SunRail Title VI Program and Nondiscrimination Policy

For the

Central Florida Commuter Rail Transit Project

and the

Central Florida Rail Corridor

June 2024

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List of Acronyms

ACS	American Community Survey
ABS	Account Based System
ADA	Americans with Disabilities Act
ATR	Above Top of Rail
BG	Block Group
CCTV	Closed Circuit Television
CDCIS	Central Data Collection & Information System
CFCRC	Central Florida Commuter Rail Commission
CFCRT	Central Florida Commuter Rail Transit
CFR	Code of Federal Regulations
CFRC	Central Florida Rail Corridor
CSXT	CSX Transportation
DOT	Departments of Transportation
EA	Environmental Assessment
EOO	Equal Opportunity Office
ETDM	Efficient Transportation Decision Making
EJ	Environmental Justice
FAMU	Florida Agricultural and Mechanical University
FCEN	Florida Central Railroad
FDOT	Florida Department of Transportation
FFGA	Full Funding Grant Agreement
FONSI	Finding of No Significant Impact
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
HHTV	Handheld Ticket Validator
HHS	Human Health Services
IOS	Initial Operating Segment
LEP	Limited English Proficiency
NEPA	National Environmental Policy Act
OCC	Operations Control Center
OIA	Orlando International Airport
PAO	Program Area Officer
PL	Public Law
QARs	Quality Assurance Reviews
ROW	Right-of-Way
SPTV	Station Platform Ticket Validator
TAC	Technical Advisory Committee

TMOP	Transportation and Maintenance Operations Plan
TVM	Ticket Vending Machine
TrAMS	Transit Award Management System
USC	United States Code
USDOT	United States Department of Transportation
VSLMF	Vehicle Storage and Light Maintenance Facility
VSMF	Vehicle Storage and Maintenance Facility

1. Introduction

In July 2011, the Florida Department of Transportation (FDOT) entered into a Full Funding Grant Agreement (FFGA) with the Federal Transit Administration (FTA) to design, construct, operate and maintain Phase 1 of the Central Florida Commuter Rail Transit (CFCRT) Project (a.k.a. SunRail). SunRail is a commuter rail transit line in Central Florida that provide service from DeBary through downtown Orlando to Poinciana (south of downtown Kissimmee) within Volusia, Seminole, Orange and Osceola Counties. The Full Build Alternative extends approximately 61 miles and includes 17 stations (of which 16 are now fully operational with the DeLand station to be opened with the initiation of Phase 2 North service). The primary infrastructure improvements include a new railway operations signal system, new areas of second track along with several upgraded highway-rail grade crossings throughout the full length of the 61-mile railroad corridor.

Phase 1, generally referred to as the Initial Operating Segment (IOS), is a 32-mile corridor that provides commuter rail service from DeBary in Volusia County to Sand Lake Road in Orange County traversing through Seminole County and downtown Orlando. FDOT executed an FFGA with FTA for Phase 1 in July 2011 and started revenue service in May 2014. Phase 2 South, also known as the Southern Expansion, is a 17-mile segment that extends south of the Phase 1 Sand Lake Road Station and includes four additional commuter rail stations. One of the Phase 2 South stations is in Orange County (Meadow Woods) while the other three are in Osceola County (Tupperware, Kissimmee, and Poinciana). Subsequently, FDOT executed an FFGA with FTA for Phase 2 South in September 2015 and began revenue service in July 2018. A new 12-mile northern extension, also known as Phase 2 North, extends further north from the Phase 1 DeBary Station to a new northern terminus station at DeLand in Volusia County. Phase 2 North completes the Full Build 61-mile system. Revenue service is expected to begin late summer 2024.

SunRail currently operates along an active Class IV mixed freight and passenger railroad right-of-way (ROW) corridor, that FDOT acquired from CSX Transportation (CSXT) in November 2011. The CFCRT corridor received the Federal Railroad Administration (FRA) alpha designation of Central Florida Rail Corridor (CFRC). The SunRail service operates entirely at-grade, sharing tracks owned by FDOT with freight service provided by CSXT and Florida Central Railroad (FCEN) in addition to intercity passenger rail service provided by Amtrak. SunRail's Vehicle Storage and Maintenance Facility (VSMF) and an Operations Control Center (OCC) are located at Rand Yard in Sanford and a Vehicle Storage and Light Maintenance Facility (VSLMF) is located on the southern end adjacent to the Poinciana Station.

FDOT has contracted to operate and maintain the SunRail system for the first seven (7) years following Phase 1 start-up service or until such time the Central Florida Commuter Rail Commission (CFCRC) takes over the entire operations and maintenance of SunRail. Subsequently, FDOT and the CFCRC entered into an agreement to provide for a phased transfer of the SunRail funding and operations obligations from FDOT to the CFCRC and the Local Government Partners effective December 31, 2024. At that time, the CFCRC becomes responsible for funding the costs of operation, management, and maintenance of SunRail. The transition of operations from FDOT to the CFCRC is set to occur no later than December 31, 2027.

As a federal grantee (direct recipient) and as a transit provider, FDOT has developed a Title VI program for the SunRail commuter rail system pursuant to Title VI of the Civil Rights Act of 1964 to meet the following objectives:

- Ensure that the level and quality of public transportation service is provided in a non-discriminatory manner;
- Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin; and
- Ensure meaningful access to transit-related programs and activities by persons with Limited English Proficiency (LEP).

This SunRail Title VI Program and Nondiscrimination Policy demonstrates compliance with the reporting requirements as outlined in FTA Circular 4702.1B, ''Title VI Requirements and Guidelines for Federal Transit Administration Recipients," effective October 1, 2012 (Federal Register Docket Number FTA–2011–0054). FDOT has developed a Statewide Title VI/Nondiscrimination Program in compliance with FTA's general reporting requirements for grantees and State Departments of Transportation (DOTs). This SunRail Title VI Program and Nondiscrimination Policy is an appendix to FDOT's overall Statewide Title VI Program Report. As required by FTA Circular 4702.1B, this SunRail program documentation will be updated every three (3) years and within six months prior to the beginning of new SunRail revenue operations to document the Service and Fare Equity analysis. The most recent Title VI update was completed in July 2022 in support of FTA's Triennial Review process.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance. Presidential Executive Order 12898 addresses environmental justice (EJ) in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with LEP. The rights of women, the elderly and the disabled are protected under related authorities. These Presidential Executive Orders and the related authorities fall under the umbrella of Title VI. FDOT's Title VI/Nondiscrimination Program provides leadership, direction and policy to ensure compliance with Title VI of the Civil Rights Act of 1964 and related authorities. FDOT is proud of its longstanding policy to ensure that social impacts to communities and people are recognized early and continually throughout the transportation decision-making process.

2. General Reporting Requirements

FDOT's Statewide Title VI/Nondiscrimination Program addresses FTA's general Title VI reporting requirements that grantees and State Transportation Agencies document compliance with Title VI of the Civil Rights Act of 1964, the United States Department of Transportation (USDOT) implementing regulations in 49 CFR 21 (Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964) and FTA policies. This section briefly summarizes FDOT's Nondiscrimination Program and procedures for reference and to assist with training of SunRail transit personnel. Reporting requirements for the SunRail commuter rail system are described in further detail in Section 3 of this report.

2.1 Certifications and Assurances

In accordance with 49 CFR Section 21.7(a), FDOT has provided the required annual Title VI Certifications and Assurances by submitting an electronic copy of the Pinned Certifications and Assurances into FTA's Transit Award Management System (TrAMS) www.transit.dot.gov/TrAMS/.

2.2 FDOT Title VI Complaint Procedures

2.2.1 Title VI/Nondiscrimination Program

Consistent with Title VI of the Civil Rights Act of 1964 and other related nondiscrimination statutes, regulations, and authorities, FDOT's Title VI Nondiscrimination Policy (001-275-006-o) is broadly stated prohibiting discrimination on the basis of race, color, national origin, sex, age, handicap/disability and income status.

FDOT's Equal Opportunity Office (EOO) Manager is delegated the authority to develop, maintain, implement, and monitor this policy as required by 23 Code of Federal Regulations (CFR) Part 200 and 49 CFR Part 21. FDOT grant recipients and contractors are required to sign a statement of compliance with Title VI policies and other nondiscrimination authorities (**Appendix A).**

In addition to its Nondiscrimination Policy, FDOT developed a Title VI Program and Related Statutes Implementation and Review Procedure (**Appendix A**). The procedure details the process FDOT uses to implement its statewide Title VI Nondiscrimination program in accordance with USDOT, FTA and other modal entity Title VI requirements. Like FDOT's Nondiscrimination Policy, the Title VI procedure is broad prohibiting discrimination based on race, color, national origin, age, sex, disability, religion, and family status as required by the following federal and state statutes:

- Title VI of the Civil Rights Act of 1964 - 42 U.S.C. Sec. 2000d to 2000d-7 (23 CFR Part 200; 49 CFR Part 21;
- The standard USDOT Title VI assurances signed by each State pursuant to USDOT Order 1050.2A; Executive Order 11764; 28 CFR Section 50.3);
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C 4601-4655) (49 CFR Part 25; Public Law (P.L.) 91-646);
- Age Discrimination Act of 1975 (42 United States Code (U.S.C.) Sec. 6101 to 6107);
- Federal-Aid Highway Standards (23 U.S.C. 109(h));

- Federal-Aid Highway Act of 1973 (23 U.S.C. Sec. 324);
- Civil Rights Restoration Act of 1987 (P.L. 100-259);
- Title II of the Americans with Disabilities Act of 1990;
- Title VIII of the Civil Rights Act of 1968, amended 1974 (42 U.S.C. 3601-3619);
- Subsequent Federal-aid Highway Acts and related statutes; and
- Florida Civil Rights Act of 1992 (Chapter 760.01-760.11, F.S.).

2.2.2 FDOT Title VI Complaint Form

Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, or national origin may file a complaint with FDOT. A copy of the FDOT Title VI/Nondiscrimination Program Complaint of Discrimination (Form 275-010-10) is posted on FDOT's Equal Opportunity Office (EOO) website www.fdot.gov/equalopportunity/titlevi.shtm.

The complaint form is currently available in English, Spanish, and Haitian-Creole. The complaint forms must be signed and submitted to either FDOT's State Title VI Coordinator or SunRail's Title VI Coordinator by contacting:

Roger Masten – SunRail Title VI Coordinator
801 SunRail Drive
Sanford, FL 32771
Phone: (321) 257-7161
Email: roger.masten@dot.state.fl.us

If website access is unavailable, complaint forms may also be obtained by contacting the State Title VI Coordinator, Mr. Stefan Kulakowski.

Stefan Kulakowski – State Title VI Coordinator
605 Suwannee Street
Tallahassee, FL 32399
Phone: (850) 414-4753
Fax: (850) 414-4879
Toll-Free: (866) 374-FDOT (3368)
Email: stefan.kulakowski@dot.state.fl.us

2.2.3 Records Management

The SunRail Title VI Coordinator will maintain a spreadsheet log of all informal and formal Title VI investigations, lawsuits or complaints received by SunRail. The log will include the name of the complainant; the name of the respondent, contact information for both parties, the basis of the complaint, the date the complaint(s) were received by SunRail, the date SunRail notified the State Title VI Coordinator of the issue and an explanation of the actions SunRail management has taken or proposed to take to resolve the concerns.

If an individual has filed a formal (written) or informal (verbal) Title VI complaint, SunRail will immediately forward the complaint to the State Title VI Coordinator for processing. The State Title VI

office must be notified immediately of any actual or pending Title VI issues, complaints, investigation or lawsuit. In addition to the information maintained in SunRail's complaint log noted above, the notification to the State Title VI Coordinator must also include the date the alleged discriminatory act occurred. The State Title VI Coordinator will advise the SunRail Title VI Coordinator and SunRail management of all formal complaints of discrimination accepted for investigation.

In accordance with FTA's reporting requirements, FDOT's Statewide Title VI Coordinator also maintains a spreadsheet log of Title VI investigations, complaints, and lawsuits filed statewide with FDOT. This complaint log contains information identical to that recorded in the SunRail Title VI complaint log noted above. Triennially, the State Title VI Coordinator's Title VI Complaint Log is included in the Title VI Program submitted to FTA. SunRail's Title VI Complaint Log is attached as **Appendix D**.

2.2.4 Public Participation Plan

FDOT recognizes the importance of involving the public in information exchange when providing transportation facilities and services to best meet the state's transportation challenges. Therefore, it is the policy of FDOT to promote public involvement opportunities and information exchange activities in all functional areas using various techniques adapted to local area conditions and project requirements. FDOT's Public Involvement Program guidance requires that Title VI compliance and complaint procedures be noticed at all public hearings.

The FDOT Public Involvement Handbook provides techniques and methods to encourage meaningful public participation. A copy of the Public Involvement Handbook is provided on FDOT's website, https://www.fdot.gov/planning/policy/community-engagement/index.The handbook is intended to provide clear guidance for developing and implementing effective public involvement activities that meet and may exceed federal and state requirements to involve the public in transportation decision-making. It describes a variety of methods and techniques to involve the public in the development of transportation plans, programs and projects.

Title VI and LEP compliance are integrated in FDOT's public outreach techniques and methods.

2.2.5 Language Assistance

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English may be considered Limited English Proficient. These individuals may be entitled to language assistance with respect to a particular type or service, benefit, or encounter. FDOT, as a recipient of federal financial assistance, takes reasonable steps to ensure meaningful access to its programs, services and activities for all citizens including those individuals who are LEP.

Title VI of the Civil Rights Act of 1964 and Executive Order 13166 require that people with LEP must not be disproportionately affected as it pertains to public involvement. To comply with Title VI, FDOT public involvement efforts shall seek to include LEP members of the public as much as possible to ensure that all affected communities have a voice in the transportation decision making process. FDOT has developed additional policy guidance for assisting LEP persons to ensure meaningful access to FDOT programs, services and activities. FDOT's LEP Guidance and Language Assistance Plan is provided in **Appendix B**.

2.2.6 Minority Participation

FDOT has two different types of minority programs. One is the Minority Business Enterprise (MBE) program, which applies to all state agencies and is administered by the Office of Supplier Diversity. The

other is the Disadvantaged Business Enterprise (DBE) program. The DBE program applies only to FDOT, and is limited to highway and bridge construction, maintenance, and consultants involved in planning, design, ROW, and construction inspection, and other federally funded contracts. FDOT's DBE utilization policy (Topic 001-275- 015-I) is provided in **Appendix A.**

2.2.7 Monitoring Subrecipients

As a primary recipient of federal funds from the FTA, FDOT is required to monitor subrecipient compliance with Title VI of the Civil Rights Act of 1964. A subrecipient is an entity that receives federal financial assistance from FTA through a primary recipient. In addition to monitoring activities detailed below, FDOT requires each subrecipient to sign an Assurance committing to full and affirmative compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities.

FDOT is divided into seven (7) districts, SunRail, and Florida's Turnpike Enterprise. Each district serves a different region of the State, including the population centers of Miami, Tampa, Orlando and Jacksonville.

Subrecipient compliance is monitored through FDOT's EOO, Central Office (Transit), and FDOT District Offices. FDOT's EOO is responsible for statewide implementation of Title VI policies and monitoring of FDOT's internal programs (District, SunRail, and Turnpike) and external programs (subrecipient) for Title VI compliance. Internal compliance is monitored through an EOO directed process centering around annual District Title VI Quality Assurance Reviews (QARs) and District Title VI Quarterly Report submissions. Each District, SunRail, and the Turnpike Enterprise has an appointed Title VI Coordinator who leads Title VI monitoring and compliance activities, ensures timely Title VI reporting, and disseminates Title VI and LEP information throughout the district. Program Area Officers (PAOs) have been appointed in each transportation program area to assist the Title VI Coordinators with Title VI reporting and other Title VI activities.

FDOT EOO conducts annual Title VI Nondiscrimination program reviews (QARs) of each District, SunRail, and the Turnpike Enterprise. On-site Title VI QAR selections are decided using a risk-based process, with lower risk QARs occurring by videoconference. All Title VI Nondiscrimination QARs entail document requests, interviews, training, and when warranted, field-visits to assess Title VI issues or concerns. The structure, policies, procedures and practices FDOT uses to comply with Title VI requirements can be found in FDOT's Title VI/Nondiscrimination Program Implementation Plan at https://www.fdot.gov/equalopportunity/titlevi.shtm.

Additionally, each quarter, the Title VI Coordinator in each FDOT District, SunRail, and the Turnpike Enterprise are required to submit Title VI Quarterly Reports to the State Title VI Coordinator in the EOO office for Title VI Nondiscrimination review and monitoring. A copy of the Title VI Quarterly Report is included in **Appendix A**.

FDOT also performs triennial Title VI compliance reviews of all grant recipients. Compliance is checked regularly during site visits to subrecipients. Based on the results of the triennial review, a subrecipient with multiple compliance issues gets monthly visits. A subrecipient with some compliance concerns gets quarterly visits and all other subrecipients receive semi-annual visits. If the subrecipient is in full compliance, the visit is semi-annual on a schedule determined by the district. FDOT Central Office (Transit) reviews each district once a year to ensure districts comply with subrecipient monitoring requirements. Checklists and reports associated with subrecipient compliance reviews are retained by FDOT District Offices.

Subrecipient monitoring for Title VI compliance is two-tiered with monitoring by FDOT's Transit and EOO

in Central Office, and annual district conducted Title VI reviews of grant recipients. Central Office (Transit) affirms system-wide service standards comply with statewide policy, and FDOT's EOO office affirms Title VI Nondiscrimination requirements are being followed.

The State EOO Manager with assistance from the State Title VI Coordinator keeps the SunRail Title VI Coordinator informed of reporting requirements and training opportunities. All monitoring and review processes are reviewed to ensure that LEP is included. The results of this monitoring program (quarterly reports and QARs) are summarized by FDOT EOO and submitted to FTA every three years as required by regulations.

3. General Reporting Requirements for SunRail

3.1 SunRail Title VI Complaint Procedures

As a recipient of federal financial assistance, FDOT has established the following Title VI complaint procedures for SunRail, specifically:

1. Any person who believes that he or she, or any specific class of persons, has been discriminated against on the basis of race, color, or national origin by FDOT, may file a formal (written) or verbal/non-written Title VI complaint. In compliance with civil rights provisions of other federal statutes, any individual who believes that he or she, or any specific class of persons, has been discriminated against on the grounds of sex, age, disability, religion or family status may also file a formal (written) or verbal/non-written Title VI complaint. FDOT may investigate complaints received no more than 180 days after the alleged incident and then will process complaints that are complete.
2. All formal Title VI complaints shall be submitted on FDOT or SunRail's Title VI Complaint Form to SunRail's Title VI Coordinator at the address below. The SunRail Title VI form may be found at this web link:
   https://sunrail.com/title-vinondiscrimination/

   The FDOT Title VI Complaint Form may be found at this web link:
   https://www.fdot.gov/equalopportunity/titlevi.shtm

   Roger Masten – SunRail Title VI Coordinator
   801 SunRail Drive
   Sanford, FL 32771
   Phone: (321) 257-7161
   E-Mail: roger.masten@dot.state.fl.us
3. All verbal/non-written complaints received by SunRail shall be resolved informally when feasible. Informal complaints can be received by phone as listed above. However, once a complaint is written it becomes a formal complaint. If the issue has not been satisfactorily resolved through informal means, or if at any time the person(s) request(s) to file a formal written complaint, the SunRail Title VI Coordinator shall refer the Complainant to the State Title VI Coordinator who will advise the Complainant of the formal process for filing a complaint.
4. Written formal complaints should be submitted in writing via postal service mail, email or fax to the contact identified above.
5. Formal Title VI complaints submitted in writing shall be signed by the Complainant and/or the Complainant's Representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the alleged discrimination and shall include the following information:
   - Name, address, and phone number of the Complainant.
   - A written statement of the complaint, including the following details:
     - Basis of complaint (i.e., race, color and national origin).
     - The nature of the incident that led the Complainant to feel discrimination was a factor.
     - A detailed explanation of the alleged discriminatory act(s).
     - The date or dates on which the alleged discriminatory event or events occurred.

- If applicable, name(s) of alleged discriminating official(s).
- Other agencies (state, local, or federal) where the complaint is also being filed (if applicable).
- Complainant's signature and date.

6. Once the complaint is received, FDOT will review it to determine the agency or organization with jurisdictional authority. The Complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by FDOT or forwarded to the appropriate agency or organization for response.
7. FDOT has 30 days to investigate the complaint. If more information is needed to investigate the complaint, FDOT may contact the Complainant. In the event of such request, the Complainant has 30 days from the date of the letter from FDOT to provide the requested information. If FDOT is not contacted by the Complainant or does not receive the additional information within 30 days, FDOT can administratively close the investigation. An investigation can also be administratively closed if the Complainant no longer wishes to pursue their complaint.
8. After the Title VI Compliance personnel reviews/investigates the complaint, she/he will issue a response letter to the Complainant. However, all findings related to alleged Title VI violations will be forwarded to FTA for formal findings and development of a closure letter. A closure letter summarizes the allegations, states that there was not a Title VI violation, and informs the Complainant that the case will be closed. If the Complainant wishes to appeal the decision, she/he has 10 days after the date of the closure letter to do so.
9. Both formal and verbal/non-written complaints received by FDOT are documented, logged and tracked. Once the investigation is complete, the Complainant is notified of the outcome of the investigation. If the Complainant is dissatisfied with the outcome of the investigation, the investigative file/information will be reviewed by the next highest management level within the organization.
10. If information regarding SunRail Title VI Complaint procedures is needed in another language, please contact Mr. Roger Masten at (321) 257-7161 for assistance. To obtain the SunRail Title VI Complaint procedures in Spanish, please contact Mr. Roger Masten at (321) 257-7161 for assistance. Para obtener los procedimientos de queja de SunRail título VI en español, comuníquese con el Sr. Roger Masten al (321) 257-7161 para asistencia.

3.1.1 SunRail Title VI/Nondiscrimination Program

In compliance with Title VI of the Civil Rights Act of 1964, FDOT will not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status. No person will be retaliated against for complaining of discrimination or who participated in an investigation of discrimination.

FDOT civil rights and program area specialists work closely to implement nondiscrimination program responsibilities. The public will be informed of their rights under Title VI through posting the Title VI notice on the SunRail website (https://sunrail.com/title-vinondiscrimination/), posters, comment cards, public meeting advertisements and handouts, newsletters, newspaper ads, and flyers placed at SunRail stations, bus shelters and in transit vehicles. Notices detailing FDOT's Title VI obligations and complaint procedures will be translated into languages other than English, as needed. The following language, approved by the FDOT, is included in meeting notices and invitations.

All advertisements for public meetings include the following language as approved by FDOT:

> *"Persons who require accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact (name of appropriate SunRail personnel) at (telephone number) or by email (email address) at least*

seven (7) days prior to the meeting. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting (name of appropriate SunRail personnel) at (email address)."

3.1.2 SunRail Title VI Complaint Form

Complaints may be filed in person or in writing. Complaints made in writing must be signed by the Complainant and/or the Complainant's Representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. A copy of SunRail's Title VI Complaint Form is included in **Appendix C**.

In cases where the Complainant is unable or incapable of providing a written statement, but wishes the FDOT to investigate alleged discrimination, a verbal complaint of discrimination may be made to the SunRail Title VI Coordinator, Roger Masten. Also, complaints may be filed with the State Title VI Coordinator, Stefan Kulakowski. The Complainant will be interviewed by the officer or official authorized to receive complaints. If necessary, the SunRail Title VI Coordinator will assist the person in converting verbal complaints to writing. All complaints must be signed by the Complainant or her/his representatives. SunRail's representative will assist LEP persons with filing a complaint as needed.

Within 10 days, the SunRail Title VI Coordinator will acknowledge receipt of the allegation, inform the Complainant of the action taken or the proposed action to process the allegations, and advise the Complainant of other avenues of redress available, such as a formal complaint with FTA.

If the Complainant or respondent has not submitted sufficient information to determine jurisdiction or investigative merit, SunRail may request additional information from either party. This request shall be made within 15 working days of the receipt of the complaint and will require that the party submit the information within 60 working days from the date of the original request. Failure of the Complainant to submit additional information within the designated time frame may be considered good cause for a determination of no investigative merit. Failure of respondent to submit additional information within the designated time frame may be considered good cause for a determination of non-compliance.

Within 30 days of receiving the complaint, the investigator prepares an investigation report and submits the report and supporting documentation to the EOO for review. The EOO Manager reviews the file and investigation report. After the review, the EOO Manager forwards the investigation report to FTA for a formal finding. Then, FTA makes a final determination of "probable cause" or "no cause" and prepares a final decision letter for signature. The investigation will address only those issues relevant to the allegations in the complaint. Confidentiality will be maintained to the extent possible. Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case on which the witness can provide firsthand information. Interviews can be tape recorded with the interviewee's consent. A chronological contact sheet is maintained in the case file throughout the investigation. The EOO prepares and submits a written report which includes:

- The date of the written complaint;
- The date the complaint was received by FDOT;
- The date the investigation, lawsuit, or complaint was filed;
- The basis of the complaint (e.g., race, color, national origin);
- A summary of the allegation(s);
- The status of the investigation, lawsuit, or complaint;
- An explanation actions FDOT has taken or proposed to resolve the issue raised in the complaint;

- Preliminary and Final FTA findings related to the investigation, lawsuit, or complaint; and
- Other agencies (state, local, or federal), if any, where the complaint has been filed.

A copy of the complaint, together with a copy of the report of investigation, is forwarded to the FTA within 60 days of the date the complaint was received. All records and investigative files are maintained in a confidential area within the FTA Office of Civil Rights. Records are kept for three years internally and then archived for a period of ten years.

Within 60 days, the FTA Civil Rights representative will investigate the allegation based on the information obtained and render a recommendation for action. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in a report.

3.2 Records Management

The State Title VI Coordinator maintains a statewide Title VI complaint log which consolidates all District, SunRail, and Turnpike Title VI complaints, active investigations, and Title VI lawsuits. A copy of SunRail's Title VI Complaint Log is included in **Appendix D**.

3.3 SunRail Public Participation Plan

FDOT will maintain a program to proactively inform the public and provide avenues for public participation in the early development and implementation stages of SunRail service. It is the intent of FDOT to ensure its actions are reasonable, non-capricious, and considerate of public comment in its mission to provide transit services for the welfare and convenience of the residents and visitors in the Central Florida region.

The SunRail public participation plan will utilize the procedures outlined in the FDOT Public Involvement Handbook (refer to Section 2.2.4 for a web link to the Handbook) which provides techniques and methods to encourage meaningful public participation. Public involvement is fundamental and essential in achieving equitable transportation that meets the needs of all persons in Central Florida. The public participation plan provides for public involvement of all persons (including Native Americans, minorities and low-income persons), affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit and other interested parties of the community affected by transportation plans, programs and projects. The FDOT Public Involvement Handbook documents the policy for public participation activities in compliance with Federal and State standards.

Public participation is the key to grabbing and holding interest in a project or plan; convincing the public that active involvement is worthwhile; and providing the means for direct and meaningful input on transportation decisions. Engaging stakeholders, businesses and the public early in project scoping, the planning process, and maintaining communication through project implementation is critical. FDOT will proactively inform and involve the Central Florida public in the planning and implementation of SunRail services, routing, passenger fares, new facility construction, and planning activities in accordance with Federal and State regulations.

Public participation activities will take place with all customer groups in many forums, including the riding public, the non-riding public, member jurisdictions (city and county governments), private sector partners, and State and Federal agencies.

As part of the Public Participation Plan, FDOT intends to:

- Maintain operating procedures that will be proactive and organize complete information for full public access to key decisions and opportunities for early and continuous public participation.
- Determine reasonable approaches and techniques to provide public information, input, and agency consideration in response to public concerns.
- Administer a public notice and hearing process for a minimum of the following circumstances, but not limited to:
  - Any fare increases for SunRail services.
  - Any service reduction impacting more than 25% of an individual route's service hours. The exception to this reduction of service threshold will be for routes that have existed less than two years or have been introduced as service development or experimental service.
  - Any major capital or planning project which requires Federal or State funding participation.

3.4 SunRail LEP Implementation

Transit providers must take reasonable steps to ensure that LEP persons have meaningful access to programs, services, and information, which may include accommodating written and/or oral communications in one or more languages other than English.

The published FDOT LEP Guidance document (**Appendix B**) shows the four most prevalent LEP single languages in Florida and in FDOT District 5 are 1) Spanish or Spanish Creole; 2) French Creole; 3) Vietnamese; and 4) Portuguese. The information in the FDOT document was obtained from the 2009 American Community Survey (ACS) data, for population ages five and over who speak English less than very well, Table B16001. Beginning in 2016, the language categories in Table B16001 were revised and the data is only at the statewide level. The 2018-2022 ACS has consistent results for the most prevalent LEP languages. Therefore, this document employs data from Table C16001 of the 2018-2022 ACS five-year dataset that allows review of data specific to the SunRail corridor.

The 2018-2022 ACS five-year data set was reviewed for the four- county region that SunRail traverses and for the census tracts within 1/2 mile of the Full-Build 61-mile SunRail system. A census tract, as defined by the U.S. Census is shown below:

"Census tracts are small, relatively permanent statistical subdivisions of a county delineated by local participants as part of the U.S. Census Bureau's Participant Statistical Areas Program. The U.S. Census Bureau delineated census tracts in situations where no local participant existed or where local or tribal governments declined to participate. The primary purpose of census tracts is to provide a stable set of geographic units for the presentation of decennial census data."

"Census tracts generally have between 1,500 and 8,000 people, with an optimum size of 4,000 people."

Source: https://www.census.gov/programs-surveys/geography/about/glossary.html#par_textimage_13

This information is summarized in Table 1 which also provides a comparison to the Florida and FDOT District Five demographic data from Table C16001. The more localized information by tract from ACS is provided in **Appendix E** and is shown graphically in Figure 1 in **Appendix E** with the alignment and stations for the SunRail system. The results indicate that, as with the state and District Five reporting data, the largest LEP population language is Spanish. The Other Indo-European Languages category, which includes many languages such as Italian, Greek, Hindi, Persian, and Punjabi, is the second largest LEP language group in the SunRail region. Except Spanish, the language groups show LEP of less than one percent of the study area population (French, Haitian, or Cajun; Chinese; Vietnamese; and Other Indo-European Languages).

Table 1

Limited English Proficiency Demographics

SunRail

Language[1]	Florida[2] Total Population 21,143,473		District Five [2,3] Total Population 4,251,815		Region [2,4] Total Population 2,696,404		1/2 Mile from Alignment Total Population 406,824	
Estimate Total - Speaks English Less Than "Very Well"	Population	Percent of Total Population	Population	Percent of Total Population	Population	Percent of Total Population	Population	Percent of Total Population
Spanish	2,029,340	9.60%	292,003	6.87%	245,893	9.12%	38,539	9.5%
French, Haitian, or Cajun	207,329	0.98%	22,513	0.53%	19,599	0.73%	1,628	0.4%
German or Other West Germanic Languages	9,321	0.04%	2,193	0.05%	1,259	0.05%	49	0.0%
Russian, Polish, or Other Slavic Languages	49,650	0.23%	6,270	0.15%	4,022	0.15%	822	0.2%
Other Indo-European Languages	129,266	0.61%	25,735	0.61%	20,976	0.78%	2000	0.5%
Korean	9,274	0.04%	2,310	0.05%	1,673	0.06%	322	0.1%
Chinese (Including Mandarin, Cantonese)	35,878	0.17%	10,454	0.25%	9,267	0.34%	932	0.2%
Vietnamese	40,279	0.19%	11,920	0.28%	9,638	0.36%	1114	0.3%
Tagalog (Including Filipino)	20,857	0.10%	3,649	0.09%	2,120	0.08%	426	0.1%
Other Asian and Pacific Island Languages	32,527	0.15%	5,729	0.13%	4,260	0.16%	458	0.1%
Arabic	22,003	0.10%	5,738	0.13%	5,038	0.19%	658	0.2%
Other & Unspecified Languages	19,526	0.09%	2,095	0.05%	1,636	0.06%	373	0.1%

Notes:

1. The rows presented in American Community Survey table C16001 have been updated to reflect changes in the number of people speaking different languages. More detail can be obtained here: https://www.census.gov/content/dam/Census/programs-surveys/acs/tech-doc/user-notes/2016_Language_User_Note.pdf

2. Source: 2018-2022 ACS Five Year Estimate Table C16001 titled “Language Spoken at Home for the Population 5 Years and Older” (https://data.census.gov)

3. District Five includes Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia Counties

4. Region includes Orange, Seminole, Osceola, and Volusia Counties

FDOT is committed to providing meaningful access and will provide written translation for any of its documents, when reasonable, effective and within the available resources. In other cases, the FDOT will strive to provide alternative but meaningful accessibility. Moreover, FDOT continually evaluates its programs, services and activities to ensure that persons who may be LEP are always provided with meaningful access.

As a standard for LEP compliance, FDOT has adopted the Safe Harbor Provision which outlines circumstances that can provide a "safe harbor" regarding translation of written materials for LEP populations. As such, FDOT provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered in the service area. Such action by FDOT will be considered strong evidence of compliance or a "safe harbor" for the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally.

If there are fewer than 50 persons in a language group that reach the five percent (5%) threshold, FDOT is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group; and, those individuals have a right to receive competent oral interpretation of the written materials, free of cost. The FDOT will use available resources, both internal and external, to accommodate reasonable requests for translation. Further, the FDOT's policies require free oral interpretation services, regardless of the language, with seven (7) days notice.

The Safe Harbor Provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. If FDOT determines many people in the LEP language group have low literacy skills in their native language and require oral interpretation, background documentation regarding that determination will be provided to FTA in an updated Title VI Program.

Based on the demographic data shown above, there is a 9.5-percent (38,539 persons) Spanish or Spanish Creole-speaking population and 0.4-percent (1,628 persons) French Creole speaking population with LEP estimated within the SunRail service area. Vital documents including the SunRail Title VI complaint procedures and Title VI Complaint Form are available in Spanish and French Creole, as needed. Additionally, Title VI notices are displayed in kiosks at all SunRail stations and on rail cars to inform customers of their rights under Title VI. The Title VI Notice is considered a vital document by FTA. As the Spanish-speaking population in the SunRail service area exceeds the Safe Harbor threshold, the Title VI notice includes provisions for translation services, as follows:

> *"If information is needed in another language, then contact (321) 257-7161."*
>
> *"Si es necesario obtener información en otro idioma, favor de llamar al (321) 257-7161"*.

As an agency, FDOT maintains a list of FDOT District staff who volunteer to assist as interpreters and/or translators if needed. The following Title VI activities may be employed by FDOT for SunRail as part of the Language Implementation Plan:

- Individuals who have contact with the public will be provided with "*I Speak*" language cards to identify language needs to match them with available services. Language cards are verified and distributed annually by the FDOT District Title VI Coordinators. These "*I Speak*" Cards may also be

downloaded from https://www.LEP.gov to assist in identifying the language being spoken by the LEP individual. Cards can be laminated and distributed to employees most likely to encounter LEP individuals.

- For public meetings, it is a requirement to provide an interpreter if requested. If a project will affect a known LEP neighborhood, it is good customer service to have interpretive services on hand at the meeting who can speak the identified language even if there was no request made for an interpreter. For identified low literacy areas, sufficient staff should be available to sign-in all attendees so that individuals who are unable to read or write will not be intimidated or offended. Use the FDOT approved Title VI language for all advertisements for public meetings. Ensure that Title VI Nondiscrimination information including complaint forms is available for distribution at public gatherings.
- Participate in LEP training when offered. The State Title VI Coordinator can provide training or provide resources for training opportunities. Training for District Title VI Coordinators is provided as a part of each QAR.

SunRail public advertisements clearly state that language services are available with specified notice. Advertisements may also be translated and posted in minority publications and at public forums, as needed.

3.2 Monitoring Compliance

The SunRail service will be monitored to verify Title VI compliance based on the FDOT procedures outlined in Section 2 of this report. The following summarizes the FDOT timeline for monitoring Title VI and LEP Compliance:

Section 5307, 5310, 5311, 5316 and 5317 Recipients ..... Triennial reviews by District

District Reviews .....Annual by Central Office

Quarterly Reports ..... EOO/Title VI

FTA Reporting Period .....Every 3 years EOO/Title VI

4. Program Specific Requirements for SunRail

This section summarizes the system-wide service standards and service policies established for SunRail. Additionally, the following sections are intended to report the program specific requirements for SunRail in compliance with FTA's Title VI reporting procedures. These program specific reporting requirements include demographic analysis, service monitoring, and service and fare equity analysis.

4.1 System-Wide Service Standards and Policies

Title 49 CFR Section 21.5 states the general prohibition of discrimination on the grounds of race, color, or national origin. Section 21.5(b)(2) specifies that a recipient shall not "utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color, or national origin." Section 21.5(b)(7) requires recipients to "take affirmative action to assure that no person is excluded from participation in or denied the benefits of the program or activity on the grounds of race, color, or national origin." Finally, Appendix C to 49 CFR part 21 provides in Section (3)(iii) that "[no person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of service of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin]."

The service standards and policies as established for SunRail service are documented in the Transportation and Maintenance Operations Plan for CFRC/SunRail (TMOP, May 2023). The SunRail service standards were developed in compliance with Title VI regulations to ensure equitable service is provided at operations and maintained. The following narrative briefly summarizes the system-wide service standards as detailed in the TMOP.

4.1.1 Vehicle Load

The SunRail commuter service operates using a fleet of push-pull diesel locomotives and Americans with Disabilities Act (ADA)-compliant coaches and cab cars. The existing vehicle fleet consists of bi-level passenger cars (147 seat capacity) and bi-level cab cars (132 seat capacity). A peak hour load standard of 125% (Load Factor = 1.25) has been assumed due to the higher demand in projected ridership and loads for the stations approaching downtown Orlando and the shorter travel distance between those stations for potential standees. During off peak hours, the load standard will be 100% (Load Factor = 1.00) of the seated load (i.e., no standees).

4.1.2 Vehicle Headway

Base service levels operate during the midday, between 9:00 AM and 3:30 PM. Base period service and evening period (6:30 PM to approximately 11:30 PM) is operated at 60 to 150-minute headways. During the AM peak period (6:00 AM to 9:00 AM) and the PM peak period (3:30 PM to 6:30 PM), the trains operate at 30-minute headways. No revenue service is currently operating on Saturdays, Sundays, or holidays although some 'special' event service may be operated in the evening hours or on weekends.

4.1.3 On-Time Performance

Commuter rail trains accelerate at a maximum rate of about 2.0 miles per hour per second (mphps). Normal service braking is a constant 2.0 mphps from 65 mph to 0 mph. Station-to- station run times also include station dwell times (30 to 60 seconds per station) and an allowance for schedule margin (e.g., wheelchair boardings and alightings, dispatching delays and other unscheduled delays). The TMOP defines typical equipment or system failures that may cause schedule delays or service disruptions and specifies actions necessary to minimize service disruptions and restore full service. All failure recovery actions are conducted by CFRC OCC personnel and overseen by the Manager of Train Operations or designated supervisor on duty.

4.1.4 Service Availability

After the equipment or system failure is resolved, non-revenue equipment and staff will return to their normal base and revenue trains must adopt strategies to return to scheduled operations. The appropriate strategy (or strategies) will depend on the deviation of actual operations from scheduled service. For deviations of less than the length of one service headway, late trains can be advanced by reducing the scheduled station dwell times and end-of-line layover times and early trains can be delayed by increasing dwell and layover times. For deviations longer than one service headway, it may be necessary to temporarily reassign train crew runs or dispatch standby trains.

4.1.5 Distribution of Transit Amenities

All stations currently comply with requirements of the ADA of 1990 in accordance with 49 CFR Part 37.42(f) as well as USDOT's amended regulations, ADA's Final Rule (76 FR 57924). All stations are at grade. SunRail station platforms are 8" Above Top of Rail (ATR) and 5'1" from the centerline of the track. Platforms are a minimum of 14' wide and 300' long and capable of berthing three coaches. In compliance with 49 CFR §37.42, all passenger coaches and cab cars include two ADA-compliant car-borne lifts. In addition, a ramp to a mini-high platform to an elevation of 22-inches ATR is available at the south end of each platform. This provides the disabled community another option for boarding onto the vehicles. Passengers boarding at the mini-high use a bridge plate (consistent with 49 CFR §38.95(c) and 38.125(c)) stowed in the car and placed by the conductor when required.

In general, station amenities are standardized, including shelters, platform features and structural elements, with a canopy over a portion of each platform. The extent of canopy coverage varies by station and depends on expected patronage and platform type. Standard platform amenities include:

- Platform topping to include decorative pavers and detectable warning strip
- Bench seating per platform
- Painted steel map kiosks with lighting and system map
- Trash receptacles
- Inter-track fencing between platforms
- Platform and canopy lighting
- Informational, directional, and regulatory signage
- ADA-compliant bi-level water fountain and drain
- Pedestrian crosswalks with warning signals
- Emergency Call Boxes and Passenger Assist Telephones
- Public Address System
- Ticket Vending Machines (TVMs) (ADA accessible)

- Variable Message Signs
- Closed Circuit Television (CCTV) Security System with Static and Pan/Tilt/Zoom cameras.

4.1.6 Vehicle Assignment

The SunRail commuter service is operated using a mixed fleet of push-pull equipment consisting of diesel locomotives and ADA-compliant coaches and cab cars. Per the TMOP, "The Mechanical Supervisor will determine which vehicles will be used for each train and inform the Train Engineers and Conductors of its location in the yard".

4.2 Demographic Analysis

To ensure compliance with 49 CFR 21.9(b), FTA requires transit providers to report demographic and service profile data as well as customer demographics and travel patterns. The reported racial and ethnic data is provided to identify the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance from FTA.

4.2.1 Demographic and Service Profile

A demographic profile of the SunRail service area was prepared to determine the availability of SunRail service to minority and low-income populations. Demographic maps and charts are provided in **Appendix E**. The demographic data provided in **Appendix E** was based on 5 Year 2018-2022 ACS data. These demographic and service profile maps and charts will be updated after each decennial census and prior to proposed service reductions or eliminations.

4.2.2 Demographic Ridership and Travel Patterns

To comply with FTA reporting requirements, FDOT will work with LYNX to conduct customer surveys to identify ridership demographics (including race, color, national origin, language spoken at home) and travel patterns. This information is used to develop a demographic profile of the ridership to evaluate the percentage of minority populations utilizing the SunRail system. Any customer surveys are conducted in accordance with LEP regulations. The following sections describe the demographic patterns for the SunRail alignment. To document the socioeconomic characteristics along the alignment, the corridor width was assumed to extend ½ mile on either side of the SunRail alignment which is located within the existing CFRC corridor. For the purposes of reporting demographic data, the data within this section is provided for the entire SunRail service area.

The SunRail service area includes station areas within either a ½ or 3-mile buffer based on the different types of stations that are served by the SunRail system. The ½ mile buffer was utilized for urban stations with no parking and represents an appropriate walkshed for passengers riding the SunRail system. The 3-mile buffer represents the typical service area for park and ride passengers. The minority and low-income population data for the station service areas are documented in the Service and Fare Equity analysis (refer to Section 4.4). The counties served by the SunRail commuter rail system, including Volusia, Seminole, Orange, and Osceola, comprise the regional comparison region.

LYNX and Votran transit services currently provide feeder bus services to the full 61-mile SunRail system. LYNX serves portions of Phase 1 and all of Phase 2 South, while Votran serves a small portion of Phase 1 and all of Phase 2 North. The LYNX service is located within existing service routes as documented in LYNX's Title VI Program. Therefore, these existing service routes are not documented as part of the SunRail Title VI Program. The Service and Fare Equity Analysis for the feeder service funded by FDOT is

documented in **Appendix G**.

4.2.2.1 Station Locations

The station locations (shown in **Appendix E**) were identified in consultation with the jurisdictional municipalities and because of extensive public involvement outreach conducted during the National Environmental Policy Act (NEPA) process. The stations serve key population areas and major destinations throughout the corridor. As the SunRail transit system was developed along the existing CFRC corridor, key destinations outside the service area will continue to be serviced in partnership with LYNX and Votran transit. The station locations and accessibility to major activity centers are briefly described below.

DeLand Amtrak Station - Located several miles west of downtown DeLand, near the intersection of Old New York Avenue and Grand Avenue South, the DeLand Amtrak station is just a short bicycle ride away from Hontoon Island State Park, Florida Hospital DeLand, the St. Johns River, municipal services and DeLand's downtown historic district. The Deland station provides transit access to most of central Volusia County, as well as Lake County. In addition, the area immediately surrounding the SunRail station provides a unique redevelopment opportunity for local residents and elected officials to serve commuter rail passengers in one of the fastest growing residential areas of the state. The SunRail station includes a park and ride lot with drop off area.

DeBary Station - Located in DeBary, a stone's throw from the St. Johns River and busy U.S. Highway 17-92, the DeBary station is near some of Central Florida's most scenic parks and is easily accessible to Interstate 4. The SunRail station is within walking and biking distance of the 210-acre Gemini Springs Park, Volusia County's Memorial Park and Lake Monroe Park, which includes a trailhead for the Lake Monroe-Gemini Springs-DeBary Hall recreational trail, as well as lakefront camping opportunities. The SunRail station includes a park and ride lot with a bus drop-off area.

Sanford Station - Located near the intersection of State Road 46 and Airport Boulevard, vacant property near the Sanford station presents unique development partnership opportunities for surrounding landowners, residents and community leaders. The SunRail station provides a direct connection to a residential development (Riverview Townhomes) on the east side of the tracks. Also, the station is a short distance from historic downtown Sanford, with its charming mix of antique stores, restaurants, lakefront recreational activities, county services and Central Florida Regional Hospital, as well as to the Seminole Towne Center and surrounding residential development. The SunRail station includes a park and ride lot with bus drop-off area. The City of Sanford provides a free trolley service from the Sanford Station to downtown Sanford which operates Monday through Saturday after noon.

Lake Mary Station - The Lake Mary station is conveniently located near the intersection of Lake Mary Boulevard and Country Club Road, adjacent to Stairstep Park and just a stone's throw from the city's municipal services complex, a restaurant and retail center, several additional parks and Seminole State College. Station House apartments, residential neighborhoods and up and coming upgrades to the city center also are within easy walking distance of the SunRail station. The SunRail station includes a park and ride lot with bus drop-off area.

Longwood Station - Near the intersection of Ronald Reagan Boulevard and Church Avenue, the Longwood station is located near the historic center of town, municipal services buildings, civic centers, three public parks and South Seminole Hospital. Dining and shops also are within easy walking distance of the SunRail station and the city’s Weston Park, a multi-family residential development located adjacent to the station. Because of its proximity to S.R. 434, the station also provides access to Winter Springs residents and businesses. The SunRail station includes a park and ride lot with bus drop-off area.

Altamonte Springs Station - The Altamonte Springs station is centrally located near the intersection of Altamonte Drive (S.R. 436) and Ronald Reagan Boulevard, offering commuters a brisk walk or easy bus ride to the Altamonte Mall and AdventHealth in Altamonte Springs, with a host of additional dining and shopping opportunities along the way. The SunRail station is within walking distance of Winwood and Eastmonte Parks, several residential neighborhoods and the city's municipal services complex. This station also provides access to Casselberry businesses and residents, including planned redevelopment opportunities along the U.S. 17-92 corridor. The SunRail station includes a park and ride lot with bus drop-off area.

Maitland Station - The Maitland station is located just south of the Maitland Boulevard overpass, on U.S. Highway 17-92. The Maitland Station Apartments are located adjacent to the SunRail station. The SunRail station is within walking distance of the city's redeveloped downtown and municipal complex, with easy access to shopping, restaurants and a pedestrian path to neighboring residential communities. The SunRail station includes a park and ride lot with bus drop-off area.

Winter Park Station - Near the intersection of Morse Boulevard and Park Avenue, the charming Winter Park Amtrak/SunRail station fronts historic Central Park and the city's fabled Park Avenue shopping and dining district. The SunRail station is within easy walking distance of the city's Winter Park Welcome Center and Chamber of Commerce, the Farmer’s Market, municipal complex, soccer and softball fields, the city's 9-hole golf course, Charles Hosmer Museum of American Art, and Rollins College, as well as an eclectic mix of residential housing.

