

Mountain Rides Transportation Authority (MRTA) Title VI Plan

**Endorsed and Approved May 20, 2015 by the:
Mountain Rides Transportation Authority Board of Directors**

Submitted to:
Office of Civil Rights
Federal Transit Administration, Region 10
915 Second Ave, Suite 3142
Seattle, WA 98174
Phone: 206-220-4462
Fax: 206-220-7959

May 20, 2015

RECIPIENT INFORMATION

RECIPIENT: Mountain Rides Transportation Authority (MRTA)
Rural Transit Agency

SUBMITTAL DATE: May 20, 2015

EXPIRATION YEAR: 2015

LAST UPDATE: 2012

CONTACT INFORMATION:

Jason Miller
Executive Director
MRTA
PO Box 3091
491 Sun Valley Rd. East
Ketchum, ID 83340
jason@mountainrides.org
Phone: 208-788-7433
Fax: 866-554-1103

I. PROVISION OF TITLE VI ASSURANCES

MRTA hereby certifies that, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

- a. MRTA shall submit on an annual basis, their Title VI Assurance, as part of their annual Certification and Assurance submission to the FTA.
- b. No person, on the basis of race, color, or national origin, will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
- c. MRTA will compile, maintain, and submit in a timely manner, Title VI information required by FTA Circular 4702.1A and in compliance with the Department of Transportation's Title VI Regulation, 49 CFR, Part 21.7. MRTA's List of Investigations, Lawsuits and Complaints is included as **APPENDIX G**.
- d. MRTA will make it known to the public that those persons or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

II. TITLE VI COMPLIANCE HISTORY

- a. There are no outstanding lawsuits or complaints naming MRTA which allege discrimination on the basis of race, color or national origin with respect to service or other transit benefits.
- b. There are no pending applications for Federal financial assistance, and there is no Federal financial assistance currently being provided to MRTA other than that being supplied by the Federal Transit Administration (FTA) through capital and operational programs (5309).
- c. During the course of the last three (3) years, there have not been any civil rights compliance review activities conducted with respect to MRTA and, to the best of our knowledge, there are not presently any ongoing civil rights compliance review activities being conducted with respect to MRTA.
- d. There are currently no pending construction projects which would negatively impact minority communities being performed by MRTA.

III. INCORPORATION OF THE PROGRAM

Mountain Rides Transportation Authority (hereinafter referred to as the “MRTA” or “Recipient”) hereby agrees that, as a condition to receiving any Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”), and other pertinent directives. 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 for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically, and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Transit Administration program:

- a. That the Recipient agrees that each “program” and each “facility”, as defined in subsections 21.23(e) and 21.23(b) of the Regulations will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated, in compliance with all requirements imposed by, or pursuant to, the Regulations.
- b. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Transit Administration programs and, in adapted form in all proposals or negotiated agreements:

MRTA, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

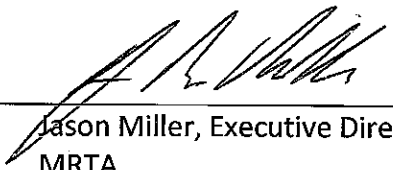
- c. That the Recipient shall insert the clauses contained herein as **APPENDIX A** in every contract subject to this Act and the Regulations.
- d. That the Recipient shall insert the clauses contained herein as **APPENDIX B**, as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures, or improvements thereon, or interest herein.
- e. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
- f. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
- g. That the Recipient shall include the appropriate clauses contained herein as **APPENDIX C**, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under Federal Transit Administration programs; and (b) for the construction or use of, or access to, space on, over, or under real property acquired, or improved under Federal Administration programs.
- h. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
- i. The Recipient shall provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
- j. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

- k. The Recipient assures that the level and quality of transit service and related benefits are provided in a manner consistent with Title VI of the Civil Rights Act of 1964.

THESE ASSURANCES are given in consideration of, and for the purpose of, obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the recipient by the Department of Transportation under the Federal Administration and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Transit Administration programs.

The person(s) whose signature appears below, are authorized to sign these assurances on behalf of the grant applicant or recipient.

