are underserved as a result of a language barrier.

To do this, MTA evaluated the level of English literacy and to what degree people in our service area speak a language other than English and what those languages are. Data for this review is from the United States Census “American Fact Finder” website. The most recent American Community Survey (ACS) 5 year estimates were used (2016-2020).

Attachment F is a table showing the results for our service area. In order to ensure the highest level of inclusion, MTA determines Safe Harbor thresholds based on the estimate of LEP populations for the entire MTA service area, including the recently added CART service area. If this combined figure is 1,000 or more people (since the population of our service area is greater than 100,000- any levels below 1,000 people are automatically below the 5% alternative threshold) that population is included in the LEP plan.

As Attachment F illustrates, the highest population speaking English less than very well is Spanish. The estimate is 3,579 so Spanish is included in our LEP plan and all vital documents and postings are translated into Spanish. The next highest population is French. The estimate of 1,230 so French is included in our LEP plan and all vital documents and postings are translated into French. The next highest language is Vietnamese with an estimate of 832. This does not meet the threshold for LEP. All other languages represent even smaller volumes of population.

It should be noted that while only Spanish and French meet the Safe Harbor threshold, MTA has taken steps to make materials available on our website through Google translate into dozens of languages, including Russian. Later sections of this Plan dealing with tablets and translation services are also available to more languages than just Spanish and French in an effort to meet more than the minimum standards of LEP.

## **Factor 2: Frequency of LEP Use**

There are a number of places where MTA riders and members of the LEP population can come into contact with MTA services including the use of the fixed route system, paratransit, customer service calls, reservations for paratransit, dispatch questions/lost and found, fare media purchases, and MTA outreach materials. An important part of the development of MTA's LAP is the assessment of major points of contact. These include:

- Communication with MTA customer service staff
- Fare media sales
- Printed outreach materials
- Online materials
- Public meetings/hearings
- Paratransit and demand response reservations
- On board service postings
- Social media outreach

As part of MTA's 2016 Triennial Review, it was noted that MTA needed to better understand the four factor analysis with regard to barriers to our service. To that end, MTA contacted the Public Health Department and asked that they host a meeting of area agencies that work with LEP populations so that MTA could gain a better sense of any restrictions to our service they were facing. The meeting was held in September and in attendance were a variety of agencies including:

- Manchester Community College
- Catholic Medical Center
- Southern New Hampshire University
- Manchester Community Health Center
- Dartmouth Hitchcock
- Project LAUNCH
- Meals on Wheels
- Easter Seals
- Child and Family Services

The meeting was very helpful as it provided valuable insight into three main points of interest. First, the consensus was that age played a large role in determining if language was a barrier. Many agencies

reported that younger individuals were much more likely to use online tools to access information and this in turn reduced the need for translated printed materials. Older individuals however were more likely to want translated documents in paper format. MTA has identified a list of vital documents as a result and all of these have been translated into Spanish and are available through MTA or at many of these partner agencies. It was noted that the MTA website translation tool was very helpful and MTA committed to continuing to ensure the website had the most up to date information for ease of access to translation. The second point was that most agencies believed their LEP populations did not frequently use public transit but not because of a language barrier but rather due to the hours of service. MTA operates hourly frequencies and the last trips are at 5:30 PM. Many agencies reported LEP workers employed in service sector jobs that weren't out in time to use MTA services so many people carpool or rely on rides from friends/families. Colleges reported that many classes were not completed until after service ended. The only segment that did report frequent usage was healthcare which made sense as they tend to be more daytime appointments than evening. MTA used this information to begin expanding evening service, starting in 2018 and now runs three evening routes to better meet the needs of this population. The final point of interest was that Spanish was easily the predominant group that agencies reported working with. Interestingly, while French is the second most common language according to the Census, there was virtually no reported instances of French LEP clients but Nepali and Arabic were mentioned as frequent LEP clients. MTA will evaluate these two populations in future years to determine if they warrant inclusion in the LAP.