AdventHealth Station - One of the largest employers in Central Florida, AdventHealth partnered with SunRail to build a station located at its main campus, near the intersection of Rollins Street and Orange Avenue. Within walking distance of AdventHealth University, the Loch Haven Park Neighborhood Center, Orlando Children’s Theater, Orlando Science Center, , Orlando Museum of Art, Mennello Museum of American Art, and Orwin Manor Park, the SunRail station also provides easy access to Orlando's Antique Row on Orange Avenue, shopping and dining, as well as recreational activities on Lake Ivanhoe.

LYNX Central Station - Centrally located in downtown Orlando, the SunRail station at LYNX Central Station, near the intersection of Amelia Street and Garland Avenue, provides quick and easy transfers to the region's bus network and ultimately will be a hub for future rail expansions as approved by the region. The Orange County and Federal courthouses, Orange County Clerk of Courts, Florida Agricultural and Mechanical University (FAMU) College of Law, University of Central Florida downtown campus, Florida Department of Children and Families, and downtown business activities are within easy walking distance, as are all downtown Orlando's shopping, entertainment and recreational venues. Developments nearby include the Central Station on Orange with apartments and retail locations along with Creative Village, a mixed-use transit-oriented innovation district, just west of the station at the site of the old Amway Arena.

Church Street Station - Near the intersection of South Street and Garland Avenue, the SunRail station at Church Street serves the downtown business area and the city's booming residential and entertainment district. Orlando City Hall is a quick walk away, as is the Orange County government complex, the Kia (formerly Amway) Center entertainment complex, the Federal courthouse, elder high-rise housing and the Parramore residential and business area. The SunRail station at Church Street provides easy access to the Dr. Phillips Performing Arts Center, Camping World Stadium, and Inter&Co Stadium, home to the Orlando City Soccer Club, a Major League Soccer team and their National Women’s Soccer League affiliate club, Orlando City Pride.

Orlando Health/Amtrak Station - The SunRail station located with Orlando's Amtrak station, near the intersection of Sligh Boulevard and Columbia Street, is a partnership between the community and one of the region's largest employers, Orlando Health and its burgeoning medical complex. Surrounding medical facilities, including Orlando Regional Medical Center, M.D. Anderson Cancer Center, the Ambulatory Care Center, Arnold Palmer Children's Hospital, Winnie Palmer Hospital for Women and Babies and the Lucerne Hospital, are within easy walking distance of the station, as are local restaurants and neighboring parks. Orlando Health is expected to employ more than 19,000 people over the next 25 years and provides more than 2,000 hospital beds for the community.

Sand Lake Road Station - Near the intersection of Orange Avenue and Sand Lake Road, the SunRail station at Sand Lake Road serves an expanding residential and business hub in south Orlando, with easy bus access to the Florida Mall and the attractions area, as well as Orlando International Airport (OIA). The SunRail station ultimately is designed to connect with future rail options planned to serve OIA and Lake Nona- Medical City area to the east and the Orange County Convention Center and the International Drive tourism district to the west. This station also serves the residents of nearby Belle Isle and Taft. The SunRail station includes a park and ride lot and bus drop-off area.

Meadow Woods Station - Near the intersection of South Orange Avenue and Fairway Woods Boulevard, the SunRail station at Meadow Woods offers easy transit access to South Orange County and north Osceola County's burgeoning residential neighborhoods. The station also serves the nearby South Orange Sports Complex. The SunRail station includes a park and ride lot and bus drop-off area.

Tupperware Station - Near the intersection of Osceola Parkway and Michigan Avenue, the Tupperware SunRail station at Osceola Parkway is centrally located to the south of the Hunter's Creek subdivision in Orange County and to the west of Buenaventura Lakes. This station is home to Tupperware Brands World Headquarters and a new mixed-use development that includes residential, commercial and retail opportunities adjacent to the SunRail platform. The SunRail station includes a park and ride lot with bus drop-off area.

Kissimmee Station - The Kissimmee station, located near the intersection of Broadway Street and Monument Avenue in downtown Kissimmee, is within easy walking distance of dining and shopping centers, the Osceola County Courthouse and Government Center, Osceola Regional Medical Center and the Lake Tohopekaliga shore. Indeed, Lakefront Park, where outdoor enthusiasts can enjoy ready access to boating, fishing, picnicking and other recreational activities on Lake Tohopekaliga, is only about a half-mile from SunRail's downtown Kissimmee depot. The SunRail station is adjacent to the Kissimmee Intermodal Center Garage, a multi-use parking garage with 400 spaces.

Poinciana Station - Near the intersection of Orange Blossom Trail and Poinciana Boulevard, the SunRail station at Poinciana serves one of the fastest growing employment centers in the region, with more than 1,600 current workers at the 1,200-acre park and major planned future expansions. In addition, the nearby Poinciana development is currently one of the fastest growing residential areas in Osceola County. The SunRail station includes a park and ride lot with bus drop-off area. A VSLMF is located adjacent to the Poinciana station, the southern terminus of the SunRail system.

4.2.2.2 Environmental Justice

Pursuant to Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,* disproportionately high and adverse effects on minority populations and low-income populations must be avoided. The project impacts associated with the implementation and construction of the SunRail transit system are fully documented in accordance with NEPA. The environmental record for the CFCRT (SunRail) project consists of the following documents:

- *Environmental Assessment* (December 15, 2006) with *Finding of No Significant Impact (FONSI)* (April 27, 2007);
- *Supplemental EA* (May 8, 2008) with *Addendum to the FONSI* (July 22, 2008); and
- *Second Supplemental EA* (April 20, 2010) with *Second Addendum to the FONSI* (September 10, 2010).

The Second Addendum to the FONSI as issued by FTA, indicated no significant impacts were associated with EJ populations. To comply with FTA's reporting requirements, an updated map identifying minority populations within the service area is provided in **Appendix E**.

Minority populations were analyzed based on the 2022 ACS data released by the U.S. Census Bureau. Minority populations, as reported for FTA and NEPA compliance, is not directly presented by the Census raw data. The method used for FDOT's Efficient Transportation Decision Making (ETDM) tool is to subtract the Census reported count for the white non-Hispanic population from the total population of each census tract. This method of calculation includes Hispanic populations in the minority population reported data. Figure 2 (provided in **Appendix E**) shows the percentage of minority populations by tract within the SunRail Corridor service area.

The overall minority population in the study area (498,158 persons) represents approximately 57.28% of the total population within the study area (869,738). Of the 58 tracts within the study area, 11 (19.0%) have less than 25% minority population, 16 tracts (27.6%) have between 25 and 50% minority population; and 31 tracts (53.4%) have greater than 50% minority population. This even distribution indicates the project does not disproportionately impact minorities. Further, the percentage of minorities within the study area are similar to the county-wide values shown below.

- Volusia County (31.0% minority population)
- Seminole County (42.9% minority population)
- Orange County (62.5% minority population)
- Osceola County (71.5% minority population)

The census information shows 4 of the 5 tracts in Volusia County are slightly below the 31.0% Volusia County average, 12 of the 20 tracts in Seminole County are below the 42.9% Seminole County average, 11 of the 21 tracts in Orange County contain a percent of minority population below the 62.5% Orange County average, and 6 of the 12 tracts in Osceola County are below the 71.5% Osceola County average.

Figure 3 in **Appendix E** identifies the percentage of households below the poverty level within the alignment corridor as an indicator of the proximity of low-income population. This information is shown by Census Tract based on the 2022 ACS Census data.

Of the 58 tracts within the study area, 47 (81.0%) have less than 20% low-income population; 5 tracts (8.6%) have between 20 and 30% low-income population; and 6 tracts (10.3%) have greater than a 30% low-income population. The largest portion of the study area has less than 20% low-income population, which indicates the project does not disproportionately impact low-income populations. Further, the percentage of low-income population within the study area are generally representative of the county-wide values shown below.

- Volusia County (7.9% low-income population)
- Seminole County (6.7% low-income population)
- Orange County (10.0% low-income population)
- Osceola County (11.1% low-income population)

The census information shows 2 of the 5 tracts in Volusia County are below the 7.9% Volusia County average, 7 of the 20 tracts in Seminole County are below the 6.7% Seminole County average, 10 of the 21 tracts in Orange County contain a percent of low-income households below the 10.0% Orange County average, and 2 of the 11 tracts in Osceola County contain a percent of low-income households below the 11.1% Osceola County average.

Distribution of transportation amenities is another aspect of EJ for a transit provider. The goal is to provide the transit station access to the minority and low-income population centers and work centers. Table 2 shows the tract level information for the stations with respect to minority and low-income access.

Of the 16 station areas, 12 are located within, or near, tracts that exceed 40% minority population and 13 stations are located within, or near, tracts that exceed 15% below the poverty line. This reflects the planning approach for the rail service to provide an economic benefit for the vicinity of the stations as well as a transportation resource to minority populations. Further supporting information for the figures and Table 2 are provided in **Appendix E**.

TABLE 2
Station Statistics for Minority and Low-Income Access

Station	2020 Tract [1]	Percent Minority [2]	Percent Low Income [3]
DeLand	902.04	29.9%	5.9%
	907.01	23.4%	11.5%
DeBary	909.06	21.7%	6.0%
	909.04	22.8%	9.1%
Sanford	204.01	83.6%	18.3%
	204.02	53.8%	2.9%
	205	82.5%	44.2%
	206.01	64.9%	17.9%
Lake Mary	208.03	25.8%	2.1%
	208.05	35.7%	2.6%
	208.06	52.9%	6.1%
	208.07	53.7%	8.8%
Longwood	215.07	23.5%	19.6%
	215.04	22.3%	11.7%
	215.06	39.6%	7.3%
Altamonte Springs	218.02	30.9%	12.6%
	219.02	57.8%	15.6%
	220.01	69.6%	35.3%
Maitland	155.01	39.9%	15.7%
	156.01	20.7%	4.3%
	157.01	20.7%	2.6%
	218.02	30.9%	12.6%
	220.06	38.0%	10.6%
Winter Park	158.01	14.6%	3.1%
	159.01	62.8%	18.9%
	160.01	23.6%	7.2%
	161	14.9%	8.2%
Advent Health	127.01	27.5%	9.1%
	128	28.0%	2.2%
	188	33.4%	12.9%
LYNX Central, Church Street, and Orlando Health/Amtrak	103.00	32.9%	11.3%
	104.00	93.3%	36.1%
	105.00	96.4%	61.8%
	113.00	22.9%	10.3%
	185.00	73.1%	12.2%
	188.00	33.4%	12.9%
	189.1	47.0%	33.0%
	189.2	45.3%	11.9%
Sand Lake Road	141	30.9%	6.4%
	142.02	88.0%	21.3%

TABLE 2
Station Statistics for Minority and Low-Income Access

Station	2020 Tract	Percent Minority [2]	Percent Low Income [3]
Sand Lake Road (cont.)	168.03	83.2%	7.2%
	168.04	79.3%	7.0%
Meadow Woods	168.03	83.2%	7.2%
	168.04	79.3%	7.0%
	168.08	84.7%	3.9%
	168.09	89.3%	18.5%
Kissimmee	168.08	84.7%	3.9%
	168.09	89.3%	18.5%
	170.21	71.2%	13.6%
	423.00	81.9%	26.4%
	424.00	80.5%	20.5%
Poinciana	416.00	75.6%	31.1%
	408.10	65.2%	26.9%
	409.01	60.5%	12.8%
	410.03	68.2%	13.9%
	410.04	86.8%	6.3%
	416.00	58.7%	38.5%
	417.00	58.6%	27.3%

Notes:

[2] Calculated by totaling the population and minority populations within the study area for the Census Tracts within 3 miles or ½ mile of a proposed station using 2022 ACS data.

[3] Calculated by totaling the population and below poverty level population within the study area for the Census Tracts within 3 miles or ½ mile of the station using 2022 ACS data.
Source: 2022 ACS

4.2.2.3 Transit Dependent Populations

The potential transit dependent populations include households with no vehicle, persons age 65 and above, or persons with disabilities. The US Census no longer reports information regarding disabilities, so ACS also does not produce off census estimates. The transit dependent populations within the corridor are identified on maps and data provided in **Appendix E**.

- **No Vehicle.** Figure 4 in **Appendix E** shows the percentage of households with no vehicle available by census tract as presented in the 2022 ACS data.
- **Age 65 and Above.** Figure 5 in **Appendix E** depicts the distribution of elderly population defined as age 65 and above. This information is shown at the census tract level based on the 2022 ACS data released.

For transit providers, station location planning should consider the transportation disadvantaged population. To serve the disabled population, the SunRail station amenities and platforms were developed in compliance with the ADA of 1990 (as amended). Table 3 summarizes the transit dependent populations based on the tracts for each station location. Further data is provided in **Appendix E**.

TABLE 3
Station Statistics for Transit Dependent Populations

Station	2020 Tract[1]	No Vehicle[2]	Above Age 65[3]
DeLand	902.04	3.1%	21.5%
	907.01	1.1%	32.7%
DeBary	909.06	2.7%	17.6%
	909.04	1.3%	15.2%
Sanford	204.01	16.8%	18.7%
	204.02	3.4%	17.4%
	205	12.4%	14.1%
	206.01	5.3%	14.1%
Lake Mary	208.03	0.1%	14.4%
	208.05	2.1%	21.5%
	208.06	1.2%	16.3%
	208.07	11.3%	8.2%
Longwood	215.07	3.6%	17.4%
	215.04	11.1%	31.7%
	215.06	5.2%	16.6%
Altamonte Springs	218.02	7.2%	19.5%
	219.02	5.0%	20.2%
	220.01	13.3%	13.7%
Maitland	155.01	0.9%	17.3%
	156.01	3.5%	17.3%
	157.01	1.6%	16.7%
	218.02	7.2%	19.5%
	220.06	10.1%	15.7%
Winter Park	158.01	2.3%	22.8%
	159.01	21.2%	18.6%
	160.01	3.3%	16.9%
	161	6.7%	27.9%
Advent Health	127.01	0.0%	14.3%
	128	2.3%	22.6%
	188	2.6%	6.7%

TABLE 3
Station Statistics for Transit Dependent Populations

Station	2020 Tract[1]	No Vehicle[2]	Above Age 65[3]
LYNX Central, Church Street, and Orlando Health/Amtrak	103.00	18.4%	27.3%
	104.00	36.3%	17.8%
	105.00	29.1%	31.6%
	113.00	2.1%	13.4%
	185.00	5.6%	9.7%
	188.00	2.6%	6.7%
	189.1	15.5%	19.9%
	189.2	7.3%	20.8%
Sand Lake Road	141	2.6%	21.0%
	142.02	4.6%	12.4%
	168.03	3.1%	22.6%
	168.04	2.7%	15.3%
Meadow Woods	168.03	3.1%	22.6%
	168.04	2.7%	15.3%
	168.08	1.2%	13.5%
	168.09	2.8%	13.0%
	168.08	1.2%	13.5%
	168.09	1.3%	6.6%
	170.21	0.0%	14.2%
	423.00	6.6%	16.1%
	424.00	6.5%	21.2%
Kissimmee	416.00	15.3%	9.7%
Poinciana	408.10	7.7%	12.6%
	409.01	6.8%	10.6%
	410.03	0.4%	10.0%
	410.04	0.0%	16.6%

Notes:
[1] Block groups level data used and totaled by tract for this tabulation.
[2] Calculated by totaling the vehicle data and the reported no access to a vehicle from the 2020 Census Tracts within ½ mile of the station using 2022 ACS data.
[3] Calculated by totaling the block group population and age above 65 population within the study area for the Census block groups within ½ mile of the station of the station using 2022 ACS.

Source: 2022 ACS

4.2.2.4 Minority Transit Routes

A "minority transit route" is defined in Federal Register Volume 77, Number 167, dated August 28, 2012 and FTA Circular 4702.1B as "one in which at least one-third of the revenue miles are located in a Census block or block group, or traffic analysis zone where the percentage minority population is greater than the percentage minority population in the service area". In addition, FTA Circular 4702.1B indicates that a minority transit route can connect an above-average minority population to jobs. This section documents the minority route analysis conducted to identify potential minority transit routes.

Since SunRail Phase 2 South began revenue service in July 2018, stable ridership data is not available for the new stations. For this reason, the evaluation of minority transit routes is based on 2022 ACS block group data and observations of likely employment destinations, which is consistent with the FTA guidance circular. SunRail ridership data and any future service changes will be used to update this analysis in the future.

Considering the overall 61-mile corridor, more than 1/3 of the distance traverses predominately minority areas as shown in Figure 6 (**Appendix E**). In order to pinpoint the specific routes with higher minority populations within the SunRail system, a methodology was determined and coordinated with FTA to identify potential minority routes within the SunRail alignment. The methodology and results are discussed below.

Step 1. Determine data set. The 2022 ACS block group data was used to determine the population and percentage of minority population. The ETDM definition was used for this analysis (subtract the white non-Hispanic population from the total population). The use of Census block groups and the ETDM minority definition are consistent with the FTA requirements.

Step 2. Set the regional minority threshold. The minority threshold is the average minority population of the regional transit service area. The regional service area (including Phase 1, Phase 2 South and Phase 2 North) is the full extent of Volusia, Seminole, Orange, and Osceola Counties. Based on 2022 ACS data, the average minority population for the four counties is 54.30%, which is shown in Table 4.

TABLE 4
Minority Population Data for the Transit Service Area

County	Census Block Group Minority Population	2022 Population	Minority Threshold
Volusia	172,022	558,520	
Seminole	202,377	471,321	
Orange	891,681	1,427,403	
Osceola	281,353	393,745	
Transit Service Area	**1,548,433**	**2,850,989**	**54.31%**

Step 3. Set the analysis buffer. With the SunRail commuter system, the area of reasonable ridership access to the route from adjacent minority populations is represented by the station areas consistent with the Service and Fare Equity analysis. For stations with no available parking, a walkshed of 1/2 mile was assumed. For stations that provide parking, a 3-mile station buffer represents the area from which potential riders have reasonable access to the commuter rail. In between the station areas, the SunRail alignment would not be included because this is outside the assumed ridership areas.

Step 4. Perform a regional minority population analysis. This analysis uses the Census data (Step 1) and the station areas (Step 3) for minority and total populations to determine the average percentage of minority population within each station area. This is used to determine if the potential station ridership represents an above-average minority population. Or, in other words, if the station area has a minority percentage that exceeds the regional minority threshold value from Step 2, there is a potential minority transit route.

Step 5. Evaluate if 1/3 of the revenue service length traverses predominantly above-average minority areas. Over 1/3 of the 61-mile corridor traverses predominately minority areas (approximately 28 miles). Additionally, the revenue mileage within each station area was evaluated to pinpoint specific minority routes within the SunRail system. Based on available ridership data, the likely workplace destinations are assumed to be the downtown Orlando stations.

In Step 4, the average minority population for each station area was calculated. Additionally, the locations of above-average minority populations are shown graphically on Figure 6 (overall) and Figures 7-23 (individual station graphics) located in **Appendix E**.

The revenue service length calculation was based on the distance (one-way route mileage) of revenue service miles within the station area divided by 3 to set the "1/3 Revenue Mile" value. Next, the line was drawn to represent the distance that the SunRail alignment traverses a predominantly above-average minority area within the station area. This line was drawn by observation of the calculated above-average minority concentrations in dark blue (Step 4) and represents where the service area is characteristic of a predominant average minority population (i.e., where more than half of the surrounding station area involves an above-average minority population).

If the length of this line exceeds the "1/3 Revenue Mile" value, there is a potential minority transit route. This methodology allows for the minority route determination to be based on the entire station service area and not just the populations immediately adjacent to (or intersecting) the SunRail corridor.

The results are provided in Table 5. The regional minority population (Step 4) is exceeded within six station areas (Sanford, Sand Lake Road, Meadow Woods, Tupperware, Kissimmee, and Poinciana).

The conclusions from this analysis are the following six minority transit routes, based on the predominant direction of travel being towards downtown Orlando:

- **Sanford to Lake Mary.** The percentage of minority population at Sanford station exceeds the transit service area regional minority and the minority route length exceeds 1/3 of the revenue mileage.
- **Sand Lake Road to Orlando Health / Amtrak.** The percentage of minority population at Sand Lake Road station exceeds the transit service area regional minority threshold and the minority route length exceeds 1/3 of the revenue mileage.
- **Meadow Woods to Sand Lake Road.** The percentage of minority population at Meadow Woods station exceeds the transit service area regional minority threshold and the minority route length exceeds 1/3 of the revenue mileage.
- **Tupperware to Meadow Woods.** The percentage of minority population at Tupperware station exceeds the transit service area regional minority threshold and the minority route length exceeds 1/3 of the revenue mileage.
- **Kissimmee to Tupperware.** The percentage of minority population at Kissimmee station exceeds the transit service area regional minority threshold and the minority route length exceeds 1/3 of the revenue mileage.
- **Poinciana to Kissimmee.** The percentage of minority population at Poinciana station exceeds the transit service area regional minority threshold.

These minority route determinations will be re-analyzed after revenue operations have begun for SunRail Phase 2 North, once sufficient historical ridership and monitoring data are available for the full alignment, and will be documented in subsequent Title VI Program updates.

			2022 ACS Population Station Area Comparison to Regional Threshold (54.3%)				Conclusion			Notes	
Station	**Route Designation**	**Route Length Between Stations (miles)**	**Total Population**	**Minority Population**	**Minority Percentage**	**Exceeds Regional Minority Threshold**	**One-way Revenue Mileage (miles)**	**1/3 Revenue Mileage (miles)**	**Minority Route Length (miles)***		
DeLand	A—DeLand to DeBary	12.38	33107	11924	36.0%	No	3.39	1.13	0	Non-Minority Route	Note 2
DeBary	B - DeBary to Sanford	3.73	48515	17612	36.3%	No	5.98	1.99	1.63	Non- Minority Route	Note 2
Sanford	C - Sanford to Lake Mary	4.69	68519	34395	50.2%	No	6.96	2.33	4.57	Minority Route	Note 1
Lake Mary	D - Lake Mary to Longwood	4.40	89928	42518	47.3%	No	6.33	2.12	0	Non-Minority Route	Note 2
Longwood	E - Longwood to Altamonte Springs	2.76	93013	36629	39.4%	No	6.21	2.08	1.49	Non-Minority Route	Note 2
Altamonte Springs	F - Altamonte Springs to Maitland	2.19	114075	50382	44.2%	No	6.25	2.09	1.49	Non-Minority Route	Note 2
Maitland	G - Maitland to Winter Park	2.96	108395	45855	42.3%	No	6.75	2.26	0.98	Non-Minority Route	Note 2
Winter Park	H - Winter Park to Florida Health Village	2.11	9947	2450	24.6%	No	1.06	0.36	0	Non-Minority Route	Note 2
Advent Health	I - Advent Health to LYNX Central	2.07	8990	3252	36.2%	No	1.02	0.34	0	Non-Minority Route	Note 2
LYNX Central	LYNX Central	-	13202	5408	40.1%	No	1	0.34	0	Non-Minority Route	Note 2
Church St.	J - Church Street to Lynx Central	0.61	9597	4772	49.7%	No	1.02	0.35	0	Non-Minority Route	Note 2
Orlando Health/Amtrak	K - Orlando Health / Amtrak to Church St	0.82	7128	4164	58.4%	Yes	1	0.34	0	Non-Minority Route	Note 2

Station	Route Designation	Route Length Between Stations (miles)	2022 ACS Population Station Area Comparison to Regional Threshold (54.3%)				Conclusion			Notes	
			Total Population	Minority Population	Minority Percentage	Exceeds Regional Minority Threshold	One-way Revenue Mileage (miles)	1/3 Revenue Mileage (miles)	Minority Route Length (miles)*		
Sand Lake Road	L - Sand Lake Road to Orlando Health / Amtrak	5.29	86719	53393	61.5%	Yes	2.96	0.99	2.47	Minority Route	Note 1
Meadow Woods	N - Meadow Woods to Sand Lake Road	4.63	140743	111640	79.3%	Yes	6.21	2.07	6.21	Minority Route	Note 1
Tupperware	O - Tupperware to Meadow Woods	3.36	214865	182146	84.8%	Yes	6.18	2.06	6.18	Minority Route	Note 1
Kissimmee	P - Kissimmee to Tupperware	3.52	4702	3553	75.6%	Yes	1.01	0.34	1.01	Minority Route	Note 1
Poinciana	Q – Poinciana to Kissimmee	5.59	57650	43869	76.1%	Yes	3.13	1.04	2.12	Minority Route	Note 1

*The Revenue Mileage within Predominantly Above-average Minority Areas is the sum of the alignment segments (revenue mileage) within the station area (walkshed/driveshed) that travel through predominant minority areas (where the total station area has a majority of block groups with minority percentages that exceed the minority percentage for the transit service area).

Notes:

[1] Route segment is a Minority Route (due to station area and minority route mileage).

[2] Non-Minority Route; Both stations have average minority population less than regional threshold.

Source: 2022 ACS

4.3 Service Monitoring

To ensure compliance with DOT's Title VI regulations, SunRail intends to implement a monitoring program to evaluate system performance relative to the service standards and service policies defined in Section 4.1 of this report. The six systemwide service standards include vehicle load, vehicle headway, on-time performance, service availability, distribution of transit amenities, and vehicle assignment. SunRail is reviewing how these six service standards are currently reported including how frequently they are reported. As outlined in FTA's Circular, the monitoring plan will consist of an evaluation to determine if any disparate impacts on the basis of race, color, or national origin are identified and to ensure the transit system provides equitable service and in particular on the minority transit routes presented in Table 5 in Section 4.2.2.4 of this report.

4.4 Service and Fare Equity

The SunRail service is fully documented in the Service Development Plan and the FFGA for the project. Additionally, the CFCRT Fare Policy, Equipment and Implementation Plan (December 2013) provided as **Appendix F** was developed to serve as a guide for FDOT to develop a fare system for the project. The establishment of a fare policy required regional coordination with the other transit providers, including LYNX and Votran. An equitable fare structure was determined in compliance with Title VI regulations. A Service and Fare Equity analysis was conducted consistent with FTA procedures and is provided in **Appendix G**. Consistent with FTA Circular 4702.1B, the Service and Fare Equity analysis will be updated subsequent to any major service or fare changes. The major service change and service/fare equity policy is provided in **Appendix H** which contains the Major Service Change Policy, Disparate Impact Policy, and Disproportionate Burden Policy.

The Draft SunRail Title VI Program and appendices were made available to the public via the project website for a minimum 30-day review period extending from April 9, 2024, through May 8, 2024. Additionally, an overview of these documents (including the current Title VI policies and the results from the Service and Fare Equity Analysis were presented to the Technical Advisory Committee (TAC) and the CFCRC at the April 10, 2024, and April 25, 2024, regular meetings, respectively. Both meetings were publicly advertised on SunRail's website and through social media channels to solicit input from the community.

As a result of this public outreach, no comments were received. Subsequently, on May 23, 2024, the CFCRC Governing Board approved the SunRail Title VI Program including the Service and Fare Equity Analysis for Phase 2 North (refer to **Appendix H**). A copy of the signed CFCRC Governing Board's resolution of support is provided in **Appendix I**. Consistent with FTA Circular 4702.1B, the service and fare equity analysis was updated for Phase 2 North as part of this Title VI report. All relevant meeting materials are posted on the SunRail website.

APPENDIX A

Title VI/Nondiscrimination

Program & Policies

Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

MIKE DEW
SECRETARY

POLICY

Effective: October 24, 2011
Review: May 1, 2017
Office: Equal Opportunity
Topic No.: 001-275-006-o
Authority: 20.23(3)(a), 334.048(3), F.S.

TITLE VI / NONDISCRIMINATION PROGRAM

The Florida Department of Transportation will not discriminate on the basis of race, color, national origin, sex, age, handicap/ disability or income status. No person may be treated unfavorably, excluded from participating in or denied the benefits of any Department program or activity because of their race, color, national origin, age, sex, handicap/ disability or income status. The Department will not retaliate against any person who complains of discrimination or who participates in an investigation of discrimination. Department grant recipients and contractors must comply with this policy.

Department civil rights and program area specialists must work closely to implement their mutual nondiscrimination program responsibilities. Each Assistant Secretary, District Secretary, Florida's Turnpike Enterprise Executive Director, Director, Manager, and Section Head of the Department's major program areas (Planning, Project Development/Environmental, Design, Right-of-Way, Construction, Maintenance, Public Transportation, and Research), and each Department grant recipient and contractor, is responsible for preventing discrimination and ensuring nondiscrimination in all of their programs and activities, whether those programs and activities are federally assisted or not.

The Department's Equal Opportunity Office Manager is delegated the authority to develop, maintain, implement, and monitor this policy as required by ***23 Code of Federal Regulations (CFR) Part 200 and 49 CFR Part 21***.

Mike Dew
Secretary

Florida Department of Transportation Title VI/Nondiscrimination Program Implementation Plan– *Federal Fiscal Year (FFY) 2024*

I. Introduction

Florida Department of Transportation (Department) is a recipient of federal funds from the United States Department of Transportation (USDOT) modal agencies, including Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). All recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of *race, color, and national origin*. This Implementation Plan (Plan) describes how the Department complies with Title VI in the delivery of its federally assisted programs, services, and activities. The Plan includes summary information on the structure of the Department's Title VI/Nondiscrimination program as well as the policies, procedures, and practices that support nondiscrimination requirements. For those interested in detailed information on how the Department accomplishes Title VI compliance in its programs, visit the core documents table at Section XI.

This Plan is intended to be a living document, annually monitored and updated by the Department to meaningfully reflect the program as it changes and grows. Anyone wishing to provide input into the Department's Title VI/Nondiscrimination Program Implementation Plan is encouraged to contact the State Title VI Coordinator, Stefan Kulakowski, Stefan.Kulakowski@dot.state.fl.us or 850-414-4742 or by writing to the Department's Equal Opportunity Office (EOO) at 605 Suwannee Street, MS 65, Tallahassee, Florida 32399.

This Plan pertains only to Title VI. However, the Department also complies with the Florida Civil Rights Act of 1992, the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and the Age Discrimination Act of 1975, as well as Executive Orders 12898 (Environmental Justice) and 13166 (Limited English Proficiency). This means that the Department does not discriminate in any of its programs, services, or activities on the additional basis of *sex, age, disability, religion, income, or family status*. For additional information on these authorities and the Department's compliance procedures, visit the Equal Opportunity website at http://www.fdot.gov/equalopportunity/ or its ADA page at http://www.fdot.gov/roadway/ada/ .

The Department is committed to a broad distribution of its Title VI/Nondiscrimination program information. Anyone requiring the information in alternative formats to accommodate a disability or in a language other than English subject to the Department's Limited English Proficiency (LEP) Plan, should contact the Title VI/Nondiscrimination Coordinator[1].

[1] *Las personas que requieran acomodaciones especiales bajo la Ley para las Personas con Impedimentos (Americans with Disabilities Act), conocida por sus siglas en inglés ADA, o las personas que requieran servicios de traducción (de forma gratuita) deben comunicarse con el Oficial de Derechos Civiles.*

Andikape American with Disabilities Act (ADA) rekonèt yo ki bezwen sipò espesyal oswa moun ki bezwen tradiksyon pap peye anyen, yap Selman bezwen kontakte ofis dwa sivik la.

II. Federal and State Nondiscrimination Assurances

The USDOT requires its recipients, including the Department, to execute Title VI Assurances. The document, entitled *Standard Title VI/Non-Discrimination Assurances DOT Order No.1050.2A* is signed by the Florida Department of Transportation Secretary within ninety (90) days of appointment by the Governor of the State of Florida. Thereafter, assuming no change in administration, the Secretary re-executes the document every three (3) years.[2]

Assurances are an important part of the Department's Title VI program. First, they are a visible commitment to equity and nondiscrimination from the top state transportation official. Second, they serve as a binding contract for which USDOT or the US Department of Justice (USDOJ) may seek remedy in the event of breach. The assurances also provide essential contract clauses that obligate those working on federally-assisted contracts to adhere to Title VI and other nondiscrimination requirements. The current assurance was executed by Secretary Jared W. Perdue, P.E., in May 2022. Barring a change in executive leadership, he will do so again in May of 2025. The signed assurance may be viewed online at US DOT 1050.2A Standard Title VI/Nondiscrimination Assurances or below in Insert A.

The Department provides FHWA and FTA funding to local public agencies, including counties, municipalities, and Metropolitan Planning Organizations (MPOs). Doing so makes these entities *sub-recipients* of USDOT. Even as the Department executes assurances to the agency providing the federal funds, so it expects similar assurances from those receiving funds from the Department, executed at least triennially commensurate with program certification/recertification. The Department's Sub-recipient Assurance may be viewed at FDOT Subrecipient Assurance or below in Insert B.

[2] The Department selected triennial submission of 1050.2A because it aligns with the requirements of Federal Transit Administration.

Insert A

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Florida Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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," for which the Recipient receives Federal financial assistance from DOT, including the **FHWA**.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **Federal Highway Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all **Federal Highway Programs** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

   > *"The Florida Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. 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 will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. 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.
9. The Recipient will provide for such methods of administration for the program 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 recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Florida Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FHWA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Florida Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal Highway Program**. This ASSURANCE is binding on **Florida**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal Highway Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Florida Department of Transportation
(Name of Recipient)

by _____
(Signature of Authorized Official)

DATED 5-24-2022

APPENDIX A

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, **Federal Highway Administration**, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will 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 will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of 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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the **Federal Highway Administration** to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the **Federal Highway Administration**, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the **Federal Highway Administration** may determine to be appropriate, including, but not limited to:
   a. withholding payments to the contractor under the contract until the contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the **Federal Highway Administration** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the Florida Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with laws of the state of Florida, the Regulations for the Administration of **Federal Highway Program,** and the policies and procedures prescribed by the **Federal Highway Administration** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation 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 the Florida Department of Transportation all the right, title and interest of the U.S. 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 Florida Department of Transportation 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 is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Florida Department of Transportation, its successors and assigns.

The Florida Department of Transportation, 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 will 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 wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Florida Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior 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 make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Florida Department of Transportation pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, 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:

   1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Florida Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Florida Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Florida Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by Florida Department of Transportation pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, 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 (1) no person on the ground of race, color, or national origin, will be excluded from participation in, 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 of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Florida Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Florida Department of Transportation will there upon revert to and vest in and become the absolute property of Florida Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Insert B

TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the _____ "Subrecipient" assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Subrecipient further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Subrecipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Subrecipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendices A and E* of this assurance in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Subrecipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Subrecipient.

Dated _____

by _____
, Chief Executive Officer

APPENDICES A and E

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 U.S. Department of Transportation (hereinafter, "USDOT") 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 Agreement.

(2.) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status 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 Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation 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 basis of race, color, national origin, sex, age, disability, religion or family status.

(4.) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 paragraphs (1) through (7) 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 the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

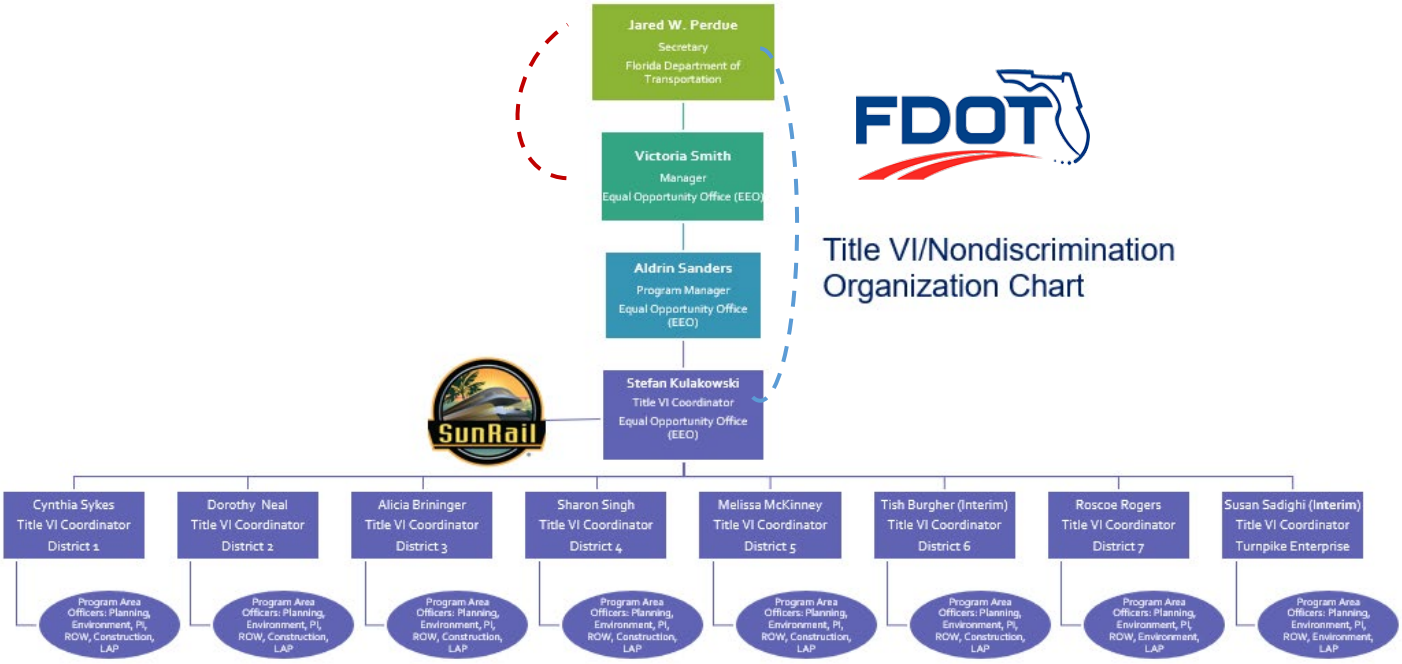
(7.) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Organization and Structure

The Department expects that its staff, sub-recipients, consultants, and contractors will abide by all nondiscrimination requirements as an integral part of working for and with the Department. Moreover, the Department requires that discrimination in any form be reported to leadership or other appropriate officials. The following chart describes the Department's organizational structure for the Title VI/Nondiscrimination Program.

Position	Title VI/Nondiscrimination Responsibility
Secretary of Transportation	The Department Secretary is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and has directed that nondiscrimination is required in all Department programs and services. The Secretary provides leadership, guidance, direction, and support for the Department's Title VI/Nondiscrimination Program. Pursuant to 23 CFR 200.9 (a) and 200.9 (b) (1), the Secretary has established and adequately staffed the Equal Opportunity Office (EOO) to fulfill the Title VI statutory and regulatory requirements and has executed FDOT Title VI Assurances.
Title VI/Nondiscrimination Manager	The Title VI/Nondiscrimination Manager is also the manager of the EOO, located in the Burns Building of the Department's Central Office at MS 65, 605 Suwannee Street, Tallahassee, FL 32399. As reflected in Title VI Organization Chart below the manager has direct, independent access to the Secretary and oversees a staff of seventeen (17) employees, one of whom is a dedicated Title VI/Nondiscrimination Coordinator. The Title VI/Nondiscrimination Manager is responsible for implementation and updates to the Title VI/Nondiscrimination Program.
State Title VI/Nondiscrimination Coordinator	The State Title VI/Nondiscrimination Coordinator is located at the Department's Central Office and reports directly to the Title VI/Nondiscrimination Manager. The State Coordinator has direct, independent access to the Manager, and may bypass the Manager to contact the Secretary should the need arise. The State Coordinator monitors the program, collecting data from each District; completing internal and federal reports; conducting training for internal and external partners, and conducting Quality Assurance Reviews (QARs) of all federal program areas to ensure nondiscrimination and sampling data to track program growth and progress.

District Title VI/Nondiscrimination Coordinators	Each of the Department's seven (7) District Offices, the Turnpike Enterprise, and Sun Rail has a District Title VI/Nondiscrimination Coordinator assigned to screen/log complaints, conduct training, collect program area nondiscrimination data, and provide reports to Central Office. The District Coordinator has direct, independent access to the District Secretary for matters involving Title VI/Nondiscrimination, and to the Title VI/Nondiscrimination Manager in Central Office. The District Coordinators work with the State Title VI/Nondiscrimination Coordinator to schedule annual effectiveness reviews, called Quality Assurance Reviews (QARs), and to implement corrective action measures, if necessary. The District Coordinator functions as the 'eyes and ears' of the nondiscrimination program in the field, holds a responsible position within the Department and has adequate training and tools to implement the program.
Title VI/Nondiscrimination Program Area Officers (PAOs)	Each federal program area within each District, including the Turnpike Enterprise, has a Title VI/Nondiscrimination Program Area Officer (PAO) who regularly collects and reviews program data for nondiscrimination. These reviews are documented and provided to the District Coordinator, who then reports them to the Central Office Title VI/Nondiscrimination Coordinator. While the PAO attends regular nondiscrimination meetings and assists the District Coordinator with annual effectiveness reviews, the PAO is primarily responsible for collecting and reporting to the Statewide Coordinator program data for nondiscrimination analysis.
Executive Leadership and Management	The Department expects that all members of management will adhere to and advance the principles of nondiscrimination in all programs, services, and activities. In addition, they must allow Title VI/Nondiscrimination Coordinators and Officers within their ranks easy access to the District Secretary and/or Title VI/Nondiscrimination Manager in matters involving the Title VI/Nondiscrimination Program. They must also ensure that Coordinators and Officers have the time and resources they need to provide staff training, conduct assessments, and collect/report program data.



III. Program Monitoring & Review

The Department's mission is to provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity, and preserves the quality of our environment and communities. The Department has a comprehensive transportation program essential to achieving its mission and is divided into discipline areas responsible for each aspect of planning, development, delivery, and maintenance of

transportation facilities. While the various areas must be compatible, they are governed by procedures that are specific to the discipline and that, among other things, detail how the program area acts in compliance with Title VI and other nondiscrimination authorities. This is institutionalized into the federal program area and is documented in the individual core documents (Section XI), including demographic data on the Department's service population.

The EOO and Title VI Coordinators support day-to-day nondiscrimination activities in each program area through training, complaint identification and processing, and by conducting Quality Assurance Reviews (QARs). The QARs measure the effectiveness of the Title VI program in each area and provide for identification and elimination of discrimination, as well as for data analysis that may reveal trends of Title VI discrimination. To strategically select the program areas and specific review issues or topics, FDOT uses a Risk Based Review Tool (Insert C) compiled by the districts and scoring each program area by risk. This is a new process being implemented as a Pilot in 2023. The use of the tool will identify program areas of higher risk, allowing practitioners (Coordinators, Program Officers, etc.) to more effectively budget time and resources. The tool should also improve the quality of nondiscrimination reviews by providing a deeper understanding of the program areas and their role in the FHWA-assisted Highway Program (FAHP). Previously, the State Coordinator collected a quarterly report from each program area (Insert D). The quarterly reports provided a framework for identifying possible risks, unmet needs, and trends of discrimination or disparity. The District Coordinator then submitted a single report for the District. Turnpike Enterprise and SunRail also submitted quarterly reports, which means that the State Coordinator collected and reviewed nine (9) reports each quarter (Insert D). With the implementation of the Risk Based Review Model, the District Coordinators will be completing and submitting a new version of the Title VI Quarterly Report in FY 2024. (Insert E)

This section summarizes the various program areas, the procedures in place to ensure equity and nondiscrimination, and the role the Title VI Coordinators plays in ensuring and demonstrating compliance.

Insert C Implementation of Risk Based Core Element Reviews (Scoring Tool)

Planning										
Core Element	**Core Element Description**	**Staffing Levels & Experience** *1 = Full, Experienced Staff* *2 = Vacancy or New Staff* *3 = Severe Lack of Staff*	**Problem History** *1 = None or Negligible* *2 = Some Issues* *3 = Major or Many Issues*	**New or Complex Component** *1 = Tried and True* *2 = Some Change* *3 = New or Cutting Edge*	**Safety Considerations** *1 = Many & Integrated* *2 = Some; Not Integrated* *3 = None/Few; Fragmented*	**Public Engagement** *1 = Lots of Quality Input* *2 = Outreach Attempted* *3 = Pro Forma, Box Check*	**External Exposure or Influence** *1 = Unlikely* *2 = Possible* *3 = Almost Certain*	**Data Reliance** *1 = Heavy, Incld. Demographics* *2 = Heavy, Excld. Demographics* *3 = Sporadic or No Data Use*	**TOTAL SCORE**	**RISK CATEGORY**
Urban Planning	Census designated transportation organizations (MPOs) conduct transportation studies and modeling to produce a Long Range transportation plan (LRTP), a Transportation Improvement Program (TIP) plan, a Unified Planning Work Program (UPWP) Plan, and a Public Participation Plan. Congestion Management and Bike Ped plans may be integrated or associated with core planning products.								0	#DIV/0!
Statewide Planning	State DOT manages nonurbanized transportation planning and in cooperation with MPOs, produces the Statewide Transportation Improvement Program (STIP) plan which informs the five-year transportation work program. State DOT also monitors MPOs for compliance with planning regulations, state requirements and 2 CFR 200.								0	#DIV/0!
Public Participation	MPOs and State DOT maintain, implement, update and measure effectiveness of PPPs that describe how public input is solicited and considered, including via websites, social media, visualization techniques, meetings, board makeup and other factors. The documents also describe the core planning products, how/when they are produced, and the process for amending them when necessary.								0	#DIV/0!
Procurement	MPOs and State DOT procure consultant services consistent with 2 CFR 200, FHWA, and State requirements, including DBE goals and bidders list requirements (if applicable), prohibition of local contracting preferences or points, insertion of nondiscrimination Assurances (Appendices A & E); MPOs and State DOT monitor consultant performance to ensure nondiscrimination in consultant selection and consultant delivery of services.								0	#DIV/0!
Vulnerable Users	Whether standalone or part of core planning products, MPOs and State DOT maintain plans or programs for pedestrians & bicyclists to ensure safe, accessible and equitable modal transportation choices for all users, including transportation disadvantaged and those with disabilities.								0	#DIV/0!
									Overall Program Risk	#DIV/0!

Project Development & Environment (PD&E)

Core Element	Core Element Description	Staffing Levels & Experience *1 = Full, Experienced Staff 2 = Vacancy or New Staff 3 = Severe Lack of Staff*	Problem History *1 = None or Negligible 2 = Some Issues 3 = Major or Many Issues*	New or Complex Component *1 = Tried and True 2 = Some Change 3 = New or Cutting Edge*	Safety Considerations *1 = Many & Integrated 2 = Some; Not Integrated 3 = None/Few; Fragmented*	Public Engagement *1 = Lots of Quality Input 2 = Outreach Attempted 3 = Pro Forma, Box Check*	External Exposure or Influence *1 = Unlikely 2 = Possible 3 = Almost Certain*	Data Reliance *1 = Heavy, Incld. Demographics 2 = Heavy, Excld. Demographics 3 = Sporadic or No Data Use*	TOTAL SCORE	RISK CATEGORY
Project Development	State DOT develops, updates and maintains a process manual describing how it complies with NEPA and other federal and state environmental authorities; State DOT develops project purpose/need, boundaries and a project description that demonstrates consistency with the applicable planning document; State DOT considers context and intensity of projects to assign a NEPA class of action.								0	#DIV/0!
Environmental Review	State DOT prepares the environmental document, assessing as necessary alternative corridors, as well as likely impacts to both physical and human environments, including but not limited to historical resources, farmlands, aesthesis, water/air quality, protected species, wetlands, noise, employment, economic development, social services, and communities; In coordination with stakeholders and the public, State DOT identifies avoidance, minimization and mitigation strategies for any adverse impacts and develops project commitments to ensure the strategies are actually deployed.								0	#DIV/0!
Public Participation	Project development follows a plan for early and continuous engagement of the public, including property owners, tenants, business owners and operators, public officials and agencies, facility users, interested individuals, special interest groups vulnerable users and traditionally underserved communities; the plan details how public input is considered and used to inform project decisions and resolve issues.								0	#DIV/0!
Procurement	State DOT procures professional services (A&E) consistent with 2 CFR 200, FHWA, and State requirements, including DBE goals and bidders list requirements (if applicable), prohibition of local contracting preferences or points, and insertion of nondiscrimination Assurance clauses (A & E); State DOT monitors consultant performance to ensure adherence to NEPA and related authorities, including those requiring nondiscrimination in consultant selection and delivery of services.								0	#DIV/0!
Environmental Screening	State DOT employs an EST to (at a minimum) integrate/store project and related data from multiple sources, and to analyze the effects of proposed projects on the human and physical environment.								0	#DIV/0!
									Overall Program Risk	#DIV/0!