Date: 5/20/15



Jason Miller, Executive Director
MRTA

IV. GENERAL GUIDELINES/REQUIREMENTS

a. Annual Certification and Assurance

As stated in Section I, MRTA shall submit annually, their Title VI assurance, as part of their annual Certification and Assurance submission to the FTA. The most recent submission for MRTA was approved by MRTA Board of Directors on 11/16/2011 and was executed and submitted to the FTA on 11/30/2011.

b. Complaint Procedures

In compliance with 49 CFR Section 21.9(b), MRTA has developed procedures for investigating and tracking Title VI complaints filed against them. Such procedures shall be made available to the public upon request. MRTA complaint procedures and complaint form are contained herein as **APPENDIX D**.

c. Record Title VI Activities

In compliance with 49 CFR Section 21.9(b), MRTA shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints

naming MRTA that allege discrimination on the basis of race, color, or nation origin. Such list shall include:

- 1) Date the investigation, lawsuit, or complaint was filed;
- 2) Summary of the allegation(s);
- 3) The status of the investigation, lawsuit, or complaint; and
- 4) Actions taken by MRTA in response to the investigation, lawsuit or complaint.

d. Access for LEP Persons

MRTA shall take steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). MRTA will assist persons with limited English proficiency to participate in the transportation planning process. MRTA Staff will make every effort to provide translators and document translation, where feasible, upon request. MRTA's Limited English Proficiency (LEP) Plan is contained herein as **APPENDIX E**.

e. Public Notification

In compliance with 49 CFT Section 21.9(d), MRTA shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by the Title VI. MRTA complaint procedures and public notification information are contained herein as **APPENDIX D**.

f. Additional Information

MRTA acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C 4702.1A, may be requested in writing of MRTA, to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

g. Timely Submission

MRTA acknowledges that their Title VI submissions and/or updates thereto, shall be supplied to their FTA Regional Office once every three (3) years. The submission shall include, but is not limited to:

- 1) A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that

- minority and low-income people had meaningful access to these activities;
- 2) MRTA's process for persons with limited English proficiency (LEP);
 - 3) Title VI Complaint and Tracking procedures;
 - 4) A list of any Title VI investigations, complaints or lawsuits filed since the last submission; and
 - 5) A copy of MRTA's public notice regarding Title VI compliance and public access and instructions to MRTA Title VI complaint procedures.

Portions of the Plan which have not changed since the last submission will not be resubmitted, however, MRTA shall include a statement to this effect in lieu of copies of the original documents in order to eliminate redundancy in resubmissions.

h. Environmental Analysis of Construction Projects

MRTA shall integrate an environmental justice analysis into their National Environmental Policy Act (NEPA) documentation of construction projects of which require NEPA. If a Categorical Exclusion (CE) is performed, MRTA shall complete the FTA's standard CE check-list which includes a section on community disruption and environmental justice. While preparing an Environmental Assessment (EA) or Environmental Impact Statement (EIS), MRTA shall integrate into their documents, the following:

- 1) A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population;
- 2) A discussion of all adverse effects that would affect the identified minority and low-income population;
- 3) A discussion of all positive effects that would affect the identified minority and low-income population;
- 4) A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues, and the replacement of the community resources destroyed by the project, if applicable;
- 5) A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
- 6) For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison will be completed of mitigation and environmental enhancement actions between the two stated areas. If there is no basis for such a comparison, MRTA shall describe why this is so.

i. Public Participation

MRTA shall seek out and consider viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities in regards to proposed transportation decisions. MRTA shall make every effort to include the following practices:

- 1) Coordination with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities;
- 2) Provision of opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments;
- 3) Utilization of locations, facilities and meeting times that are convenient and accessible to low-income and minority communities;
- 4) Utilization of different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities; and
- 5) Implementation of DOT's policy guidance regarding MRTA's responsibilities to LEP persons.

j. Service Standard and Service Policy Requirements

MRTA's Service Standard and Service Policy Requirements are outlined in **APPENDIX F**.

The person whose signature appears below, is authorized to sign on behalf of the grant applicant or recipient.

Date:

Jason Miller, Executive Director
Mountain Rides Transportation Authority (MRTA)

APPENDIX A

To be included in any contract subject to Title VI

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

- (1) **Compliance With Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, “DOT”) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontracts, Including Procurement for Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- (4) **Information and Reports:** The contractor shall provide all information reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, or other sources of information, and its facilities as may be determined by Mountain Rides Transportation Authority (MRTA) or the Federal Transit Administration to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information this contractor shall so certify to MRTA, or the Federal Transit Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor’s noncompliance with nondiscrimination provisions of this contract, MRTA shall impose contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies; and/or
- (b) cancellation, termination, or suspension of the contract, in whole or in part

- (6) Incorporation of Provisions: The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as MRTA or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request MRTA to enter into such litigations to protect the interests of MRTA, and in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Mountain Rides Transportation Authority (MRTA) will accept title to the lands and maintain the project constructed thereon, in accordance with the state of Idaho, the Regulations for the Administration of 5309 Bus and Bus Facilities Program and the policies and procedures prescribed by Federal Transit Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally –Assisted Programs of the Department of Transportation (herein referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S. C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto MRTA all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit “A” attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Mountain Rides Transportation Authority and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance as extended or for another purpose involving the provision of similar services or benefits and shall be binding on MRTA, its successors and assigns.