MTA has determined that the proportion of LEP populations who utilize the services is fairly low (not unlike the general population in New Hampshire where funding challenges make service options to attract choice riders very difficult to implement). However, among those LEP persons who do utilize MTA services, the frequency that they interact with MTA staff and materials is high. The MTA Short Range Transit Plan written by the Southern New Hampshire Planning Commission (SNHPC) provides data that can be used to estimate specific frequencies for LEP populations. The Plan cites that 85% of residents live within 0.25 miles (approximately 4 blocks) of MTA

service. Applying that figure to the 5,271 estimated individuals who speak English less than well cited in the American Fact Finder table yields 4,480 individuals who are considered to have access to MTA service. MTA then uses the Coordinated Public Transit Human Services Transportation Plan, again authored by SNHPC, which shows 0.6% of trips taken are done via public transportation. To be conservative, MTA assumes that 100% of those trips are with MTA though other providers operate in the City. That yields an estimated 28.55 individuals who use MTA service and speak English less than well. Based on MTA's average daily ridership of approximately 1,875 passengers, this equates to roughly 1.0% of ridership.

### **Factor 3: The Importance of MTA Service to People's Lives**

Access to the services provided by MTA, both on fixed route and paratransit, are critical to the lives of many in our service area. Many depend on MTA for access to jobs and essential community services like schools, shopping, and medical appointments. A large number of MTA riders are transit dependent so without MTA service, they do not have another method of travel available to them. Because of the essential nature of the services and the importance of these programs in the lives of many of the area's residents, there is a need to ensure that language is not a barrier to access.

MTA Vital Documents (available in Spanish or French on request):

- Route and schedule information
- Fare and payment information
- StepSaver (paratransit) application, service description, appeals process, and no show policy
- Title VI Notice, Complaint Process and Complaint Form
- Public hearing/meeting notices
- Postings of service changes and public comment options
- CART service materials/brochure

An example of vital document translation can be found in Appendix A1 and A2 which show the English, French and Spanish versions of the Title VI notice posted on vehicles. All of the above vital documents are on hand in Spanish and French should a request be



received. MTA will also attempt to obtain alternative translations as described in Factor 4.

**Factor 4: Resources available to MTA for LEP outreach, as well as the costs associated with that outreach.**

MTA has committed resources to improving access to its services and programs for LEP persons. Bilingual information (English/Spanish/French) is distributed in an extensive number of mediums including:

1. Bilingual transit bus operators who can facilitate communication between passengers and other drivers or dispatch via the onboard radio
2. Translation of our website and all posted materials into dozens of languages.
3. Translation of Facebook page and posts through online translation.
4. Active participation by MTA staff on local social service councils and committees engaged with LEP populations
5. Availability of Vital Documents in Spanish and French. Additionally, MTA has a partnership with the Manchester Community Health Center, who has on staff translators, that enables us to obtain translated materials in other languages upon request. There may be a delay of up to one week for these whereas Spanish is available immediately upon request
6. On board tablets able to translate Spanish or French to English and vice versa as well as translate additional language. MTA is in process of training of merging with CART and will install and deploy this technology into the CART service area this fall.

Using the four factor analysis above, MTA has developed the following Language Assistance Plan (LAP). MTA will do the following:

- Provide translation services for all elements of our website through Google Translate. Please note, while only required to be done for Spanish and French, MTA is able to accommodate dozens of language above and beyond the minimum requirement.
- Provide paper or electronic copies of all vital documents in Spanish and French. If possible, MTA will also provide translations in other languages above and beyond the minimum requirements.
- Include the lines “If information is needed in another language, then contact MTA at 603-623-8801”; “Si se necesita información en otro idioma, comuníquese con MTA al 603-623-8801” and “Si des informations sont nécessaires dans une autre langue, contactez MTA au 603-623-8801.” on all postings.
- Utilize the services of Language Line Solutions for telephone interpreting for Spanish speaking callers.
- Provide operators with tablets capable of translating between English and Spanish for use with passengers needing assistance.
- Review the above steps in the event another language crosses the safe harbor threshold or if MTA receives comments regarding unmet need through our Public Participation Plan.

### **Operator Training**

MTA requires all transit operators to complete a minimum of 8 hours of safety and customer service training annually. Part of this training includes familiarization with tablet translation technology and customer service for passenger with disabilities or limited English proficiency.

#### **H. Requirement to Provide Additional Information Upon Request**

At the discretion of the FTA, information other than that required by the referenced circular may be requested, in writing, from a recipient in order to investigate complaints of discrimination or to resolve concerns about

possible noncompliance with Title VI requirements. The MTA Title VI Complaint Coordinator (Assistant Director: Transit Operations) is available to provide additional information as needed and to respond to any inquiry.