Design

Core Element	Core Element Description	Staffing Levels & Experience *1 = Full, Experienced Staff 2 = Vacancy or New Staff 3 = Severe Lack of Staff*	Problem History *1 = None or Negligible 2 = Some Issues 3 = Major or Many Issues*	New or Complex Component *1 = Tried and True 2 = Some Change 3 = New or Cutting Edge*	Safety Considerations *1 = Many & Integrated 2 = Some; Not Integrated 3 = None/Few; Fragmented*	Public Engagement *1 = Lots of Quality Input 2 = Outreach Attempted 3 = Pro Forma, Box Check*	External Exposure or Influence *1 = Unlikely 2 = Possible 3 = Almost Certain*	Data Reliance *1 = Heavy, Incld. Demographics 2 = Heavy, Excld. Demographics 3 = Sporadic or No Data Use*	TOTAL SCORE	RISK CATEGORY
Context Sensitivity	State DOT develops, implements and monitors policies, procedures, standards and supporting materials for the design of roadways, structures and pedestrian facilities; State DOT employs context sensitive design that considers geographical location, surrounding land use, and the needs of all users of the facility.								0	#DIV/0!
Temporary Traffic Control	State DOT design standards describe requirements for safe maintenance of traffic during construction, including consideration of: facility proximity to social, government and commercial services, traffic volumes and speeds, pedestrian use, changing conditions relative to time of day, and availability of safe/accessible pedestrian routes (either temporary or alternate).								0	#DIV/0!
Public Participation	State DOT actively solicits and engages the public for input in developing project design, adhering to the state's approved PPP when conducting and documenting targeted outreach, as well as when considering or responding to public comments.								0	#DIV/0!
Procurement	State DOT procures design professional services consistent with 2 CFR 200, FHWA, and State requirements, including application of DBE goals and bidders list requirements (if applicable); prohibition of local contracting preferences or points; insertion of nondiscrimination Assurance clauses (Appendices A & E). State DOT monitors consultant performance to ensure nondiscrimination in consultant selection and consultant delivery of services.								0	#DIV/0!
Utilities/Railroads	State DOT Design staff coordinates project designs with Utilities and Rail offices, as necessary, and adheres to the to approved utility accommodation and/or procedures manuals, and the State DOT Rail System Plan.								0	#DIV/0!
									Overall Program Risk	#DIV/0!

Subrecipients

Core Element	Core Element Description	Staffing Levels & Experience *1 = Full, Experienced Staff 2 = Vacancy or New Staff 3 = Severe Lack of Staff*	Problem History *1 = None or Negligible 2 = Some Issues 3 = Major or Many Issues*	New or Complex Component *1 = Tried and True 2 = Some Change 3 = New or Cutting Edge*	Safety Considerations *1 = Many & Integrated 2 = Some; Not Integrated 3 = None/Few; Fragmented*	Public Engagement *1 = Lots of Quality Input 2 = Outreach Attempted 3 = Pro Forma, Box Check*	External Exposure or Influence *1 = Unlikely 2 = Possible 3 = Almost Certain*	Data Reliance *1 = Heavy, Incld. Demographics 2 = Heavy, Excld. Demographics 3 = Sporadic or No Data Use*	TOTAL SCORE	RISK CATEGORY
Certification	State DOT maintains and periodically updates a written process for determining subrecipient eligibility for FHWA-assistance that at a minimum, includes an assessment of agency staffing and resources, ability to deliver transportation projects, and familiarity with federally funded programs; State DOT maintains a schedule of subrecipient eligibility evaluation, re-assessing the agency at least every four (4) years.								0	#DIV/0!
Oversight	State DOT oversees subrecipient monitoring of FHWA-assisted projects, ensuring agencies are both themselves adhering to compliance requirements and holding contractors and consultants similarly accountable; State DOT verifies subrecipient adherence to contract, design and construction standards prior to issuing reimbursement or final acceptance of projects.								0	#DIV/0!
Technical Assistance	State DOT regularly provides technical assistance and training to subrecipients on topics such as professional service procurement, contract specifications, construction, traffic engineering, design standards, preparation of spec packages, contractor compliance, Title VI/ADA; and State DOT online or e-compliance systems.								0	#DIV/0!
Compliance Assessment	Either as part of the eligibility assessment or separate pre-award process, the State DOT screens subrecipients for compliance with Title VI and ADA, including signed assurances, nondiscrimination policies/posting; complaint filing procedures, responsible charge, LEP plan, public participation and data collection processes, ADA transition planning, and identification of the design standards used to provide accessibility under Title II of the ADA; State DOT denies program participation to subreptions that cannot or will not comply with requirements.								0	#DIV/0!
Ineligibility Reviews	State DOT works with Division Office to perform random or risk-based reviews of subrecipient RFPs and contract documents checking for 1273 inclusion, correct wage determination, prompt payment provisions, and the absence of local contracting preferences or any minority program except for approved DBE.								0	#DIV/0!
									Overall Program Risk	#DIV/0!

Right of Way

Core Element	Core Element Description	Staffing Levels & Experience	Problem History	New or Complex Component	Safety Considerations	Public Engagement	External Exposure or Influence	Data Reliance	TOTAL SCORE	RISK CATEGORY
		1 = Full, Experienced Staff *2 = Vacancy or New Staff* *3 = Severe Lack of Staff*	*1 = None or Negligible* *2 = Some Issues* *3 = Major or Many Issues*	*1 = Tried and True* *2 = Some Change* *3 = New or Cutting Edge*	*1 = Many & Integrated* *2 = Some; Not Integrated* *3 = None/Few; Fragmented*	*1 = Lots of Quality Input* *2 = Outreach Attempted* *3 = Pro Forma, Box Check*	*1 = Unlikely* *2 = Possible* *3 = Almost Certain*	*1 = Heavy, Incld. Demographics* *2 = Heavy, Excld. Demographics* *3 = Sporadic or No Data Use*		
Appraisal & Acquisition	State DOT provides in-depth appraisals to ensure impacted owners receive no less than fair market value for properties and are treated equitably and consistently, including during imminent domain proceedings; State DOT adheres to the Uniform Act and related regulations requiring fair negotiation, adequate notice, and just compensation, to include reasonable fees for legal representation, independent appraisal and other similar expenses.								0	#DIV/0!
Relocation	State DOT offers relocation assistance to eligible displaced persons, providing adequate notice and (for residential relocation) help in locating and obtaining comparable replacement property that is safe and sanitary; State DOT ensures the reimbursement of reasonable moving costs and maintains regular communication with displaced persons, answering questions and offering assistance.								0	#DIV/0!
Public Participation	State DOT maintains demographic information on anyone impacted by acquisition and relocation, as well as documenting all communication; State DOT provides ROW assistance in alternate languages, as appropriate, and solicits customer service feedback from those impacted by acquisition and relocation activities.								0	#DIV/0!
Procurement	When necessary, State DOT obtains certified property appraisers, making reasonable efforts to ensure appraisers are representative of the population in the relevant service area in terms of race, ethnicity and gender; State DOT procures contracts consistent with 2 CFR 200, FHWA, and State requirements, including application of DBE goals and bidders list requirements (if applicable), prohibition of local contracting preferences or points, and insertion of nondiscrimination Assurance clauses (Appendices A & E).								0	#DIV/0!
Property Management & Outdoor Adverts.	State DOT monitors improvements on acquired property to ensure expeditiously removed in advance of construction; State DOT oversees temporary management, sale and leasing of surplus property, maintaining a safe and kempt environment consistent with the surrounding area; State DOT controls ODA signs within National & State highway right of way, including sign height, size, spacing and lighting.								0	#DIV/0!
									Overall Program Risk	#DIV/0!

Construction & Maintenance

Core Element	Core Element Description	Staffing Levels & Experience	Problem History	New or Complex Component	Safety Considerations	Public Engagement	External Exposure or Influence	Data Reliance	TOTAL SCORE	RISK CATEGORY
		1 = Full, Experienced Staff *2 = Vacancy or New Staff* *3 = Severe Lack of Staff*	*1 = None or Negligible* *2 = Some Issues* *3 = Major or Many Issues*	*1 = Tried and True* *2 = Some Change* *3 = New or Cutting Edge*	*1 = Many & Integrated* *2 = Some; Not Integrated* *3 = None/Few; Fragmented*	*1 = Lots of Quality Input* *2 = Outreach Attempted* *3 = Pro Forma, Box Check*	*1 = Unlikely* *2 = Possible* *3 = Almost Certain*	*1 = Heavy, Incld. Demographics* *2 = Heavy, Excld. Demographics* *3 = Sporadic or No Data Use*		
Contract Administration	State DOT develops, updates, maintains, enforces and documents its processes for monitoring all phases of work to demonstrate contract compliance with Title 23 and related requirements, including FHWA 1273; State DOT similarly oversees work performed by asset maintenance contractors, without regard funding source(s).								0	#DIV/0!
Project Delivery	State DOT visibly oversees construction activities, showing public commitment to safe, efficient and equitable transportation facilities; State DOT monitors temporary traffic control, service interruptions, and project-related noise/dirt intrusion, emphasizing safety, accessibility, and minimal inconvenience to users to the extent possible; State DOT verifies that project staff is aware of and addresses project environmental commitments, as necessary.								0	#DIV/0!
Public Participation	State DOT posts and maintains project information in a format accessible to the general public, including in languages other than English, if appropriate; State DOT ensures continuous notice to and engagement of the general public, partners/ stakeholders, and those impacted by construction; State DOT identifies the presence of vulnerable users, racial/ethnic minorities, and other underserved communities, using methods designed to engage and involve these users.								0	#DIV/0!
Procurement	Whether through low bid or alternative contracting methods, State DOT procures contracts consistent with Federal and State authorities, including requiring physical inclusion of FHWA 1273, DBE goals and bidders list requirements (if applicable), prohibition of local contracting preferences or points, and insertion of nondiscrimination assurance clauses (A & E).								0	#DIV/0!
MRP & Service Requests	State DOT operates a uniform means of evaluating maintenance features on its system to promote consistency in facility condition and to identify, schedule and prioritize necessary repairs to facility roadway, roadside, traffic service, drainage and aesthetic features; State DOT accepts maintenance requests from the public, addressing and documenting its response or by forwarding request to the entity that owns/operates the facility.								0	#DIV/0!
									Overall Program Risk	#DIV/0!

Insert D Previous Title VI Quarterly Report 2007-2023

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TITLE VI QUARTERLY REPORT

EQUAL OPPORTUNITY OFFICE
12/07
Page 1 of 4

This report will be prepared by each District Title VI Coordinator, in coordination with each District Title VI Program Area Officer, and submitted quarterly, to the State Title VI Administrator. If needed, comments can be included in the best/innovative practices section at the bottom of page four of this report.

District _____ **Reporting Period** _____
District Title VI Coordinator _____

Coordinator

Title VI	Response
# of Title VI complaints filed with the District	
# of informal (verbal) complaints	
# of formal (written) complaints	
# of completed investigations conducted by the District	
# of completed investigations with findings	
# of planned Title VI/Nondiscrimination workshops/training sessions	
# of completed workshops/training sessions	

1. Were any Title VI issues (positive or unfavorable) identified this quarter? Explain

2. List the State Project Number(s) for the workshops/meetings/hearings you attended this quarter:

3. Describe Title VI/Nondiscrimination Program Monitoring activities you have conducted this quarter:

4. Provide any special outreach or affirmative action conducted this quarter (i.e. community presentations, volunteer activities, CCD, etc)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TITLE VI QUARTERLY REPORT

EQUAL OPPORTUNITY OFFICE
12/07
Page 2 of 4

Limited English Proficiency (LEP)	Response
# of translation services provided by the District	
# of interpreter services provided by the District	
Cost of translation and interpreter services provided this quarter	$

Planning and Environment
At the end of the Report, please include State Project Numbers for meetings and PIPs noted in questions 1-4

# of Webinar public meetings	
# of traditional public meetings	
# of meetings held in low income or minority areas	
# of PIPs developed during report period	
# of translation services provided	
# of interpreter services provided	
# LEP request received and services provided during traditional meeting/hearing?	
# of EA and EIS and/or Corridor Studies Reviewed	
# of EA, EIS and/or Corridor Studies where underserved communities were identified	
# of Revaluations reviewed for potential EJ/Title VI issues	
# of EA, EIS and/or Corridor Study plan amendments impacting underserved communities	

Design

# of Title VI complaints received	
# of informal (verbal) complaints	
# of formal (written) complaints	
# unresolved complaints sent to Central Office	
# of translation services provided	
# of interpreter services provided	

Maintenance

# of Title VI complaints received	
# of informal (verbal) complaints	
# of formal (written) complaints	
# unresolved complaints sent to Central Office	
# of translation services provided	
# of interpreter services provided	
# of maintenance work orders issued this quarter	
# of maintenance work orders issued in primarily low income and minority areas	No response required revision underway

Right of Way

Did the District have ROW activities this quarter (appraisal, acquisition and/or relocation only)	YES	No
Breakdown of Appraisers (# by race/gender/ethnicity)	Male	Female
African American		
Hispanic/Latino		
American Indian/Alaskan Native		
Asian		
Native Hawaiian/Other Pacific Islander		
2 or More Ethnicities		

# of Relocation comment cards provided	
# of Relocation comment cards returned	
# of Relocation cards returned from primarily low income or minority area zip codes	
# of translation services provided	
# of interpreter services provided	

Construction

# of complaints received	
# of informal(verbal) complaints	
# of formal (written) complaints	
# of unresolved complaints sent to CO	
# of Contractors trained	
# of reviewed contracts lacking contract requirements (1273, 26.13(b), Appendix A & E)	

Below, identify which contracts were reviewed and what requirement(s) they lack:

Contract Identifier	1273	26.13(b)	Appendix A	Appendix E

LAP

# of Certifications	
# of Recertifications	
# of Certs/Recerts provided to SCAT Team for Review	
# of Title VI complaints, serious compliance issues, etc involving a local agency	
Name(s) of Local Agencies, if any, with Title VI complaints, serious compliance issues, etc	

Number of District initiated Civil Rights reviews of LAP project(s) for compliance (contract compliance, Contract Administration, ADA)	

ADA/Section 504

# of ADA non-compliant PROW facilities identified in the FDOT ADA Transition Plan within the district:	
# of ADA non-compliant PROW facilities corrected in the FDOT ADA Transition Plan within the district:	
# of LAP project plans reviewed for ADA compliance	
# of State design plans reviewed for ADA Compliance	
# of LAP project inspections conducted for ADA compliance	
# of complaints filed with the STA ADA Coordinator	
# of completed investigations	
# of open complaints (formal and informal)	

Public Information

# of complaints received	
# of informal (verbal) complaints	
# of formal (written) complaints	
# of unresolved complaints sent to District T6 Coordinator or Central Office Coordinator	
# # of public meetings noticed this quarter	
# of translation services provided	
# of interpreter services provided	
# of public meeting or information notices reviewed for compliant Title VI/Nondiscrimination statement	

In the area below, please describe your best practice(s), exceptional outcomes, innovative practices, or include any comments you would like to make:

Insert E Revised District Quarterly Report to be accompanied by Risk Scoring Tool beginning 2024

Title VI Quarterly Report for Risk Based Management

District _____

To be completed by District Title VI Coordinator due within 30 days after the end of each quarter.

Answer the following questions. A copy of your Risk Based Assessment Tool should accompany this report.

Please note during this quarter if there has been a:

- Any New Risk Assessments since last quarter ____Yes ____No
- If yes, what Program Areas (P.A.)
  _____
- Date of last Assessments (Assessments should be at least yearly for each P.A.
  _____

1. From the use of the Title VI program Area Risk Assessment Tool, please **identify the higher risk (Red/Yellow) Program Areas** for this quarter:
2. Of the Risks identified what is the **best method used to address mitigation of risk** i.e., issuing program guidance, conducting further assessment, focused training or requesting external assistance:
3. Please identify any issues this past quarter and comment regarding the Risk Management Process i.e., **Improvement suggestions or best practices.**

1. Planning and Environment

a. PLANNING

Overview of Department Planning Operations

Transportation planning is a function of the Office of Policy Planning (OPP), one of four areas under Transportation Development. OPP develops, documents, and monitors a statewide and metropolitan planning process; develops, publishes, and distributes the Florida Transportation Plan, including necessary support documents; develops transportation policy alternatives and recommendations; provides necessary coordination on transportation policy issues with other agencies and the public; and identifies, analyzes, and documents long-range trends and conditions, performs various economic and demographic analyses, and evaluates and reports on transportation system performance. Florida has twenty-seven (27) MPOs, for which it has oversight both as Department sub-recipients and to ensure planning consistency with 23 CFR 450.316 and state planning specifications. Though the size, structure, and funding of MPOs vary, all are local government entities charged with developing the long-range, and other transportation plans that eventually become the Department's five-year work program.

Activities to Ensure Nondiscrimination in Planning

- The Department utilizes a Public Involvement Program that is designed to provide early, continuous and extensive outreach to all communities, but particularly to ensure that project selection does not subject racial or ethnic minorities, to discrimination or adverse impacts.
- The Department requires all MPOs to annually provide a nondiscrimination assurance and a certification of nondiscrimination. The Department tests these certifications at least triennially or whenever cause arises through FDOT/MPO Joint Certification Reviews. The Department monitors nondiscrimination compliance among smaller MPOs via risk based scoring and a Quality Assurance Review (QAR) process. One of the primary focal points of these reviews is to ensure nondiscrimination in the planning process.
- Though similar, federal public involvement requirements for MPOs are not identical to those for State Departments of Transportation. Therefore, the Department publishes an extensive MPO Program Management Handbook that provides the public involvement requirements in each planning program. In addition, Chapter 10 of the handbook addresses Title VI and other nondiscrimination responsibilities for MPOs. The Handbook is reviewed annually by the Equal Opportunity Office and updated as required.
- The Department and MPOs scrutinize planning projects, screening them through the Efficient Transportation Decision Making (ETDM) system to identify and categorize the various impacts and enhancements of planned projects. ETDM is a nationally recognized best practice, providing extensive review and comment by project stakeholders, as well as demographic and other data analysis. The Department encourages the public to participate in the development of transportation projects, one means of which is through an ETDM site specifically for the public.

b. *ENVIRONMENT*

Overview of Department Environmental Responsibilities

It is the mission of the Office of Environmental Management (OEM) to protect and enhance a sustainable human and natural environment while developing safe, cost-effective, and efficient transportation systems. The OEM scrutinizes projects to ensure equity and nondiscrimination on the basis of Title VI protected classifications (23 CFR 200.9(b)(4)).

The Department is the lead agency for developing road and bridge projects in compliance with the National Environmental Policy Act of 1970 (NEPA). NEPA requires that federally assisted projects be evaluated for likely impacts to the natural and human environment, and the impacts balanced to ensure a wide sharing of life's amenities. Since December 2016 (and with the subsequent renewal in May 2022), responsibility for approving projects under NEPA has been assigned to the Department. Despite NEPA assignment, however, Title VI implementation remains the purview of the Department while FHWA and FTA retain authority as the federal oversight agencies.

With the assistance of OEM, each District develops planned projects in accordance with the Department's Project Development & Environmental (PD&E) Manual, which includes analyzing demographic, public involvement, technical studies, and other data to measure and categorize the impacts of project alternatives, temporarily, individually and cumulatively. Race and ethnicity are among the classifications specifically examined when assessing the impacts on the human environment.

Essentially the PD&E process has two phases. First, projects are screened through the Department's Efficient Transportation Decision Making (ETDM) electronic platform to gather preliminary comments from resource agencies and assess the sensitivity, both natural and human, of the project area *(more information on ETDM in section c)*. Title VI data from US Census products as well as data from Florida's own data repositories (Bureau of Labor Statistics, Department of Economic Opportunity) is examined to determine project impacts. During PD&E, corridor alternatives are eliminated if found to likely adversely impact communities based on race or ethnicity with regard to aesthetics, community cohesion, mobility,

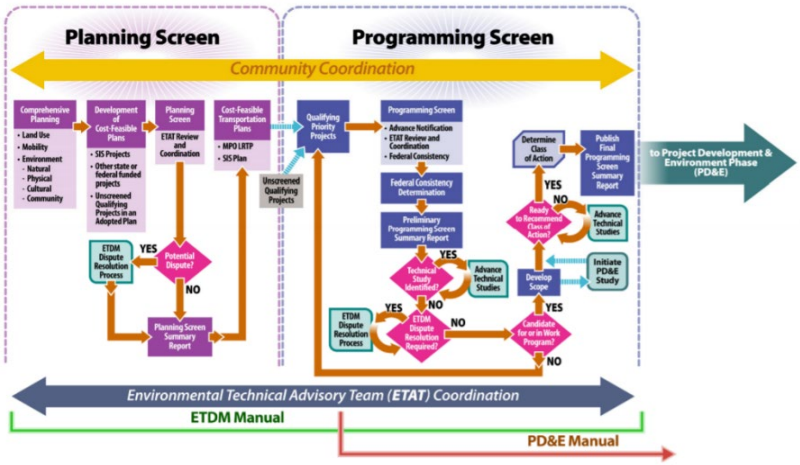
air/water quality, access to government and commercial services, health, and similar critical needs. Of course, impacts to communities that live and work in project areas must be balanced with the Department's needs to address aging infrastructure, improve safety and ensure efficient transportation systems. Consequently, Florida's public involvement program is extensive and ongoing, beginning in the earliest stages of planning and continuing through PD&E, design, and construction. Details on how the Department strives for Title IV compliance in public involvement and PD&E are found in Chapters 2 of the PI Handbook and Part 1, Chapter 11 of the PD&E Manual.

Activities to Ensure Nondiscrimination in Environment

- As with all Department programs, public involvement is the cornerstone of Title VI and nondiscrimination compliance. The Department has a Public Involvement Program that is designed to provide early, continuous and extensive outreach to all communities, but particularly to ensure that project selection does not subject racial or ethnic minorities, low income, disabled and elderly populations to discrimination or disparate impacts.
- The Department uses a detailed and comprehensive Project Development & Environmental (PD&E) Manual which describes how the Department complies with environmental requirements in project development. The Manual includes extensive chapters on how to collect and evaluate demographic information to identify disparate impacts. It also provides suggestions for effective public involvement and mitigation of impacts. The Department's PD&E Manual requires avoidance, minimization, or mitigation of all adverse impacts and on all communities, including but not limited to those composed of racial or ethnic minorities.
- Each District has a Title VI/Nondiscrimination Program Area Officer (PAO) who reviews NEPA documents and other project activities and reports quarterly to the District Title VI/Nondiscrimination Coordinator.
- The Department screens all projects for compliance with the PD&E Manual. Projects requiring an EIS or EA are also screened through the Efficient Transportation Decision Making (ETDM) system to identify and categorize the various impacts and enhancements.

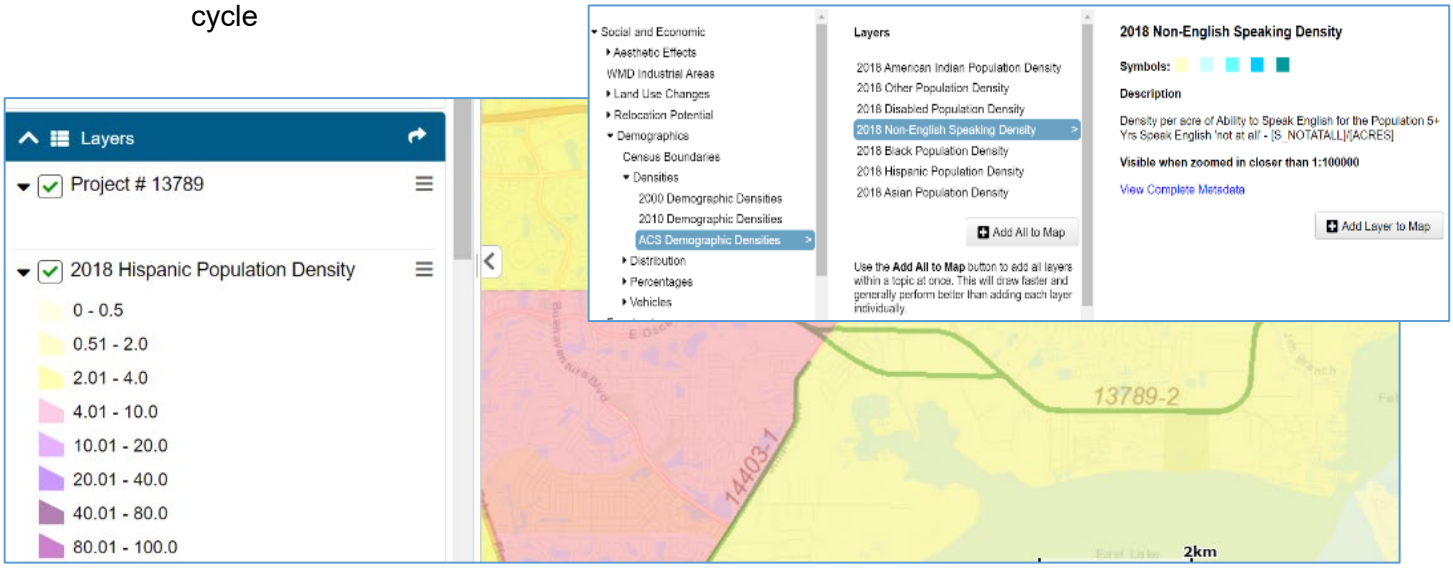
EFFICIENT TRANSPORTATION DECISION MAKING (ETDM)

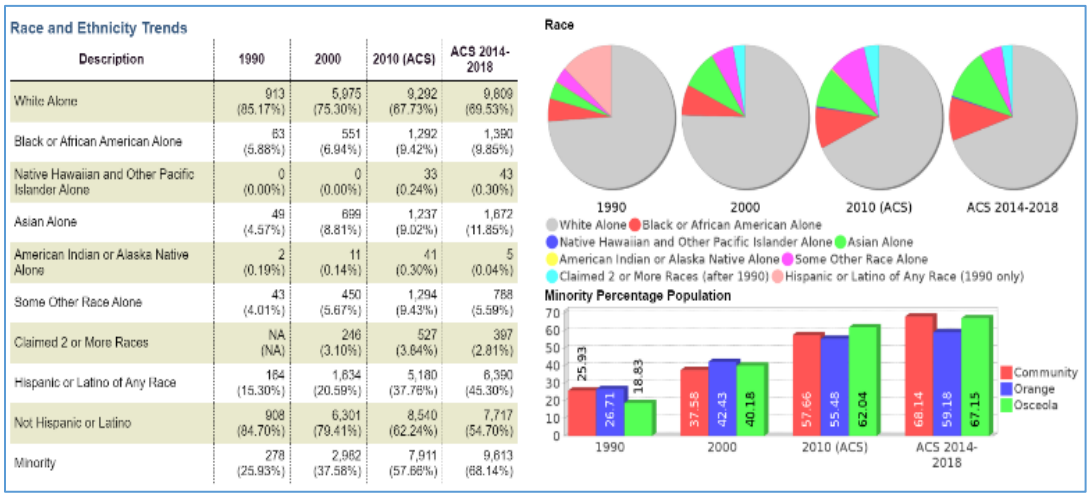
The Department believes that complying with Title VI and other nondiscrimination requirements is the responsibility of every office in every program and activity. As such, it develops tools that help institutionalize equity and nondiscrimination considerations. For planning and environment, one such tool is the Department's Efficient Transportation Decision Making (ETDM) process. Within ETDM, the Department engages the public and local, state, federal and tribal partners to screen projects ahead of the formal environmental document development process supporting the National Environmental Policy Act (NEPA) requirements. The intent is to coordinate early in planning and development and assess likely project impacts on the human and natural environment. ETDM is supported by the Environmental Screening tool (EST), a web-based interactive database and geospatial mapping application that includes over 550 environmental resource GIS data layers, has automated and standardized GIS-based environmental screening analysis application, and numerous tools for data entry, review, and reporting.



The EST gathers information about a project and provides analytical and visualization tools that help synthesize and communicate that information. It has an active user community of 1,200 practitioners representing staff from the Department, all of Florida's MPOs, 24 federal and state resource agencies, and two tribal governments. The EST also has a publicly accessible version allowing the public to learn more about projects and to submit comments or questions for consideration. To date, the Department has screened over 1,500 projects, 350 of which have been successfully delivered. The Department uses the EST to:

- Integrate data from multiple sources into an easy to use, standard format
- Analyze the effects of proposed projects on the human and natural environment
- Communicate information effectively among project stakeholders and to the public
- Efficiently store and report analyses
- Maintain project records including commitments and responses for use throughout the project life cycle





Race and Ethnicity Trends

Description	1990	2000	2010 (ACS)	ACS 2014-2018
White Alone	913 (85.17%)	5,975 (75.30%)	9,292 (67.73%)	9,809 (69.53%)
Black or African American Alone	63 (5.88%)	551 (6.94%)	1,292 (9.42%)	1,390 (9.85%)
Native Hawaiian and Other Pacific Islander Alone	0 (0.00%)	0 (0.00%)	33 (0.24%)	43 (0.30%)
Asian Alone	49 (4.57%)	699 (8.81%)	1,237 (9.02%)	1,672 (11.85%)
American Indian or Alaska Native Alone	2 (0.19%)	11 (0.14%)	41 (0.30%)	5 (0.04%)
Some Other Race Alone	43 (4.01%)	450 (5.67%)	1,294 (9.43%)	788 (5.59%)
Claimed 2 or More Races	NA (NA)	246 (3.10%)	527 (3.84%)	397 (2.81%)
Hispanic or Latino of Any Race	164 (15.30%)	1,634 (20.59%)	5,180 (37.76%)	6,390 (45.30%)
Not Hispanic or Latino	908 (84.70%)	6,301 (79.41%)	8,540 (62.24%)	7,717 (54.70%)
Minority	278 (25.93%)	2,962 (37.58%)	7,911 (57.66%)	9,613 (68.14%)

The ETDM process supports the Department's Title VI program in both planning and project development by early inclusion and analysis of many socioeconomic data sources, including racial and ethnic data for areas surrounding or likely to be impacted by the project, as well as incorporating review and analysis from Department District and MPO Community Liaison Coordinators, and agencies such as the United States Environmental Protection Agency (USEPA) with the responsibility to review projects for potential sociocultural effects. One of the many data sets used to support this review includes Title VI data drawn from the 2000 Census, 2010 Census, and the 2018 American Community Survey, and maybe layered

on interactive maps available to the resource agency stakeholders and the public. The Department will be working to incorporate the 2020 data, as it becomes available.

Coupled with input from user agencies and the public, the ETDM process assesses the potential effects of the project on the communities with respect to aesthetics, cohesion, safety, economic development & employment, mobility, relocation and affordability of and accessibility to transportation, medical/education providers, commercial facilities and those promoting health (parks, multi-use paths, integrated network of sidewalks, etc.). The assessment allows ETDM to assign levels of likely impacts so that the Department can:

N/A	N/A / No Involvement
0	None
1	Enhanced
2	Minimal
2	Minimal to None
3	Moderate
4	Substantial
5	Potential Dispute
5	Dispute Resolution

- Identify and address Title VI and related civil rights issues
- Avoid, minimize and/or mitigate adverse community effects
- Determine an appropriate class of action for further study under NEPA
- Conceptualize design to promote livable communities
- Eliminate projects or project alternatives that invite impacts greater than project purpose & need.

	Natural											Cultural			Community						
Alternative #1 From: West of Boggy Creek Road To: Southport Connector *Published: 06/04/2012 (reviewed from 04/09/2012 to 05/24/2012)*	2	2	2	3	3	N/A	2	4	3	4	4	4	4	N/A	3	1	3	1	4	4	3
Alternative #2 From: West of Boggy Creek Road To: Southport Connector *Published: 06/04/2012 (reviewed from 04/09/2012 to 05/24/2012)*	2	2	3	3	3	N/A	2	4	3	4	4	4	4	N/A	4	N/A	4	N/A	4	4	3
Alternative #3 From: West of Boggy Creek Road To: Southport Connector *Published: 06/04/2012 (reviewed from 04/09/2012 to 05/24/2012)*	2	2	3	3	3	N/A	2	4	3	4	4	4	3	N/A	4	N/A	4	N/A	4	4	3

The ETDM process is one tool in the Department's planning and delivery of safe and equitable transportation projects. However, it is a critical resource in ensuring nondiscrimination prior to the commitment of vast sums of state and federal dollars in NEPA, design, and construction. The Department encourages the public to visit the ETDM public site and review the projects, submit questions/comments and explore the relationship been projects of interest and other corridors or future development. ETDM is accessed at https://etdmpub.fla-etat.org/est/. For more information on the role ETDM plays in Title VI compliance, see the ETDM Manual, PD&E Manual, and Planning Handbook, all listed in Section X, Core Documents.

Title VI Coordinator Roles in Planning and Environment

The Department uses its Title VI Quality Assurance Review (QAR) process to annually review activities in planning and environment to ensure nondiscrimination. Title VI/Nondiscrimination QARs are conducted by the Central Office Title VI/Nondiscrimination Coordinator, who reviews all seven (7) Districts, Turnpike Enterprise, and Sun Rail annually, some remotely via videoconference and others through an onsite visit. Planning and environment are always program areas subject to review, but the topic, nature, and scope of the reviews vary based on risk assessment and identification.

The Title VI Coordinator begins each QAR with a request for information (RFI), followed by a desk audit to determine which program areas will be reviewed, the subject of the review, and whether it will be performed onsite or remotely. Next, the Title VI Coordinator conducts the review, interviewing relevant

staff, analyzing collected documentation and data, and identifying noteworthy practices and possible deficiencies. Each QAR concludes with a close-out briefing with the District secretary or a designee, as well as a written report with findings and recommendations. Districts found deficient in Title VI compliance are placed on Corrective Action Plans and findings are logged and tracked using the Department Quality Management Dashboard. Finally, the Title VI Coordinator provides copies of the QAR, CAP, and resolution to FHWA Florida Division and maintains a summary for annual reporting to FHWA.

Title VI data/documents in Planning and Environment *at a glance*:

Title VI Documents/Data Reviewed	Review Elements
Public involvement materials including meeting notices, project flyers, websites, and other similar documents	Approved nondiscrimination language included; language and distribution is geared to reach the communities likely to be impacted
Location and number of projects in planning or environment	Determine the distribution of projects by area demographics and whether impacts are likely to racial or ethnic minorities
Annual MPO Certifications of Nondiscrimination	Planning agencies have current assurances on file with THE DEPARTMENT
Professional Services and Consultant contracts	Title VI clauses are included; sub-consultant selection is representative of the industry
Environmental documents/records	Class of action is reasonable given the presence of communities with Title VI protected classes; Community Impact Assessments appropriately identify Title VI demographics and likely adverse impacts, if any
Federal certification reviews or state compliance reviews of planning agencies	Identify previously identified Title VI findings or recommendations and follow-up action

2. Public Information

Overview of Communications Office Operations

The Communication Office's duty is to build and maintain a positive, customer-friendly relationship with the public by keeping it informed of Department and related activities through publications, response to inquiries and public meetings, hearings, and other events. Each District and Turnpike Enterprise has a Public Information Officer that reports to the District Secretary and maintains a close relationship with the District Chief Counsel as well as the Central Office Communication Office. As customer concerns and complaints are more likely to reach the Department through the Communications Office, the Department believes it is an essential program for Title VI and nondiscrimination monitoring.

The District Public Information Offices (PIO) serve Title VI implementation in two important areas. First, they ensure that important information (program, project, traffic, safety) reaches all of Florida's communities in the individual manner likely to be used. This means the PIOs maintains lists of minority-focused media, foreign language interpretation/translation providers, community leaders, faith-based organizations, and social service providers that can assist in distributing information to those that may not receive information via the web, mainstream media sources, or in the English language. PIOs are also a critical conduit for complaints since, of the various District program offices, it alone remains directly accessible to the public at all times.

PIOs are often tasked by the district program offices to select the locations and times of project meetings or other events to garner the best and most representative participation, especially important when trying to include racial or ethnic minorities whose input is critical but who may traditionally avoid contact with the Department.

The Title VI Coordinator includes Public Information Officers in QARs to verify that methods used to inform the public are consistent, include the approved nondiscrimination commitment and contact language, employ Spanish and other language services as necessary, and to identify any trends of potential exclusion of protected class communities.

Title VI in Public Information *at a glance*

Title VI Documents/Data Reviewed	Review Elements	Reviewer
List of media, social media, and other sources used to reach the public	Ensure tools used meet the needs identified by community demography/characteristics	District Communications PAO
Copies of public service announcements, project notices, meeting invites, etc.	Documents are targeted to the groups likely to be impacted and include Department approved nondiscrimination language/contacts	District and State Title VI Coordinators
Services provided in languages other than English	Verify consistency with Department language policies and identify possible trends of exclusion among non-English speakers	Title VI Coordinator
Complaints received by District Communications Officers	Identify complaints or comments that could reasonably suggest discriminatory motive or impact	

3. Right-of-Way

Overview of Department Right of Way (ROW) Operations

The Office of Right of Way is responsible for acquiring the real property necessary for the construction of transportation facilities. In carrying out this mission, it also provides relocation assistance to people and businesses displaced by projects and leases or sells any acquired property which may be surplus to the Department's needs. ROW activities are decentralized in the seven (7) Districts and Turnpike Enterprise, each of which oversees the facilities within their designated counties or area. ROW is also responsible for the outdoor advertising signs along state highways, but these activities are conducted by the Department's Central Office. The Department does permit prequalification of local public agencies for ROW in the LAP program, but only under District supervision. However currently, the Districts have not elected to prequalify any agencies in the Local Agency Program (LAP) for right of way activities. The ROW office is very sensitive to customer service and carefully monitors activities to ensure equitable treatment of all beneficiaries of the program.

In developing its ROW manual, the Department adopted in its entirety the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601 et seq. (Uniform Act). The Department's manual, approved by FHWA, begins with a nondiscrimination statement in Section 1.1.4.1.

> *All Right of Way processes described in the Manual shall comply with the following: The Florida Department of Transportation will not discriminate on the basis of race, color, national origin, sex, age, handicap/disability, or income status. No person may be treated unfavorably, excluded from participating nor denied the benefits of any Department program or activity because of their race, color, national origin, age, sex, handicap/disability, or income status. The Department will not retaliate against any person who complains of discrimination or who participates in an investigation of discrimination. Department grant recipients and contractors must comply with this policy.*

Section 1.1.4.2 requires the District ROW Managers to ensure compliant administration of the Manual or the project Acquisition Management Plan (AMP), if applicable. The Manager is directed to do so by

conducting periodic reviews of ROW activities to assess compliance with 23 CFR, including those implementing Title VI. This means that the District ROW Manager or designee reviews projects, appraisal reports, market data, negotiations, dispute resolution, relocation, and relocation assistance to verify compliance and identify any trends of disparity or discrimination. The District PAO for ROW provides a summary of these activities to the District Coordinator, who then files a quarterly report with the Title VI Coordinator.

Upon identification of risk in a core element of ROW, the Title VI Coordinator conducts a program area review of ROW via the QAR process. Examples of reviews conducted by the Title VI Coordinator include reviewing the race, ethnicity, and gender of contract appraisers to determine if they meet the demographic breakdown of the District served; comparing acquisition prices for project in ROW to assure comparability based on location and property, rather than by race or ethnicity of the owner; and examining customer service feedback surveys to see if there is a trend in responses among racial or ethnic minorities.

The Department provides services in languages other than English upon request and with adequate notice. However, in ROW, services in the primary language of those involved in the ROW process are required if they do not demonstrate sufficient competence in English. The Department requires language services in ROW to be provided by an external or third-party interpreter and does not permit family members or friends to interpret for owners/renters subject to ROW activities.

Title VI in ROW *at a glance*

Title VI Documents/Data Reviewed	Review Elements	Reviewer
Reviews conducted by District ROW staff to ensure compliance	Compliance with ROW Manual; Trends of possible disparity to be shared with Title VI Coordinator	District ROW PAO
Interpretation/translation services provided during the reporting period	Identify areas where impacts may be largely on ethnic minorities	District and State Title VI Coordinators
Appraisal and acquisition contracts	Legal documents include required Title VI nondiscrimination clauses	State Title VI Coordinator
Sample project ROW plans or other documents	Identify possible trends of disparity in prices, services, or overall relocation impact	
Complaints received by the District ROW office as well as any customer service surveys received, if applicable	Comments that suggest discriminatory motive or impact; survey results of non-minorities differ from those submitted by racial/ethnic minorities	
List of contract appraisers used during each quarter	Contract appraisers are reflective of the communities being served (race and/or ethnicity)	

4. Construction

Overview of Title VI in Construction

The Department's Office of Construction provides safe and efficient facilities for the traveling public through innovative standards and processes that foster accountability. As with other program areas, Construction has offices in all seven (7) Districts and Turnpike Enterprise. Construction administers the Department's highway construction contracts, inspecting and accepting work; authorizing payments and change orders; and providing customer services to travelers and property owners throughout construction. Most compliance oversight in construction is the responsibility of the District Contract Compliance Manager and is either unrelated to or marginally connected with Title VI. Nevertheless, all

construction contracts and sub-contracts include required federal contract provisions among which Title VI is specifically listed.

The State Title VI Coordinator reviews the risk tool submitted by each District to determine which program areas will receive QAR reviews during the year and in which Districts. Construction area QARs have four Title VI elements: Communication, Commitments, Complaints, and Contracting. The Title VI Coordinator first examines project communication to ensure that public notification used approved nondiscrimination language and contact information. This includes project websites, if any, informational pamphlets, media notices, and public meeting materials. If the project is located in/near racial or ethnic minority communities, the State Title VI Coordinator verifies that the Department used targeted outreach via minority media, faith-based organizations, and meetings conducted within the community. The State Title VI Coordinator also ensures that project information, particularly that related to temporary access and safety, is translated into the prevalent LEP language, if applicable.

The second construction-related Title VI review area is commitments. Project development and NEPA sometimes produce community commitments that travel with the project into construction. Though these are not always related to Title VI, the State Title VI Coordinator checks each to make sure. For example, if the Department committed to avoiding construction work during Sunday services at an African American church, the State Title VI Coordinator verifies contractor compliance through project records or by speaking to the church principal(s).

The next Title VI review area in construction is complaints. Title VI and related complaints are more prevalent during planning and project development when outreach and education are at its height. However, the State Title VI Coordinator must pay particular attention to any complaints lodged during construction as they are less likely to implicate race or ethnicity. Complaints concerning noise and vibration are common and the State Title VI Coordinator cross-checks these with the US Census demographics for the project area to determine whether the impacts are born equitably or only by racial/ethnic minority communities. Complaints must also be examined to ensure that they are appropriately processed, as all Title VI complaints on FHWA-assisted projects must be forwarded to the FHWA Headquarters Office of Civil Rights (HCR).

The final Title VI review area in construction is contracting. While the Department is obligated to adhere to affirmative action programs such as Disadvantaged Business Enterprise (DBE), contractors may not select or reject subcontractors, suppliers, or other vendors on the basis of race, ethnicity, or gender. The State Title VI Coordinator reviews the Certification of Sublet for each sampled construction project looking for potential Title VI disparity in the use of DBEs and other businesses.

Title VI in Construction *at a glance*:

Title VI Documents/Data Reviewed	Review Elements	Reviewer
Quarterly Title VI Reports listing construction projects and their locations during the reporting period	Sample selection of projects in identified racial/ethnic minority communities	District and State Title VI Coordinators
Project notification, informational pamphlets, websites, meeting notices/locations, media advertisements	Outreach targets or effectively include racial/ethnic minorities, as appropriate; approved nondiscrimination language present	State Title VI Coordinator
Project Commitments excerpted from the construction contract and/or PD&E Record of Decision	Commitments likely to impact racial or ethnic minorities are identified and addressed during the project	
All complaints received by the contractor or Department related to construction	The complaint suggests discriminatory motive or impact;	

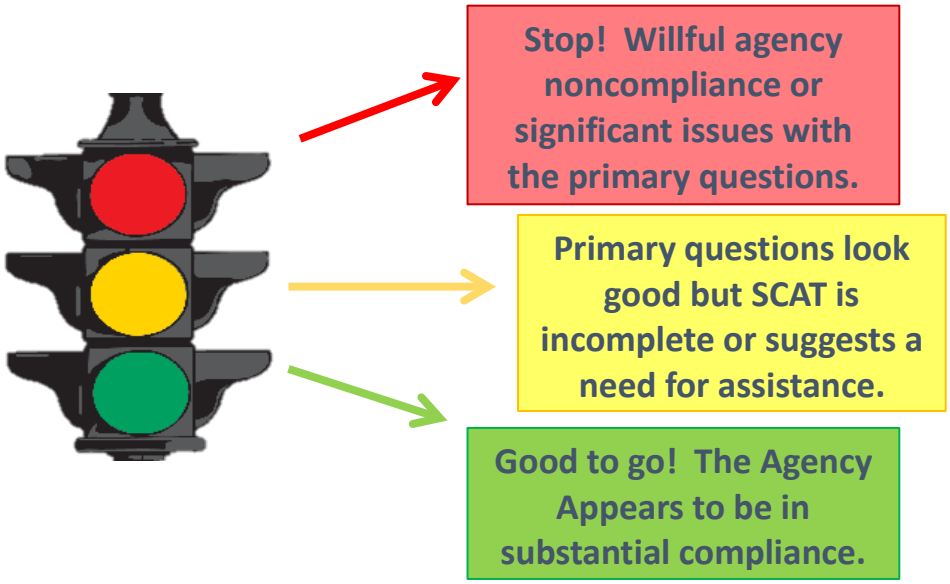
	complaint originates in a protected class community	
List of project subcontractors and suppliers	Potential race/ethnic/gender disparity in contractor selection of subcontractors	

5. Local Agency Program (LAP)

Overview of the Local Agency Program (LAP)

The Department operates a LAP whereby state and local governments may design and construct projects using FHWA and/or State funds. The program requires the local agency to be certified through a comprehensive process demonstrating the agency's ability to deliver a compliant project. One of the many requirements for certification includes local agency submission of Title VI compliance information. The Department's Grant Application Process (GAP) Tool serves as the repository for this certification and all project information, including personnel contact information, inspection reports, and reimbursement records.

When a LAP subrecipient, defined as a Local Agency (LA) and the LA's contractors or consultants, wishes to avail itself of financial assistance as a sub-recipient of FHWA, it must apply for and undergo certification. Assuming the LA is eligible, it is certified via a triennial LAP agreement during which time it is qualified to administer FHWA-assisted projects subject to the Department's approval and ultimate oversight. As a condition of certification and triennial recertification, LA's must complete a Sub-Recipient Compliance Assessment Tool (SCAT) and upload it to GAP. The tool requires the LA to identify by name and contact information its Title VI Coordinator, as well provide a copy of or link to the agency's Title VI policy and complaint filing procedure and the Department's required nondiscrimination assurance. These elements are reviewed by the District LAP Coordinators for completion before the application goes to the SCAT Team for desk review. If any of the components are absent or inaccurate, however, the application is coded 'Red' and returned to the LA as rejected. The LA may resubmit, but while coded red, it is not eligible to receive funds through the Department.



The SCAT Team reviews the tools submitted by the LAP Coordinators, verifying the link to the policy/procedure and that expansive local nondiscrimination policies do not attribute to Title VI protected classes beyond race, color, and national origin. The Team also checks each policy to confirm that nonemployment complaints related to race, color, and national origin are forwarded to the Department so that they may be provided to FHWA. The remaining elements

of the SCAT are not fatal to certification. Via the dropdown menu, agencies must identify the methods they use to advise the public of nondiscrimination policies; the sources of demographic data tapped to ensure equity and nondiscrimination in agency programs and services; and whether the agency has a four-factor based Limited English Proficiency Plan. If any or all components are missing or noncompliant, the LA is coded 'Yellow' and provided with a cure period that is monitored by the SCAT Team Leader. If all appear complete and accurate, the LA is coded 'Green'.