MRTA, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person 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 with regard to any facility located or wholly or in part on, over or under such lands hereby conveyer [,] [and] * (2) that MRTA shall use the lands and interest in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of Secretary.

Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute

property of the Department of Transportation and its assigns as such interest existed prior to this to this instruction.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, lease, permits, or similar instruments entered into by the Mountain Rides Transportation Authority (MRTA) pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant, and agree [in the case of deeds and leases add “as a covenant running with the land] that in event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose for involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in license, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenant, MRTA shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and reposes said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, MRTA shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Mountain Rides Transportation Authority and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Mountain Rides Transportation Authority pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds and leases add “as a covenant running with the land”) that (1) no persons on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in

the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services thereon, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, MRTA shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, MRTA shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Mountain Rides Transportation Authority and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX D

TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS **MOUNTAIN RIDES TRANSPORTATION AUTHORITY, IDAHO (MRTA)**

Public Notice of Rights

The following statement shall be posted on site at MRTA office, on the MRTA website (www.mountainrides.org); permanently displayed on public transit vehicles; and other appropriate materials made available to the public: *(Documents will be translated into languages other than English, upon request.)*

Non-Discrimination - Your Rights Under Title VI of the Civil Rights Act of 1964

The United States Department of Transportation (DOT) ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color or national origin in the provisions of benefits and services resulting from federally assisted programs and activities. Any person, who believes Mountain Rides Transportation Authority (MRTA) has violated his /her Title VI protections, should contact MRTA at 208-788-7433 or jason@mountainrides.org. MRTA has also developed a policy to assist individuals who are Limited English Proficient (LEP). Translation services in order to assist LEP individuals shall be made available to MRTA's customers upon request. MRTA's Title VI policy, complaint procedures and LEP Plan shall be made available upon request by contacting MRTA Transportation Department at the above-noted information. For federal Title VI information please contact the Federal Transit Administration (FTA), Region 8 at 720-963-3300. Federal Title VI information, including filing complaints, can also be accessed on the FTA web site at: www.fta.dot.gov.

Title VI Information, Limited English Proficient (LEP) information and Complaint Process (for printed materials, website, and other mediums upon request)

The Mountain Rides Transportation Authority (MRTA) grants all citizens equal access to all its transportation services. It is further the intent of MRTA that all citizens are aware of their rights to such access. This is designed to serve as an educational tool for citizens so that they may understand one of the civil rights laws that protect their benefit of MRTA programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring 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 subjected to discrimination under any program or activity receiving federal financial assistance." Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

What is LEP?

As part of Title VI requirements, MRTA has developed a Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MRTA services as required by Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000). A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

MRTA's Complaint and Investigation Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by MRTA.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and MRTA may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The following measures will be taken to resolve Title VI complaints:

- 1) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

MRTA strongly encourages the use of the attached **MRTA Title VI Complaint Form** when filing official complaints.

The preferred method is to file your complaint in writing using MRTA **Title VI Complaint Form**, and sending it to:

Title VI Coordinator
Mountain Rides Transportation Authority
PO Box 3091
Ketchum, ID 83340

- 2) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to MRTA Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and MRTA Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.
- 3) When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.
- 4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 5) Within 15 business days from receipt of a complete complaint, MRTA will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Executive Director or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of MRTA's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.

- 6) When MRTA does not have sufficient jurisdiction, the Executive Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- 7) If the complaint has investigative merit, the Executive Director or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Executive Director within 60 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.
- 8) The Executive Director or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 days from receipt of the complaint.
- 9) If the Complainant is dissatisfied with MRTA's resolution of the complaint, he/she has the right to file a complaint with the:

Federal Transit Administration
Region 10
Office of Civil Rights
915 Second Ave, Suite 3142
Seattle, WA 98174
Phone: 206-220-4462
Fax: 206-220-7959

FTA Complaint procedures can also be found on the FTA web site at: www.fta.dot.gov. These procedures are also outlined in FTA Circular 4702.1A, Chapter IX.

