



U.S. Department
of Transportation

**Federal Transit
Administration**

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

MAY 16 2013

Dear Colleague:

Back in March of 2011, the Administrator wrote to you about the importance of complying fully with our Nation's civil rights laws and regulations. Civil rights compliance is central to the Federal Transit Administration's (FTA) mission and a condition of assistance. Since that time FTA has revised its Title VI Circular to make clearer FTA requirements and provide better guidance on how compliance can be achieved. With the issuance of the revised Circular 4 702.1 B, FTA also set a new schedule for the submission of Title VI programs to FTA. Specifically, FTA set new 3-year cycles beginning April 1, 2013. If you have not done so already, you can find the program due dates and expiration dates for Title VI programs on FTA's Title VI webpage found at: <http://www.fta.dot.gov/civilrights/12328.html>. If you do not see your transit agency, metropolitan planning organization, or State, please contact your regional civil rights officer immediately.

I would also like to take this opportunity to highlight a few points about the revised Circular. First, it is important to note that all Title VI programs must be approved by your agency's governing Board. If you do not have a Board, then your Title VI program must be approved by the governing entity for your organization such as a State Secretary of Transportation. Second, for those organizations who operate transit and are located in an urbanized area of 200,000 or more and operate 50 or more fixed-route vehicles in peak service, when you are planning a service or fare change you must present your service and fare change analysis to your Board or governing entity and receive its approval before implementing those changes. In addition, your major service change policy, disparate impact policy, disproportionate burden policy, and monitoring plan must also be Board approved. Third, when determining the location of new facilities, you must conduct a Title VI equity analysis. This requirement is separate from the environmental justice analysis required as part of the National Environmental Policy Act. Facilities such as storage, maintenance, and operating facilities must be analyzed during the planning stages of the project to ensure that the location was determined without regard to race, color, or national origin and must compare the equity impacts of various siting alternatives before selection of the preferred site.

Finally, the revised Title VI Circular anticipates that each entity will develop a robust public engagement plan. This plan must ensure that the riding public is aware of your policies as well as service and fare changes, identifying locations, and that they have a meaningful opportunity to comment on those items.

To assist you with compliance, FTA has offered numerous webinars over the last several months and has posted recorded webinars on the Title VI webpage referenced above. There are also frequently asked questions that may assist you. As always, your FTA regional civil rights officer

is available to assist you, so please do not hesitate to contact them.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Therese W. McMillan".

Therese W. McMillan