These certification/recertification desk reviews occur regularly and generally result in approximately fifty-five (55) to sixty-five (65) per year with results housed in GAP. However, the Title VI Coordinator may also conduct onsite reviews of LAP agencies as part of annual QARs of the Districts, should risk assessment and identification warrant. Site visit reviews are more comprehensive in that each SCAT component requires verification through interviews and documentation. Agencies are often included as site visits based upon request, but more usually are selected based on failure to remedy a yellow code within the time provided by the Team Leader. Site visits can range in number from three (3) to fourteen (14), depending on the QAR schedule and reports generated from GAP.

Title VI in LAP *at a glance*:

Title VI Documents/Data Reviewed	Review Elements	Reviewer
FDOT Nondiscrimination Assurance	Signed by Agency CEO and within the triennial agreement period	LAP Coordinator
Sub-recipient Compliance Assessment Tool	Compliance baseline	
Agency Title VI Policy and Complaint Filing Procedure	Verification of Title VI coverage and that complaints are provided to FDOT for forwarding to FHWA	SCAT Team
Title VI Responsible Charge	Identified by name, contact information	
Title VI Webpage	Verification of Title VI notification to the public	
Project Notices	Contain sufficient information for the public to access Title VI policy and procedure	State Title VI Coordinator
FHWA-assisted Contracts/Agreements	Contain required clauses from Appendices A/E	
Demographics from US Census American Community Survey (ACS)	Verify agency use at minimum for LEP analysis[3] and to ensure project equity/nondiscrimination	

6. Nondiscrimination in other program areas

The Department has other program areas that are either not represented in the Districts or otherwise have limited contact with the public or how the Department's programs, services, or activities are delivered. Thus, offices like Safety, Research & Development, Procurement, and Emergency Management do not have specific Title VI/Nondiscrimination representation in the Districts. Where warranted, Research & Development, Procurement, and Emergency Management participate in annual Title VI Quality Assurance Reviews. If there is no significant Title VI activity associated with these programs, they are reviewed triennially ensuring that staff is receiving nondiscrimination training and understand their responsibilities under Title VI and other nondiscrimination authorities.

[3] Despite regular training by FDOT and FHWA, local agencies often report the percentage of foreign language households rather than those with limited English ability. While the Department does not approve sub-recipient language plans per se, it does verify use of the correct data.

IV. Department Policies, Procedures, and Directives

From time to time, Department leadership announces new initiatives or directives intended to govern staff and operations. These are almost always previewed at the monthly Department Executive Board Meeting and thoroughly discussed among leadership before dissemination to staff. The EOO Manager attends the meetings and is responsible for assessing the equity, inclusion, and nondiscrimination of the directive before it is forwarded to the Department's Office of General Counsel (OGC) for approval.

More usually, updates to policies or procedures originate within a specific program area and require review by all Department offices. The Department Organizational Development Office (ODO) leads the effort and solicits comments or questions from other area offices, including EOO. The State Title VI Coordinator reviews these documents, as assigned, editing them for compliance with Title VI and consistency with approved Department policies. For example, in 2021 the local programs office updated its LAP manual in preparation for deployment of a new grants management program, GAP. The chapter on civil rights and Title VI was reviewed and edited by Equal Opportunity Office for compliance before it was sent to OGC for approval.

V. Eliminating Identified Discrimination

The Department is committed to ensuring nondiscrimination in all programs, services, and activities. It primarily accomplishes this through proactive measures, implementing equity policies and procedures, conducting regular training of staff and stakeholders, and reviewing programs to demonstrate nondiscrimination. However, the Department recognizes that prevention may not always be foolproof and that it must be ready to take steps to eliminate discrimination if found. This includes addressing issues of noncompliance or inconsistency with federal or state nondiscrimination authorities. There are three primary methods for identifying and addressing discrimination.

1. External Findings

The Department resolves any deficiencies found by FHWA or FTA within ninety (90) days of receiving the Letter of Finding. Such findings are uncommon but are of the highest priority. For example, the Department has been subject to Title VI deficiency findings from FHWA three (3) times over the past twenty (20) years. The following chart details the issue, response, and resolution:

Finding Date	Reviewer	Finding	Departmental Response(s)
June 2005	FHWA Headquarters	FDOT lacks an oversight process for ensuring LPA program compliance with Title VI and ADA.	*Developed Local Agency Information Tool (LAPIT) and appointed a Sub-recipient Compliance Assessment Team to develop and implement desk and site reviews documenting LPA program compliance.*
March 2009	FHWA FL Division	FDOT failed to provide updated assurances in compliance with 23 CFR 200.9 and 23 CFR 21.	*Department Secretary signed an updated assurance days after the finding. Each successive secretary executes an assurance within 90 days of appointment.*
December 2012	FHWA Headquarters Office of Civil Rights (HCR)	• FDOT must sample race, color, national origin, sex, age, disability, income, and LEP data in each federal program area to assure nondiscrimination	*Within one month, FDOT submitted a corrective action plan and, within one year, adjusted its program to:* • *Include community characteristics data in each program area Quality Assurance Review (QAR)* • *Appoint the ADA Coordinator to the SCAT team, implement SCAT Team meetings on a recurring basis, and begin providing joint Title VI and ADA*

		• FDOT must integrate ADA/504 with its Title VI program and eliminate program fragmentation • FDOT must follow-up with LPAs after training to assess any unmet needs and overall comprehension • FDOT Title VI staff must have distinct duties subject to performance review and accountability • FDOT must review EA and EIS documents for EJ and Title VI Compliance	*Nondiscrimination LAP training to FDOT subrecipients* • *Develop a LAP evaluation document to provide feedback and 'burning questions' after each Title VI training* • *Developed and included job descriptions and time percentages for program area officers and District Title VI coordinators* • *Began including at least one environmental document as part of any program area review of environment*

More common external findings are identified via FHWA's stewardship and oversight of the Department's Title VI Program. The Division Civil Rights Officer (CRO) annually reviews at least one (1) District for Title VI compliance, examining District programs and documents, but also EOO's monitoring process. Each of these reviews culminates in a report and, though it has not identified deficiencies to date, the Division report may provide recommendations for strengthening the program. Though the Department is not required to adopt recommendations, it responds to each within thirty (30) days.

2. Internal Findings

Previously the Department's Quality Management Dashboard (QMD) system was a QAR information repository used statewide to track departmental compliance with federal and state authorities and document correction of identified deficiencies. This system became obsolete and problematic and is no longer a functional process. While a new system is being developed all QAR information will be documented appropriately, tracking program area review items and related performance measures. When a measure of effectiveness is not found to be fully compliant for that program area, a corrective action item will be communicated along with a due date for completion. Reports are then prepared and electronically communicated to the District Secretary. District leadership, the District Title VI Coordinator, and when needed, the State Title VI Coordinator work collaboratively to resolve all Title VI concerns and corrective actions by the due date provided. The district must make the required corrective actions or program adjustments to reflect completion.

3. Sub-recipient Findings

Florida has twenty-seven (27) MPOs and approximately 130 Local Agencies (LA) receiving FHWA funds as sub-recipients. Accordingly, a portion of the Department's apportioned FHWA funding is provided to these entities for specific projects or programs. In order to qualify as a sub-recipient, the LA or MPO must demonstrate to the Department that it complies with Title VI requirements. Minimal expectations are an executed assurance, Title VI policy and complaint procedures document and identification of a Title VI point of contact. Sub-recipients must also demonstrate a community characteristics inventory showing race and ethnicity demographics for the jurisdictional area. The Department conducts more in-depth reviews of sub-recipients as part of QARs or in partnership with FHWA oversight activities. Regardless, sub-recipient deficiencies are addressed in one of two ways; either the sub-recipient is considered ineligible for federal funding (program finding), or project payments are withheld for deficiencies (project finding). The Department seeks voluntary compliance to the maximum extent possible, providing tools, training, and even one-on-one technical assistance, where requested or warranted. Details of the Department's SCAT process are included in subsection 6 - Local Agency Programs above.

VI. Title VI Training

The Department conducts both internal and external Title VI Nondiscrimination training utilizing electronic and in-person methods to educate and equip its staff, sub-recipients, contractors, and others of Title VI requirements.

In 2019, the Department developed and launched its first Title VI Computer Based Training (CBT) to provide general Title VI Nondiscrimination information, an overview of its Title VI Nondiscrimination Program, and specific program area responsibilities for all appointed District Title VI Coordinators and Program Area Officers (PAO). With a highly decentralized statewide Title VI Nondiscrimination program, the CBT allows the Department to ensure new District Title VI Coordinators and Program Area Officers receive training if appointed before or after annual Title VI training is scheduled to occur in their District. This CBT Training has been updated with new scenarios and review questions in 2023.

District Title VI Coordinators are required to conduct Title VI training for all PAOs annually. When requested, the State Title VI Coordinator either assists with the development of the informal training or if the District Coordinator is newly appointed, will conduct the annual training during annual Title VI QARs. If significant Title VI program or process changes with statewide impacts occur, the State Title VI Coordinator conducts formal on-site training during annual Title VI QARs in all Districts.

The Department has a robust external Title VI Nondiscrimination training program that serves its Local Agency Program (LAP) participants, MPO's, TPO's, Contractors, Universities, and other sub-recipients. Annual Title VI Nondiscrimination training dates are determined during meetings of the State Title VI Coordinator, State Local Agency Program Administrator, and the State ADA Coordinator. Trainings are held in Districts across the state on a rotating basis with an emphasis on ensuring at least one training occurs within each District every three years. The number of agencies requiring technical assistance within each District and specific requests for Title VI Nondiscrimination training from MPOs, LAs, and Universities also factor into Title VI Nondiscrimination training location determinations. Historically, the Department conducts two (2) or three (3) LAP-focused Title VI training each year, and an equal number of requested MPOs, TPOs, or other entity Title VI training conducted collaboratively with FHWA's Florida Division. Due to COVID-19 considerations, the Department is currently considering innovative ideas to continue meeting the external training demands of its Title VI sub-recipients.

VII. Title VI and Foreign Language

National origin is one of the three classifications for which everyone in the United States is protected. It includes those that may not speak and understand English well enough to access or participate in Department programs or services. In August 2002, the President signed Executive Order 13166, *Access to Services for Persons with Limited English Proficiency (LEP)* which instructed federal agencies to both develop LEP plans and to ensure funding recipients take reasonable steps to provide meaningful access for those who are LEP. The Department not only seeks to comply with the letter of the requirements but recognizes that effective communication is essential to developing and maintaining safe, efficient, and equitable transportation systems.

1. Oral Interpretation

Florida is a large and diverse state with attractions that welcome millions of visitors from around the world. As such, the Department policy is to provide verbal interpretation for any language with reasonable notice. Reasonable notification is largely dependent upon the language. Spanish and Haitian Creole are the two largest groups for which services are often required. All Department Districts have one or more staff members that can immediately provide Spanish interpretation and three (3) of the Districts can also do so in Haitian Creole. For the remaining districts, providing Creole interpretation could take longer, but no more than a single day. Generally, Spanish interpretation at Department public meetings, hearings workshops, and other events does not require a public request, rather Department offices and their consultants assume that services may be required and staff the events accordingly.

Requests for interpretation services for other foreign languages may require more notification. The Department and its Districts have contracts with language assistance providers but, depending on language, may take up to but no more than ten (10) days to provide the service. The Department uses a standard statement on all documents meant for public view, *"Public participation is solicited without regard to race, color, national origin,*

age, sex, religion, disability or family status. Persons who require special accommodation under the Americans with Disabilities Act (ADA) or those requiring translation services (free of charge) are asked to contact the (person listed in the notice) at least (up to no longer than ten (10)) days before the (event)."[4]

In regions of the state where roadways have high numbers of drivers from other counties, the Department Road Rangers carry I-Speak Cards in each truck so that they can quickly assist motorists that may be lost, broken down, or involved in an accident. The Department seeks to capture all interpretation services provided through risk assessments and Title VI reviews, this assists the Department with assessing the adequacy of available language resources and helps to evaluate the frequency with which staff encounters those that are LEP.[5]

2. Written Translation

As interpretation refers to providing language services orally, translation means to provide written documents in a language other than English. Unlike interpretation, the Department does not provide its documents in other languages upon request. Rather it analyzes demographic data, the frequency of its interaction with LEP, the nature of the service provided, and its available resources to determine when and what documents are translated. The US Census American Community Survey 5-year tables for 20 through 2019 show very little change in the breakdown of language speakers in Florida. Just under 12% (2.4 million) of Floridians speak English 'less than very well', the closest approximation to LEP available to the Department. Of this approximately 2.4 million LEP, almost 78% are Spanish speakers, with 15% making up Indo-European languages, primarily Haitian French. Even combined, the various Asian languages only reach about 5%. With a few exceptions, this means that when the Department provides translation services, it does so almost exclusively in Spanish and Creole.[6]

Florida

(Excerpt from ACS S1601 2021 5 year Estimates)

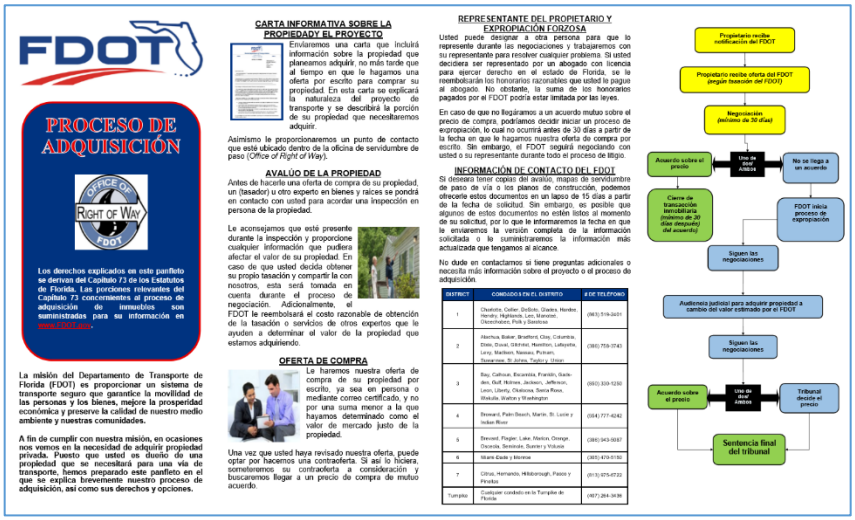
Population Description	**Total**	**LEP**
Population 5 years and over	20,220,968	2,388,642
Speak only English	14,190,713	(X)
Speak a language other than English	6,030,255	2,388,642
Spanish	4,469,836	1,860,400
Other Indo-European languages	1.085,681	350,769
Asian and Pacific Island languages	327,633	140,294
Other languages	147,105	37,179

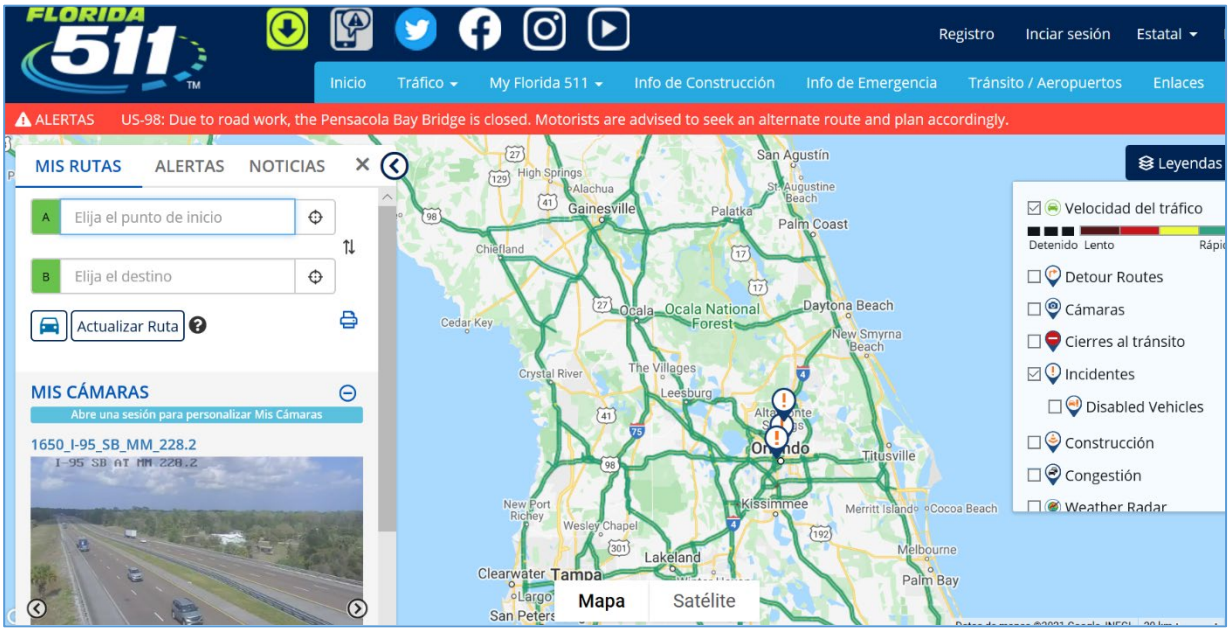
The Department breaks down translation services into two primary areas: Programs and Projects. The first area is governed by the Department's Central Office located in Tallahassee, FL. Examples of program translation are those used consistently for the entire system, such as the addition of an e-translate feature to the Department's website; Right of Way publications; the Alert Today Alive Tomorrow safety campaign; or Florida 511:

[4] The Department translated this statement into Spanish and Haitian Creole for use in areas with high numbers of LEP in those languages.

[5] The number of bilingual visitors, residents and Department staff make accurately capturing interpretation services almost impossible for Spanish and Haitian Creole. Indeed, in the two southernmost Districts, Department employees can and do conduct business in these languages as part of routine customer service.

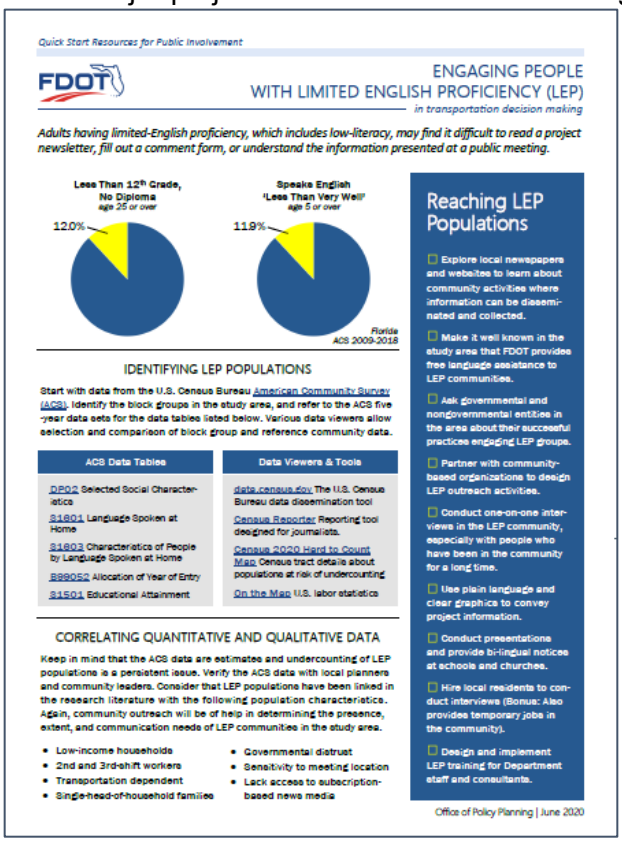
[6] The Department has employed written translation services for right of way acquisition for those who speak/read Chinese, though the decision was made at the District level and due to concerns over the resident's age and ability to hear the interpretation provided.





The decision to translate project-specific documents is made on a case-by-case basis, based on the language(s) represented in the project area. The Department routinely provides vital information by developing project fact sheets in English, Spanish, and Creole (as needed) for major Design/Construction projects. The Department also provides translation of project documents for common occurrences such as lane closures, new sidewalk and pedestrian ramp additions, and new lighting, traffic signals, and pavement markings. The Department

incorporates Spanish and Haitian-Creole translation capacities to major project websites in Districts with higher proportions of Spanish and Haitian Creole speakers.



Quick Start Resources for Public Involvement

FDOT

ENGAGING PEOPLE WITH LIMITED ENGLISH PROFICIENCY (LEP)

in transportation decision making

Adults having limited-English proficiency, which includes low-literacy, may find it difficult to read a project newsletter, fill out a comment form, or understand the information presented at a public meeting.

IDENTIFYING LEP POPULATIONS

Start with data from the U.S. Census Bureau American Community Survey (ACS). Identify the block groups in the study area, and refer to the ACS five -year data sets for the data tables listed below. Various data viewers allow selection and comparison of block group and reference community data.

ACS Data Tables	Data Viewers & Tools
DP02 Selected Social Characteristics	data.census.gov The U.S. Census Bureau data dissemination tool
S1601 Language Spoken at Home	Census Reporter Reporting tool designed for journalists.
S1603 Characteristics of People by Language Spoken at Home	Census 2020 Hard to Count Map Census tract details about populations at risk of undercounting
B99052 Allocation of Year of Entry	On the Map U.S. labor statistics
S1501 Educational Attainment	

CORRELATING QUANTITATIVE AND QUALITATIVE DATA

Keep in mind that the ACS data are estimates and undercounting of LEP populations is a persistent issue. Verify the ACS data with local planners and community leaders. Consider that LEP populations have been linked in the research literature with the following population characteristics. Again, community outreach will be of help in determining the presence, extent, and communication needs of LEP communities in the study area.

- Low-income households
- 2nd and 3rd-shift workers
- Transportation dependent
- Single-head-of-household families
- Governmental distrust
- Sensitivity to meeting location
- Lack access to subscription-based news media

Reaching LEP Populations

- ☐ Explore local newspapers and websites to learn about community activities where information can be disseminated and collected.
- ☐ Make it well known in the study area that FDOT provides free language assistance to LEP communities.
- ☐ Ask governmental and nongovernmental entities in the area about their successful practices engaging LEP groups.
- ☐ Partner with community-based organizations to design LEP outreach activities.
- ☐ Conduct one-on-one interviews in the LEP community, especially with people who have been in the community for a long time.
- ☐ Use plain language and clear graphics to convey project information.
- ☐ Conduct presentations and provide bi-lingual notices at schools and churches.
- ☐ Hire local residents to conduct interviews (Bonus: Also provides temporary jobs in the community).
- ☐ Design and implement LEP training for Department staff and consultants.

Office of Policy Planning | June 2020

More important than the individual translations from project to project are the Department manuals and tools that guide the practitioner toward making the decisions that will provide the greatest access. As mentioned earlier, ETDM is the first step to provide awareness of likely impacted areas, using census block and other data. The Department also publishes a Planning Handbook and Project Development & Environmental (PDE) Manual, both of which describe when and how to translate written information for those who are LEP.

Further, through internal and external training efforts, the Department provides to its staff and sub-recipient local agencies and Metropolitan Planning Organizations (MPOs) assistance on how to reach vulnerable populations, including a description of the four-factor analysis and tips for providing services in an effective manner. The Department's workforce is an almost exact demographic reflection of the state it serves. Each District maintains a list of employees 1) who are fluent foreign-language speakers and 2) who are fluent with transportation industry terms and concepts in their additional language(s), and specifically identifies employees who can provide both written translations. All staff who assist the public have access to the list along with other tools needed to refer the LEP individual to a representative who can competently assist. Needs encountered beyond the scope of a Din-house language resources, are managed by language interpretation services which each District is required to secure on a pay-by-use arrangement or through an executed contract.

3. LEP Guidance and Language Assistance Plan

In January 2021, the Department assembled a multidisciplinary team/working group with members representing its Equal Opportunity Office (EOO), Office of Policy Planning (OPP), and Office of Environmental Management (OEM) to update the LEP Guidance and integrate a resource-focused Language Assistance Plan. The inaugural meeting of the working group occurred in early March 2021. A revised and updated LEP Guidance and Language Assistance Plan was completed in September 2022.

The Department is committed to providing meaningful access and will translate any document when reasonable, effective, and within available resources. While it is currently updating guidance documents, the Department continues to annually review all of its federal program areas to ensure its civil rights programs, including LEP, are substantially compliant and meaningfully delivered. The EOO collects LEP data from each District including but not limited to: the number of interpretation and translation requests received, media sources utilized to communicate with LEP populations, copies of District employee Interpretation and Translation List to ensure current, and other LEP information captured on its District Title VI Quarterly Report Form or from interviews scheduled during annual QARs conducted in each District. The Department believes its LEP services meet or exceed LEP requirements by focusing on customer service and ensuring LEP is considered and evaluated early and comprehensively in program and project delivery.

IX. Discrimination Complaint Procedures

The following procedures pertain to written complaints filed under Title VI of the Civil Rights Act of 1964. Any person who believes they, or any specific class of persons, to be subjected to discrimination on the basis of race, color, or national origin may file a written complaint.[7] Complaints must be filed not later than 180 days after the date of the alleged discrimination unless the time for filing is extended by the U.S. Department of Transportation or its modal agencies.

The Department's website provides information on filing written complaints, including forms in English, Spanish and Haitian Creole. Complaints alleging violations of Title VI by the Department or Department sub-recipients may be sent to *any* of the following agencies[8]. The receiving agency will ensure that the complaint is routed to the appropriate authority for assignment, processing, and disposition.

Florida Department of Transportation
Equal Opportunity Office
605 Suwannee Street
MS 65
Tallahassee, FL 32399

Federal Highway Administration
Florida Division
3500 Financial Plaza
Ste 400
Tallahassee, FL 32312

Federal Highway Administration
Office of Civil Rights
HCR-20, Room E81-320
1200 New Jersey Avenue, SE
Washington, DC 20590

Federal Coordination and Compliance Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

X. Annual Goals & Accomplishment Report

Beginning in 2020, FHWA changed the procedures and format for submitting annual Title VI reports. To comply, the Department now submits the report of its Title VI activities via a web-based platform, FHWA Civil Rights Connect. The uploaded material is essentially objective without any guiding narrative. Thus, the Department maintains a supplemental narrative report that provides additional information and clarification on the year's efforts and plans for the upcoming year. While this report is not generally posted on the Department's website, it is a public record and is available upon request to the Title VI/Nondiscrimination Coordinator. The annual report is meant to be an accurate reflection of the program, including its performance, any identified challenges, and reasonable goals for the upcoming year. This means report content may vary from year to year. Nevertheless, the report will always contain:

[7] 49 C.F.R. § 21.11(b).

[8] The Department lacks the authority to investigate and issue findings under Title VI for complaints filed against the Department or its sub-recipients. All written complaints alleging race, color or national origin discrimination received by the Department will be immediately forwarded to appropriate modal administration of the U.S. Department of Transportation for processing. Complaints of discrimination listing other protected bases will either be investigated by the Department or referred to partner agencies, as warranted.

Title VI Goals and Accomplishments
Report Supplemental Narrative (GARSN)

PART I

GARSN Task	Authority	Response	Date
Implementation Plan uploaded to Civil Rights Connect	23 CFR 200.9(b)(11)	☒Yes ☐No ☐ Other (explain)	08/23/20
Title VI Accomplishments Data responses in CRC	23 CFR 200.9(b)(10)	☒Yes ☐No ☐ Other (explain)	10/28/20
Outstanding deficiencies resolved (if any)	23 CFR 200.9(a)(3), (b)(15)	☐Yes ☐No ☒ Other (explain)	N/A
USDOT 1050.2A Executed	23 CFR 200.9(a)(1)	☐Yes ☒No ☐ Other (explain)	N/A
Same Title VI Coordinator & EOO Manager as prior year	23 CFR 200.9(b)(1), (b)(2)	☒Yes ☐No ☐ Other (explain)	N/A

Assurance signed by same secretary every three (3) years. Current Assurance executed in 2019.

PART II

Title VI Accomplishments for Reporting Year 2020:	Date
Completed update for FDOT Title VI Procedure 275-010-010-F and submitted for approval	Ongoing
Meetings with PI to update the LEP Guidance for FDOT	06/01/2020
Completed SunRail Review, a non-LPA federal-aid recipient	09/15/2020
Title VI webpage update was planned with a few improvement, but tech issues prevented completion – moved 2021	09/30/2020
Travel ban due to COVID-19 prevented Safety Audit Team review – delayed pending notification from Local Programs	03/12/2020

Approval of procedures document held pending HCR's IP review
LEP update not completed this year due to COVID-19. Placed on Goals List for 2021.

PART III

Title VI Goals for Upcoming Year 2021:	Date
Complete update of LEP Guidance	06/30/2021
Edit procedures document consistent with HCR recommendations, if any	05/01/2021
Finish the Title VI webpage updates once OIT issues approval	06/30/2021
Update Title VI training to be used for staff and sub-recipients in 2021	12/30/2020
HCR Title VI IP Review	05/01/2021

LEP working group developed – to convene 03/2021; procedures document under review by legal. Webpage updates still under development. Working to ensure consultant access to the CBT training but delaying FDOT/FHWA joint presentation updates until after the national IP review.

1. Any changes to policy statements or procedures
2. Any changes to organizational structure or staffing
3. A summary of monitoring or reviews conducted and the outcomes or conclusions
4. A flow chart of Title VI/Nondiscrimination complaints, including the bases, investigation status, and disposition
5. A summary of accomplishments in each program area, as applicable
6. A list of all Civil Rights education and or training; the type of training; dates; and the number in attendance

XI. Core Documents

The following table provides links to nondiscrimination laws, manuals, and other important information, including Department publications. Though the Plan is a standalone document, this table provides an additional, detailed reading on nondiscrimination and civil rights compliance. The Department revisits this table annually to add or remove information, as required, and to check that links are accurate and functioning.

Title VI of the Civil Rights Act of 1964	That law prohibits race, color, and national origin discrimination in all programs, services, and activities of Federal-aid recipients. This link includes a U.S. Department of Justice summary as well as PDF and HTML versions of the statute	https://www.justice.gov/crt/fcs/TitleVI-Overview
Public Involvement Program	The Department believes that early, sustained, and comprehensive public involvement is the cornerstone of nondiscrimination and effective transportation decision-making. This contains the various resources, publications, and reports that constitute the Department's 'tool kit' for public involvement	http://www.fdot.gov/environment/pubinvolvement.shtm
MPO Program Management Handbook	The Department's guidance to MPO on a variety of planning issues, including public involvement and, at Chapter 9, nondiscrimination in MPO programs and activities	FDOT MPO Program Management Handbook

ETDM	Efficient Transportation Decision Making is a Department tool used to screen the various effects of proposed projects on the natural and human environment. It includes both demographic and GIS data, and the means for stakeholders to evaluate and comment on projects	https://etdmpub.fla-etat.org/est/
Project Development & Environmental Manual (PD&E)	As with all Department manuals, the PD&E Manual has the force of law. The Department can levy sanctions for noncompliance with the manual. The Manual is broken down into two major publications with various chapters on specific topics. The chapters on Public Involvement and Sociocultural Effects evaluation describe how nondiscrimination is achieved in project development	https://www.fdot.gov/environment/pubs/pdeman/pdeman1.shtm
Right of Way Manual	This document describes in detail how the Department complies with the Relocation Assistance and Real Property Acquisition Policies Act of 1970, more commonly called the Uniform Act. Section 1 covers the Title VI requirements for Right of Way	https://www.fdot.gov/rightofway/ProceduresManual.shtm
Contract Compliance Manual	For construction contractors, Title VI and adherence to other nondiscrimination authorities are governed by the Department's Contract Compliance Manual. This document is updated biennially and details both how the Department oversees nondiscrimination among contractors and the steps contractors must follow to remain in compliance.	https://www.fdot.gov/equalopportunity/contractcompliancemanual.shtm
Local Agency Program (LAP) Title VI Resources	This page contains everything local agencies require to demonstrate compliance under Title VI and other nondiscrimination authorities. Among the resources is nondiscrimination, updated annually, that outlines both the Department's approach to oversight and what the local agencies may expect in the LAP program.	https://www.fdot.gov/programmanagement/LAP/default.shtm
FDOT Title VI Procedure 275-010-010-g	Unlike the Implementation Plan which is updated annually and required by FHWA and annually, the Title VI Procedures is an FDOT document that details the program processes. It is only updated based on significant changes in the program structure and/or operations. FDOT last updated the procedures in September 2022.	https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/equalopporunity/titlevi/title-vi-program-staffing-complaint-processing-procedure.pdf?sfvrsn=403f56b3_2
Limited English Proficiency (LEP) Guidance	The Department's LEP Guidance includes the results of the four-factor analysis required by Executive Order 13166. It is annually reviewed but updated only as warranted and using the most current data from the American Community Survey from U.S. Census Bureau.	fdot-limited-english-proficiency-(lep)-guidanceef571f325db8449c85313b35aa6141d1.docx (live.com)
Language Assistance Plan	The Language Assistance Plan uses the results of the LEP Guidance to describe in detail how, when and in what languages the Department provides LEP assistance. This document is also reviewed annually but updated only as needed.	https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/equalopporunity/titlevi/language-assistance-plan-9-29-22.pdf?sfvrsn=81f6a3f4_2

Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

KEVIN J. THIBAULT, P.E.
SECRETARY

POLICY

Effective: October 19, 2016
Review: June 7, 2019
Office: Equal Opportunity
Topic No: 001-275-015-I
Authority: s. 20.23(3)(a), F.S.
s. 334.048(3), F.S.

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

References: Sections 337.125, 337.139, 339.0805, Florida Statutes
Rule Chapter 14-78, Florida Administrative Code
49 Code of Federal Regulation Part 26
Disadvantaged Business Enterprise Program Plan

It is the policy of the Florida Department of Transportation (Department) that disadvantaged business enterprises, as defined by ***49 Code of Federal Regulations Part 26***, shall have an opportunity to participate in the performance of Department contracts in a nondiscriminatory environment.

The objectives of the Disadvantaged Business Enterprise Program are to ensure nondiscrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, and assist in the development of a firm so it can compete successfully outside of the program.

The Department, its grant recipients, contractors, consultants, and suppliers shall take all necessary and reasonable steps to ensure that disadvantaged business enterprises have an opportunity to compete for and perform the contract work of the Department in a nondiscriminatory environment.

No grant recipient, contractor, consultant, or supplier shall discriminate on the basis of race, color, sex, or national origin in the award and performance of its contracts.

Kevin J. Thibault
Secretary a

Title VI Quarterly Report for Risk Based Management

District_____

To be completed by District Title VI Coordinator due within 30 days after the end of each quarter.

Answer the following questions.

Please note during this quarter if there has been:

- Any changes to Risk Assessments since last quarter ____Yes ____No
- If yes, what Program Areas (P.A.)
  _____
- Please describe the Program Area(s) changed:
  _____

1. From the use of the Title VI program Area Risk Assessment Tool, please **identify the higher risk (Red/Yellow) Program Areas** for this quarter:

2. Of the Risks identified what is the **best method used to address mitigation of risk** i.e., issuing program guidance, conducting further assessment, focused training or requesting external assistance:

3. Please identify any issues this past quarter and comment regarding the Risk Management Process i.e., **Improvement suggestions or best practices.**

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Florida Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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," for which the Recipient receives Federal financial assistance from DOT, including the* ***FHWA****.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **Federal Highway Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all **Federal Highway Programs** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

   "*The* Florida Department of Transportation, *in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.*"

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. 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 will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. 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.

9. The Recipient will provide for such methods of administration for the program 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 recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal

financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Florida Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FHWA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Florida Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal Highway Program**. This ASSURANCE is binding on **Florida**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal Highway Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Florida Department of Transportation

(Name of Recipient)

by_____

(Signature of Authorized Official)

DATED 5-24-2022

APPENDIX A

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, **Federal Highway Administration**, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will 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 will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. **Solicitations for Subcontracts, Including Procurements of 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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the **Federal Highway Administration** to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the **Federal Highway Administration**, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the **Federal Highway Administration** may determine to be appropriate, including, but not limited to:

    a. withholding payments to the contractor under the contract until the contractor complies; and/or
    b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the **Federal Highway Administration** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the Florida Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with laws of the state of Florida, the Regulations for the Administration of **Federal Highway Program,** and the policies and procedures prescribed by the **Federal Highway Administration** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation 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 the Florida Department of Transportation all the right, title and interest of the U.S. 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 Florida Department of Transportation 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 is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Florida Department of Transportation, its successors and assigns.

The Florida Department of Transportation, 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 will 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 wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Florida Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior 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 make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Florida Department of Transportation pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, 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:

   1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Florida Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Florida Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Florida Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by Florida Department of Transportation pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, 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 (1) no person on the ground of race, color, or national origin, will be excluded from participation in, 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 of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Florida Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Florida Department of Transportation will there upon revert to and vest in and become the absolute property of Florida Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq*., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq*.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq*.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq*.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

APPENDIX B

FDOT'S Limited English Proficiency

Guidance & Language Assistance Plan

FLORIDA DEPARTMENT OF TRANSPORTATION LIMITED ENGLISH PROFICIENCY (LEP) GUIDANCE

Title VI of the Civil Rights Act of 1964, The Civil Rights Restoration Act of 1987; 42 USC 2000(d) to 2000-4; and Executive Order 13166 prohibit recipients of federal financial assistance from discriminating against individuals based on race, color and national origin. Other federal and state nondiscrimination regulations prohibit discrimination against individuals based on age, sex, disability, religion, and family or income status. The Florida Department of Transportation (FDOT), as a recipient of federal financial assistance, takes reasonable steps to ensure meaningful access to its programs, services and activities for all citizens including those individuals with limited English proficiency. Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English may be considered Limited English Proficient (LEP).

The FDOT interacts with persons who may be LEP in the administration of its programs, services and activities. This guidance ensures that LEP individuals are provided meaningful access to the FDOT's programs, services and activities.

LEP services can be provided in two ways: verbal interpretation and written translation of vital documents. Florida is a richly diverse state with residents and visitors from all over the world. FDOT's own staff is representative of that diversity and has competent language speakers of a variety of languages. FDOT does provide verbal interpretation with reasonable notice, regardless of the LEP language. FDOT's public advertisements clearly state that language services are available with specified notice. These advertisements are also routinely translated and posted both in minority publications and at public forums. FDOT also utilizes 'I Speak' cards to help identify language needs and match them to LEP services. Finally, most of FDOT's public meetings have staff members available who are competent speakers of the most frequently encountered languages in the FDOT district where the meeting is being held.

Written translation of vital documents is handled somewhat differently. The Department of Justice (DOJ) LEP Guidance requires that four (4) factors be considered when deciding whether written LEP services are required:

- The number or proportion of LEP persons in the eligible service population;
- The frequency with which LEP individuals come into contact with the program or activity;
- The importance of the service provided by the program; and The resources available.

Florida's population and diversity varies vastly from region to region, making a single

LEP approach difficult. For example, the recent American Community Survey (ACS) (an office of the U. S. Census Bureau) from 2009 indicated an LEP population (percent of people 5 years old and over who speak English less than very well) at an estimated 11.6% statewide compared to 8.6% nationwide. However, this percentage is not evenly represented throughout the State. Further, frequency of contact with FDOT by LEP individuals also varies greatly. The Miami area sees a much higher proportion of Spanish and Creole speakers than does its more rural partners in the northern area of the state. Similarly, based on transportation needs, availability of public transit and long/short term transportation planning, the importance of the services also varies depending on the area of the State.

Generally, the FDOT offers written language services in Spanish and Haitian-Creole. Public information documents such as project flyers, public safety brochures, public transit information, and nondiscrimination processes are translated into these languages. Moreover, the FDOT also has guidelines in place through its Right of Way Office (ROW) to equitably address the language needs of individuals and families being displaced.

More specifically, FDOT is divided into seven (7) districts and Florida's Turnpike Enterprise. Each district serves a different region of the State, including the population centers of Miami, Tampa, Orlando and Jacksonville. Each district has a Title VI Coordinator responsible for disseminating Title VI and LEP information throughout the district with the assistance of Program Area Officers (PAOs) in the following programs: planning, environmental, design, right-of-way, construction, maintenance, public transportation, professional services, contractual services and public information (Procedure #275-010-010-e). In order to properly gauge the quantity, quality and type of LEP service for each region, the FDOT districts will each analyze their programs, services and activities using the four-factor test.

1. **The number or proportion of LEP persons eligible to be served.** The 2009 American Community Survey shows that the four (4) most prevalent languages spoken by individuals who are LEP in Florida (among the population 5 and over who speak English less than very well) are: Spanish (8.92%); French Creole (1.03%); Portuguese (.106%); and Vietnamese (.107%). The following table is representative of Florida's overall LEP demographics:

ANALYSIS OF TOP FOUR LANGUAGES STATEWIDE

DISTRICT	SPANISH	FRENCH CREOLE	VIETNAMESE	PORTUGUESE
1	175,549	15,549	2,104	2,110
2	33,625	3,737		
3	17,969	1,695	1,737	
4	265,871	81,233		5,205
5	187,291	16,920	6,839	6,397
6	718,521	53,970		4,427
7	125,431	3,981	7,761	
TOTAL	**1,524,257**	**177,085**	**18,441**	**18,139**
PERCENT	**8.92%**	**1.03%**	**0.107%**	**0.106%**

In addition, each District analyzed its census data and reported Spanish as the highest population of LEP individuals. However, the Districts found that their regional areas had other unique LEP populations, as represented by the following tables showing an analysis of the top four (4) languages spoken by LEP individuals in each district:

ANALYSIS OF TOP FOUR LANGUAGES IN DISTRICT 1

Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who Speak Spanish		LEP Persons who Speak French Creole		LEP Persons who Speak Portuguese		LEP Persons who Speak Vietnamese	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
2,389,201	220,824	9.24%	175,549	7.34%	15,549	0.65%	2,110	0.08%	2,104	0.08%

ANALYSIS OF TOP FOUR LANGUAGES IN DISTRICT 2

Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who Speak Spanish		LEP Persons who Speak French Creole		LEP Persons who Speak Tagalog		LEP Persons who Speak Serbo-Croatian	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
1,762,539	63,797	3.61%	33,625	1.90%	3,737	0.21%	3,090	0.17%	2,069	0.11%

ANALYSIS OF TOP FOUR LANGUAGES IN DISTRICT 3

Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who Speak Spanish		LEP Persons who Speak Vietnamese		LEP Persons who Speak Tagalog		LEP Persons who Speak French Creole	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
1,253,205	34,074	2.71%	17,969	1.43%	1,737	0.13%	1,709	0.13%	1,695	0.13%

ANALYSIS OF TOP FOUR LANGUAGES IN DISTRICT 4

Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who Speak Spanish		LEP Persons who Speak French Creole		LEP Persons who Speak Chinese		LEP Persons who Speak Portuguese	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
3,332,712	423,794	12.71%	265,871	7.97%	81,233	2.43%	6,361	0.19%	5,205	0.15%

ANALYSIS OF TOP FOUR LANGUAGES IN DISTRICT 5

Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who Speak Spanish		LEP Persons who Speak French Creole		LEP Persons who Speak Vietnamese		LEP Persons who Speak Portuguese	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
3,309,395	259,078	7.82%	187,291	5.65%	16,920	0.51%	6,839	0.20%	6,397	0.19%

ANALYSIS OF TOP FOUR LANGUAGES IN DISTRICT 6

Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who Speak Spanish		LEP Persons who Speak French Creole		LEP Persons who Speak Portuguese		LEP Persons who Speak Chinese	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
2,358,564	800,348	33.93%	718,521	30.46%	53,970	2.28%	4,427	0.18%	3,568	0.15%

ANALYSIS OF TOP FOUR LANGUAGES IN DISTRICT 7

Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who Speak Spanish		LEP Persons who Speak Vietnamese		LEP Persons who Speak French Creole		LEP Persons who Speak Serbo-Croatian	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
2,671,137	178,012	6.66%	125,431	4.69%	7,761	0.29%	3,981	0.14%	2,263	0.08%

Note: For a breakdown by county within each District, see Appendix A.

FDOT used other sources to verify this data, including the environmental screening tool within the Efficient Transportation Decision Making (ETDM) Process. Another resource used to verify the LEP populations identified by the ACS was the U. S. Department of Education's Annual Consolidated State Performance Report (CSPR) for school year 2008-2009. The CSPR includes a section on LEP students in grades K-12 and identifies the most commonly spoken languages by those students. The CSPR identifies Spanish, Creole, Portuguese and Vietnamese as the most commonly spoken languages among Florida's LEP students (Appendix B).

The results of the analysis are that Spanish and French Creole are the largest representative populations statewide with lesser representation of Vietnamese, Portuguese and Chinese. In addition some Districts have varying LEP populations of Italian, German, Tagalog and Greek.

2. **Frequency of contact with LEP persons.** In order to validate the census information and determine which of the LEP populations most frequently have contact with FDOT programs, services and activities, FDOT conducted a field review of each of its District nondiscrimination programs. Data was collected on the frequency of telephone, mail and in-person contact with LEP individuals. The FDOT also required the Districts to report frequency of contact with LEP individuals on its Quarterly District Title VI Report (Report Number 275-010-11). The results indicate that Spanish is by far the most frequently encountered LEP language in all Florida's Districts, though the regions of central and south Florida have more frequency of contact. Creole was also a commonly encountered language, though generally only in the southeast portion of the state.
3. **Nature or importance of the program.** All of the FDOT's programs are important; however, those related to safety, public transit, ROW, environment, nondiscrimination and public involvement are among the most important. As such, publications and other material disseminated regarding these programs are routinely available in both Spanish and French Creole. Nevertheless, the FDOT is committed to providing meaningful access and will provide written translation for any of its documents, when reasonable, effective and within the available resources. In other cases, the FDOT will strive to provide alternative but meaningful accessibility. Moreover, the FDOT continually evaluates its programs, services and activities to ensure that persons who may be LEP are always provided with meaningful access. For a list of publications/documents in Spanish and French Creole, see Appendix C.
4. **Resources available.** The FDOT understands that it is a large entity serving a potentially large number of Spanish and French Creole speaking individuals. The FDOT makes every effort to make its programs, services and activities accessible to LEP individuals. In addition to documents that are routinely

published in the most frequently encountered languages, the FDOT will use available resources, both internal and external, to accommodate reasonable requests for translation. Further, the FDOT's policies require free oral interpretation services, regardless of the language, with seven (7) days notice.

In addition, the FDOT has identified, developed and uses the following:

- **a.** District lists of staff who volunteers to assist as interpreters and/or translators if needed. Lists are verified and updated annually by the District Title VI Coordinators and provided to the Statewide Title VI Coordinator.
- **b.** Individuals who have contact with the public are provided with "I Speak" language cards to identify language needs in order to match them with available services. Language cards are verified and distributed annually by the District Title VI Coordinators.
- **c.** The FDOT through the District Offices have developed partnerships with local agencies, organizations, law enforcement, colleges/universities, local school districts and social service agencies that are available to assist with its LEP responsibilities.
- **d.** A list of web based translation services for use, when required.
- **e.** A list of telephone translation services for use, when required.

Safe Harbor Stipulation

Federal law provides a "Safe Harbor" stipulation so that recipients such as FDOT can ensure with greater certainty that they comply with their obligations to provide written translations in languages other than English. A "safe harbor" means that if a recipient (FDOT) provides written translations in certain circumstances; such action will be considered strong evidence of compliance with the FDOT's written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides a guide for recipients that would like greater certainty of compliance that can be provided by a fact-intensive, four factor analysis. For example, even if a safe harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient's written-translation obligations under

‘safe harbor’ includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of person’s eligible to be served or likely to be affected or encountered. FDOT’s translation of other documents, if needed, can be provided orally.

This safe harbor provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

CONCLUSION:

FDOT recognizes that language needs will change as Florida’s population changes. Further, FDOT is required to assess its programs and services each year to determine compliance with various nondiscrimination regulations. As such, FDOT will revisit the LEP plan each year and make appropriate changes, as needed. For questions or concerns regarding the FDOT’s commitment to nondiscrimination or to request LEP services, contact Aldrin T. Sanders, Interim FDOT Statewide Title VI Coordinator at (850) 414-4764 or by email Aldrin.Sanders@dot.state.fl.us .