Title VI Complaint Form

Mountain Rides Transportation Authority

Complaint Form

Instructions: If you would like to submit a Title VI complaint to the Mountain Rides Transportation Authority (MRTA), please fill out the form below and send it to: MRTA , Attn: Title VI Coordinator, PO Box 3091, Ketchum, ID 83340. For questions or a full copy of MRTA's Title VI policy and complaint procedures call 208-788-7433 or email jason@mountainrides.org.

1. Name (Complainant):		
2. Phone:	: Home address (street no., city, state, zip):	
4. If applicable, name of person(s) who allegedly discriminated against you:		
5. Location and position of person(s) if known:	6. Date of incident:	
7. Discrimination because of:		
Race/Color	Sex (includes sexual harassment)	Vietnam Era Veteran
National origin	Sexual orientation	Disabled Veteran
Creed/religion	Marital status	Retaliation
Disability	Age	
8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case.		

9. Why do you believe these events occurred?	
10. What other information do you think is relevant to the investigation?	
11. How can this/these issue(s) be resolved to your satisfaction?	
12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses):	
Name:	Address:
Phone number:	
13. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court?	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, check all that apply:	
Federal agency <input type="checkbox"/>	Federal court <input type="checkbox"/>
Local agency <input type="checkbox"/>	State court <input type="checkbox"/>
State agency <input type="checkbox"/>	
If filed at an agency and/or court, please provide information about a contact person at the agency/court where the complaint was filed.	
Agency/Court:	Contact's Name:
Address:	
Phone number:	
Signature (Complainant):	Date of filing:

APPENDIX E

Mountain Rides Transportation Authority's (MRTA) Limited English Proficiency (LEP) Plan

I INTRODUCTION

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

II EXECUTIVE ORDER 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as MRTA, and governments, private and non-profit entities, and subrecipients.

III PLAN SUMMARY

MRTA has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MRTA services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining MRTA's extent of obligation to provide LEP services, MRTA undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in MRTA service area who maybe served or likely to encounter an MRTA program, activity, or service; 2) the frequency with which LEP individuals come in contact with an MRTA services; 3) the nature and importance of the program, activity or service provided by MRTA to the LEP population; and 4) the resources available to MRTA and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

IV FOUR FACTOR ANALYSES

1. The number or proportion of LEP persons eligible in MRTA service area who may be served or likely to encounter a MRTA program, activity, or service. MRTA examined the US Census data online (<http://quickfacts.census.gov>) and was able to determine that approximately 18.5% of Blaine County residents speak a language other than English at home. This is a fairly low percentage overall. Of the languages spoken other than English, Spanish is the dominant language.

2. The frequency with which LEP individuals come in contact with a MRTA program, activity, or service

MRTA assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying drivers. MRTA has never had a request for interpreters at any public meeting of MRTA; however drivers of our Valley Route report dealing with many LEP persons. As for phone calls, MRTA has very few inquiries from LEP persons. It seems that of all the services that MRTA provides, the Valley Route bus service and the Safe Routes to School program both have some contact with LEP persons.

3. The nature and importance of the program, activity, or service provided by MRTA to LEP community

Both the MRTA Valley Route bus service and the Safe Routes to School program are important to the LEP community. These services represent about 35% of the overall services that MRTA provides.

4. The resources available to MRTA and overall costs

MRTA assessed its available resources that could be used for providing LEP assistance. This included identifying translation services, identifying which documents are most needed to be translated and looking for organizations to partner with that would help MRTA do outreach to the LEP community. MRTA also has at least 30% of its staff who can speak Spanish and help the LEP community.

After analyzing the four factors, MRTA developed the plan outlined in the following section for assisting persons of limited English proficiency.

V LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

a) **How to Identify an LEP Person who Needs Language Assistance** - Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When MRTA sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gage the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- Frequently survey drivers and other first line staff of any direct or indirect contact with LEP individuals.

b) **Language Assistance Measures** - MRTA has or will implement the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in MRTA service area:

- All printed schedules for the Valley Route bus service are translated into Spanish.
- MRTA has pre-recorded information in Spanish and procedures for Spanish speakers to obtain additional information on its phone system.
- MRTA has many drivers and staff who speak Spanish and who are able to help give assistance to the LEP community.
- MRTA's current website is provided with an option to translate the entire site into various languages including Spanish.
- When an interpreter is needed, in person or on the telephone, and MRTA staff has exhausted the above options, staff will first attempt to determine what language is required. MRTA will then work with local LEP support organizations to provide these translation services.