### **III. SUMMARY OF PUBLIC OUTREACH AND INVOLVEMENT ACTIVITIES**

MTA annually publishes its Program of Projects in the largest newspaper of general circulation. MTA last held a public hearing for service changes on April 14, 2015 regarding its Program of Projects for FY 2016 and specific service changes to be made on July 1, 2015. At that time, MTA was considering elimination of service to a shopping plaza after the main anchor, Shaw's, had closed. This plaza was in census tract designated as low income so MTA held a hearing and as a direct result of comments received from the community, that change was not implemented. There have been no fare increases or service cuts during this period. The most recent public hearing occurred on October 27, 2022 but did not include any triggering proposed changes. MTA publishes the PoP annually and holds a public hearing each Fall with our Board.

Outreach to the minority community is undertaken regularly through distribution of notices to the Minority Health Coalition and Latinos Unidos for their inclusion of the information in their outreach materials. MTA is a member of the Healthy Eating, Active Living (HEAL) effort which aims to improve health and quality of life for low income and minority populations, which includes many LEP persons. MTA has worked to ensure transportation is included as a barrier consideration when outreach efforts are drafted by these and other stakeholders. MTA has joined the Project LAUNCH initiative and the Downtown Committee of the Chamber of Commerce as well as developing a translation partnership with the Manchester Community Health Center for translation services if requested for languages other than Spanish. The MTA Executive Director serves as the Vice Chair of the Region 8 Coordination Council which has oversight of several projects tailored to low income and senior populations as well as being tasked with increasing transportation access by reducing redundancies in service.

Additional outreach was performed through participation with New Hampshire's 211 information system. By dialing 211, residents of the State of New Hampshire can access multiple resources in a broad range of

categories, including MTA under transportation. Assistance is available through 211 for callers that would prefer an alternate language.

G. Requirement to develop quantitative service standards.

- MTA utilizes a load factor of 1.0 for all fixed route operations. While standees are permitted on board, the goal is to provide a seat for all passengers. MTA has met this goal with a 100% success rate during the last three years.
- MTA does not have vehicle headway standards as no fixed routes are served by more than one bus at a time. MTA operates a hub and spoke system based in downtown Manchester with all routes pulsing out and then returning to downtown. At no time is more than 1 vehicle providing service on a route.
- MTA considers vehicles to be on time if they depart a scheduled timepoint within five minutes of the scheduled time. At six minutes behind schedule, the vehicle is considered to be late. At fifteen minutes behind schedule, the trip is considered to have been missed. It is the goal of MTA to achieve a 90% or greater on time performance rate. MTA continuously monitors this metric and reports performance monthly to the Board of Commissioners, City of Manchester, and results are made public for access by the public.
- MTA has a service availability goal that aims to provide fixed route transportation access within 0.75 miles of 85% of residents in the service area. This service area is comprised almost entirely of Manchester with very limited service to sections of Bedford, Londonderry, Hooksett, and Goffstown. Effective October 1<sup>st</sup>, MTA will absorb the CART system and demand response service will be provided in Derry, Londonderry, Salem, Hampstead, and Chester as well as a single fixed route shopping bus in Salem.

H. Requirement to develop qualitative service procedures.

- MTA has only 1 facility where all vehicles are stored. The fleet is comprised of eighteen fixed route vehicles which includes 17 30' ADI low floor buses. There is also a single low floor cutaway used

exclusively on the Green DASH route. Specific route and vehicle assignment is varied daily in an effort to evenly distribute vehicle miles throughout the system.

- Installation of transit amenities along bus routes by MTA would be based on the number of passenger boardings at stops along those routes. Currently, MTA does not provide any amenities. Bus stops primarily consist of a sign on a post. In some locations bus shelters (non-MTA owned or maintained) may be placed at the discretion of private business or landlords as a convenience for their customers or tenants. While MTA will stop at these shelters, we primarily have no oversight or authority over them and no FTA funds are associated with them. In 2018, MTA received ownership of 15 shelters but they were left where they were installed by the original private sector business.

*This plan was approved by the MTA Board of Commissioners on November 29, 2022. A copy of the minutes from these meeting will be included in this plan as Attachment G after they are approved at the next Commission meeting.*