APPENDIX A

DISTRICTS BY COUNTY

COUNTY	SPANISH	FRENCH-CREOLE	PORTUGUESE	ITALIAN	VIETNAMESE	CHINESE	POLISH
Charlotte	2,384	777	139	181			
Collier	37,317	4,861	174	538			
Desoto	6,933						
Glades	1,062						
Hardee	5,725						
Hendry	9,352	130					
Highlands	6,845	271					
Lee	39,994	4,186	1,246	595			
Manatee	15,548	1,939			630	579	
Okeechobee	4,395						
Polk	35,171	2,687	551		599		
Sarasota	10,823	1,095			875		931
D-1 TOTALS	**175,549**	**15,945**	**2,110**	**1,314**	**2,104**	**579**	**931**

COUNTY	SPANISH	FRENCH-CREOLE	CHINESE	KOREAN	VIETNAMESE	TAGALOG	ARABIC	OTH SLAVIC LANG	SERBO CROATIAN
Alachua	4,397	634	841	548					
Baker	142								
Bradford	166								
Clay	3,082	669	385			305			
Columbia	759								
Dixie	0								
Duval	15,793	2,070				2,785			2,069
Gilchrist	232								
Hamilton	468								
Lafayette	96								
Levy	937								
Madison	400								
Nassau	529								
Putnam	2,476								
St. Johns	1,912		287				261	237	
Suwannee	1,590								
Taylor	68								
Union	578				94				
D-2 TOTALS	**33,625**	**3,373**	**1,513**	**548**	**94**	**3,090**	**261**	**237**	**2,069**

COUNTY	SPANISH	FRENCH CREOLE	CHINESE	KOREAN	VIETNAMESE	TAGALOG	THAI	OTH ASIAN	GERMAN	HINDI
Bay	1,973	264			451			311		
Calhoun	236	116							102	
Escambia	3,107	564			593	820				
Franklin	148									
Gadsden	2,000	79								
Gulf	351	32								
Holmes	149	10								
Jackson	746	68			57					
Jefferson	71								100	235
Leon	2,984	539	512		326					
Liberty	63									
Okaloosa	3,126			445		473	309			
Santa Rosa	1,685			154	310	294				
Wakulla	102	23	25			51				
Walton	959					71	91			
Washington	269								61	
D-3 TOTALS	**17,969**	**1,695**	**537**	**599**	**1,737**	**1,709**	**400**	**311**	**263**	**235**

COUNTY	SPANISH	FRENCH CREOLE	PORTUGUESE	ITALIAN	CHINESE	VIETNAMESE	TAGALOG	POLISH
Broward	143,523	45,925			4,049	2,744		
Indian River	6,098	347		144		227		
Martin	6,676	779		174				237
Palm Beach	94,698	30,530	4,406		2,312			
St. Lucie	14,876	3,652	799				278	
D-4 Totals	**265,871**	**81,233**	**5,205**	**318**	**6,361**	**2,971**	**278**	**237**

COUNTY	SPANISH	FRENCH	GERMAN	RUSSIAN	PORTUGUESE	VIETNAMESE	CHINESE	ARABIC	OTH SLAVIC	ITALIAN	OTH INDIC
Brevard	8,180	1,264				647		959			
Flagler	1,673			678	524				494		
Lake	9,891	662	198				316			198	
Marion	9,508	380	265								199
Orange	87,455	11,484			5,251	5,232					
Osceola	37,895	1,678			622			587			
Seminole	16,037					780	711	355			
Sumter	2,792	71				180					
Volusia	13,860	1,381					498	503			
D-5 TOTALS	**187,291**	**16,920**	**463**	**678**	**6,397**	**6,839**	**1,525**	**2,404**	**494**	**198**	**199**

COUNTY	SPANISH	FRENCH CREOLE	PORTUGUESE	CHINESE	RUSSIAN	OTH SLAVIC
Miami-Dade	714,117	53,349	4,427	3,568		
Monroe	4,404	621			290	143
D-6 TOTALS	**718,521**	**53,970**	**4,427**	**3,568**	**290**	**143**

COUNTY	SPANISH	FRENCH CREOLE	GERMAN	ITALIAN	CHINESE	VIETNAMESE	KOREAN	GREEK	SERBO-CROATIAN
Citrus	1,637	206		212	385				
Hernando	3,240	242	285	390					
Hillsborough	86,596	2,997				3,435	1,341		
Pasco	12,813	536			561			767	
Pinellas	21,145					4,326		1,810	2,263
D-7 TOTALS	**125,431**	**3,981**	**285**	**602**	**946**	**7,761**	**1,341**	**2,577**	**2,263**

APPENDIX B

1.6.2 Student Demographic Data

1.6.2.1 Number of ALL LEP Students in the State

In the table below, provide the unduplicated number of ALL LEP students in the State who meet the LEP definition under Section 9101(25).

- Include newly enrolled (recent arrivals to the U.S.) and continually enrolled LEP students, whether or not they receive services in a Title III language instruction educational program
- Do not include Former LEP students (as defined in Section 200.20(f)(2) of the Title I regulation) and monitored Former LEP students (as defined under Section 3121(a)(4) of Title III) in the ALL LEP student count in this table.

Number of ALL LEP students in the State	257,776
Comments:	

1.6.2.2 Number of LEP Students Who Received Title III Language Instruction Educational Program Services

In the table below, provide the unduplicated number of LEP students who received services in Title III language instructional education programs.

	#
LEP students who received services in a Title III language instruction educational program in grades K through 12 for this reporting year.	238,349
Comments:	

Source – The SEA submits the data in file N/X116 that contains data group ID 648, category set A.

1.6.2.3 Most Commonly Spoken Languages in the State

In the table below, provide the five most commonly spoken languages, other than English, in the State (for all LEP students, not just LEP students who received Title III Services). The top five languages should be determined by the highest number of students speaking each of the languages listed.

Language	# LEP Students
Spanish; Castilian	187,339
Haitian; Haitian Creole	28,088
Portuguese	3,353
Vietnamese	2,965
Arabic	2,095

Report additional languages with significant numbers of LEP students in the comment box below.

The response is limited to 8,000 characters.

APPENDIX C

FDOT DOCUMENTS THAT HAVE BEEN TRANSLATED INTO OTHER LANGUAGES

1. Title VI Policy (Spanish and Haitian Creole)
2. Title VI Complaint Form (Spanish and Haitian Creole)
3. Essential Right of Way Documents (Forms Library)

APPENDIX C

SunRail Title VI Complaint Form

SUNRAIL ADA and TITLE VI / NONDISCRIMINATION COMPLAINT FORM

Complainant(s) Name:	Complainant(s) Address:
Complainant(s) Phone Number:	Complainant(s) Email Address:

Complainant's Representative's Name, Address, Phone Number, Email, and Relationship (e.g. friend, attorney, parent, etc.):

Name and Address of Agency, Institution, or Department Whom You Allege Discriminated Against You:

Names of the Individual(s) Whom You Allege Discriminated Against You (If known):

Have you 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:

	Name of Agency/Court		Name of Agency
☐ Federal Agency		☐ State Agency	
☐ Federal Court		☐ Local Agency	
☐ State Court			

Discrimination Because of:	☐ Race ☐ Color ☐ National Origin ☐ Sex ☐ Age ☐ Handicap/Disability ☐ Income Status ☐ Retaliation ☐ Other	Date of Alleged Discrimination:

Please list the name(s) and phone number(s) of any person, if known, that SunRail could contact for additional information to support or clarify your allegation(s).

Please explain as clearly as possible **how**, **why, when** and **where** you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

Complainant(s) or Complainant(s) Representatives Signature:	Date of Signature:

Please submit this form to either person listed below, or email this form to:

Stefan Kulakowski - State Title VI Coordinator
605 Suwannee Street.
Tallahassee, Florida 32399
Phone: (850) 414-4742
Fax: (850) 414-4879
Toll-Free: (866) 374-FDOT (3368)
Email: Stefan.Kulakowski@dot.state.fl.us

Roger Masten - SunRail Title VI Coordinator
801 SunRail Drive
Sanford, Florida 32771
Phone: (321) 257-7161
Email: Roger.Masten@dot.state.fl.us

SunRail Customer Service
801 SunRail Drive
Sanford, Florida 32771
Toll Free: 1-855-RAIL-411 (724-5411)
Email: Info@sunrail.com

SUNRAIL ADA o TITULO VI / DENUNCIA DE DISCRIMINACIÓN

Nombre del querellante:	Dirección:
Número de teléfono:	Dirección de correo electrónico:

Nombre, dirección, teléfono y relación (ej. amigo, abogado, pariente, etc.) del Representante del querellante:

Nombre y dirección de la agencia, institución, o departamento que usted alega discrimino en su contra:

Nombre(s) del individuo(s) quien(es) usted alega discrimino(naron) contra usted si lo(s) conoce:

¿Ha presentado una queja anterior con alguna agencia federal, estatal, o local, o cualquir corte federal o estatal?

☐ Si ☐ No

Si es asi, marque todo lo que corresponda:

	Nombre de agencia/corte		Nombre de agencia
☐ Agencia federal	_____		
☐ Corte federal	_____	☐ Agencia estatal	_____
☐ Corte estatal	_____	☐ Agencia estatal	_____

Razón por la discriminación:	☐ Raza ☐ Color ☐ Origen Nacional ☐ Sexo ☐ Edad ☐ Incapacidad/Impedimento Fisico ☐ Status de Ingreso ☐ Represalia ☐ Other	Fecha de la alegada discriminación:

Favor de indicar el nombre(s) y número(s) de teléfono(s) de alguna persona(s) con que SunRail se pueda comunicarse para información adicional que clarifique o respalde su alegación o alegaciones).

Favor de explicar claramente, **como**, **porque**, **cuando** y **donde** usted cree que fue discriminado. Incluya suficiente información acerca de los antecedentes según le sea posible, de los alegados actos de discrimen. Puede añadir paginas adicionales, si es necesario.

Firma del Querellante(s) o su Representante:	Fecha:

Favor de sumitir este formulario a cualquier persona mensionada abajo, o sumitir por medio de correo electrónico a:

Stefan Kulakowski - Coordinador Estatal del Titulo VI
605 Suwannee Street.
Tallahassee, Florida 32399
Teléfono: (850) 414-4742
Fax: (850) 414-4879
Teléfono gratuito: (866) 374-FDOT (3368)
Correo electrónico: Stefan.Kulakowski@dot.state.fl.us

Roger Masten - Coordinador de SunRail del Titulo VI
801 SunRail Drive
Sanford, Florida 32771
Phone: (321) 257-7161
Correo electrónico: Roger.Masten@dot.state.fl.us

Servicio al cliente de SunRail
801 SunRail Drive
Sanford, Florida 32771
Teléfono gratuito: (855) RAIL-411 (724-5411)
Correo electrónico: Info@sunrail.com

SUNRAIL TIT VI (6) / FOM POU POTE PLENT POU DISKRIMINASYON

Non moun ki pote plent lan:	Adrès moun ki pote plent lan:
Telefòn moun ki pote plent lan:	Adrès Elektwonik moun ki pote plent lan:

Moun ki reprezante moun ki pote plent lan Non, Adrès, Telefòn, Adrès Elektwonik, epi Relasyon (egzanp zanmi, avoka, paran, etc.):

Non avèk Adrès Ajans, Institisyon, oswa Depatman ke ou akize ki fè diskriminasyon kont ou:

Non moun ke ou akize ki fè diskriminasyon kont ou (Si ou konnen li):

Eske ou depose plent sa a nan Ajans Federal, Ajans Eta, oswa Ajans Lokal, oswa avèk Tribinal Federal oswa Tribinal Eta?

☐ Wi ☐ Non

Si wi, tcheke tout sa ki aplike:

	Non Ajans/Tribinal		Non Ajans
☐ Ajans Federal		☐ Ajans Eta	
☐ Tribinal Federal		☐ Ajans Lokal	
☐ Tribinal Eta			

Diskriminasyon Paske:	☐ Ras Mwen ☐ Koulè Mwen ☐ Peyi Mwen Te Fèt ☐ Sèks Mwen ☐ Laj Mwen ☐ Andikape ☐ Sitiyasyon Ekonomik ☐ Vanjans ☐ Lòt Bagay	Dat ke diskriminasyon an te fèt kont ou:

Tanpri fè konnen non avèk telefòn yon temwen (Si ou ka idantifye temwen an) ke SunRail ta ka kontakte pou plis enfòmasyon pou kapab klarifye akizasyon ou.

Tanpri eksplike klèman kijan, poukisa, ki lè, ak ki kote ou kwè yo te fè diskriminasyon kont ou. Bay tout enfòmasyon posib sou zak diskriminasyon sa kont ou. Ou ka mete tout lòt papye ki nesesè pou sipòte plent lan .

Siyati moun ki pote plent lan oswa moun ki reprezante moun ki pote plent lan:	Dat Siyati:

Tanpri soumèt fòm sa oswa voye fòm sa a sou adrès elektwonik youn nan moun ki nan lis anba a:

Stefan Kulakowski - State Title VI Coordinator
605 Suwannee Street.
Tallahassee, Florida 32399
Phone: (850) 414-4742
Fax: (850) 414-4879
Toll-Free: (866) 374-FDOT (3368)
Email: Stefan.Kulakowski@dot.state.fl.us

Roger Masten - SunRail Title VI Coordinator
801 SunRail Drive
Sanford, Florida 32771
Phone: (321) 257-7161
Email: Roger.Masten@dot.state.fl.us

SunRail Customer Service
801 SunRail Drive
Sanford, Florida 32771
Toll Free: 1-855-RAIL-411 (724-5411)
Email: Info@sunrail.com

APPENDIX D

SunRail Title VI Complaint Log

CFRC/SunRail Title VI and ADA Log - FFY 2023

Date of Complaint	How was the Complaint Received? (Verbal, Email, Written Formal)	If Written Formal	Complainant Name/Contact Information	Respondent Name/Contact Information	Basis of the Complaint	Action Taken	Complaint Type
Quarter 1 (Oct - Dec)							
12/1/2022 and 12/7/2022	Verbal Email	N/A	Veronica Garcia colorisimapincel1315@yahoo.com (407) 705-4139	Roger Masten (321) 257-7161	Ms. Garcia claims that on 12/1/22 as she traveled NB from Tupperware to Lake Mary (LM) on P318 at 12:30pm, the door she was trying to exit from closed right in front of her. Upon mentioning this to the conductor, Ken, along with the claim that she's disabled, Ms. Garcia claims he was nothing but rude, saying the doors only open for 30 seconds, that it's not his problem if she misses the exit, saying, "that's none of my business" in a rude tone, and to call the number on the back of the ticket if wanting to complain. She claims he continued to "mock her" and talk to her condescendingly saying "wait for the next train and come back to LM." The conductor suggested next that she stand up before the stop and start walking toward the exit, but she repeated the information about being disabled, not wanting to stand up in a moving vehicle for fear of falling. At the Sanford stop, she exited and made a comment to the conductor as he let wheelchairs off on a ramp, and she claims he told her "oh f-off", raising his voice with a bullying tone.	Upon investigation, it appears that the complainant was seated on the 2nd floor of coach car 3004. Since the conductor had no idea that Ms. Garcia needed assistance deboarding, there was no expectation. Alstom (CTO Gilpin) did speak with the conductor where he does admit to becoming exasperated with the situation and agreed could have used a friendlier tone with the complainant. The conductor was counseled to keep his composure under all circumstances, especially when dealing with customers. As for the incident, all procedures were followed. It is suggested that passengers needing additional time to exit the train, sit on the lower floor or let the conductor know in advance that they will need extra time to deboard without divulging any disabilities. A copy of the conductor's statement was received 1/5/23.	Customer Service/ADA
Quarter 2 (Jan - Mar)							
1/11/2023	Verbal (phone call)	N/A	Jonathan Morris (407) 470-3523	Roger Masten (321) 257-7161	Mr. Morris claims that the conductor mistreated him because he was disabled and did not arrive on time as the train departed. According to Conductor Hartley's statement, the passenger did not want to exit the train once it pulled into the DeBary station for it's final run. The conductor politely let him know that he needed to disembark. The passenger got upset and in a threatening manner and began screaming and banging on the train door.	The passenger was told to exit the train as the trip had ended. Due to his threatening behavior, the conductor told Mr. Morris that he would not be allowed back on the train if the irrational behavior continued which seemed to upset him even more. To not escalate the issue further, the train crew reboarded the train and departed the DeBary Station as the man continued to scream from the parking lot. A UER was completed by the conductor and filed for the record.	Customer Service
1/20/2023	Verbal (phone call)	formal complaint previously filed 7/15/22	Eugene Phillips (352) 328-9979 epdix1968@gmail.com	Linda Nesbitt (407) 732-6700	Mr. Phillips claims he continues to be discriminated by conductor Rick Jones. He previously filed a complaint on 7/15/22 and never heard back from FDOT regarding his complaint from former St. Title VI Coordinator (Jackie Paramore). He is extremely agitated because he feels that he continues to be mistreated along with other black folks on the train. He acuses the conductor of using racial slurs towards Mr. Phillips. The complainant admits to not always tapping on/off and having insufficient funds on his SunCard a few times in the past.	This complaint was escalated to Stefan Kulakowski on 1/20/23. All pertinent info was also sent to Dee Foster/FTA for further investigation. A copy of the conductor's statement, Mr. Phillip's trip history, and video footage was obtained. Upon further review, this is the third incident in which Mr. Phillips has been caught with invalid fare. He was asked to add funds to his SunCard to avoid this situation in the future. The conductor chose not to take him off the train so as not to escalate the situation. The conductor (Rick Jones) denies the allegations and video footage shows him addressing the situation in a professional manner. An acknowledgement email was sent to Mr. Phillips on 1/25/23. Several attempts have been made by Stefan to contact Mr. Phillips via certified mail, email and phone. However, no response has been received.	Racial discrimination

CFRC/SunRail Title VI and ADA Log - FFY 2023

Date of Complaint	How was the Complaint Received? (Verbal, Email, Written Formal)	If Written Formal	Complainant Name/Contact Information	Respondent Name/Contact Information	Basis of the Complaint	Action Taken	Complaint Type
2/3/2023	email	N/A	Theresa Edens (407) 952-7831 theresaedens443@gmail.com	Linda Nesbitt (407) 732-6700	Ms. Edens claims that her daughter (Aubrey Edens)was unjustly removed from the train for not having valid fare. She claims that her daughter misplaced her ticket and when questioned by the conductor, made her exit the train at SLR instead of MW. When she asked for the conductor's name, he (Hispanic male) refused to provide it. Ms. Edens is upset since her daughter had to walk home the rest of the way in the dark.	Linda responded to Ms. Edens and forwarded the complaint to CTO Gilpin for further investigation. It was explained that the conductor can provide their first name or the train ID the person was riding on. She did explain however, that according to the Rules of Conduct, valid proof of fare must be shown if requested or can be directed to exit the train. According to the video footage onboard the train, Ms. Eden's daughter had ample opportunity to deboard and purchase proper fare. The daughter made no attempt. At that time, the conductor directed the young lady to exit the train.	Customer Service
2/22/2023	written formal	yes	Dr. Beverly Baird-Boothe (407) 321-3576 bboothe@cfl.rr.com	Linda Nesbitt (407) 732-6700	Dr. Baird-Booth claims she was unfairly treated by the conductor for threatening to throw her off the train because she wanted to use the restroom. She felt disrepected and ignored because she is an elderly person. She feels that the train crew needs sensitivity training on proper handling of the elderly/disabled population.	The complaint was forwarded to CTO Gilpin and the Road Foremen to address. The train crew was interviewed and video surveillance onboard the train and platform were also reviewed. Linda spoke to the complainant by phone on 2/24/23. Management addressed the complaint with the train crew by coaching them on proper customer interaction and satisfaction while avoiding conflict. Statements from the conductor and engineer and the complaint status report were filed for the record. Upon further research, this complaint is not a Title VI issue.	Customer Service/Age
3/23/2023	Verbal (phone call)	N/A	Chris Smith (386) 366-5580	Linda Nesbitt (407) 732-6700	Mr. Smith claims he was attacked by another customer (arriving by Uber) at the DeBary Station parking lot. Two vehicles collided attempting to park in the same accessible parking space. Ambassador Sharon contacted Volusia Co. Sheriff for assistance. The officer filed a report (Case #P230820529) but indicated that there was nothing to be done because the male passenger (Mr. Smith) refused to provide his name and contact information. This incident has the potential to be filed as a T6 complaint given that Mr. Smith claims he is disabled, and that he was attacked on FDOT property. He indicated that SunRail gives a false sense of security having cameras installed in the parking lot that are not actually working.	A UER was completed and forwarded to Stefan. Since Volusia Co. is responsible for the operation and maintenance of the security cameras in the parking lot, this issue was forwarded to the county for further investigation.	Customer Service
Quarter 3 (Apr - Jun)							
4/24/2023	Verbal	N/A	Terrance Stewart no contact info provided	Linda Nesbitt (407) 732-6700	Mr. Stewart's complaint is centered on the P330 conductor and onboard security. He indicated that he may file a Title VI complaint because he felt singled out, intimidated and was made fun of due to his medical disability. Mr. Stewart was afraid he was going to be kicked off the train. He asked for both the conductor's and the security guard's names but they refused. Instructions on how to file were provided. *Logged as a possible complaint for tracking purposes.	A copy of the conductor's statement and the security sepcialist's statement were obtained along with video footage that was evaluated. Conductor D. Oglesby handled the situation in a professional manner and did not order Mr. Stewart off the train. He considered his disability. Security Specialist M. Lopez stated the passenger was being disrespectful and belligerant toward the conductor for calling out that he was not allowed to eat on the train. Lopez observed the conductor disengage from the passenger to avoid further confrontation. Manager Hill coached/counseled the conductor to continue his positive attitude.	Medical Disability

CFRC/SunRail Title VI and ADA Log - FFY 2023

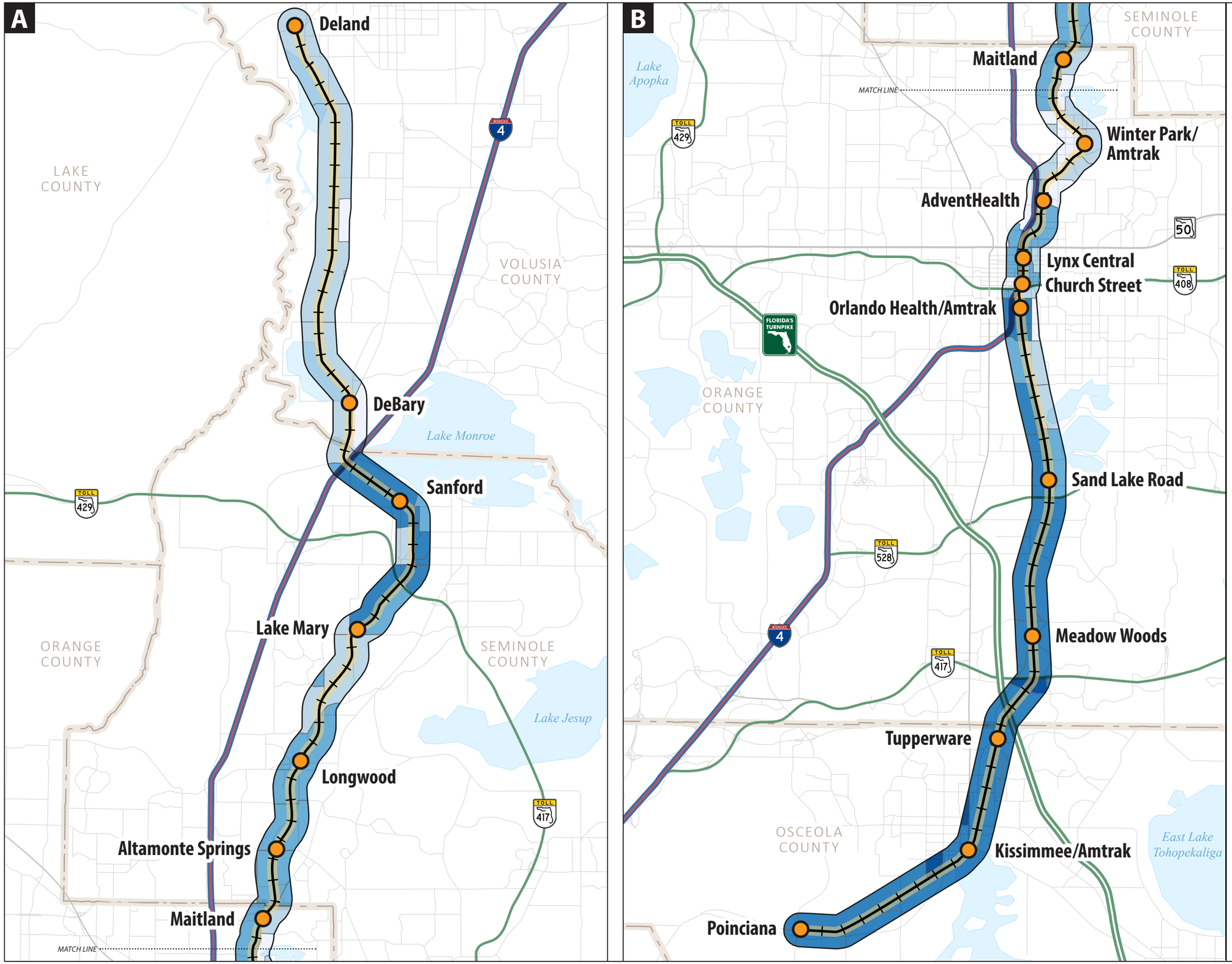
Date of Complaint	How was the Complaint Received? (Verbal, Email, Written Formal)	If Written Formal	Complainant Name/Contact Information	Respondent Name/Contact Information	Basis of the Complaint	Action Taken	Complaint Type
6/5/2023	Verbal	N/A	Ms. Love no contact info provided	Linda Nesbitt (407) 732-6700	Ms. Love was removed from the train for fare evasion. She said the ambassador told her to board without fare and he would talk to the conductor. She had a beverage in a large styrofoam cup and threw it down inside the train when she was told to deboard.	Ambassador Ace informed Ms. Love that she had to purchase a ticket to board the train but that she needed to fold up the stroller beforehand. A copy of the conductor and ambassador's statements were obtained along with video footage that was evaluated. The ambassador stated that he never advised the woman to not purchase a ticket. Based on the video footage, it is clear that the woman was trying to evade purchasing fare. Therefore, the crew took the necessary action to remove her from the train.	Racial discrimination/fare evasion
Quarter 4 (Jul - Sep)							
7/19/2023	verbal	N/A	Ms. Ball cb1999@yahoo.com	Linda Nesbitt (407) 732-6700	Ms. Ball boarded without fare and was forced to get off the train due to not having a ticket. She mentioned to the conductor that she was disabled and unable to buy a ticket at the TVM because it wasn't working properly and didn't dispense a ticket. Regardless, the conductor still made her deboard. Ms. Ball tried to get back on a second time, again without purchasing a ticket.	The conductor's statement was obtained. It appears the conductor was properly enforcing the fare policy and maintaining the train schedule. Conductor R. Jones was counseled by Alstom management about being considerate when encountering customers with disabilities. No additional action taken.	disability
8/11/2023	verbal	N/A	Pagan no contact info provided	Linda Nesbitt (407) 732-6700	Ms. Pagan was clipping her nails inside the train when the security staff told her to stop. When she got off the train, she told her sister who called Customer Service to file a complaint. Ms. Pagan indicated that the conductor harassed her because she speaks Spanish.	Conductor T did not interact with the passenger, rather the security guard did. The conductor advised he was unaware of any issues until they reached DeBary. The security guard told him when he came back through a couple of times she was still clipping her nails even though she was told to stop. No further action taken.	racial discrimination
9/21/2023	verbal	N/A	Steven Graan stevengraanjr@gmail.com	Linda Nesbitt (407) 732-6700	Mr. Graan was kicked off 2 trains (P303 & P305) for unruly conduct and cursing out the staff. P305 conductor had radioed to call police, train was delayed at Orlando Health for several minutes, Mr. Graan exited the train, call to police was canceled.	The conductor's statement and UERs were obtained. The conductors involved were Freddy Guevara and Torrin Palmer.	racial discrimination
9/22/2023	written formal	yes	Kevin Michael Bennett (321) 247-0960	Linda Nesbitt (407) 732-6700	Passenger states the security guard denied access to load on the ramp at LYNX Central, stating the customer is not disabled.	Formal complaint filed in Complaints folder. Linda spoke to and responded to Mr Bennett providing acknowledgement and stated she would be providing FDOT with the investigation into his complaint. Video footage obtained.	ADA
9/29/2023	verbal	N/A	Female passenger no contact info provided	Linda Nesbitt (407) 732-6700	Female passenger called from the PAT at Sanford Station claiming the ambassador made derogatory racial comments. She boarded the train before obtaining any contact information so Customer Service was unable to send the complaint form.	The ambassador statement was obtained and reviewed. Manager Watkins handled the issue directly with the employee and was coached to avoid conflict with irate customers by walking away to descalate the situation. No further disciplinary action taken.	racial discrimination
9/29/2023	email	yes	Kenneth Austin Mosby (215) 917-4899	Linda Nesbitt (407) 732-6700	Mr. Mosby emailed stating that he was previously allowed to ride free by showing his student ID. Upon boarding LYNX Central, customer claims he was told he could not ride free and treated rudely by the Conductor and security due to his race. Customer was able to provide a valid prepaid fare and was then left alone.	Email saved in Complaints folder. Linda responded to Mr. Mosby stating she would be providing FDOT with the investigation into his complaint. Video coverage was reviewed. Upon investigation, this has been determined not to be a Title VI issue rather a customer service complaint. Alstom management handled the complaint with the employee.	customer service/racial discrimination

CFRC/SunRail Title VI and ADA Log - FFY 2024

Date of Complaint	How was the Complaint Received? (Verbal, Email, Written Formal)	If Written Formal	Complainant Name/Contact Information	Respondent Name/Contact Information	Basis of the Complaint	Action Taken	Complaint Type
Quarter 1 (Oct - Dec)							
12/11/2023	Email and written	Yes	Kevin Bennett crazykevinb@yahoo.com (518) 251-4140	Linda Nesbitt (407) 732-6700	Mr. Bennett sent an email to Customer Service expressing his dissatisfaction with SunRail as it relates to ADA. Due to his disability, Mr. Bennett needed help to board the train at LYNX. He was not provided any assistance and feels that the crews are not properly trained in ADA matters. He also mailed in a hand written letter received 12/22/23	The ADA procedures were discussed with Mr. Bennett and it was confirmed that he was not required to use a mobility device to board at the mini-high platform. He was advised by Customer Service to continue seeking assistance from an ambassador to board at the mini high but that if an ambassador was not available, to wait on the mini high platform regardless so the train crew can spot the train and allow him access with the ramp. Statements and video footage were also reviewed. CTO Gilpin and the Road Foremen addressed the train crew regarding this incident and reiterated proper procedure to all train crews. Bill Land also addressed the incident with the ambassador. Disability Awareness Training for new employees and refresher training is conducted each year.	ADA
12/27/2023 1/8/2024	verbal/written formal		Monica Walker	Linda Nesbitt (407) 732-6700	Ms. Walker became engaged in a verbal altercation with the security guard as the train was arriving at AdventHealth. The ambassador reported that Monica was cursing at the female security guard and threatened physical harm. It should be noted that Monica is the former ambassador who was trespassed indefinitely, but then it was lifted with specific conditions. Statements were obtained from the security staff, the conductor, and the onboard conductor trainee.	Video footage of inside the train was reviewed. Given that this is not the first altercation, Ms. Walker was trespassed again. The security guard who became confrontational was also given a warning and it was expressed that she walk away next time so as not to escalate things. This information is being logged although it is not a Title VI issue.	Customer Service
Quarter 2 (Jan - Mar)							
1/4/2024	verbal/written formal	yes	Safir Kazi sks365.us@gmail.com (321) 283-9180	Roger Masten	Roger received a complaint via telephone from Mr. Kazi claiming he was violated of multiple Title VI and Civil Rights requirements. He did not elaborate with details but requested video from on-board the train. He did not specify which train or the date of the alleged incident. Mr. Kazi became agitated and stated he would have his attorney contact FDOT and hung up. Mr. Kazi provided a formal written complaint; however, with little to no details of the alleged incident.	Video footage and statements from the crews and ambassador were received. Legal has advised not to supply footage until further details re: allegations are received. All documentation was provided to CO (Stefan and Al). A formal email requesting additional details of the alleged incident was sent by Linda on 1/5. Numerous attempts by phone were also made with no success. Legal (Ryan) advised that the video footage is confidential and exempt pursuant to 119.071(3)a. CO received request from Mr. Kazi to close the investigation on 1/22.	Unknown
Quarter 3 (Apr - Jun)							
Quarter 4 (Jul - Sep)							

APPENDIX E

SunRail Socioeconomic Maps/Tables



LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- 1/2-mile Corridor Buffer

Percent Who Speak English Less Than Well (Limited English Proficiency)

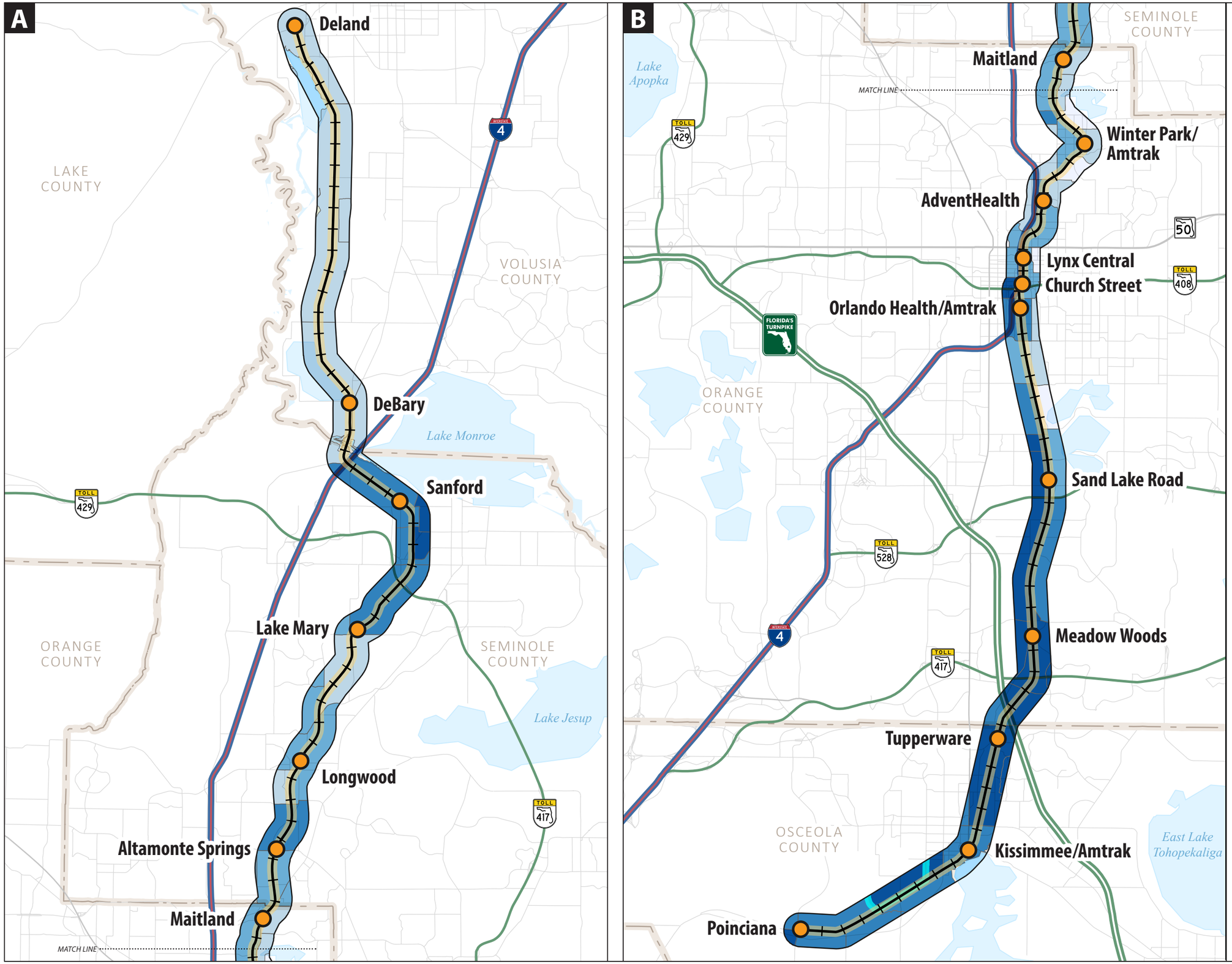
- 0.0 – 2.0
- 2.0 – 5.0
- 5.0 – 10.0
- 10.0 – 30.0
- 30.0 – 49.3

Data Sources: FDOT, FGDL, and ACS 2022.

0 1 2 3 4 5
APPROXIMATE SCALE IN MILES

Map Sources: County of Orange, FL, Seminole County GIS, FDEP, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, NASA, and NGA.

FIGURE 1
Limited English Proficiency



LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- 1/2-mile Corridor Buffer

Minority Population Percent

- 0.0 – 20.0
- 20.0 – 30.0
- 30.0 – 50.0
- 50.0 – 80.0
- 80.0 – 96.4

Data Sources: FDOT, FGDL, and ACS 2022.

N

0 1 2 3 4 5

APPROXIMATE SCALE IN MILES

Map Sources: County of Orange, FL, Seminole County GIS, FDEP, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, NASA, and NGA.

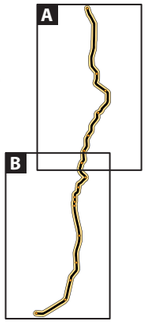
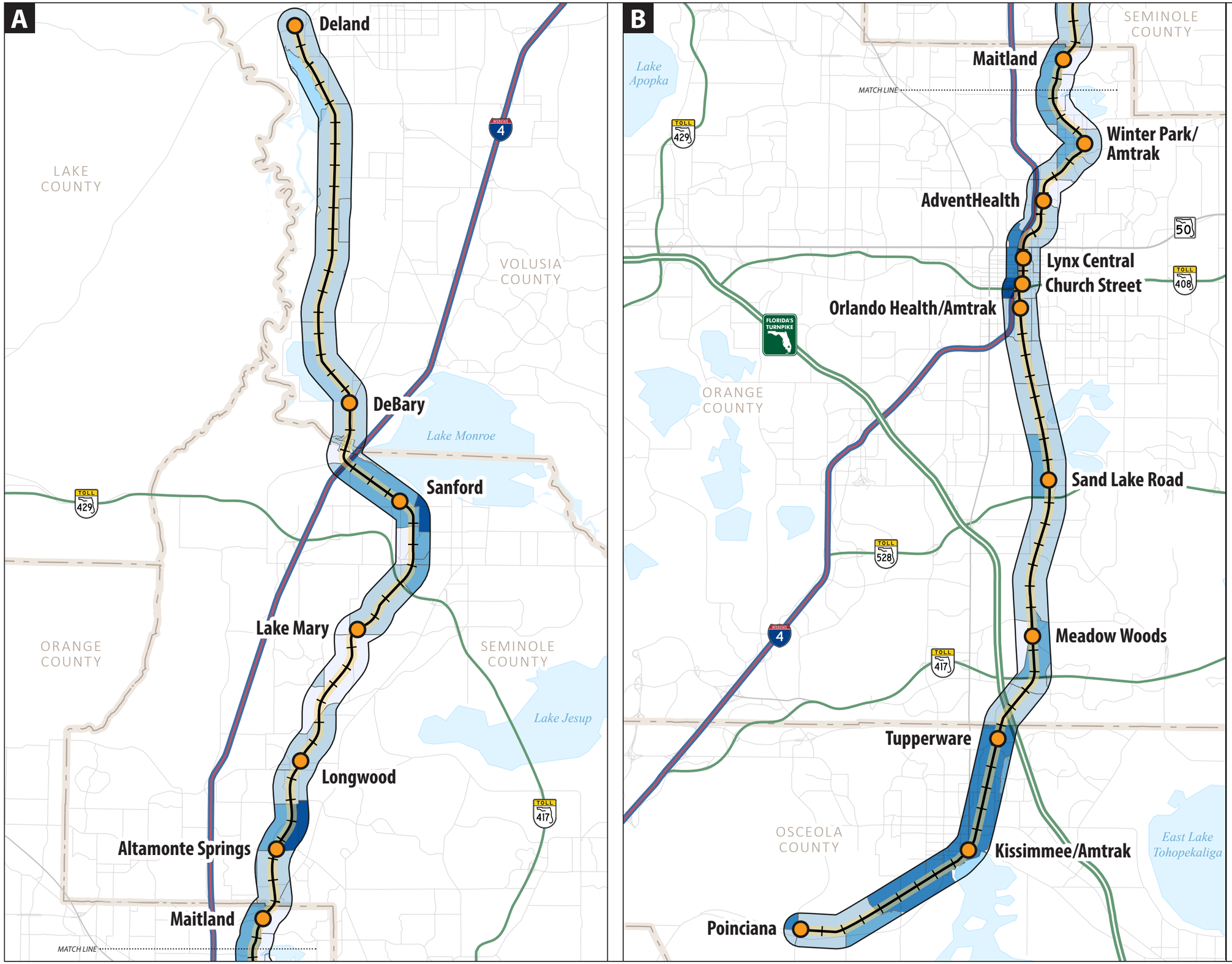


FIGURE 2
Minority Population



LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- 1/2-mile Corridor Buffer

Percent of Individuals Below Poverty Level (Low Income)

- 0.0 – 5.0
- 5.0 – 15.0
- 15.0 – 25.0
- 25.0 – 35.0
- 35.0 – 44.2

Data Sources: FDOT, FGDL, and ACS 2022.

N

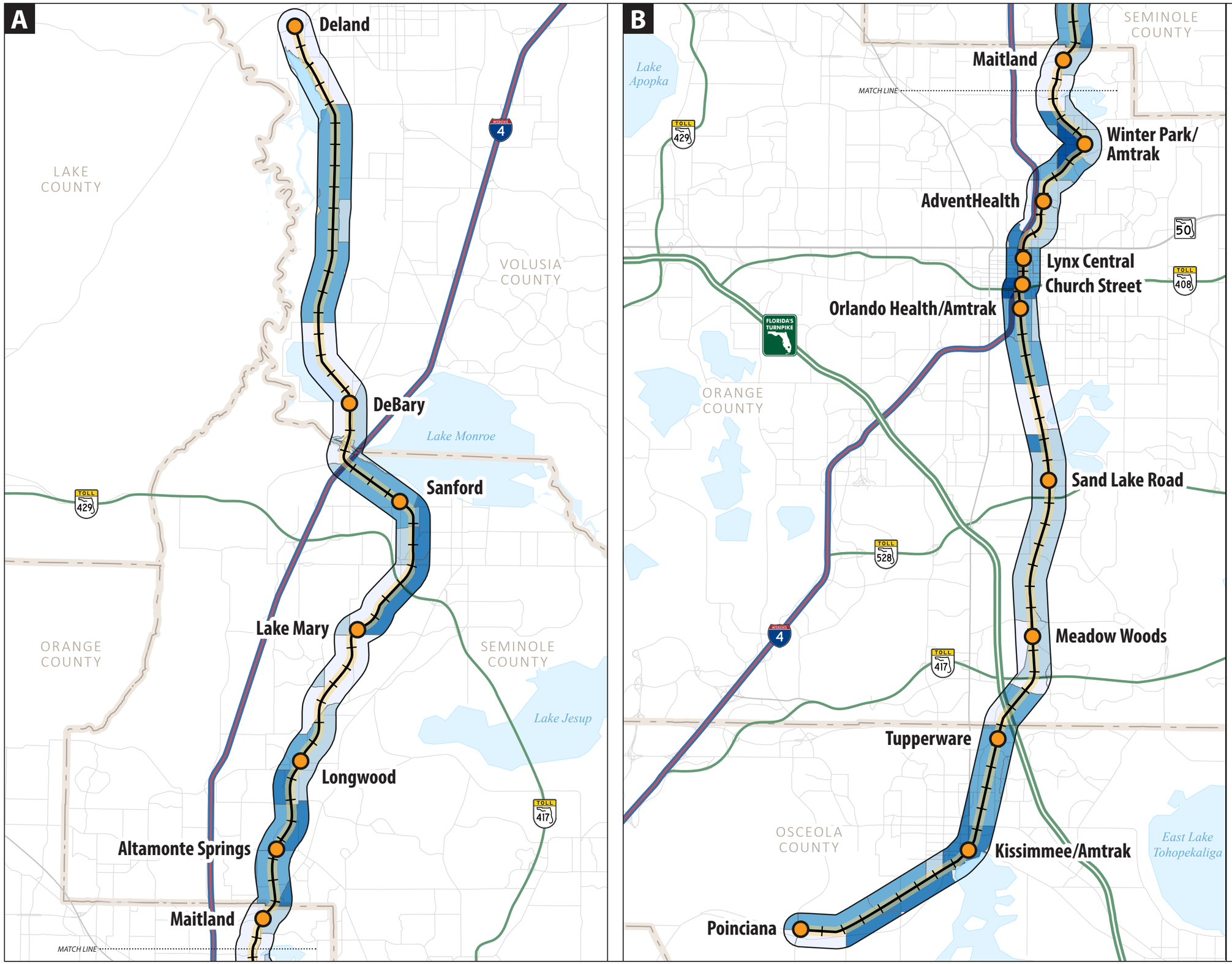
0 1 2 3 4 5

APPROXIMATE SCALE IN MILES

Map Sources: County of Orange, FL, Seminole County GIS, FDEP, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, NASA, and NGA.

FIGURE 3

Percent of Individuals Below Poverty Level (Low Income)



LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- 1/2-mile Corridor Buffer

Percent of Population with No Vehicle Available (Transportation Disadvantaged)

- 0.0 – 1.9
- 2.0 – 4.9
- 5.0 – 9.9
- 10.0 – 19.9
- 20.0 – 36.3

Data Sources: FDOT, FGDL, and ACS 2022.

N

0 1 2 3 4 5

APPROXIMATE SCALE IN MILES

Map Sources: County of Orange, FL, Seminole County GIS, FDEP, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, NASA, and NGA.