c) **MRTA Staff Training** - All MRTA staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of MRTA staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- What language assistance services MRTA offers;

- Who is available within existing MRTA staff to help with LEP persons;
- How to use the online translation services;
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint (this process is contained in APPENDIX D of MRTA Title VI Plan)

d) Outreach Techniques - MRTA does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that MRTA will incorporate when and/or if the need arises for LEP outreach:

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
- When preparing a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into “A (insert alternative Language) translator will be available”. For example: “Un traductor del idioma español estará disponible” which means “A Spanish translator will be available”.
- Key printed materials, including but limited to schedules and maps, will be translated and made available at MRTA offices, on board vehicles and in communities when a specific and concentrated LEP population is identified.

e) Monitoring and Updating the LEP Plan - This plan is designed to be flexible and is one that can be easily updated. At a minimum, MRTA will follow the Title VI Program update schedule for the LEP Plan.

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in MRTA service area?
- Has there been a change in the types of languages where translation services are needed?

- Is there still a need for continued language assistance for previously identified MRTA programs? Are there other programs that should be included?
- Have MRTA's available resources, such as technology, staff, and financial costs changed?
- Has MRTA fulfilled the goals of the LEP Plan? and
- Were any complaints received?

f) **Dissemination of MRTA Limited English Proficiency Plan** - MRTA includes the LEP Plan with its Title IV Policy and Complaint Procedures. MRTA's Notice of Rights under Title VI to the public is posted in MRTA office, on all MRTA vehicles, and in selected printed materials and also refers to the LEP Plan's availability.

Any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the plan.

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to MRTA Title VI Coordinator.

MRTA Title VI Coordinator
PO Box 3091
Ketchum, ID 83340
Phone: 208-788-7433
Fax: 208-726-7140
Email: jason@mountainrides.org

APPENDIX F



Mountain Rides Transportation Authority Service Standards for Vehicle Load, Vehicle Headways, On-time Performance, Service Availability and Service Policies for Transit Amenities and Vehicle Assignments

As required by the Federal Transit Administration (FTA) as part of the Title VI program, Mountain Rides has standards for its services for minimum levels for vehicles, performance, service availability and service standards.

These standards are important in order to ensure reliable service that is transparent to the general public, especially our riders.

Vehicle Load Standards

Each of the vehicles in our fleet has a different capacity for both seated and standing capacities. Standing capacities are specific to the bus and, in many cases, to the manufacturer. Maximum load factor is calculated as a ratio of total capacity divided by seated capacity.

Vehicle Type	Average Passenger Capacities			
	<i>Seated</i>	<i>Standing</i>	<i>Total</i>	<i>Max Load Factor</i>
Vanpool van	12-15	0	12-15	1
24' small bus (i.e. Sprinter)	14	5	19	1.4
29' low floor bus (i.e. Gillig)	28	12	40	1.4
31' low floor bus (i.e. IC)	25	8	33	1.3
35' low floor bus (i.e. Gillig)	35	15	50	1.4
36' low floor bus (i.e. IC)	33	9	42	1.3
40' high floor bus (i.e. Gillig)	43	17	60	1.4

These are passenger capacities are maximums – Mountain Rides may not always load at maximums based on external factors like weather.

Vehicle Headway Standards

Mountain Rides operates a seasonal service in a resort economy where demand grows and shrinks significantly based on the time of year and the route. This requires vehicle headway standards to vary significantly throughout the year. Some routes only run during the winter, some run both winter and summer but not during the spring and fall, and some run year-round with different headways for different seasons.

Scheduling involves the consideration of a number of factors including: demand, ridership productivity (riders/hour), transit friendly streets, housing density and population, seasonality, activities, regional planning, transit developments, land use connectivity and transportation demand management. Mountain Rides considers all these factors in determining its annual schedule and service planning.