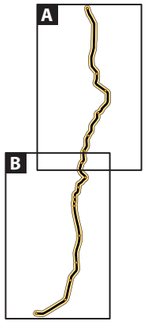
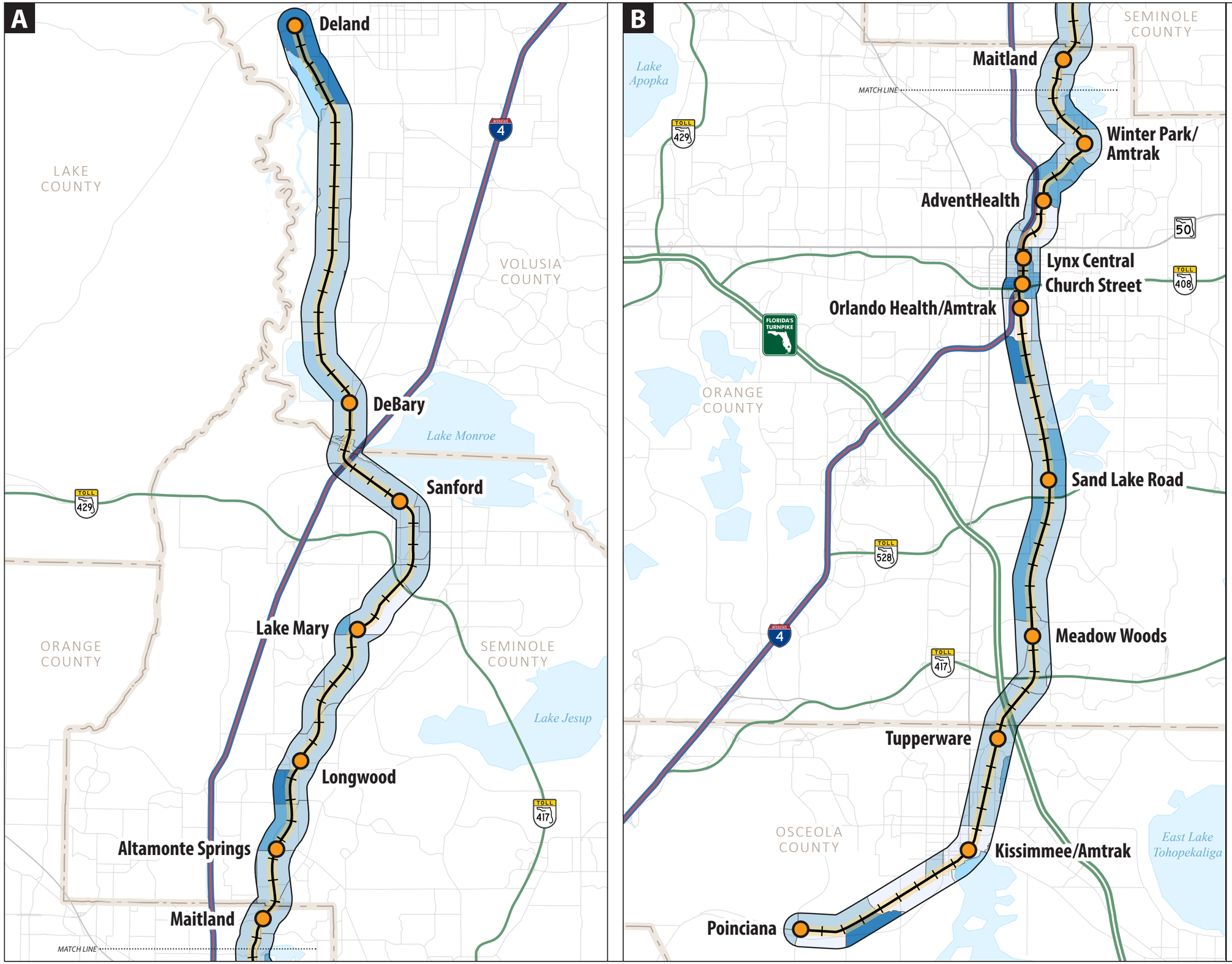


FIGURE 4

Percent of Population with No Vehicle Available



LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- 1/2-mile Corridor Buffer

Percent of Population that is 65 Years or Above (Elderly)

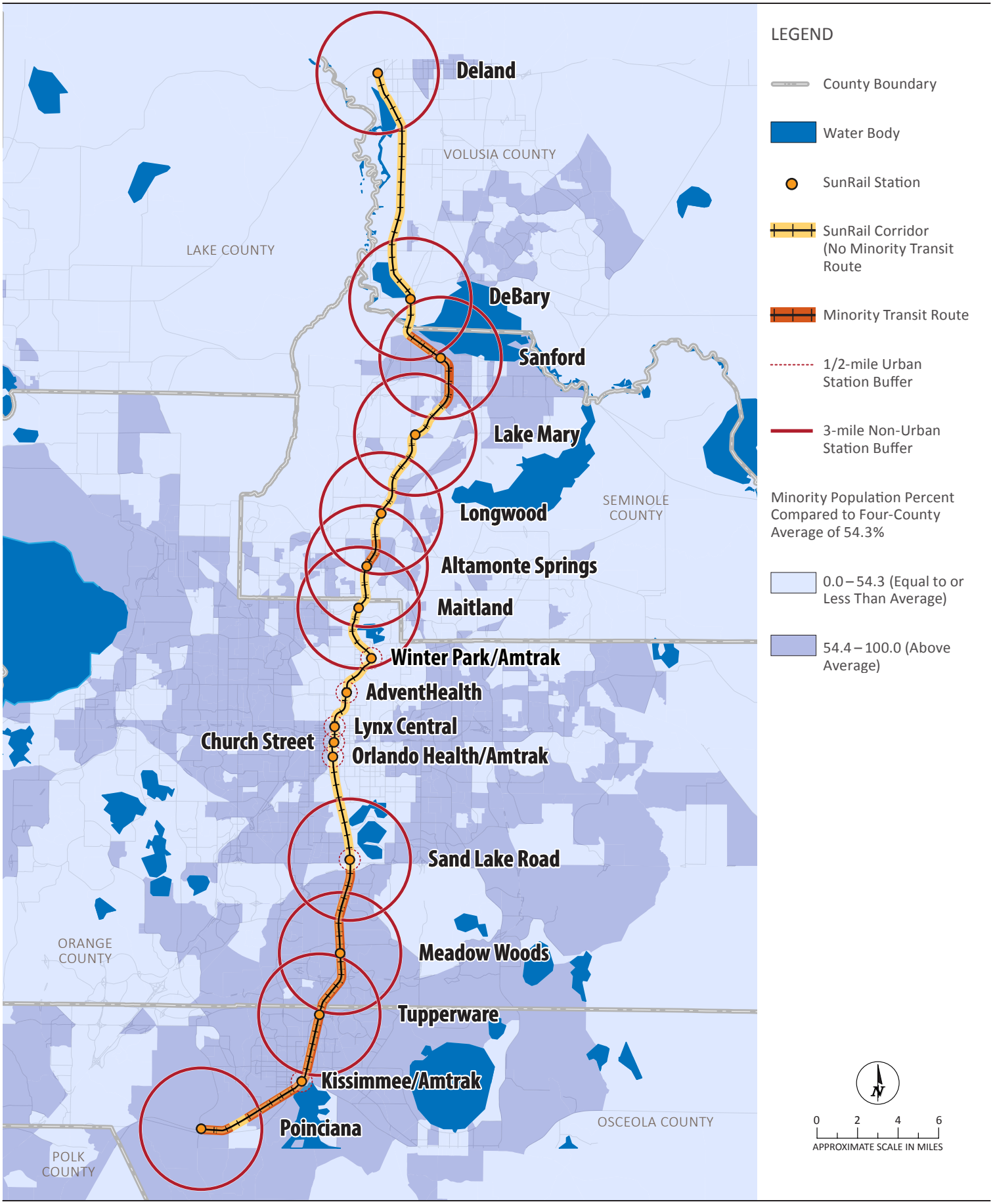
- 0.0 – 5.0
- 5.0 – 15.0
- 15.0 – 25.0
- 25.0 – 35.0
- 35.0 – 42.9

Data Sources: FDOT, FGDL, and ACS 2022.

0 1 2 3 4 5
APPROXIMATE SCALE IN MILES

Map Sources: County of Orange, FL, Seminole County GIS, FDEP, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, NASA, and NGA.

FIGURE 5
Percent of Population that is 65 or Above (Elderly)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: County of Orange, FL; Seminole County GIS; FDEP; Esri; TomTom; Garmin; SafeGraph; FAO; METI/NASA; USGS; EPA; NPS; and USFWS.

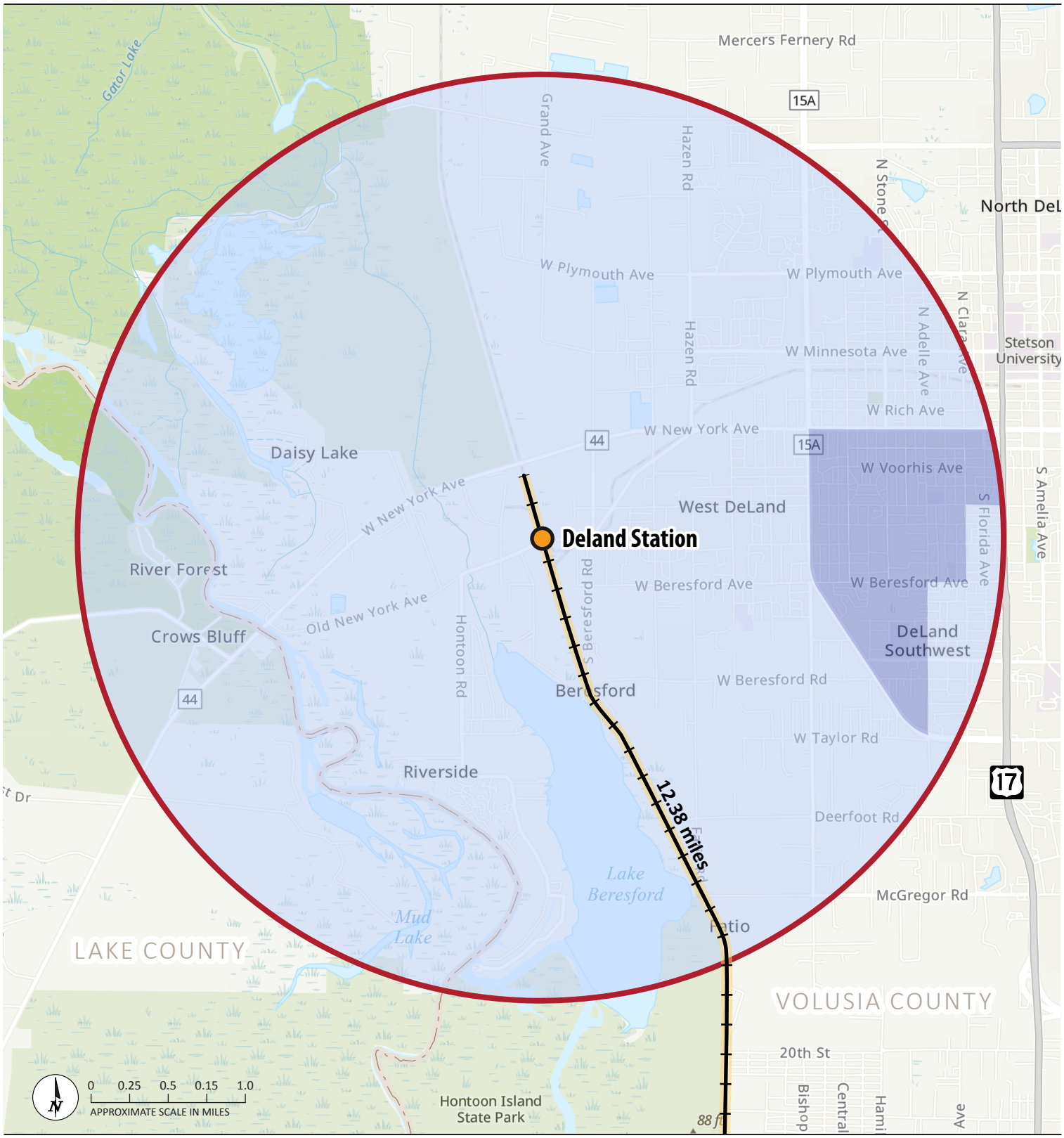
FIGURE 6
Minority Transit Routes

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

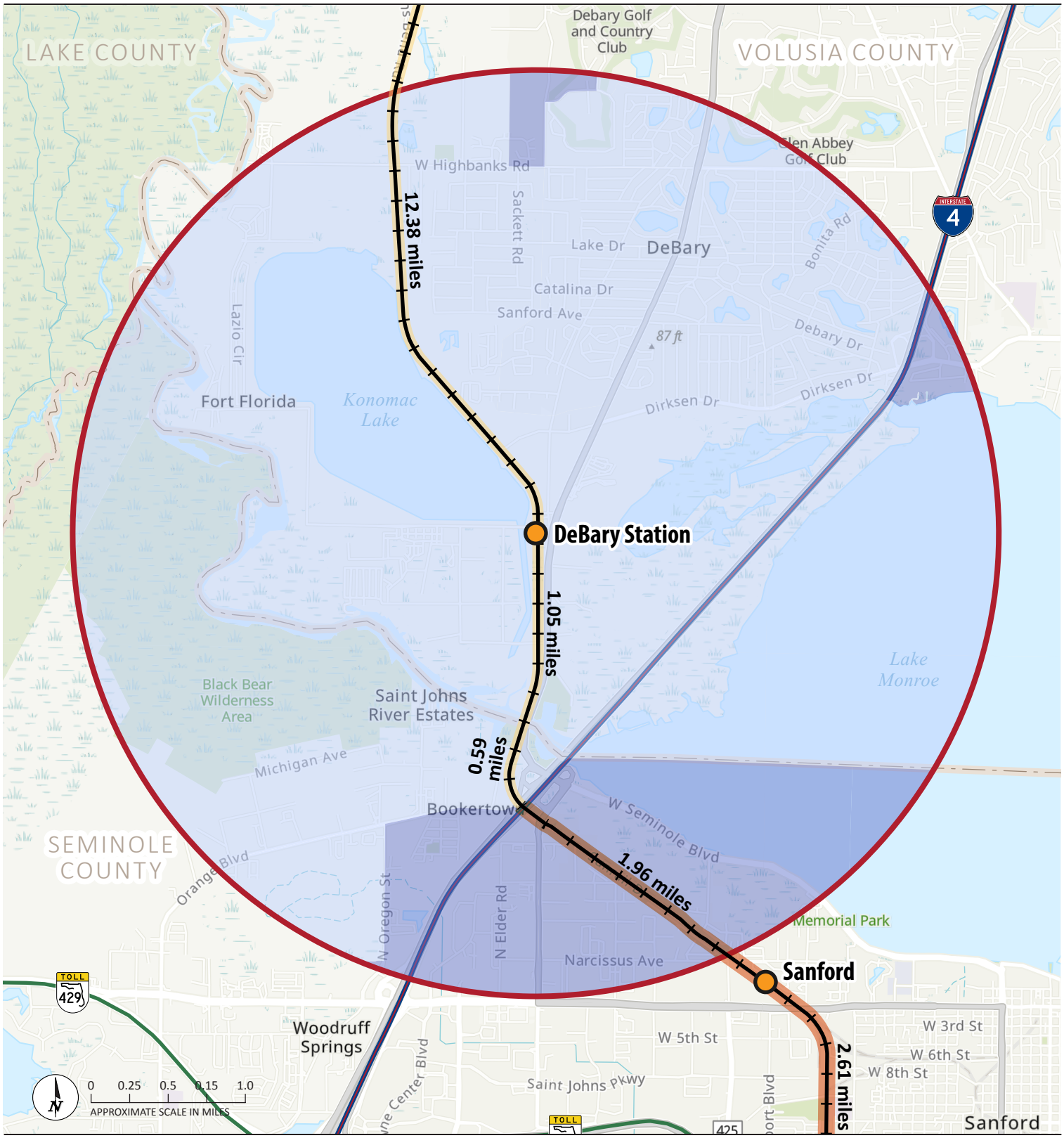
FIGURE 7
Minority Transit Routes–Deland Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Seminole County GIS; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

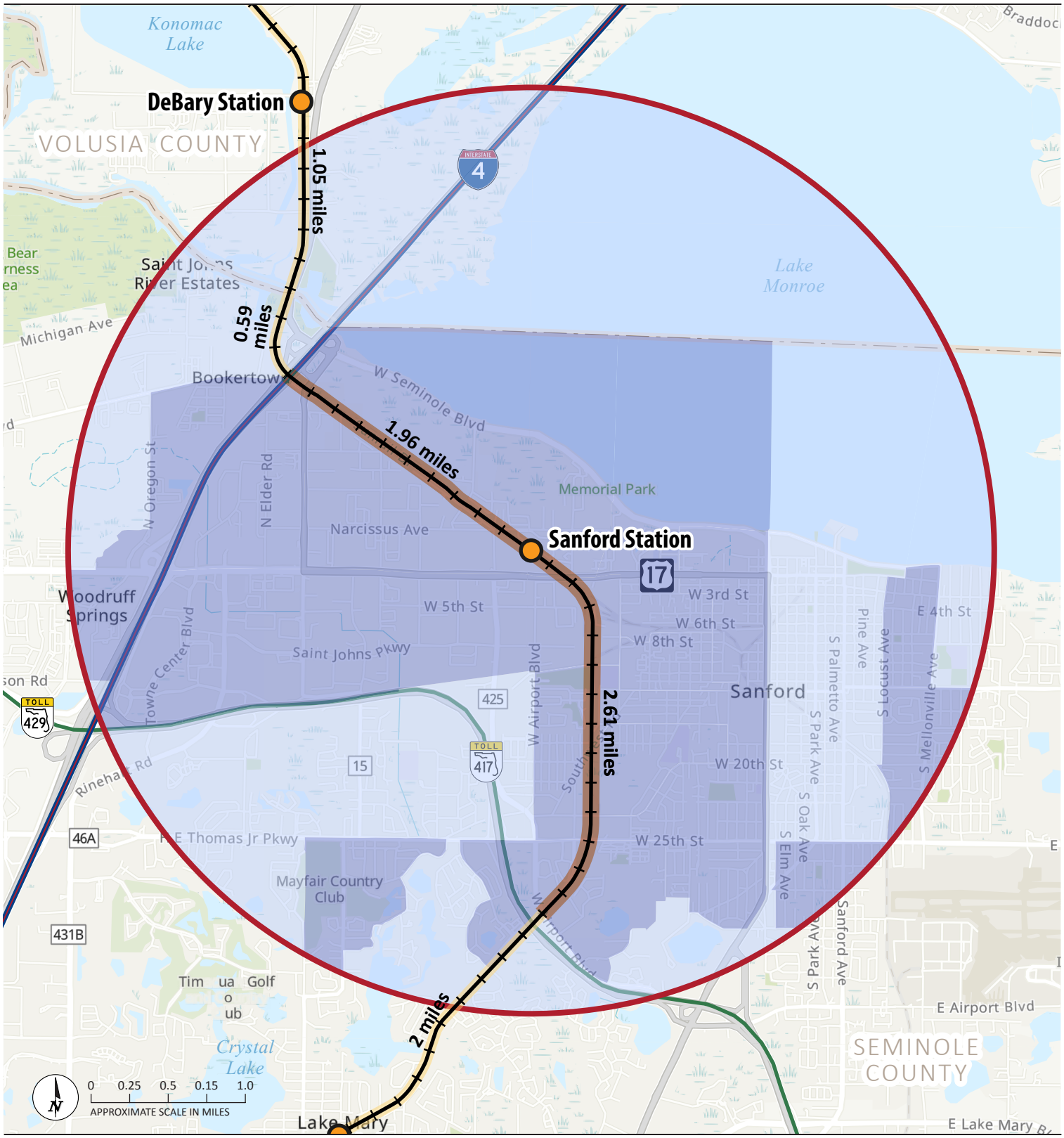
FIGURE 8
Minority Transit Routes–DeBary Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Seminole County GIS; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

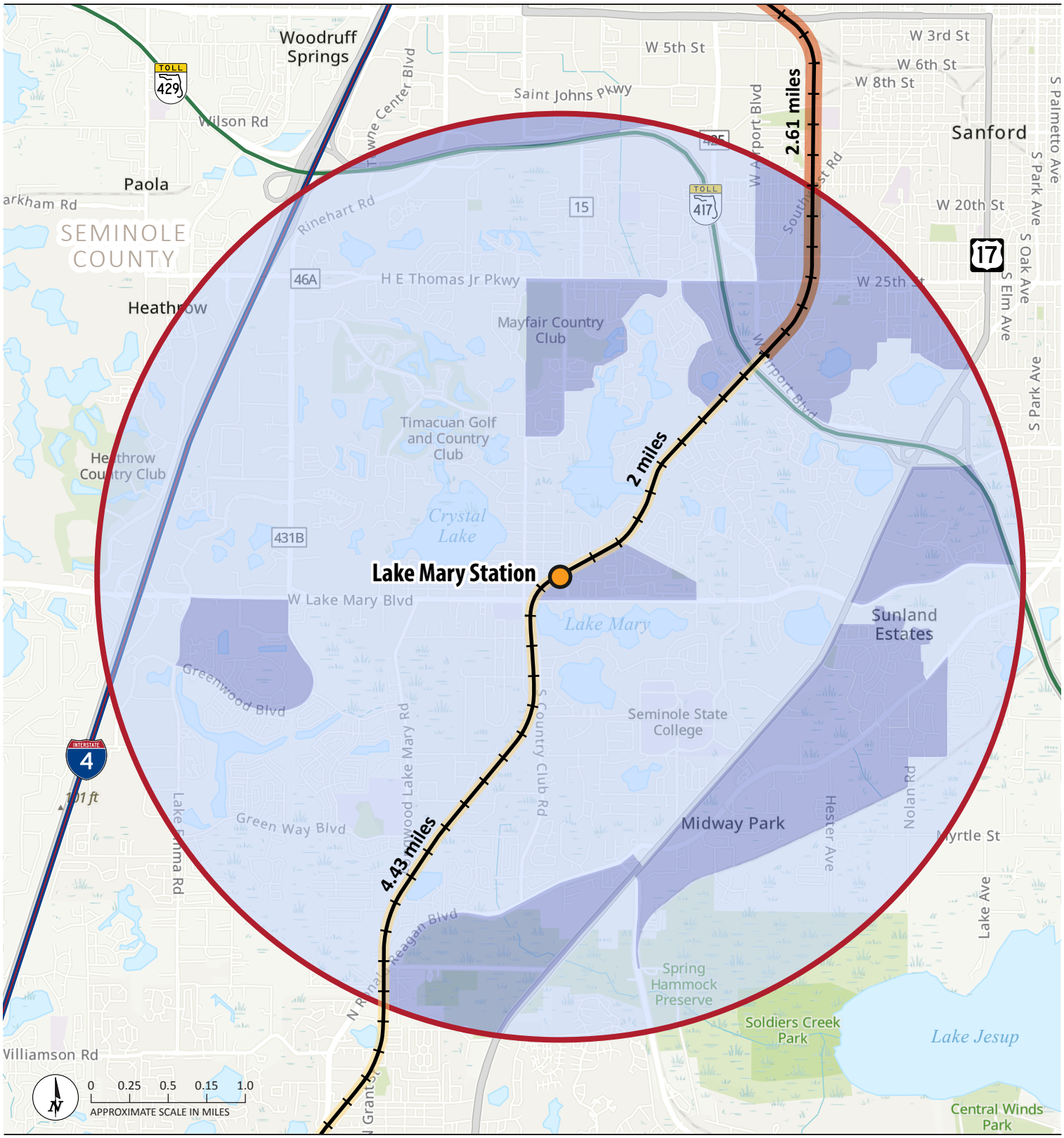
FIGURE 9
Minority Transit Routes–Sanford Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: County of Orange, FL; Seminole County GIS; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

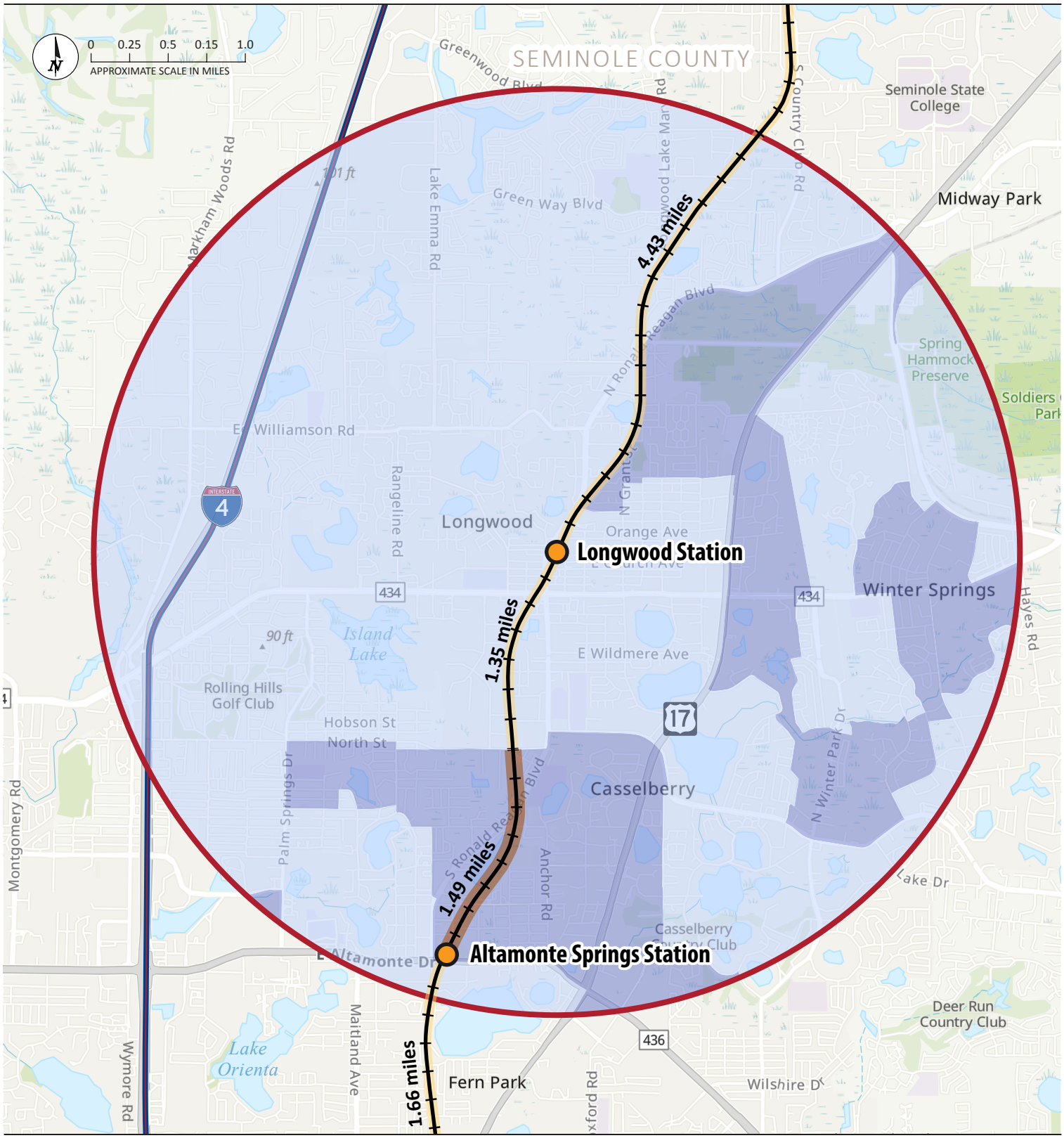
FIGURE 10
Minority Transit Routes–Lake Mary Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: County of Orange, FL; Seminole County GIS; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

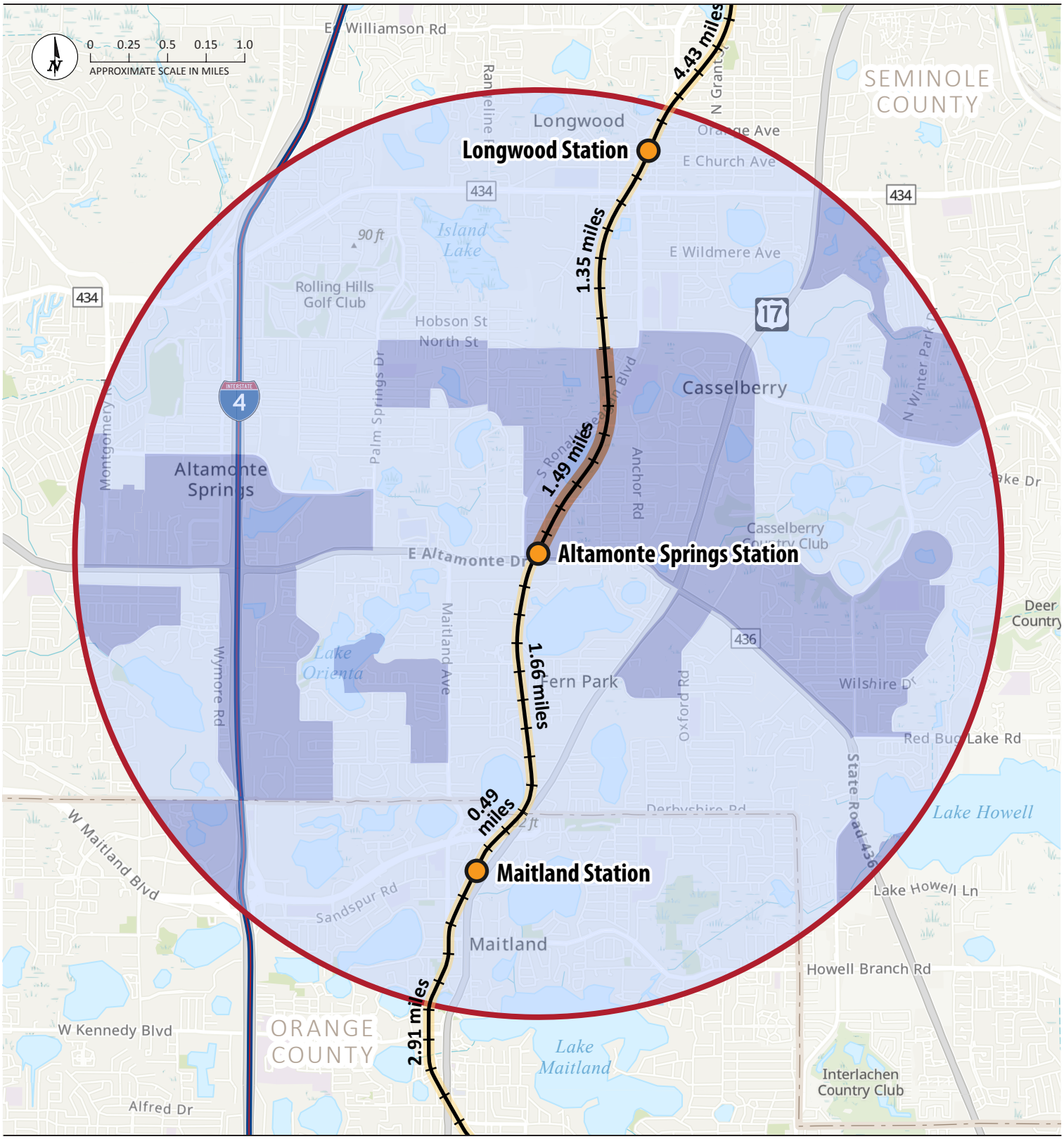
FIGURE 11
Minority Transit Routes–Longwood Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: County of Orange, FL; Seminole County GIS; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

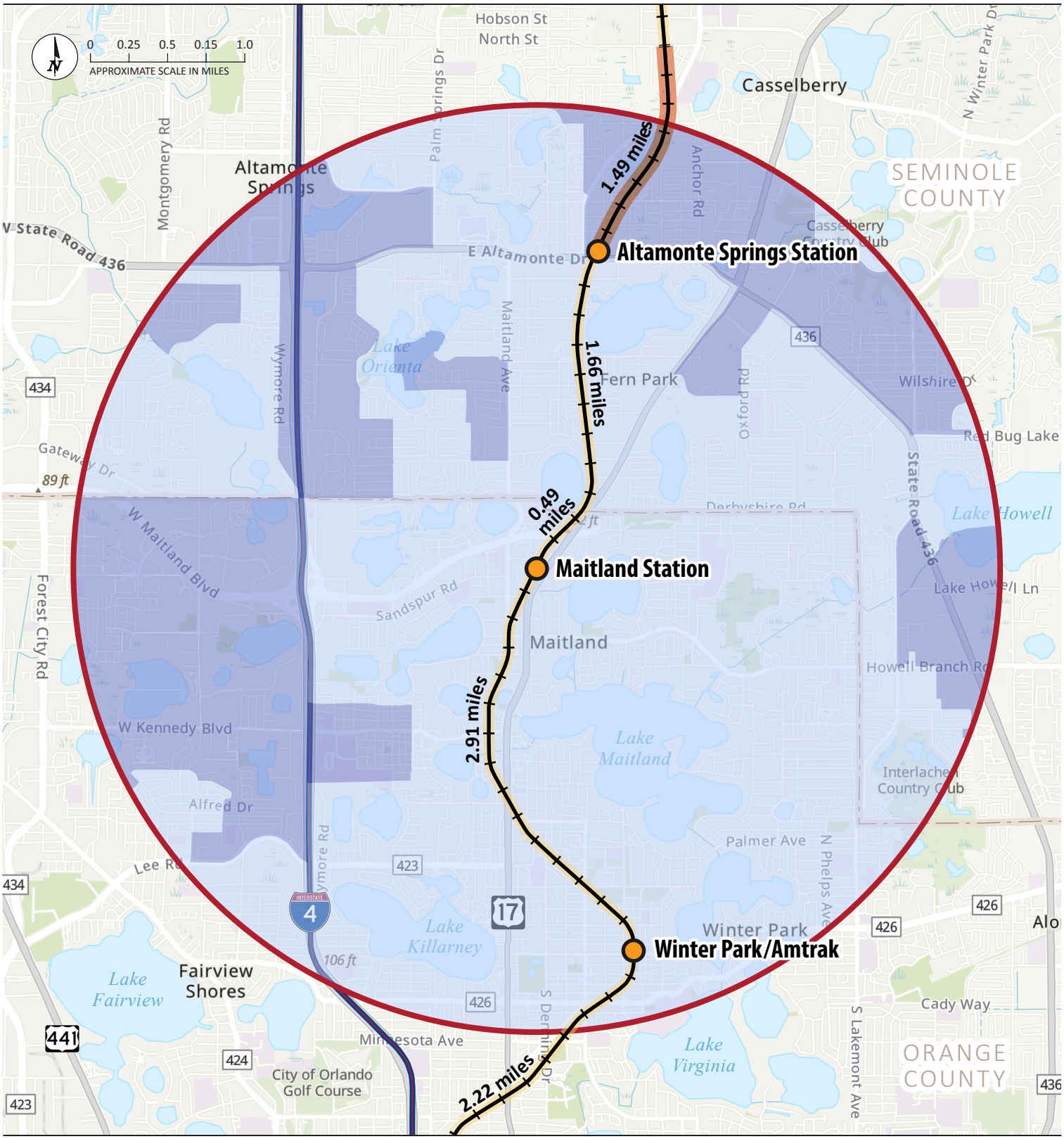
FIGURE 12
Minority Transit Routes–Altamonte Springs Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: County of Orange, FL; Seminole County GIS; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

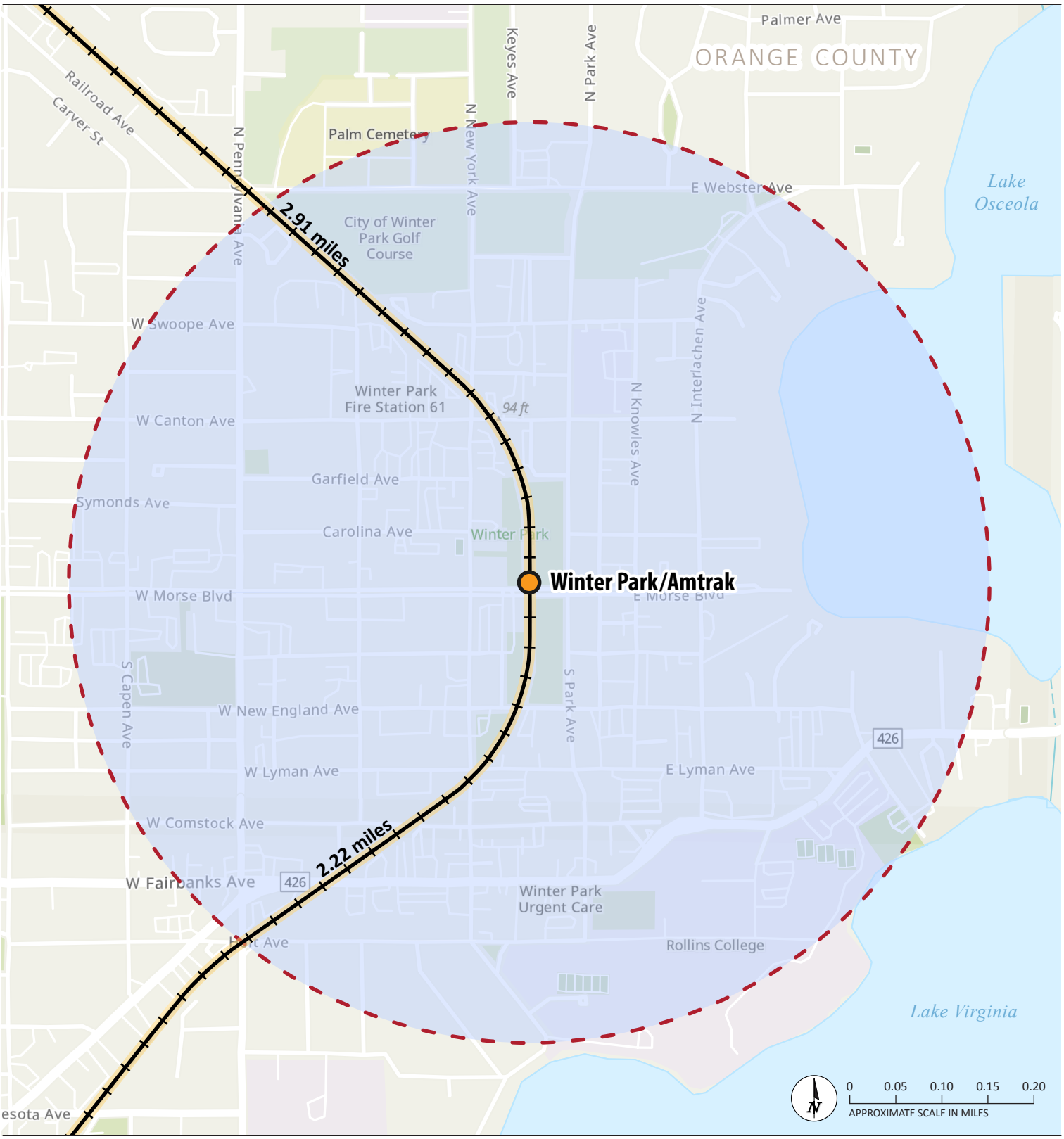
FIGURE 13
Minority Transit Routes–Maitland Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Esri Community Maps Contributors; County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; US Census Bureau; USDA; and USFWS.

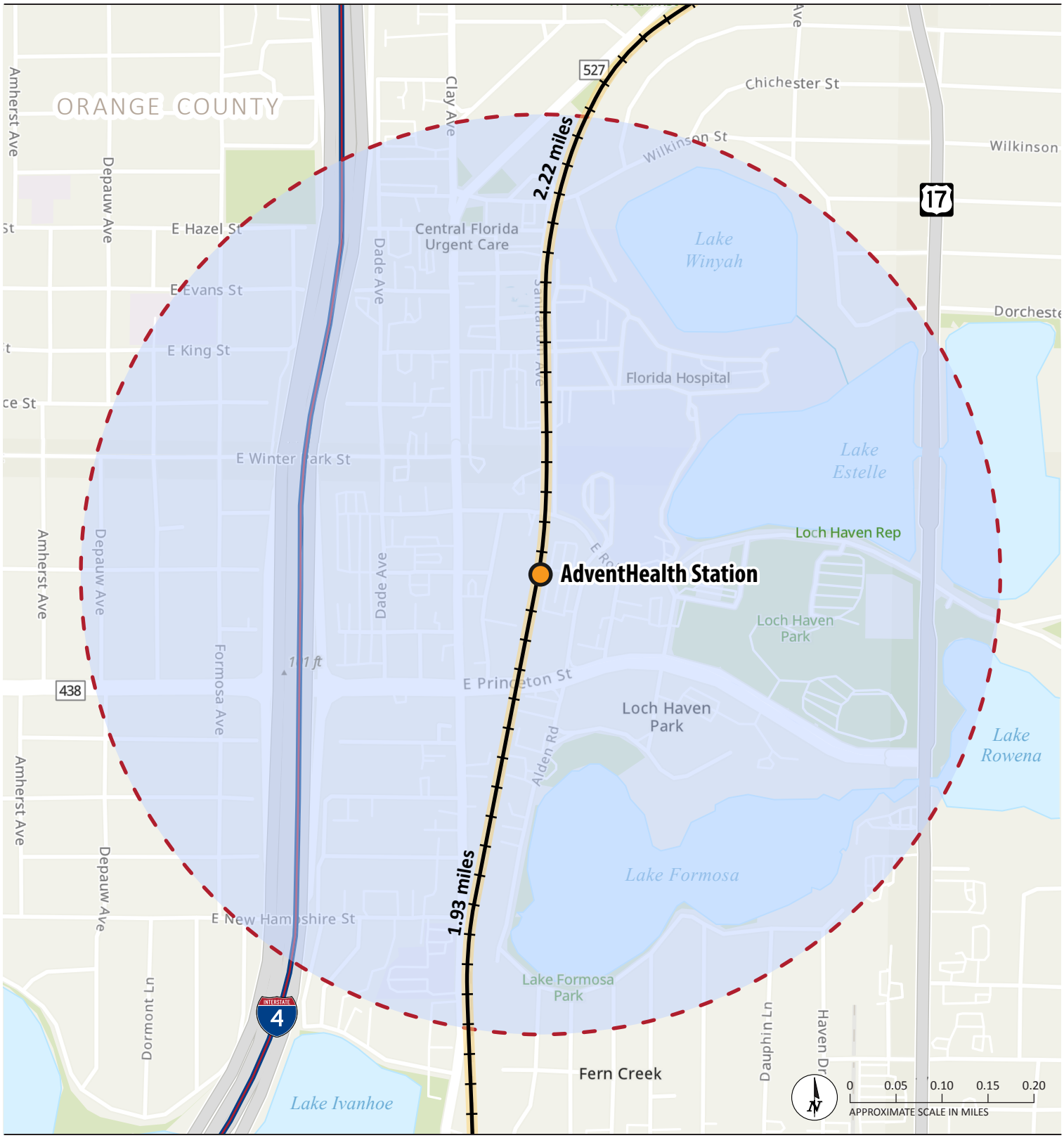
FIGURE 14
Minority Transit Routes–Winter Park Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Esri Community Maps Contributors; County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; US Census Bureau; USDA; and USFWS.

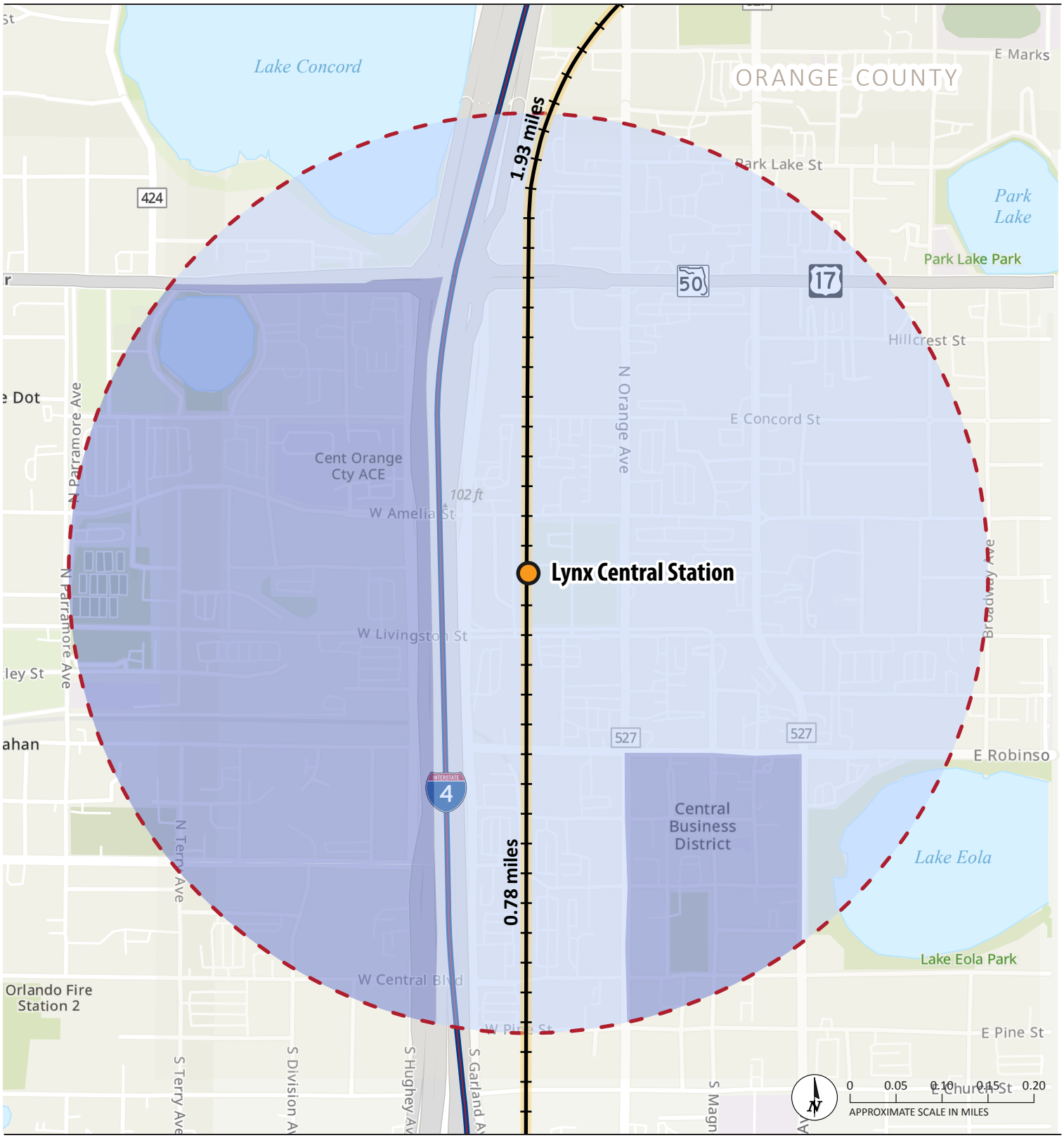
FIGURE 15
Minority Transit Routes–AdventHealth Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Esri Community Maps Contributors; County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; US Census Bureau; USDA; and USFWS.

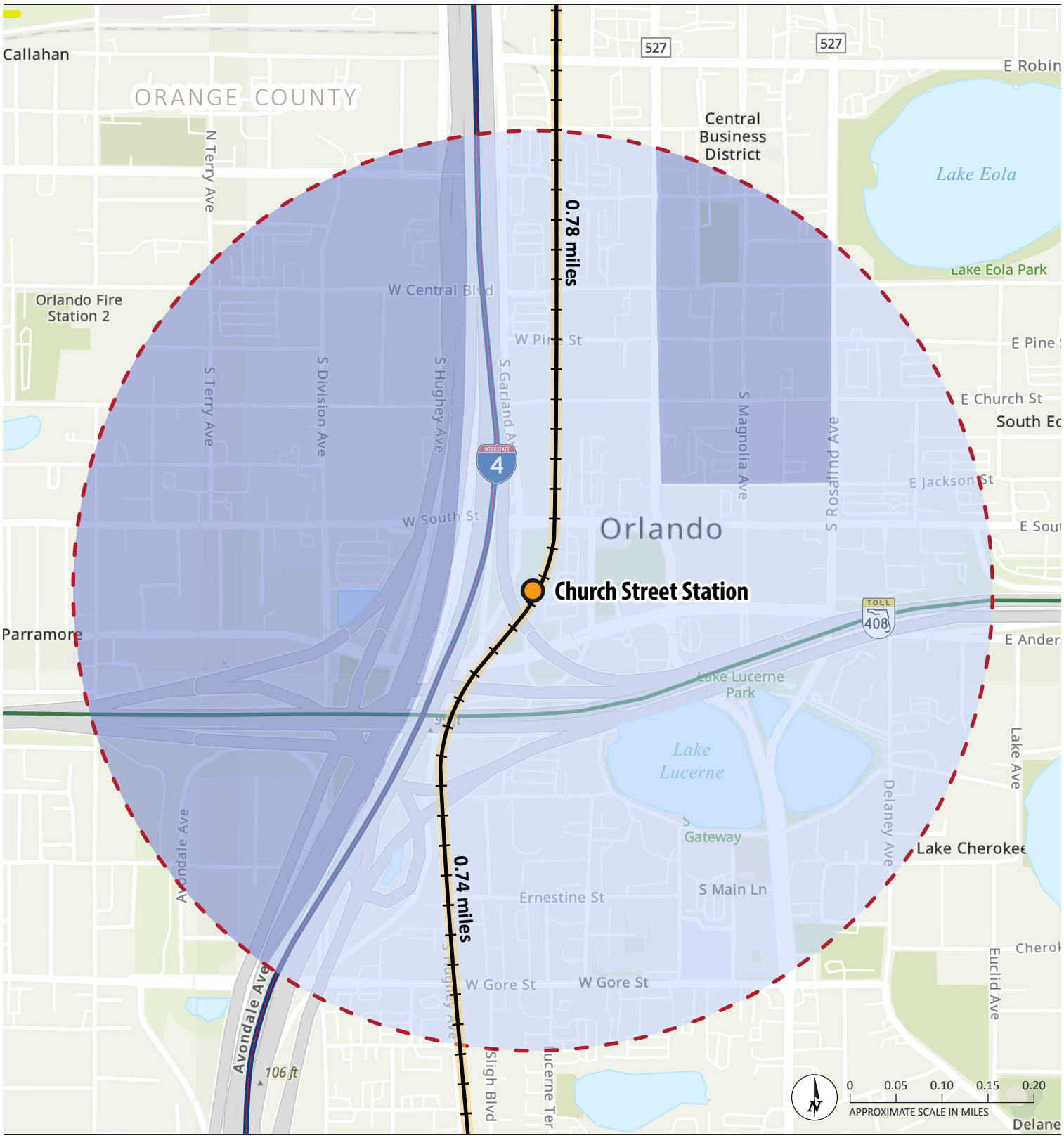
FIGURE 16
Minority Transit Routes–Lynx Central Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Esri Community Maps Contributors; County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; US Census Bureau; USDA; and USFWS.

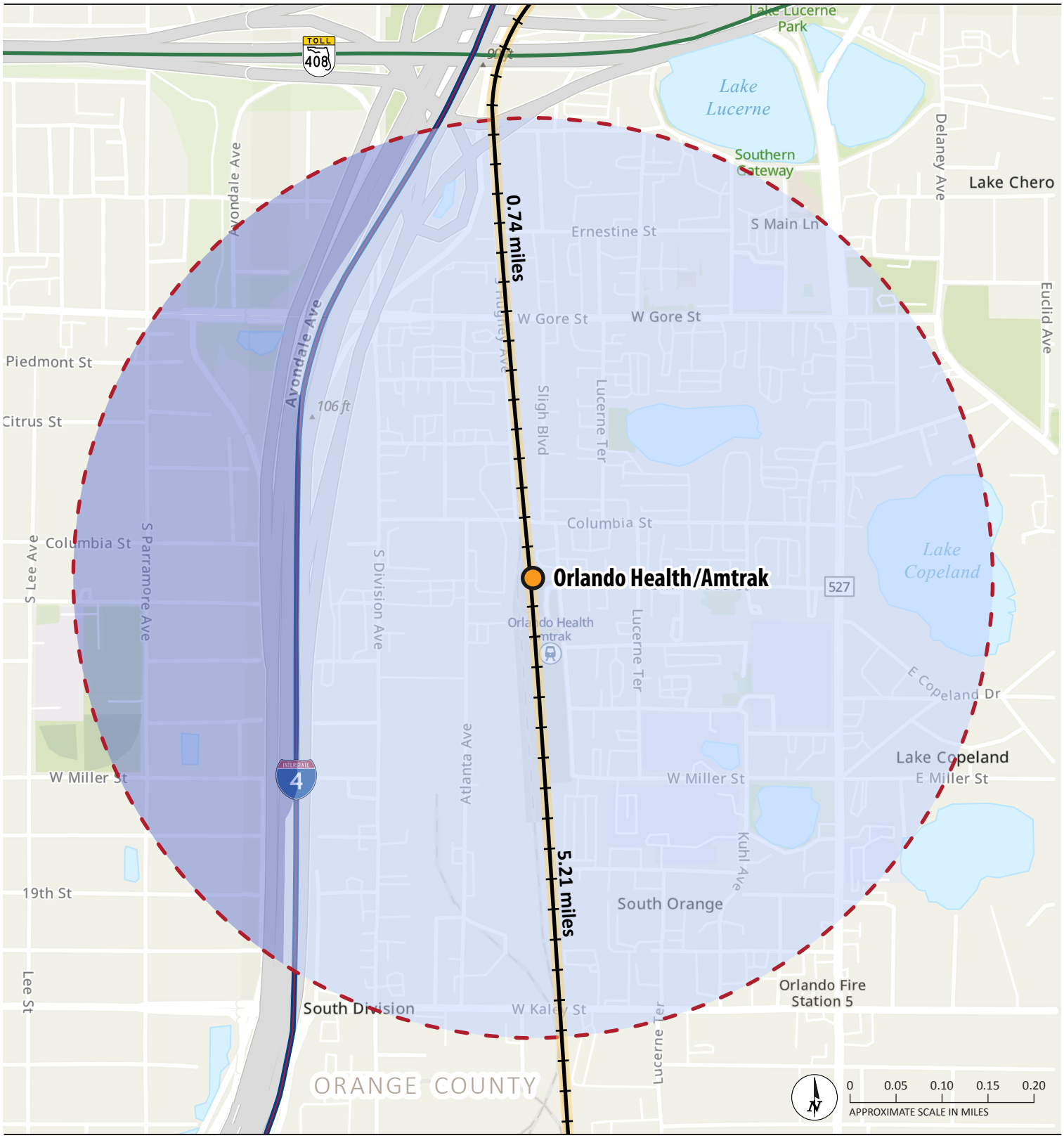
FIGURE 17
Minority Transit Routes–Church Street Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Esri Community Maps Contributors; County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; US Census Bureau; USDA; and USFWS.

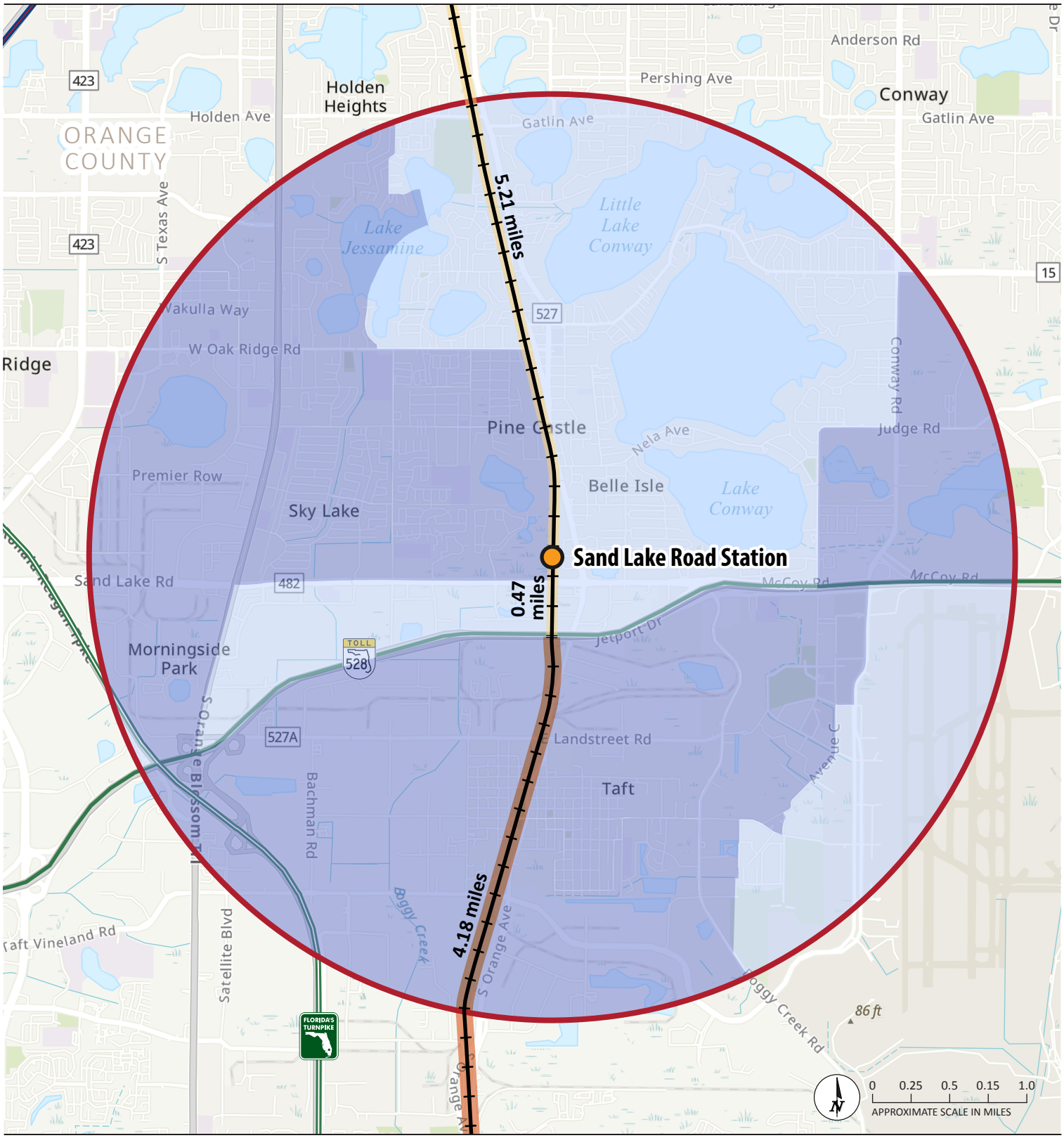
FIGURE 18
Minority Transit Routes–Orlando Health Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

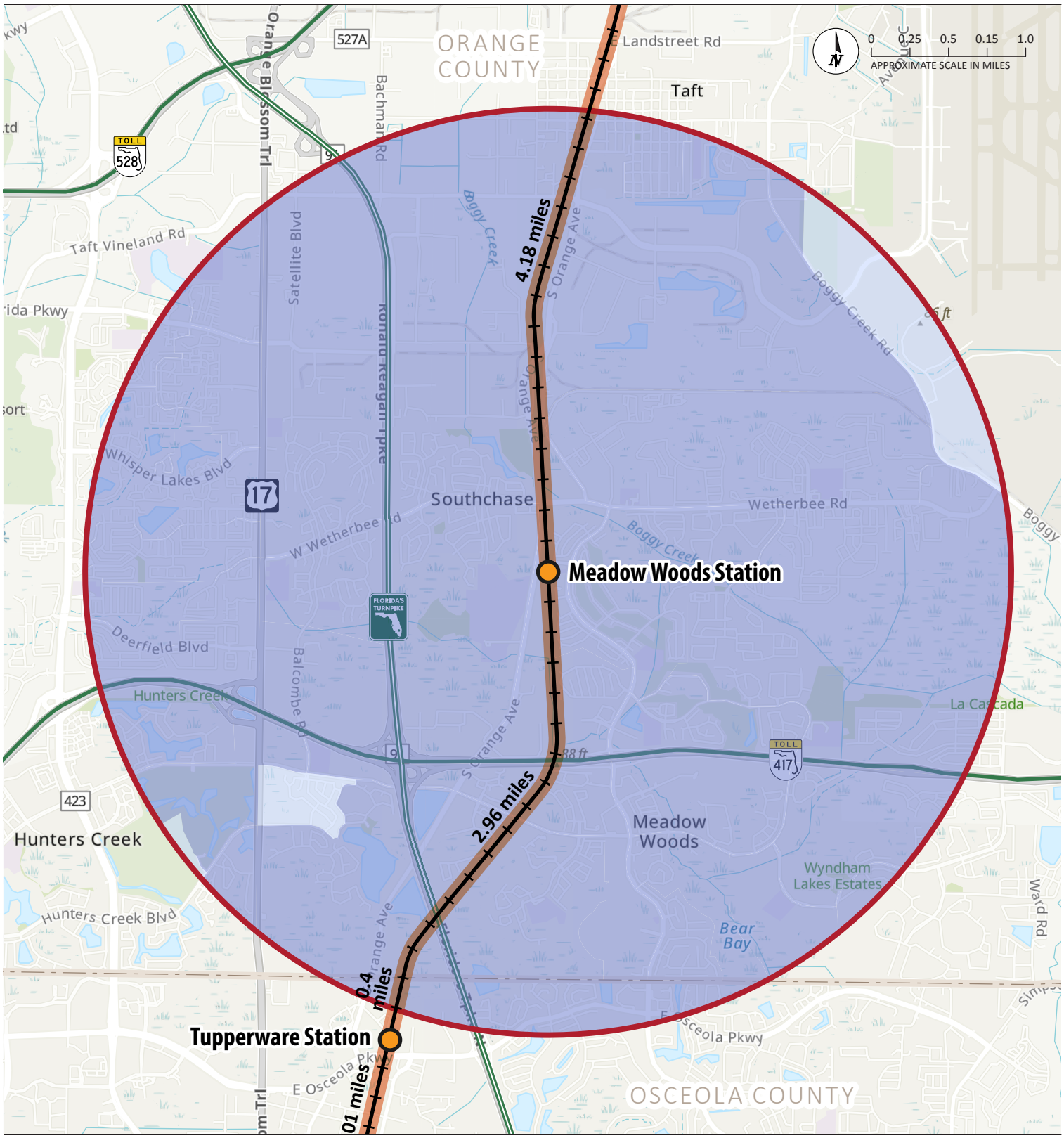
FIGURE 19
Minority Transit Routes–Sand Lake Road Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

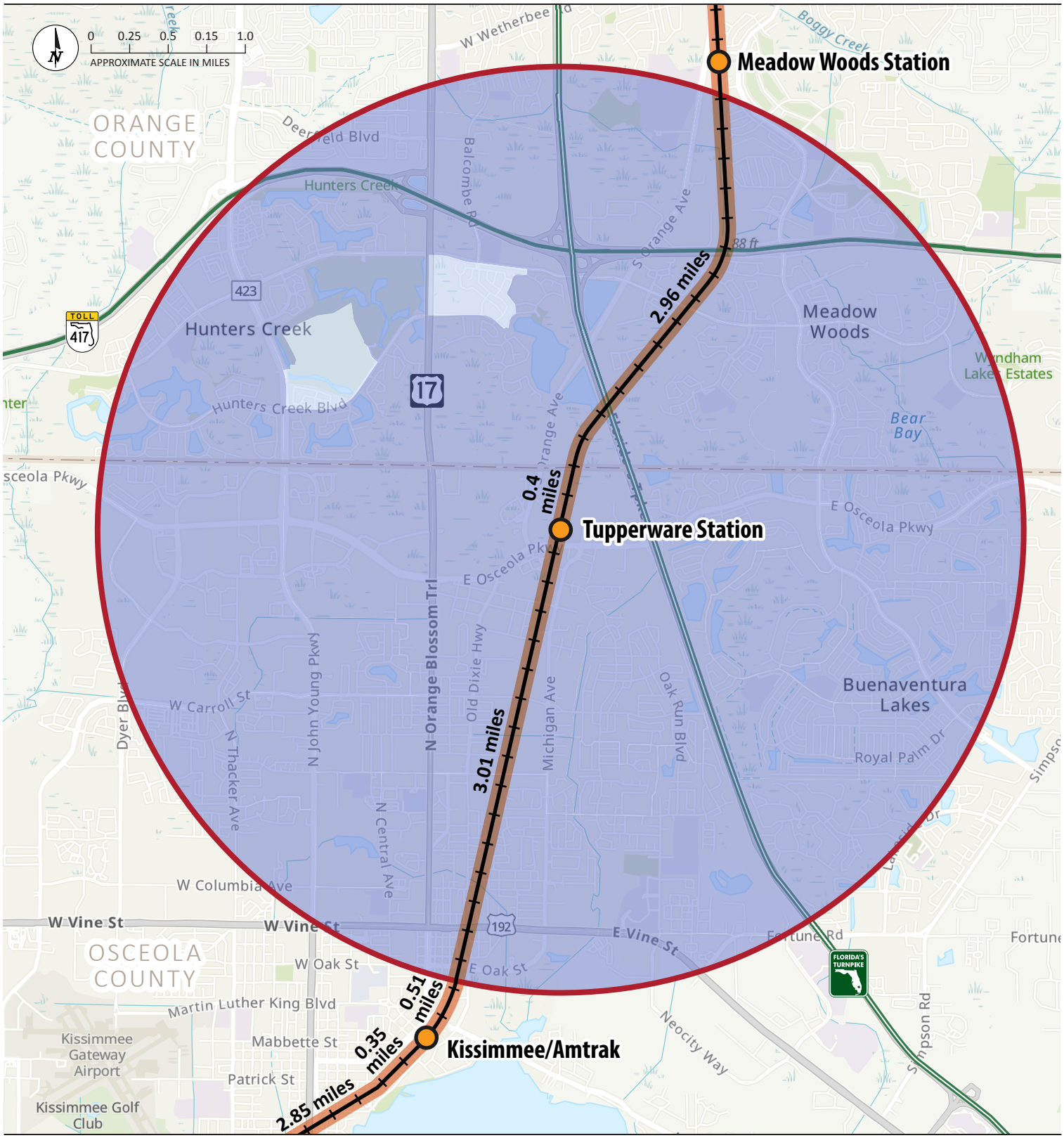
FIGURE 20
Minority Transit Routes–Meadow Woods Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

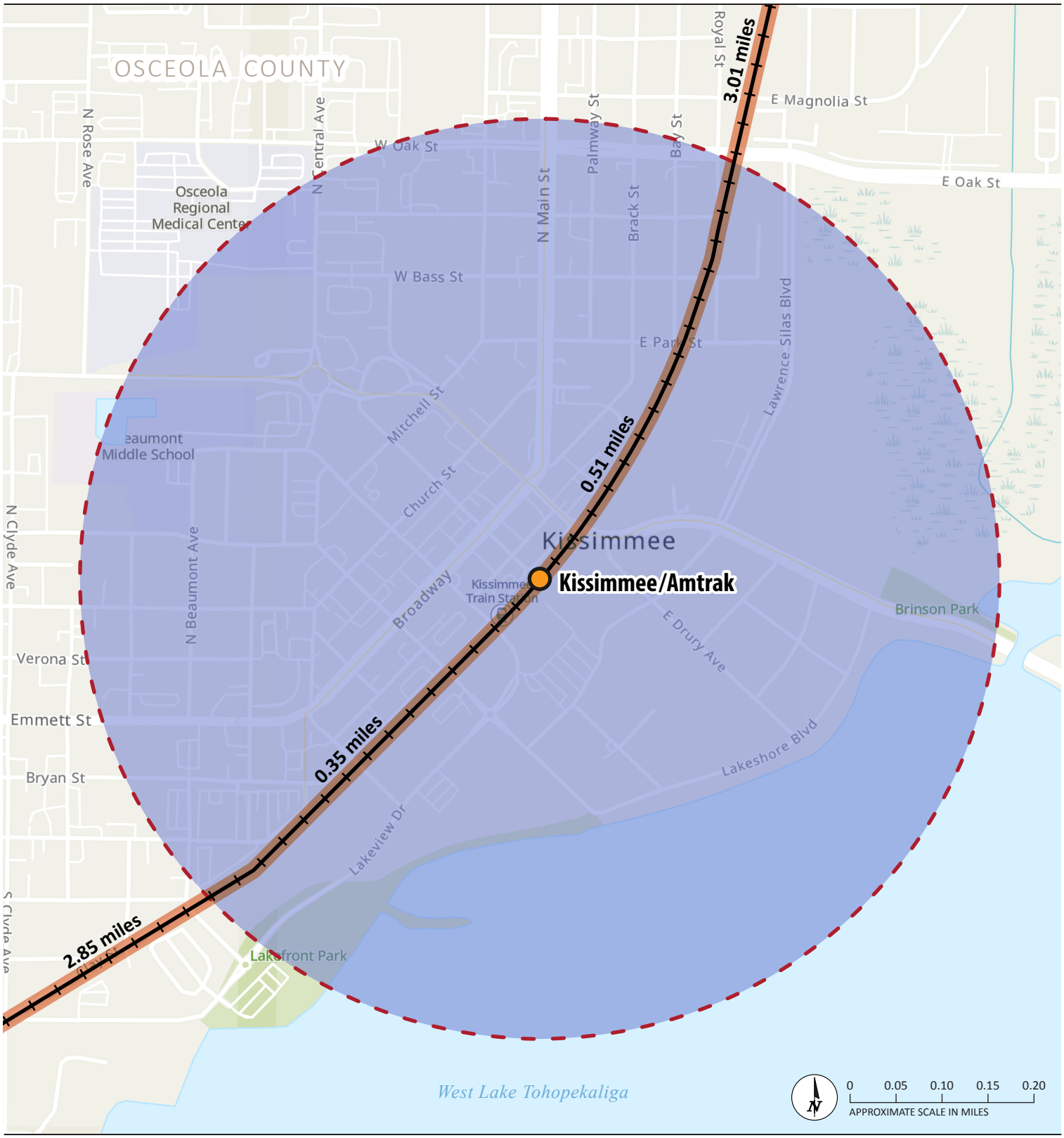
FIGURE 21
Minority Transit Routes–Tupperware Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: Esri Community Maps Contributors; County of Orange, FL; FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; US Census Bureau; USDA; and USFWS.

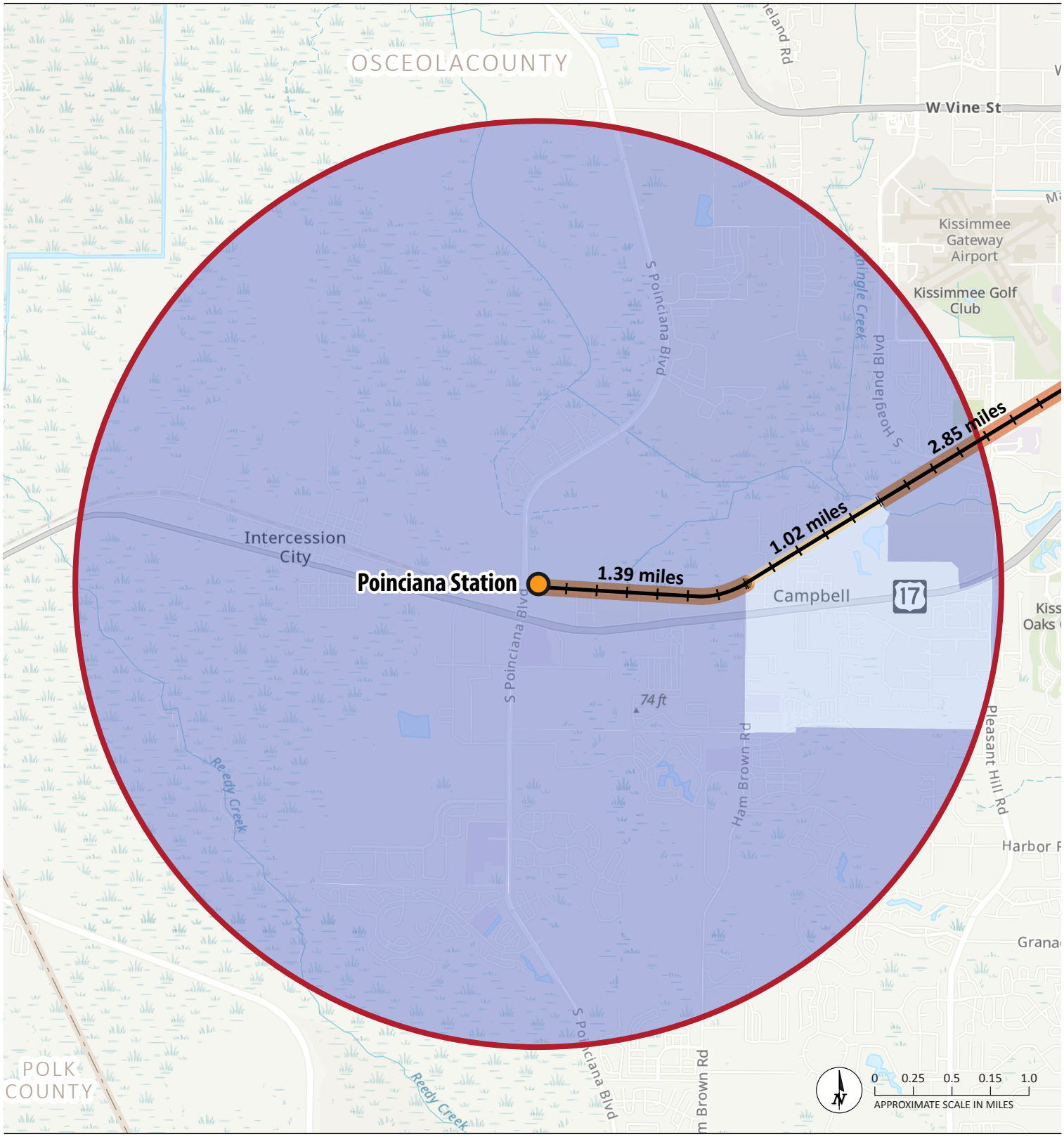
FIGURE 22
Minority Transit Routes–Kissimmee Station

LEGEND

- County Boundary
- SunRail Station
- SunRail Corridor
- Minority Transit Route
- 1/2-mile Urban Station Buffer
- 3-mile Non-Urban Station Buffer

Minority Population Percent Compared to Four-County Average of 54.3%

- 0.0 – 54.3 (Equal to or Less Than Average)
- 54.4 – 100.0 (Above Average)



Data Sources: FDOT, FGDL, and ACS 2022.

Map Sources: FDEP; Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc; METI/NASA; USGS; EPA; NPS; USDA; and USFWS.

FIGURE 23
Minority Transit Routes–Poinciana Station

APPENDIX F

Central Florida Commuter Rail Transit Fare Policy, Equipment & Implementation Plan

Florida Department of Transportation
District V

CENTRAL FLORIDA
COMMUTER RAIL TRANSIT

FARE POLICY, EQUIPMENT AND IMPLEMENTATION PLAN
Version 1.2

Prepared by:
HDR Engineering, Inc.
1100 Peachtree St., Suite 400
Atlanta, Georgia 30309

Submittal Date:
December 2013

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1.0 INTRODUCTION

The purpose of developing a fare policy is to establish a fare structure, which includes pricing, selection of fare collection and payment methods for a transit system. Fare policy has a direct affect on ridership and revenue. Creating an effective fare policy and structure can increase ridership and improve the effectiveness of the system.

The Central Florida Commuter Rail Transit (CFCRT) Fare Policy, Equipment and Implementation Plan will serve as a guide for the Florida Department of Transportation (FDOT) to develop a fare system for the CFCRT, with revenue service projected to commence in Spring of 2014. The establishment of a fare policy will require regional coordination with the other transit providers, including Central Florida Regional Transportation Authority (LYNX) and Volusia County's Votran.

There are four fundamental parameters that are generally related to the planning, design, implementation and application of fare decisions: fare policy, fare strategy and fare structure, fare payment technology and equipment, and implementation responsibilities.

- **Fare policy** identifies goals and priorities that will guide FDOT in setting and collecting fares.

- **Fare strategy and structure** refers to a general fare collection and payment structure approach (i.e., flat fare, differential pricing market-based or discounted payment options, and transfer pricing) and recommended fare levels (full fares and discounted fares based on ridership groups).

- **Fare payment technology and equipment** refers to the type of fare payment media (i.e., cash, token, paper ticket, stored value cards) and the specific fare collection equipment required to distribute and collect a system's various fare media.

- **Implementation Responsibilities** defines the roles and responsibilities of FDOT, its partners, other transit providers and contractors in developing and implementing the fare program.

The CFCRT fare policy, equipment and implementation plan are described in the following chapters:

2.0 Fare Policy Goals and Priorities
3.0 Recommended Fare Structure
4.0 Fare Equipment Technology and Media
5.0 Recommended Fare Procedures
6.0 Organization Roles and Responsibilities
7.0 Security
8.0 Customer Service
9.0 Reporting Requirements
10.0 Implementation Issues

2.0 FARE POLICY GOALS AND PRIORITIES

There are specific goals (customer-related, financial, and institutional) that are widely used in setting fare policies for transit systems. These goals, identified below, are the basis of the recommended fare policy. FDOT should emphasize customer-related goals that relate to how the fare structure and system will be perceived and used when attracting riders to the new system. Equally important is for FDOT to consider a fare policy that will attract existing riders on the LYNX and Votran systems that may use CFCRT as part of their commute. Financial goals should be developed that attempt to reduce the costs associated with fare collection, and that ensure potential revenue is maximized. Institutional goals regarding regional connectivity should target reducing the complexity of new transit system integration.

Customer-Related Goals:

- *Increase ridership*: To maximize ridership subject to charging a maximum acceptable fare.

- *Maximize social equity:* To ensure equivalent levels of mobility for equivalent fares, by ensuring that those riders most in need of the service and with the least ability to pay are not adversely affected by the fare structure or any future adjustments.

- *Increase ease of use and reduce complexity:* To provide a fare system (policy, pricing structure, and fare equipment) that is fairly simple and easily understood and utilized by customers.

- *Increase fare options*: To improve the ability of customers to choose a fare option that best meets their needs by offering a range of options (i.e., prepaid and discounted options).

Financial Goals:

- *Increase revenue:* To maximize revenue and/or to acheive a specific revenue target while minimizing the accompanying ridership loss.

- *Reduce fare collection costs:* To reduce costs associated with selling prepaid fare media, as well as the reduction of collecting and counting farebox revenues costs.

- *Reduce fare abuse/evasion; improve revenue control:* To increase revenue by establishing measures to prevent riders from underpaying the fare or not paying the fare at all. Developing revenue controls and security features to reduce employee fraud, theft, and the mishandling of fare revenue will help increase revenue and agency accountability.

Institutional Goals:

- *Improve modal and regional connectivity:* To improve connections between different modes in a system (i.e., automobile, local bus, circulators express bus, rail) and different transit providers in the region to promote seamless transit travel.

- *Maximize ease of implementation:* To decrease the difficulty in introducing the new fare system and the complexity of the fare structure and equipment in order to ensure acceptance by the general public and elected officials. This goal also relates to how adaptable the fare system is to future fare increases and technology upgrades.

- *Achieve farebox recovery ratio goals or requirements:* Achieve an acceptable level of cost-effectiveness as measured by the farebox recovery ratio (passenger revenue ÷ operating costs). This policy could be a goal or target (such as what was assumed in the project's financial plan).

Many fare policy goals can be in competition with each other. For example, a fare strategy that maximizes ridership tends to reduce revenue and cost-effectiveness. Establishing fare policy is a balancing act, in which goals must be prioritized if the policy is to lead to a useful fare structure. Fare elasticity helps identify how riders will respond to fare change, which can affect potential ridership. Many transit systems develop fare structures with differential pricing for services in order to increase revenues and ridership.

After the policy goals are defined, the next step in fare development and evaluation is to establish appropriate evaluation criteria. These criteria facilitate the assessment of the relative merit of each option under consideration. In general, evaluation criteria are derived from the policy goals and customer related, financial and institutional constraints facing the agency.

Various constraints may influence a transit agency's fare-related decision making, which may include lack of sufficient capital or operating funds, need to address multi-jurisdictional issues, or political mandated fare requirements.

3.0 FARE STRUCTURE

A recommended fare structure is included in this section as a basis for FDOT to ultimately develop a fare structure for the CFCRT that will best serve the agency and its customers. The proposed fare structure intent is to balance the fare policy goals described in the previous section and preliminary fare levels to implement for customers to use its service. It is often helpful to examine fare strategies and current pricing levels of other transit agencies when developing a new fare structures. Examples of other similar U.S. commuter rail transit systems are included for comparison to identify approaches that work and are commonly used elsewhere. The CFCRT fare structure should be easy to use and understand, convenient to its customers, and not complex in structure to in terms of administration and fare collection costs.

3.1 Fare Strategy

Fare strategy refers to the general fare collection and payment approaches that transit agencies use in developing a fare structure. Fare strategies generally fall into two basic categories: flat and differentiated. Each fare strategy presents certain advantages and disadvantages; however, these options are not mutually exclusive and, in fact, two or three are often combined within a single fare structure. The different strategy types are summarized as follows:

3.1.1 Flat Fare

The simplest and most common fare strategy is the flat fare. Riders are charged the same fare, regardless of the length of the trip, time of day, speed or quality of service.

Advantages - easy to administer and easy to understand.

Disadvantages – places an inequitable burden on those making short trips, and fare increases may cause a great loss of riders. To mitigate these effects the flat fare strategy often is combined with prepaid fare options.

3.1.2 Service Based Differential

Differentiating fares by mode or by speed (i.e., a higher fare for express service than for local service) is often considered as a means to reflect the higher level of service provided and the higher operating costs of providing express service, which typically has longer trips and only peak period service.

Advantages – relatively easy to understand and is considered more equitable with a higher cost associated with a higher quality service.

Disadvantages – may be unpopular among users of the higher cost service and complicates transfers (e.g., may require payment of an “upgrade” fare in transferring from local to express).

3.1.3 Distance Based or Zonal Pricing

Distance based fares (zonal charges or surcharges beyond a certain distance) are often considered on the basis that riders should pay more for longer trips.

Advantages – should produce the greatest revenue and is considered equitable since a longer trip has a higher cost.

Disadvantages – increases costs for low-income people making long trips such as reverse commute trips to suburban employment centers.

3.1.4 Time Based Differential

A time based (e.g., peak/ off-peak) method of charging is often considered because: 1) the peak period market is generally less sensitive to price and has a greater ability to pay for fare increases; and 2) the costs of providing service and accommodating additional riders are significantly higher in peak hours than in off-peak hours.

Advantages – may increase ridership by encouraging more usage during off-peak times. It could be helpful as part of a comprehensive travel demand management program by shifting some travel demand out of peak periods.

Disadvantages – any shifts in transit riders would be minor, and the experience of most transit agencies has been that peak service requirements and costs are not reduced. There is an increase in complexity for both the rider and the transit agency with cash and paper ticket media. However, magnetic and smart card media can mitigate the difficulties in using and administering the system.

3.1.5 Market Based Pricing

Another type of differentiated pricing strategy widely used by the transit industry is market based, or consumer based pricing. This strategy often is included with the flat fare structure or with any of the other differentiated structures described above. This strategy offers differential fares according to frequency of use and willingness to prepay through the offering of passes and discounted tickets. This is often seen as a way to discriminate price among the different ridership markets (e.g., frequent versus infrequent users), and to reduce cash handling requirements by increasing pre-payment.

Advantages - this strategy is considered equitable, offers some ability to pay less for a trip, is more convenient to customers through prepayment, reduces cash handling by the transit agency, and with fare increases can minimize ridership loss in some market segments.

Disadvantages - it generally produces the least revenue; can have some fare abuse; has the highest fare media production and distribution cost; and requires extensive marketing to maximize ridership.

3.1.6 Deep Discount Pricing

One of the most important elements of market based pricing strategy is offering significant discounts for prepayment of fares, referred to as “deep discount” pricing. The deep discount fare strategy motivates riders to increase their usage by providing major savings on fares by purchasing weekly, monthly and/or multi-ride passes. The provision of prepaid discounted fare options has become quite prevalent in the transit industry, particularly among commuter rail systems which typically make discounted

weekly or monthly tickets available to regular commuters. Discounts are typically provided by two methods:

- Weekly and monthly passes provide for unlimited rides at a set price during that specific time period pass price, which provide daily user a discount compared to paying a cash fare every day.

- Multi-ride tickets are often intended for occasional, but not everyday, users. A ticket-book of ten tickets might be discounted by 10 percent or more. The tickets could be used at any time.

Advantages of deep discounting include:

- The ability to optimize ridership and revenue, by encouraging increased usage among passengers who are relatively price-sensitive, and collecting higher fares from passengers who are less price-sensitive.

- Experience with pass usage shows that passengers who use passes tend to make more trips by transit than they would if they were paying single fares.

- Making a single purchase for a period of time instead of twice-daily cash transactions is much more convenient for the passenger, and reduces processing costs for the transit agency.

Disadvantages of deep discounting include:

- Increased complexity: each additional payment option increases the potential for confusion among both existing and prospective riders. Additional options may mean more administrative and operating costs to monitor, market, produce and distribute the additional fare media.

- While the discounted option is designed to offer a break to those who do not wish to pay the higher cash fare, taking advantage of the discount requires an initial payment that is higher than the cash fare.

- Use of passes may lead to illegal sharing of passes and counterfeiting.

- “Lost revenue” from high frequency use.

3.1.7 Transfer Pricing and Policy

Transfer pricing and policy are major issues that relate to both the pricing and convenience of transit service. The basic pricing options for transfers are as follows:

- Free transfers.

- Low-priced transfers (i.e., 10-25 percent of the full cash fare).

- No transfers (i.e., a full fare for each boarding); some systems that use this approach sell a one-day pass that allows unlimited trips, including transfers.

- "Upgrade" fares for transferring between different services; i.e. if the fare for the second vehicle is higher than the first, the passenger would pay the difference for a transfer.

Advantages - the primary basis for transfer charges is that it offers the transit agency a convenient way of raising more revenue.

Disadvantages - most transit networks are designed to encourage, or in many cases require, transferring in order to complete the desired trip. As such, charging for transfers is often said to add "insult to injury" by forcing the rider to have to use more than one vehicle to make a trip and then charging an extra fare to do it. Other disadvantages are that transfer charges often conflict with the physical and operational design of the system, can destroy "seamless" travel goals for the agency, and increase fare collection costs. In addition to the pricing of transfers, the transfer policy must address the use of transfers such as the amount of time allowed for a transfer (e.g., 2 hours after the initial full fare boarding) and whether the transfer can be used for round-tripping or stop-overs.

3.1.8 Reduced Fares

Recipients of financial assistance under section 5307 of the Federal transit laws must provide reduced fares for elderly and handicapped persons during non-peak hours of operation that will not exceed one-half of the rates generally applicable to other persons at peak hours. Therefore virtually all U.S. transit systems offer reduced fares. Some agencies go beyond the legal requirements, either by offering the reduced fare during peak hours also, or by providing a discount greater than 50%.

The definitions of elderly and handicapped as applied under this rule permit a broader class of handicapped persons to take advantage of the reduced fare than would be permitted under the more restrictive definition applied to the non-discrimination provisions of FTA's section 504 program, which includes only handicapped persons otherwise unable to use the recipient's bus service for the general public. The definition of elderly persons may be determined by the FTA recipient but must, at a minimum, include all persons 65 years of age or over.

3.1.9 ADA Paratransit Fares

The Americans with Disabilities Act of 1990 (ADA) requires that complementary paratransit service must be provided for eligible persons within 3/4-mile of the agency's local fixed route service. The fare charged to the ADA eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (i.e., without regard to discounts) for a trip of similar length, at a similar time of day, on the agency's local fixed route system.

3.2 Recommended Fare Structure

The recommended CFCRT fare structure is distance based using zonal pricing system. Nearly all U.S. commuter rail operations employ distance based fare structures using zones. It tends to provide a system producing the greatest revenue and most equitable approach, by charging a higher cost for a longer trip.

3.2.1 Zonal Pricing

The fare would be determined by number of zones through which a passenger travels. CFCRT system can be divided into four zones based on county boundaries (Volusia, Seminole, Orange, and Osceola Counties). Passengers traveling within a zone (or County) would pay the standard base fare, while those passengers commuting a further distance, through more than one zone, would pay a higher fare.

Passengers would be able to purchase a standard one-way or round-trip fare based on the zone in which the station is located where they board the train and the zone that they intend to exit the train. The tickets and practices of passengers would need to be enforced by conductors, but also managed on an "honor system" that trusts that those who pay a fare to travel acertain distance or zone abide by that standard. Figure 1 displays the CFCRT system with four zones and proposed stations identified.

3.2.2 Base Fares

FDOT will need to determine the prices to charge its customers based on the varying types of fares to maximize its revenue, maintain its ridership, and continue to provide a service that exceeds national standards. Below is a table that identifies recommended price structure that FDOT could consider in establishing the prices of its fares. With use of a smart card technology, multiple fare types could be purchased utilizing the same fare media, and could include stored value payments that would factor in up-front discount pricing for frequent riders of the system.

Table 1. Recommended CFCRT Fare Policy

Number of Zones Traveled	One Way	Reduced One Way	Round Trip	Reduced Round Trip	Weekly	Reduced Weekly	Monthly	Reduced Monthly	Annual	Reduced Annual
1	$2.00	$1.00	$3.75	$1.75	$17.00	$8.50	$56.00	$28.00	$560.00	$280.00
2	$3.00	$1.50	$5.50	$2.75	$25.00	$12.50	$84.00	$42.00	$840.00	$420.00
3	$4.00	$2.00	$7.50	$3.75	$34.00	$17.00	$112.00	$56.00	$1,120.00	$560.00
4	$5.00	$2.50	$9.50	$4.75	$42.50	$21.25	$140.00	$70.00	$1,400.00	$700.00

Stored Value Purchase Examples	Bonus Value	Smart Card Fee	Stored Value
$5	10%	$5.00	$5.50
$10	10%	$5.00	$11.00
$25	10%	$5.00	$27.50
$50	10%	$5.00	$55.00
$100	10%	$5.00	$110.00
$200	10%	$5.00	$220.00
$300	10%	$5.00	$330.00

Figure 1 – CFCRT System Map by Zones

3.2.3 Reduced Fares

The CFCRT system would include reduced fares for elderly and disabled persons that choose to ride the system to ensure compliance with Federal transit laws. The proposed reduction would be a 50% discount on all fares, during peak and non-peak hours. Elderly persons include all persons 65 years of age or over, while disabled persons would be permitted under the more restrictive definition applied to the non-discrimination provisions of FTA's Section 504 program.

3.2.4 Discount Pricing

With the proposed fare structure, CRCRT system would also include a discount pricing initiative as a market based pricing strategy. An option would be given to purchase prepaid fares to provide significant savings for regular commuters. Weekly and monthly passes would provide for unlimited rides during the specific time period. The pass price would be set so that the daily user will receive a discount compared to paying the cash fare every day (typically 10-15% of the full cash fare). Implementing these passes would give the rider a choice based on the needs of their use of the commuter rail system as well as provide a convenience for those who plan to commute on a daily basis not have to purchase a single fare ticket for each trip. FDOT would benefit by receiving more upfront revenue from purchases of weekly and monthly pass as well as cut down on processing costs of fare collection. The use of smart card technology would help administer collecting multiple fare types upfront.

3.3 Transfer Policy

The recommended fare policy for the CFCRT system would provide for free transfers from the CFCRT to the LYNX and Votran feeder bus routes serving commuter rail stations only. Passengers boarding LYNX and Votran feeder buses could transfer free to the CFCRT for a 1 zone trip. Transferring passengers would need to pay a $1.00 upgrade for each additional zone traveled. For example, a LYNX rider boarding a feeder bus in Altamonte Springs (Seminole County) traveling to downtown Orlando would need to pay a $1.00 fare upgrade. All passengers traveling from a Votran feeder bus to the CFCRT would be required to pay a fare upgrade, since only one station (Fort Florida) is included in the Initial Operating Segment (IOS) and Locally Preferred Alternative (LPA) systems. Passengers would present their paper/magnetic at the TVM to receive a transfer upgrade smart card for free or charge for multiple zones traveled. The CFCRT conductor would be responsible for verifying that the transfer upgrade smart card is valid.

For passengers traveling from the CFCRT to LYNX and Votran, passengers would purchase their CFCRT smart cards from TVMs or other outlets. Conductors would validate smart cards onboard the CFCRT trains. These validated CFCRT smart cards would be read using smart card vaildators on-board the LYNX and Votran feeder buses to receive the free transfer. Below are example passenger transfer pricing scenarios based on travel between CFCRT, LYNX and Votran systems. Appendix 3 provides a more detailed description of example scenarios and pricing when traveling between systems.

Table 2. CFCRT/LYNX/Votran Transfer Pricing Scenarios

Volusia County	Seminole County	Orange County	Osceola County
Board at Fort Florida Train Station for One Way Trip	$3.00	$4.00	$5.00
Return from Seminole / Orange / Osceola County For One Way Trip	$3.00	$4.00	$5.00
Transfer from Votran Bus after paying One Way Fare of $1.50	$2.50	$3.50	$4.50
Return from Seminole / Orange / Osceola County after paying Votran One Way Fare	$3.00	$4.00	$5.00
Return from Seminole / Orange / Osceola County after paying Lynx One Way Fare	$3.00	$4.00	$5.00
Board at Fort Florida Train Station with Votran One Day Pass – Purchase Round Trip Pass for Sun Rail	$5.50	$7.50	$9.50

SunRail service will be required to meet ADA requirements including accessibility on trains, at stations and using fare equipment. Paratransit service is provided by LYNX (Access LYNX) and Votran (Gold Service) through door-to-door services for individuals unable to use fixed route bus service due to a physical or mental disability or other limitations. Eligibility certifications, requirements and policies will be provided through Access LYNX and Votran's Gold Service. These services will offer qualified paratransit customers direct connections to SunRail stations. The same transfer policy of a free transfer or a reduced fare transfer upgrade charge for multiple zones traveled will be provided to customers using Access LYNX and Votran's Gold Service equal to that of those customers using fixed route service. LYNX and Votran should establish a joint agreement for eligibility, scheduling trips, fares and policies for paratransit riders traveling between paratransit service areas.

3.3.1 LYNX

The LYNX fixed route bus system sells fares onboard its buses, at LYNX Central Station and at more than 130 retail outlets. Passengers pay upon boarding the bus by depositing coins or cash into LYNX' GFI Odyssey farebox or by swiping a 1-Day, 7-Day or 30-Day pass. LYNX uses magnetic stripe tickets for transfers and passes. LYNX has plans to upgrade its GFI Odyssey fareboxes to accommodate Smart Cards. In addition, LYNX currently intends to procure and install ticket vending machines (TVMs) at LYNX Central Station.

The following table shows LYNX current fare structure (as of June 1, 2011). Transfers are free but are limited to 90 minutes and apply to all riders. Transfers are not valid on the same link or for roundtrip purposes. A transfer ticket is issued via the farebox with the time expiration stamped on the back of the ticket.

Table 3. LYNX Local and Express Routes Fares (effective June 1, 2011)

Fare Type	Local Adult	Express Adult	Local/Express Advantage**	Local/Express Youth***
One-Way Fare	$2.00	$3.50	$1.00	$1.00
1-Day Pass	$4.50	$6.50	$2.25/$3.25	$2.25/$3.25
7-Day Pass*	$16.00	$23.00	$8.00	$8.00
30-Day Pass*	$50.00	$70.00	$25.00	$25.00

* Rolling days after activation.
** Riders age 65 and older, persons with disabilities and Medicare card are eligible for Advantage fares and must present a valid LYNX ID.
*** Youth 18 years and younger; students must present a valid LYNX ID; children 6 and under ride free with an adult paying full-fare with a 3-child limit with a full-fare paying adult or the child must be a discount fare.

3.3.2 Votran

The Votran fixed route bus system sells fares onboard its buses, at Volusia County libraries, Votran Transfer Plaza, and at selected retail outlets. Passengers pay upon boarding the bus by depositing coins or cash into Votran's CENTSaBILL farebox or by swiping a 3-Day, 7-Day or 31-Day pass. Votran uses magnetic stripe tickets for transfers and passes. Votran has plans to upgrade its GFI current fareboxes to GFI Odyssey fareboxes for feeder bus service to accommodate Smart Cards.

The following table shows Votran's fare structure effective on February 14, 2014. Transfers are not offered on a cash fare single ride trip. Riders are encouraged to purchase an all day pass for local route travel for the entire day that provide unlimited transfers. A 3-day, 7-day and 31-day pass also provides unlimited transfers.

Table 4. Votran Local and Express Routes Fares (effective February 14, 2014)

Fare Type	Local Adult	Local Reduced**	Express Adult	Express Reduced**
One-Way Fare	$1.50	$0.75	$3.50	$1.75
Ten Tokens	$13.50	$6.50	$31.50	$15.75
All-Day Pass	$3.50	$1.75	--	--
3-Day Pass*	$7.00	$3.50	--	--
7-Day Pass*	$12.75	$6.35	--	--
31-Day Pass*	$45.00	$22.50	$80.00	$40.00

* Rolling days after activation.
** Riders age 65 and older, persons with disabilities, and youth 18 years and younger are eligible for reduced fares.
*** Children 6 and under ride free with an adult.

3.4 Revenue Sharing

The transfer policy described above requires CFCRT to honor valid paper/magnetic transfers as well as monthly passes issued by both LYNX and Votran. Similarly, LYNX and Votran would honor validated (punched) one-way tickets and weekly and monthly passes issued by CFCRT. CFCRT, LYNX and Votran would agree that whichever agency collects the fares, keeps the fares. For example, when a passenger boards a LYNX feeder bus then transfers to CFCRT, LYNX would retain the initial base fare and CFCRT would retain any fare upgrades for travel to other zones. In the reverse

direction, CFCRT would retain the base and upgrade fares for passengers boarding the CFCRT system; LYNX and Votran would not collect any revenue for transferring passengers.