Service during peak times of year (winter and summer):

Peak (winter/summer)	Minimum Frequency (expressed in minutes)			
	Commuter (6a-8:30a and 4p-5:30p)	Day (8:30a-4p)	Evening (5:30p-9p)	Night (after 9p)
Valley Route weekday	30	120	120	n/a
Valley Route weekend	120	180	n/a	n/a
Blue Route	30 (service starts at 7a)	30	30	60 (service ends at 11p in summer, 1a in winter)
Green Route	60 (service starts at 7:35a and runs until 5:30p)	60	n/a	n/a
Red Route	n/a	60 (service runs every 30 minutes during part of winter season)	n/a	n/a
Bronze Route (route only runs during winter, no summer service)	30	30 (no service from 10:30a-1:30p)	n/a	n/a
Silver Route (route only runs during winter, no summer service)	30	30 (15 minute service from last week in Dec until end of Mar)	n/a	n/a
Hailey Route (weekday service only)	60 (service starts at 8a and ends at 5p)	60	n/a	n/a

Notes:

1. Winter season is defined as Thanksgiving until first week of April, unless noted otherwise above.
2. Summer season is defined as last week in June until first week in September, unless noted otherwise above.
3. Some services may run more frequently than minimums listed above.
4. Where noted with "n/a" the service doesn't run during that time period.

Service during off-peak times of year (spring and fall):

Off-peak (spring/fall)	Minimum Frequency (expressed in minutes)			
	Commuter (6a-8:30a and 4p-5:30p)	Day (8:30a-4p)	Evening (5:30p-9p)	Night (after 9p)
Valley Route weekday	30	120	120	n/a
Valley Route weekend	120	180	n/a	n/a
Blue Route	60 (service starts at 7a)	60	60	n/a
Green Route (weekday service only)	60 (service starts at 7:35a and runs until 5:30p)	60 (no service between 11a-2p)	n/a	n/a
Hailey Route (weekday service only)	60 (service starts at 8a and ends at 5p)	60	n/a	n/a

Notes:

1. Spring season is defined as second week of April until last week of June, unless noted otherwise above.
2. Fall season is defined as second week in September until day before Thanksgiving, unless noted otherwise above.
3. Spring and fall seasons are also known as slack seasons.
4. Some services may run more frequently than minimums listed above.
5. Where noted with “n/a” the service doesn’t run during that time period.
6. Silver, Bronze and Red Routes do not run during spring and fall periods.

These headway standards are minimums. Mountain Rides will seek to improve upon these headway minimums as resources allow, as part of its service planning process every 6 months.

On-time Performance Standard

Mountain Rides measures on-time performance through its fixed route management software, which allows for reporting of whether or not buses are on-time or not, based on pre-determined standards. Mountain Rides currently defines early as buses leaving a stop more than 1 minute before scheduled time, and buses are defined as buses leaving a stop more than 6 minutes after scheduled time.

Mountain Rides on-time performance objective for all transit routes is **90% or better**.

Service Availability Standard

Mountain Rides will distribute transit service so that **80% of all residents** of the Wood River Valley, defined as the corridor from Bellevue north to Ketchum and Sun Valley, inclusive of the incorporated cities of Bellevue, Hailey, Ketchum and Sun Valley and the unincorporated area of Blaine County along the Highway 75 corridor between Hailey and Ketchum, will be able to access bus service with a ¼ mile walk.

Bus stops within city corridors are typically 1000-2500 feet apart, depending on housing density.

Transit Amenities

For fixed route bus service, Mountain Rides will work with its municipal partners to improve bus stops with amenities such benches, lighting, signage and sidewalks. The installation of these amenities will be based upon demand, funding availability, right of way and approval from landowners. Some bus stops cannot have amenities due to sight constraints, landowner restrictions or other factors.

For regional vanpool service, Mountain Rides works to identify park and ride areas for its passengers.

Passenger amenities at these locations are limited.

Vehicle Assignments for each mode

Mountain Rides assigns vehicles to routes in order to try to match the best suited vehicle with the unique demands and needs of the route, which sometimes varies by season. In general, vehicles are assigned such that the average age of the fleet serving Mountain Rides’ bus routes does not exceed 8 years. Low-floor buses are deployed on frequent service and high-ridership lines. At least 60% of Mountain Rides’ fleet is equipped with air conditioning and all are equipped with padded seats.

Bus assignments will be made to account for operating characteristics of buses of varying lengths, which are matched to the needs and operating characteristics of the route. Smaller, neighborhood routes will typically utilize 25’ or smaller buses. Valley Route commuter route will typically use 35’ or larger buses. Some routes requiring tight turns may require smaller buses. Winter conditions may also require different bus assignments.

APPENDIX G

LIST of Investigations, Lawsuits, and Complaints under TITLE VI May 2012 -May 2015				
	Date	Summary (Include basis of complaint; race, color, or national origin)	Status	Action taken
Investigations		NONE		
Lawsuits		NONE		
Complaints				
1	10/20/2014	driver requested student to catch bus at a stop other than the stop the student chose	closed	parent and student were cotacted and the issue was resolved to their satisfaction