LYNX and Votran would retain all revenue derived from sales of their weekly, monthly and multi-ride tickets. CFCRT would retain all revenue derived from sales of its weekly and monthly passes.

4.0 RECOMMENDED FARE PROCEDURES

FDOT CFCRT will need to adopt fare procedures that describe how the fare policy will be implemented and enforced for CFCRT. LYNX and Votran will also need to adopt fare procedures for handling CFCRT passengers and their revenue. An overview of recommended fare procedures are described below.

4.1 Payment of Base Fares

CFCRT riders may purchase tickets and passes at Ticket Vending Machines (TVM) located at station platforms, at Point of Sale (POSM) located at selected government offices, schools, libraries and retail outlets, and on-line at the SunRail web site. CFCRT fare collection equipment will only sale CFCRT fare media and not sell LYNX and Votran fare media. CFCRT fare media will not be sold on LYNX or Votran fare collection equipment or websites. CFCRT tickets and passes will use Smart Card technology that are activated and upgraded by “tapping” the TVM unit. Tickets and passes will include “permanent” plastic Smart Cards that can be reused many times and “temporary” paper stock Smart Cards that will be marketed to visitors and occasional riders. LYNX and Votran fare media will be accepted by CFCRT TVMs for issuing transfer upgrades.

4.2 Payment of Transfer Upgrades

Riders transferring from LYNX to CFCRT will swipe their magnetic transfer cards into the station platform TVM, pay an appropriate fare upgrade (depends on the number of zones travelled), and receive a paper stock Smart Card valid for the subsequent trip on CFCRT. The CFCRT TVM will “read” the magnetic card to verify that the magnetic transfer card is valid for the date, time (within 90 minutes) and bus route/station pair. If the magnetic card is not valid (timed exceeds 90 minutes from issuance, bus route does not connect to that station), the magnetic card will be returned by the TVM and no CFCRT ticket will be issued.

Since Votran does not allow free transfer among its bus routes with the one-way cash fare, only 1-day, 3-day, 7-day or 31-day passes will be accepted by the CFCRT TVMs. Also, since there is only one station located in Volusia County, ALL Votran riders will have to pay at least one zone upgrade, depending on their final destination. Riders transferring from Votran to CFCRT will insert their magnetic pass into the station platform TVM, pay an appropriate fare upgrade (depends on the number of zones travelled), and receive a paper stock Smart Card valid for the subsequent trip on CFCRT. The CFCRT TVM will “read” the magnetic card to verify that the magnetic pass is valid for the date and bus route/station pair. If the Votran pass is not valid for that date or the bus route does not connect to the DeBary station, the pass card will be returned by the TVM and no CFCRT ticket will be issued.

Riders transferring from CFCRT to either LYNX or Votran must buy their valid CFCRT fare media at a CFCRT TVM or other outlet. Riders will then show the ticket or pass to the Bus Operator or “tap” the ticket or pass on the smart card reader located on the fare box. Bus Operators will be responsible for verifying that CFCRT tickets and passes are valid, if there is an issue with pass that is determined by smart card reader.

4.3 Validation of Fare Media

Passengers boarding CFCRT trains must have in their possession a CFCRT ticket or pass that has been validated at a Station Platform Ticket Validator (SPTV) located at the boarding station platform. ***Unless the CFCRT ticket or pass has been validated, the fare media is not considered valid for travel.*** The ticket validator will record the date, time and boarding station on the Smart Card. Train Conductors and/or Roving Ticket Inspectors will use handheld ticket validators (HHTV) to verify that the ticket or pass is valid. If Train Conductors and/or Roving Ticket Inspectors find that the CFCRT ticket of pass has not been validated for that trip, regardless of whether the appropriate fare has been paid, the ticket or pass will be considered invalid and the passenger may be subject to fines or other penalties.

When passengers "tap on" at a SPTV prior to boarding the train, a hold will be placed on the smart card for the maximum fare (i.e. $5.00) and upon exiting the train, passengers must "tap off" at a SPTV located at the destination station platform in order to be credited for the correct zone fare to encourage use of this process and avoid fare evasion and fraud.. If passengers fail to "tap off" at the destination station, their ticket or pass will be charged for the maximum zone fare, currently recommended at $5.00.

4.4 Free and Discounted Fares

Discounted fares include free fares for young children and employees and discounts for students, seniors and persons with disabilities. LYNX and Votran have adopted similar policies for discounted fares (refer to Section 3.3). In order to avoid confusion for passengers and inconsistencies among the partner agencies, it is suggested that CFCRT adopt similar policies as LYNX and Votran:

- Children 6 and under ride free when accompanied by an adult paying full-fare with a 3-child limit or the child must pay a discount fare. No CFCRT ticket or pass is required.
- Students, ages 7 through 18, pay half the adult cash fare. A CFCRT half-fare ticket or pass must be purchased and validated. Students must show a valid ID.
- Seniors 65 and over pay half the adult cash fare. A CFCRT half-fare ticket or pass must be purchased and validated. Seniors must show a valid ID.
- Persons with disabilities pay half the adult cash fare. A CFCRT half-fare ticket or pass must be purchased and validated. Persons with disabilities must show certification by LYNX, Votran or another public transit agency.
- CFCRT employees ride free. A CFCRT smart card would be issued to employees.

4.5 Fare Enforcement

The CFCRT Train Conductor and/or Roving Fare Inspector will be responsible for inspecting tickets and passes onboard CFCRT trains using handheld ticket validators (HHTV). The HHTVs will "read" the ticket or pass and determine if the ticket or pass has a sufficient balance for travel and if the ticket or pass has been properly validated at a SPTV. For the purposes of enforcement, CFCRT considers the station platform to be a "free" area where persons do not have to possess a valid fare. CFCRT trains are considered to be "paid" areas, where any person onboard must have a valid CFCRT ticket or pass.

CFCRT Train Conductors and/or Roving Fare Inspectors will have limited enforcement powers. Train Conductors and Roving Fare Inspectors will have authority to issue warnings and citations for fare violations. If the passenger refuses to pay then the Train Conductor and/or Roving Fare Inspector will direct the passenger to exit the train at the next station and will call CFCRT Central Control to request assistance from law enforcement personnel in that jurisdiction. CFCRT will need to work closely with local law enforcement agencies and state courts to enforce fare violations.

4.6 Special Events

Scheduled CFCRT service may be augmented for special events (i.e. Orlando Magic basketball games, Citrus Bowl football games). The fare collection system shall be designed to accommodate higher ridership demands during special events. It is anticipated that a flat fare of $5.00 ($2.50 for reduced fare customers) to be charged during certain special events.

5.0 FARE PAYMENT TECHNOLOGY AND MEDIA

FDOT has decided to implement a smart card fare collection system for the CFCRT system that is convenient to its riders as well as easy to use. The prevailing trend among transit agencies is to incorporate technology to automate fare payment and ticket distribution, most commonly using smart cards. FDOT will ensure designing a fare collection system for a multicounty public rail system that complies with Florida Statutes (Section 341.3025, F.S.) requiring "a universally accepted contactless fare media that is compatible with the American Public Transportation Association's Contactless fare Media System Standard or the applicable bankcard contactless media standards and allows users to purchase fares at a single point of sale with coin, cash, or credit card."

Train conductors and/or roving inspectors will inspect smart card tickets that have been purchased through a ticket vending machine (TVM) located at station platforms, at point of sale (POS) machines, online and validated at Ticket Validator machines located on station platforms. FDOT will install two TVM's at each commuter rail station platform. It is anticipated, with the exception of the proposed LYNX Central Station, that the stations will not be manned by any employees, so it is important to provide at least two machines to meet demand during peak hours and in the event of a machine malfunctioning. Customers shall buy smart card tickets and passes or use transfer upgrade tickets for passage on the CFCRT system. The smart card ticket, pass, or transfer upgrade ticket evidences payment of fare and enables barrier-free fare control throughout the CFCRT system. Since the CFCRT system will include zone fares, it will be necessary for all passengers to "tap on" (at the boarding station) and "tap off" (at the alighting station) at Ticket Validators in order to ensure that the correct amount has been deducted from their smart card or ticket.

The CFCRT Fare Collection System shall consist of Ticket Vending Machines (TVMs), a Central Data Collection & Information System (CDCIS), Station Platform Ticket Validators (SPTVs), Handheld Ticket Validators (HHTVs), Point-of-Sale Machines (POSMs), spare parts, special tools, test equipment, documentation, training, technical assistance and warranty as part of the system. Elements of the fare collection system are described below.

A long-term goal for FDOT and its regional partners, LYNX and Votran, would be to implement a smart card technology that would promote seamless connections among the regional transit systems, allow a variety of fare structures and fare payment options to be offered, and provide for allocation of fare revenues among the operators for services rendered.

5.1 Ticket Media

Ticket media will use Contactless Smart Card technology, using "permanent" plastic cards and "temporary" paper stock cards. The "permanent" smart card will load, reload, validation of base, reduced, prepaid fares for daily commuters on CFCRT and daily commuters transferring to CFCRT from LYNX and Votran bus systems. The paper stock Smart Card is intended for use by occasional riders on CFCRT and for transfer upgrades for riders transferring from LYNX and Votran bus systems.

5.2 Ticket Vending Machines

At system start-up, CFCRT intends to procure 50 TVMs (two per platform, 12 stations, plus two spares), with a combination of TVMs that accept only credit/debit cards but not cash and full-service TVMs that will accept both cash and credit/debit cards for payment and issue change (the quantity of each machine type to be supplied is subject to change). TVMs shall be designed to issue tickets (standard and limited use contactless smart cards) and add value to smart cards for CFCRT customers by accepting credit/debit cards transactions. The design of the TVMs shall be based on simple, clear and reliable construction, and modular components to make them easy to use and maintain.

Each TVM shall be equipped to:

- Accept credit and debit cards
- Accept and add value to contactless smart cards
- Respond to customer's choice of action
- Accept magnetic stripe cards from LYNX and Votran bus systems
- Issue standard and limited use contactless smart cards
- Register the number of media of each type and price range issued and total value of fare media sold
- Must be ADA compliant
- Provide audio output of messages and instructions
- Include a security and alarm system
- Indicate malfunctions of the unit
- Include complete on-line TVM network capability with remote TVM status monitoring, automatic polling for sales information, a complete audit and accounting system, ability to remotely command TVMs to reset and self-diagnose, ability to remotely modify operating parameters, and process all credit/debit card authorizations

5.3 Ticket Validators

At system start-up, CFCRT intends to procure 50 Station Platform Ticket Validators (SPTV) located at station platforms (two per platform, 12 stations, plus two spares). Each SPTV shall allow for contactless validation of both smart card and ticket media. The SPTV units shall have the capability to deduct the appropriate fare from the smart card based on passenger boarding and alighting zone. SPTV units will have a visual display screen that has the capability to display text messages and will give instantaneous notification of card acceptance or rejection via a distinct audible tone and visible notification. The SPTV's visual display will indicate card read errors by error type and display a short message instructing the customer as to the appropriate action required to remedy the error.

In addition, CFCRT will procure 15 handheld ticket validators (HHTV) machines for use by Train Conductors and/or Roving Inspectors who will check tickets onboard the train. Each HHTV shall allow for contactless reading of both smart card and ticket media via

remote radio frequency (RF) interface. The HHTV units shall have the capability to deduct the appropriate fare from the smart card based on passenger boarding and alighting zone.

5.4 Point of Sale Ticket Vending Machines

CFCRT will also procure 50 Point of Sale (POS) ticket vending machines which will be located at selected government offices, libraries, and participating retail outlets. Customers can use the POS for payment of fares, reloading value on smart cards, and selling smart cards.

5.5 Back House / Clearinghouse

All fare collection and validation equipment will communicate with the Central Data Collection and Information System (CDCIS, i.e. “back of house”) for transfer of all stored data and transfer of equipment parameters. The CDCIS will provide automatic monitoring and control of all devices connected to the network. The CDCIS will be comprised of all of a data storage computer (DSC), data networking system and workstations.

All TVMs and SPTVs at stations will communicate over a fiber optic back bone from the station platform to the back office. All HHTVs and SPTVs or validators on-board LYNX and Votran buses will communicate by means of a wireless technology that allows for remote data transfer to the central data collection system via wireless access points on coach cars and buses or at stations and at maintenance facilities. The fare collection equipment will report status, events, alarms, and other information when necessary. All fare collection equipment will also be able to receive information from the central computer to update fare structures, ticket print layouts, customer display information, operating parameters, and to be remotely commanded to perform certain diagnostic exercises. Remote workstations will provide users access to the data for queries, report generation and status information.

5.6 Future Expansion of SunRail Cards

CFCRT may explore future expansion or consolidation of its Smart Card program with other local, regional and state agencies including its local partners LYNX and Votran and other transportation agencies like the Orlando Orange County Expressway Authority (i.e. universal regional pass). The fare collection equipment will be designed with an “open architecture” as an Account Based System (ABS), allowing passengers to open accounts linked to contactless smart cards to hold fare products. to enable future expansion and/or consolidation with minimal cost or disruption to CFCRT, its partner agencies and their riders, as well as to accommodate for emerging technologies for contactless smart card payments (i.e. contactless debit/credit card smart cards, near field communication (NFC) mobile phones).

6.0 ORGANIZATION ROLES AND RESPONSIBILITIES

The creation of an interagency agreement between the Central Florida transit providers (FDOT on behalf of CFCRT, LYNX, and Votran) is important to consider when developing a regional transit system. LYNX and Votran currently provide bus service to their respective service areas. With the establishment of a new commuter rail system, it is valuable to provide connectivity between new and existing systems to maximize ridership on a regional level. An interagency agreement for fare policy comes into play in particular with transfers and revenue sharing between transit operators.

FDOT and the existing transit operators (LYNX and Votran) will develop and execute an interagency fare policy agreement signed by all parties. The interagency agreement would include a regional fare policy that would contain the following features:

- Purpose of agreement and guiding principles
- Procedures for dispute resolution and amending the agreement to include new issues and/ or new parties
- Description of fare policy as it relates to fare structure and pricing, inter-operator transfers, and facility operational issues
- Description of how fare revenues are collected and retained by each agency and description of procedures for counting boarding passengers and reconciling fare revenue allocations among the operators
- Description of pass and transfer media and operator responsibilities for media print stock, printing costs, encoding costs, and costs associated with sales and distribution
- Description of responsibilities for creating and administering a regional clearinghouse for Smart Card revenues
- Description of policies and procedures for certifying passenger eligibility for reduced fares (i.e., seniors and disabled riders) and reciprocal agreements for honoring other agency eligible reduced fare passengers.
- Description of responsibilities for provision of ADA paratransit service within the CFCRT service area.
- Summary of each operator's role and responsibilities, including administrative, operating and maintenance commitment.

The following matrix summarizes recommended roles and responsibilities for CFCRT, Chief Operating Officer (COO), Contract Operator, LYNX and Votran, and local jurisdictions.

CFCRT Fare Collection Recommended Roles and Responsibilities

	CFCRT	COO	Contract Operator	LYNX, Votran	Third Parties
1. Fare Policy	CFCRT will set fares in coordination with LYNX and Votran	n/a	n/a	LYNX and Votran will coordinate future fare increases and fare policies with CFCRT to maintain consistency	n/a
2. Fare Collection			Contract Operator will collect cash from TVMs. Electronic revenues (credit cards) will be routed to the clearinghouse for allocation to the appropriate operator.		
3. Fare Equipment	CFCRT will procure fare equipment for CFCRT system.	n/a	n/a	LYNX and Votran will procure TVMs and compatible Smart Card readers for buses.	CFCRT fare equipment vendor will supply and install equipment
4. Fare Media					CFCRT fare equipment vendor will supply fare media
5. Enforcement	CFCRT Train Conductors and Roving Fare Inspectors will inspect fares and issue citations. CFCRT personnel will not have police powers.	COO will oversee performance of Contract Operator.	Contract Operator will hire, train and manage Train Conductors and Roving Fare Inspectors.	n/a	Local jurisdictions will provide police authority in their jurisdictions.
6. Clearinghouse	CFCRT fare equipment vendor will provide hardware and software for regional fare clearinghouse.	n/a	Contract Operator may administer regional clearinghouse (TBD).	n/a	CFCRT fare equipment vendor may host regional clearinghouse (TBD).
7. Maintenance	CFCRT will establish maintenance	COO oversees Contract Operator.	Beginning in Year 1, Contract Operator will	LYNX, Votran are responsible for	Fare equipment vendor will provide

	guidelines.		collect revenue, service TVMs (replenish stock, clear jams), and remove graffiti. Beginning in Year 2, Contract Operator will provide Level 1 and 2 maintenance services for CFCRT fare equipment.	maintenance of their TVMs and fare equipment onboard their buses.	Level 1 and 2 fare maintenance services for CFCRT owned fare equipment in Year 1 – Extended Warranty.
8. Marketing	CFCRT will develop a SunRail marketing and customer information program in cooperation with LYNX, Votran and other regional partners.	n/a	n/a	LYNX, Votran will support development and implementation of SunRail marketing and public education program.	CFCRT will hire contractor to develop and implement marketing and public education program.
9. Reporting	CFCRT will establish reporting requirements for fare equipment vendor.	COO will oversee Contract Operator.	Contract Operator may be responsible for reporting ridership and fare revenue based on CDCIS responsibilities (TBD).	LYNX and Votran will report ridership and fare revenue for CFCRT transfer passengers. CDCIS Clearinghouse administrator will be responsible for CFCRT reporting ridership and fare revenue (TBD)	Fare equipment vendor will provide hardware and software necessary to meet reporting requirements.

7.0 SECURITY

The CFCRT fare collection system will require security measures to protect CFCRT revenue and equipment and protect the privacy of users.

7.1 TVM Security

Each TVM will be equipped with an alarm to detect an intrusion/security violation. The alarm will sound when the front door is opened without a valid access code and the door plane is ¼ inch from its closed and locked position. The TVM will be monitored and will transmit, in real time, a status report containing detailed information regarding the nature of the alarm event. All stations will be equipped with closed circuit TVs (CCTV) that will monitor TVMs to detect vandalism, intrusion and other security violations.

7.2 Revenue Collection

All revenue service personnel that will be responsible for routine service functions of accessing the TVM, collecting monies, replenishing ticket stock and change, clearing basic jams, printing and retrieving audit tickets, and securing the TVM. Vaults will be monitored in the TVM to detect when low and in need of replacement. Authorized revenue service personnel shall remove collect revenue from full service ticket vending machines (FSTVMS) by removing sealed coin vaults and bill vaults using a key to unlock from TVM. The old vault will replaced with a new vault.

7.3 Credit Card Information

All credit/debit transactions for purchasing SunRail fares will include consumer credit card protection through the Payment Card Industry Data Security Standard (PCI DSS).

7.4 Smart Card Registration

Smart card registration will be provided for customers through the SunRail website to provide an opportunity to reload value and use balance protection for lost, damaged or stolen cards. Registration will be encouraged but not required for customers.

7.4.1 Balance Protection

Balance protection will be provided through SunRail customer service and will preserve the value of card in the event that it is lost or stolen and transfers the remaining balance to a new card at the time of notification. The lost or stolen card will be deactivated. A fee will be charged (i.e. $5) to customers for the replacement of any standard smart card issued.

7.4.2 Privacy Laws

Privacy laws will ensure that personal information is protected from public record and not accessed for other uses. A privacy plan will be established to govern the collection, use and handling of personal information.

8.0 CUSTOMER SERVICE

Because premium, commuter rail services are new to the Central Florida area, FDOT will need to develop a brand for the CFCRT services, prepare and implement a marketing program, and educate the public about the commuter rail services and, in particular, about the fare policy and procedures. Following are some of the responsibilities of the CFCRT public information and marketing team for supporting the CFCRT fare policy and fare collection program.

8.1 Pre-Revenue Information and Education Campaigns

Prior to the start of revenue services, CFCRT will need to develop information and education campaigns for the general public and special needs communities. One of the major impediments of any public transit system, and especially a new technology (as commuter rail and Smart Card fare collection is new to Central Florida) is overcoming the fear and uncertainty that people have about using the system. CFCRT will need to develop educational campaigns geared to several unique markets:

- Current LYNX and Votran riders who are knowledgeable about using their bus systems but know little about commuter rail,
- Non-users who commute in the corridor but who have never used transit,
- Occasional riders who may use SunRail to attend special events, and
- Visitors to Central Florida, who may or may not be familiar with commuter rail in other cities, but have no knowledge of the CFCRT system.

An important element of these information and education campaigns will be conveying the CFCRT fare policy the procedures, how to purchase tickets and passes, and how to “tap on” and “tap off” the system.

8.2 Start-up Activities

CFCRT will likely have a brief “break-in” period where passengers will be allowed to use the system for free and a longer period during which fare violators will be given lenience. Some new systems provide staff at stations during the “break-in” period to answer questions and show customers how to use the fare machines. For example when MARTA (Atlanta) implemented its ***Breeze*** card it provided fare attendants at its rail stations for several months after implementation.

8.3 Special Needs Communities

CFCRT will need to coordinate with persons with disabilities and special needs groups about the CFCRT service and, in particular, the fare policy and procedures. Some of the issues that may arise include:

- Special needs of the visually impaired community in using TVMs and SPTVs (provision of Braille or audio media)
- Special needs of persons in wheelchairs in using TVMs and SPTVs (ability to reach the touch screen)
- Customer information for non-English speaking riders.

CFCRT will need to assess the needs of these groups and provide services or programs specially directed at those groups.

9.0 REPORTING REQUIREMENTS

Accurate and timely reporting of ridership and fare revenue are essential elements of CFCRT's fare policy plan. The CFCRT fare collection equipment vendor will be required to provide regular reports on ridership, revenue and system maintainability. The fare collection equipment vendor will supply a Central Data Collection and Information System (CDCIS) comprised of all of the following subsystems:

- Data Storage Computer (DSC)
- Data networking system
- Workstations

The CDCIS will generate reports that shall enable FDOT, LYNX and/or Votran to analyze the fare collection system, revenues, trends, maintenance activities, passenger activities, security status, equipment failures, alarms, and so on. All reports will be available on demand, spanning any range of data stored (such as by date, station, TVM, ticket type, event type, etc.). Based on user selection, the computer system will also generate reports automatically at programmed intervals (such as daily, weekly, monthly and quarterly).

In addition to those reports to be provided with the system, the computer system will enable the Department to customize existing reports and create new reports using Structured Query Language (SQL) commands available from the relational database manager.

All reports will be available locally on the computer screen, printed to any available printer, or on any other workstation networked to the central computer.

The system will also provide line graphs, bar charts, pie charts and other common data presentation methods to represent summarized data.

In addition, LYNX and Votran will provide farebox reports on CFCRT/feeder bus transfers and fare revenue.

10.0 IMPLEMENTATION ISSUES

10.1 Transfer Protocol

I. Procedures for Transfers from LYNX and Votran Feeder Buses to CFCRT

a) One-zone transfers are free; Multi-zone transfers charge $1 for each additional zone travelled

b) Purchase of SunRail Limited Use Smart Card (with CFCRT Transfer Upgrade) at Ticket Vending Machine (TVM) required with LYNX and Votran fare media

c) Purchase of SunRail Standard Smart Card (with minimum one-way CFCRT fare) required without LYNX and Votran fare media

d) Limited Use SunRail Smart Card (with one-way or roundtrip CFCRT fare) not valid for transfers from bus to rail

e) Transfers must occur within 90 minutes upon alighting a LYNX or Votran feeder bus.

f) Ticket Vending Machine (TVM) to determine valid transfer based on date, time, feeder bus route/station pair

g) Transfer Scenarios

i) Occasional CFCRT Rider (One-Way Fare: Coin/Cash/Ticket)

1. LYNX and Votran passengers purchase a valid LYNX or Votran one-way fare (magnetic stripe ticket) prior to boarding feeder bus at participating outlet or onboard feeder bus***(Recommend a policy for bus operators to issue one-way fare magnetic stripe ticket for riders transferring to CFCRT)***

2. Before boarding CFCRT train, LYNX and Votran passengers must swipe one-way fare ticket into Ticket Vending Machine (TVM) and select zone for transfer

3. *A) One-Zone Free Transfer* -Ticket Vending Machine (TVM) will read valid magnetic stripe tickets from feeder bus routes and will provide a free transfer upgrade limited-use smart card. *B) Multi-Zone $1 Fare Upgrade Transfer* – Ticket Vending Machine (TVM) will read and collect valid magnetic stripe tickets from feeder bus routes and will provide a transfer upgrade limited-use smart card after charging passenger $1 for each additional zone travelled.

4. Before boarding CFCRT train, LYNX and Votran passengers will validate transfer upgrade limited-use smart card pass (tap on) at Station Platform Ticket Validator (SPTV)

5. Onboard CFCRT train, Conductor or Fare Inspector validates LYNX or transfer upgrade limited-use smart card pass with Handheld Ticket Validator (HHTV)

6. After alighting CFCRT train, LYNX and Votran passengers validate transfer upgrade limited-use smart card pass (tap off) at Station Platform Ticket Validator (SPTV)

7. Same procedures apply to LYNX and Votran reduced fare cash and pass ticket holders ***(presented in more detail in 10.2 Reduced Fare Transfers to/from CFCRT)***.

ii) Occasional CFCRT Rider (Multi-Ride Fare: LYNX – 1-Day Pass, 7-Day Pass; Votran – All-Day Pass, 3-Day Pass, 7-Day Pass)

1. LYNX and Votran passengers purchase a valid LYNX or Votran multi-ride fare (magnetic stripe ticket) prior to boarding feeder bus at participating outlet
2. Before boarding CFCRT train, LYNX and Votran passengers must swipe multi-ride fare ticket into Ticket Vending Machine (TVM) and select zone for transfer
3. *A) One-Zone Free Transfer* -Ticket Vending Machine (TVM) will read valid magnetic stripe tickets from feeder bus routes and will provide a free transfer upgrade limited-use smart card. *B) Multi-Zone $1 Fare Upgrade Transfer* – Ticket Vending Machine (TVM) will read and return valid magnetic stripe tickets from feeder bus routes and will provide a transfer upgrade limited-use smart card after charging passenger $1 for each additional zone travelled.
4. Before boarding CFCRT train, LYNX and Votran passengers will validate transfer upgrade limited-use smart card pass (tap on) at Station Platform Ticket Validator (SPTV)
5. Onboard CFCRT train, Conductor or Fare Inspector validates LYNX or transfer upgrade limited-use smart card pass with Handheld Ticket Validator (HHTV)
6. After alighting CFCRT train, LYNX and Votran passengers validate transfer upgrade limited-use smart card pass (tap off) at Station Platform Ticket Validator (SPTV)
7. Same procedures apply to LYNX and Votran reduced fare cash and pass ticket holders ***(presented in more detail in 10.2 Reduced Fare Transfers to/from CFCRT)***.

iii) Daily CFCRT Commuter (Multi-Ride Fare: LYNX – 30-Day Pass; Votran – 31-Day Pass)

1. LYNX and Votran passengers purchase a valid LYNX or Votran multi-ride fare (magnetic stripe ticket) prior to boarding a feeder bus at participating outlet ***(Recommend promoting purchase of monthly or annual SunRail smart card pass for Daily CFCRT Commuter transfer from LYNX and/or Votran.)***
2. Before boarding CFCRT train, LYNX and Votran passengers must swipe multi-ride fare ticket into Ticket Vending Machine (TVM) and select one-zone trip free transfer
3. *A) One-Zone Free Transfer* -Ticket Vending Machine (TVM) will read valid magnetic stripe tickets from feeder bus routes and will provide a free transfer upgrade limited-use smart card. *B) Multi-Zone $1 Fare Upgrade Transfer* – Ticket Vending Machine (TVM) will read valid magnetic stripe tickets from feeder bus routes and will provide a transfer upgrade limited-use smart card after charging passenger $1 for each additional zone travelled.
4. Before boarding CFCRT train, LYNX and Votran passengers will validate transfer upgrade limited-use smart card pass (tap on) at Station Platform Ticket Validator (SPTV)
5. Onboard CFCRT train, Conductor or Fare Inspector validates LYNX or transfer upgrade limited-use smart card pass with Handheld Ticket Validator (HHTV)

6. After alighting CFCRT train, LYNX and Votran passengers validate transfer upgrade limited-use smart card pass (tap off) at Station Platform Ticket Validator (SPTV)
7. Same procedures apply to LYNX and Votran reduced fare cash and pass ticket holders ***(presented in more detail in 10.2 Reduced Fare Transfers to/from SunRail)***.

iv) Occasional Rider or Daily Commuter on CFCRT (SunRail Standard Smart Card Pass)

1. LYNX and Votran passengers purchase a valid SunRail pass (standard smart card) prior to boarding a feeder bus at participating outlet
2. Before boarding CFCRT train, LYNX and Votran passengers will validate standard smart card pass (tap on) at Station Platform Ticket Validator (SPTV)
3. Onboard CFCRT train, Conductor or Fare Inspector validates LYNX or transfer upgrade limited-use smart card pass with Handheld Ticket Validator (HHTV)
4. After alighting CFCRT train, LYNX and Votran passengers validate transfer standard smart card pass (tap off) at Station Platform Ticket Validator (SPTV)

II. Procedures Transfers from CFCRT to LYNX and Votran Feeder Buses

a) One zone and multi-zone trips transfers are free

b) Purchase of SunRail Limited Use or Standard Smart Card (with minimum one-way CFCRT fare) required without LYNX and Votran fare media

c) Transfers must occur within 90 minutes of validation (tap off) of SunRail Limited Use or Standard Smart Card

d) Smart card reader located on farebox or OSMP adjacent to farebox on-board feeder buses will determine valid transfer based on date, time, feeder bus route/station pair

e) Transfer Scenarios:

i) Occasional Rider or Daily Commuter on CFCRT (SunRail Limited Use and Standard Smart Card Pass)

1. Passengers transferring to LYNX and Votran feeder buses must tap valid SunRail smart card on smart card reader located on farebox or OSMP adjacent to farebox on-board feeder buses
2. Bus operators will verify SunRail smart card, if smart card reader is not functioning ***(Recommend policy for bus operators to verify valid fare if smart card reader/system is down)***

10.2 Reduced Fare Transfers to/from CFCRT

I. Eligibility - Discounted fares include free fares for young children and employees and reduced fares (approximately 50% of the full fare) for students, seniors and persons with disabilities.

II. Procedures for Transfers to and from LYNX and Votran Feeder Buses to CFCRT

a) Same procedures for transferring apply as presented in section **10.1 Transfer Protocol**

b) CFCRT Half-Fare - CFCRT limited use or standard smart card must be purchased and validated. Eligible passengers must also present the following to the CFCRT conductor or fare inspector:

i) Students (ages 7 through 18) - Must show a government issued valid ID (i.e. driver's license, state ID card or passport), LYNX Youth ID or Volusia County school student I.D. card.

ii) Seniors (ages 65 and older) - Must show a government issued valid ID (i.e. driver's license, state ID card, Medicare card or passport), AdvantAge ID (LYNX) or Votran Reduced Fare Card.

iii) Persons with disabilities - Must show valid agency ID, a government issued valid ID (i.e. driver's license, state ID card, Medicare card or passport), AdvantAge ID (LYNX) or Votran Reduced Fare Card.

c) CFCRT Free Fare – Eligible passengers include the following:

i) Children (ages 6 and under) – Must be accompanied by an adult paying appropriate fare (full or discount) with a 3-child limit. Any child beyond the 3rd child or when not accompanied by an adult must pay a discount fare.

ii) CFCRT employees – Will be issued a standard smart card for use.

iii) Uniformed safety personnel (police and fire) from local jurisdictions – Will not be required to carry a stand smart card.

10.3 Emergency Service Plan and Emergency Fare Policies

Service Disruptions are events or occurrences on or off the CFCRT property which result in delays in excess of 30 minutes or cancellation of scheduled trips. Causes of service disruptions may include, but are not limited to collisions, derailments, fires, fatalities or injuries to CFCRT passengers, staff or general public, mechanical or electrical equipment failures, signal and communications system failures, closure or obstruction of the running tracks, and security incidents.

CFCRT responses to emergencies and service disruptions shall follow the policies and procedures described in the CFRC Safety Integration Plan (SIP), Passenger Train Emergency Preparedness Plan (PTEPP), Security Emergency Preparedness Plan (SEPP), and Emergency Response Standard Operating Procedures (SOP). The CFCRT Contract Operator will develop an Emergency Service Plan that describes actions that CFCRT, its contractors, and its partner transit agencies (LYNX and Votran) will take to provide replacement bus service (a.k.a. bus bridge) and associated emergency fare policies in the event of a service disruption that affects the safe delivery of regularly scheduled train service. The Emergency Service Plan will be developed once the SIP, SEPP, PTEPP, SEPP and SOPs have been prepared and adopted.

The development and implementation of a prompt and effective action plan in the event of a service disruption will require the close coordination of the Chief Operating Officer (COO), CFCRT Operations & Maintenance Contractor, partner transit agencies (LYNX and Votran), emergency responders, and potentially private bus companies.

10.3.1 Emergency Fare Procedures

Several types of failures or incidents could delay or disrupt normal operations and fare revenue collection of the CFCRT system. Emergency fare procedures will need to be established to address or accommodate emergency response, evacuation and/or movement of riders on the system.

I. CFCRT Fare Collection System Not Operable

a) Due to isolated/widespread power failures and/or malfunctioning fare collection system

b) Fare collection media unable to communicate with all fare collection equipment

c) All fare collection equipment unable to communicate with Central Data Collection & Information System (CDCIS) and/or clearinghouse

II. LYNX and/or Votran Fare Collection System Not Operable

a) Due to system software failures or malfunctioning fare collection system

b) Isolated malfunctions of LYNX or Votran fare boxes / validator units

III. Potential Emergency Conditions

a) CFCRT system

i) Vehicle failures – stalled/disabled trains

ii) Wayside problems – malfunctioning signals, communications, damaged rail, obstruction on tracks, train derailments.

iii) Accidents – conflicts/collisions with general traffic or pedestrians

iv) Other Incidents – medical emergencies, attempted suicides, terrorism, and felonious activities

b) Regional

i) Foul Weather – flooding, high winds, tornados, hurricanes

ii) Widespread Power Failures

IV. Emergency Fare Strategies

a) Temporarily Suspension of CFCRT Fares – Would be required during CFCRT related emergency situations where fares cannot be collected using fare collection equipment and/or movement of riders on the system is a priority.

i) Passengers onboard trains - Train Conductor to scan smart cards and “cancel” the trips on their HHTV units as train passenger alight. Alternatively, the “back end” system could identify affected smart cards and credit the fare back to the passenger.

ii) Boarding passengers at stations – would not be required to pay a fare or validate smart card at SPTV

iii) Passengers boarding replacement bus - would not be required to pay a fare or validate smart card at OSMP on the emergency bus

iv) Passengers reboarding train - would not be required to pay a fare or validate smart card at SPTV

v) Passengers transferring from feeder bus service – would be required to validate smart card and pay regular fares onboard LYNX or Votran feeder buses prior to transferring to CFCRT, but not required to purchase a transfer upgrade at TVM or validate smart card at SPTV.

vi) Passengers transferring to feeder bus service – would be required to validate smart card onboard bus

b) Temporarily Suspension of CFCRT, LYNX and Votran Fares – Would be required when fares cannot be collected due to the entire fare collection system being down and/or during significant regional emergency situations.

i) All fares and collection methods would be temporarily suspended.

c) Personnel Issuing Cash Fares – Train Conductors and/or Roving Ticket Inspectors will not collect cash fares during normal revenue operations. There may be certain situations when the fare collection system is down that may not require temporarily suspending fares.

10.4 Fare Media

I. Overview - The CFCRT fare collection system will be designed as an Account Based System (ABS), allowing passengers to open accounts linked to contactless smart cards and other contactless fare media (such as contactless credit cards, near field communication (NFC) mobile phones, etc.). Account products shall be hosted at the Central Data Collection & Information System (CDCIS) back-office to allow for any type of contactless fare media with a unique chip serial number to be linked to an account.

a) *Initial Deployment* – closed loop smart cards and limited use tickets used for payment, validation and reloading of fares through contactless interface with fare collection equipment. Each card will have a pre-encoded unique 20-digit permanent serial number associated with a customer account hosted at CDCIS.

- *Contactless Smart Card (Standard)* – to load, reload, validation of base, reduced, prepaid fares for daily commuters on CFCRT and daily commuters transferring to CFCRT from LYNX and Votran bus systems.
- *Contactless Smart Card (Limited Use Paper Tickets)* – for preset loaded values for base and reduced fares for the occasional rider on CFCRT. Also, dispensed for transfer upgrade for occasional riders transferring from LYNX and Votran bus systems.

b) *Future Deployments* – open loop smart media (contactless credit/debit cards, prepaid cards and various near field communications devices) will be deployed utilizing the same CDCIS and fare collection equipment. Fare media will be associated with customer accounts hosted at CDCIS.

II. Estimated Quantities – Initial procurement of smart cards include the following quantities:

a) FDOT – 10,000 (Smart Cards); 10,000 (Limited Use Tickets)

b) LYNX/Votran – 10,000 (Smart Cards); 20,000 (Limited Use Tickets)

c) Additional smart cards to be ordered based on demand

III. <u>Issuance of Fare Media</u>

a) *TVMs* – purchase and issue standard and limited use smart cards at all TVMs. TVMs will also provide balance on smart cards to customers. Customers will be able to load, reload values to standard smart cards. Each TVM will be designed to store a minimum of 500 standard smart cards and 1000 limited use tickets.

b) *POSMs* - purchase and issue standard smart cards at participating retail outlets and ride stores. Clerks at these outlets will assist CFCRT customers by selling and loading values to new smart cards, selling new smart cards with prepaid values and reloading values on existing smart cards.

c) Online/Mailings – purchase smart cards online and issued by mailing to customers. Customers can also register their smart card, sign up for balance protection and *auto-reload.*

d) *Employees* – each CFCRT employee will be provided directly with a smart card for use of CFCRT for free.

IV. <u>Smart Card Fee</u> – Anticipated fee of $5 for customers to purchase a Contactless Smart Card (standard) and $0.50 for the limited use smart card. Fee will be waived for the first 90 days of operations to encourage riders to use smart card.

V. <u>Smart Card Registration</u> – for customers through the CFCRT website to register for a CFCRT account for reloading value and use balance protection for lost, damaged or stolen cards. Registration will be encouraged but not required. Balance protection will preserves the value of card in the event that it is lost or stolen and transfers the remaining balance to a new card at the time of notification. The lost or stolen card will be deactivated. A fee will be charged (i.e. $5) will be charged for the replacement smart card.

VI. <u>Smart Card Branding</u> – SunRail logo, graphics and color scheme shall be printed on smart cards. Additional design options will be available to be printed on smart cards.

10.5 Revenue Sharing

I. <u>Overview</u> – CFCRT, LYNX and Votran would agree that whichever agency collects the fares, keeps the fares. For example, when a passenger boards a LYNX feeder bus then transfers to CFCRT, LYNX would retain the initial base fare and CFCRT would retain any fare upgrades for travel to other zones. In the reverse direction, CFCRT would retain the base and upgrade fares for passengers boarding the CFCRT system; LYNX and Votran would not collect any revenue for transferring passengers.

LYNX and Votran would retain all revenue derived from sales of their weekly, monthly and multi-ride tickets. CFCRT would retain all revenue derived from sales of its weekly, monthly and annual passes.

II. **Future Revenue Sharing Considerations** – The development of a revenue sharing strategy and agreement between the regional partners (CFCRT, LYNX and Votran) will be driven by balancing agency and regional goals, as well as the availability of ridership data. Since, CFCRT will be a new transit system, the availability of actual ridership data limits the regional partners to initially establish a more simplified approach to revenue sharing to support the implementation of service. The smart card system will support collection of more accurate ridership information to potentially develop formulas for future revenue sharing options.

10.6 Back Office/Clearinghouse

I. **Overview** - All fare collection and validation equipment will communicate with the Central Data Collection and Information System (i.e. CDCIS or "back office") for transfer of all stored data and transfer of equipment parameters. The CDCIS will be an "Account Based System" and all fare product and customer information will reside on the account level and not on the smart card itself.

In the account-based system, the data stored on the issued smart media will only be used as a means to identify the smart card uniquely and be linked to an account within the CDCIS. Fare products purchased or reloaded (stored value, trips, passes, transfers) will be associated to the account within the CDCIS. The accounts will be accessed and verified each time the smart media is presented (tapped) to a contactless reader. Fare processing will apply the transfer rules, fare policy rules, and fare calculation will occur in the CDCIS.

The CDCIS offered shall be a single integrated CDCIS that is capable of serving the regional system and shall allow for regional clearing and settlement activities among regional partners based upon flexible configuration rules. Functions of the CDCIS include:

- Continuous monitoring of the system.
- Remote monitoring of field devices.
- Provide data and reports for the settlement of funds.
- Monitor & apply software upgrades, fixes, security patches.
- Provide a disciplined change control process.
- Provide notice of alerts and alarms whether operational, equipment intrusion, software attacks or other threats.
- Provide customer service to regional partners such as Lynx, Votran and future participants.
- Provide support for information requests, audits and routine reports.

II. **Subsystems and Applications** - The CDCIS shall be comprised of the following subsystems and applications to support an account based back office:

- Data Storage Computer (DSC)
- Fare Processor

- Device Management System (DMS)
- Regional Clearinghouse Application (RCA)
- Online Ticketing Application (OTA)
- Customer Administration Application (CAA)
- System Status and Security Monitoring Application (SSSMA)
- Servers
- Work Stations

III. **PCI Compliance** - The CDCIS requires a secure, environmentally controlled facility. Quality customer service and operations integrity requires 24/7/365 monitoring of computer hardware, software and system devices. Minimization of risk and best practices dictate a Payment Card Industry (PCI) compliant facility and processes.

PCI standards are the accepted method of mitigating risk for enterprises managing data related to handling credit & debit transactions and accounting for the settlement of funds among entities such as regional transportation systems.

PCI compliance sets the standards for the physical environment, software security, encryption of data, process flows and including mundane functions such as the shredding of printed documents.

IV. **CDCIS Hosting Solutions** - The CDCIS environment for the secure physical and technological hosting of the computer hardware, software and supporting devices. Hosting also includes the administration and maintenance of the back office; whether provided internally by CFCRT, another public agency or a private contractor. An analysis of potential hosting solutions will identify the costs, benefits, issues and risks associated with a decision to provide services in-house or on a contracted basis. Three options are in consideration for the hosting solution:

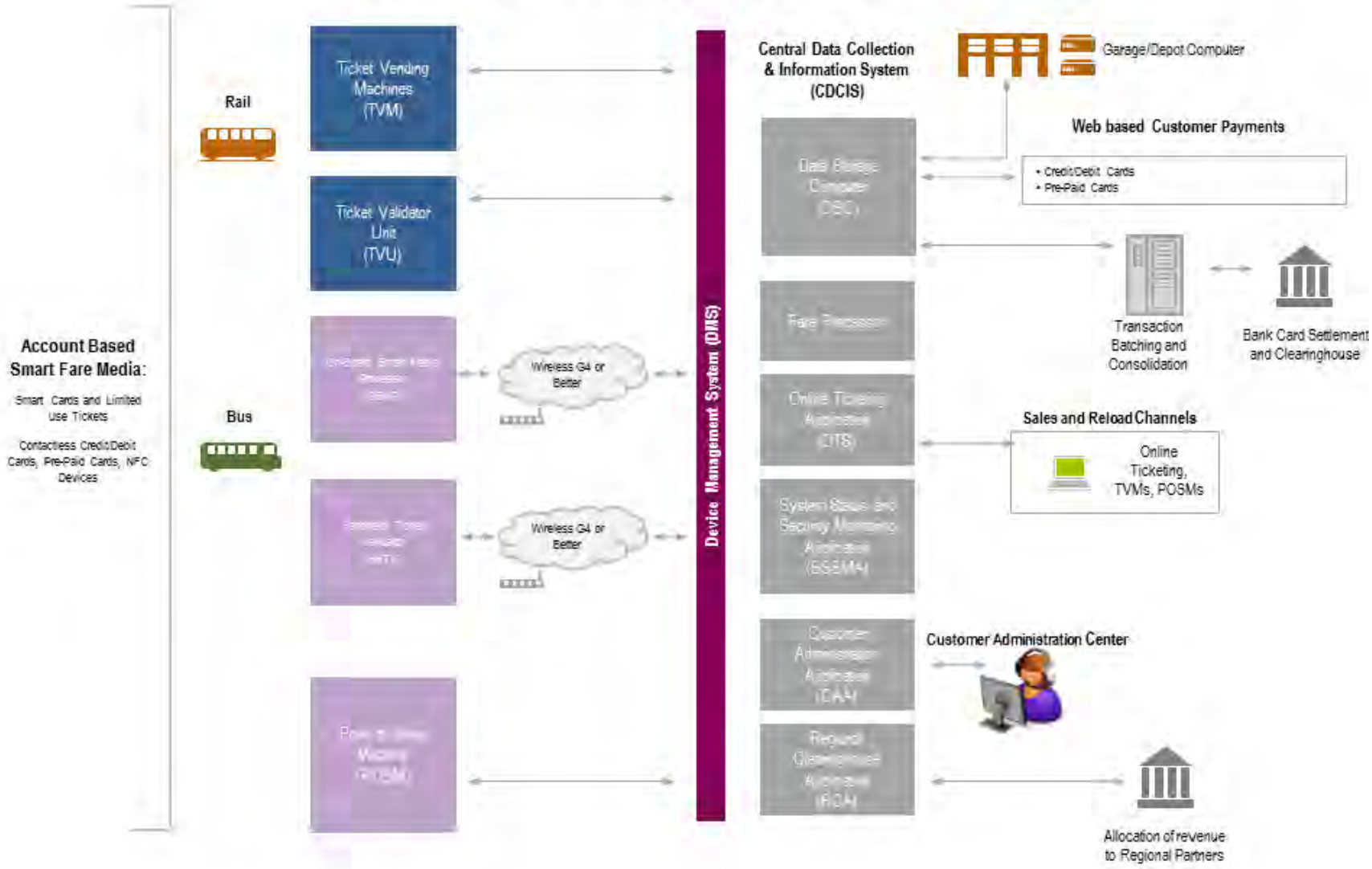
a) CFCRT – The Operations Control Center (OCC) has been identified to potentially host the CDCIS. The room is being constructed to standard office/warehouse standards and must be upgraded for PCI compliance. Additional required elements of updgrading the OCC to support back office operations include redundant power and HVAC, raised flooring for cabling and security upgrades.

b) Florida Turnpike – A proposal to consolidate operations of the current four toll agencies in Florida under the Florida Turnpike Enterprise (FTE). The FTE currently has established a back office for their toll operations that could also be utilized for CFCRT, but require some time to consolidate back offices for all the toll operations. A contract with the Florida Turnpike could provide a solution to operate, maintain and monitor the system, but likely would not occur until all back office operations are consolidated.

c) Fare Collection Vendor – A contract with the selected fare collection vendor could be established, to host back office operations remotely. CFCRT fare collection equipment and media would still communicate and operate similar to a locally established CDCIS. This would assume establishing a multi-year agreement with the vendor to operate, maintain and monitor the system.

V. **Clearinghouse** – CFCRT will contract with a third-party clearinghouse (i.e. bank or other financial institution) in order to process transactions of the fare collection system. Credit/debit transactions would be initially processed with authorization in the CDCIS and as pending by the third-party clearinghouse. The provisions of S. 215.322, F.S., must be complied with including the utilization of the standardized contract between the financial institution or other appropriate intermediaries and the transaction processor. The PCI DSS (Payment Card Industry Data Security Standard) shall be required for credit card transactions. Communication between the fare collection equipment (i.e. TVM, POSM, online), CDCIS and a clearinghouse will occur for determining validity and approving or rejecting bank card transactions transmitting information to the financial institution and/or clearinghouse and requests authorization.

Account Based "Back Office" System



10.7 Interagency Agreements

I. **Overview** – Interagency agreements between FDOT, LYNX and Votran have been established related to the CFCRT system and supporting feeder bus service. An interlocal agreement between the partnering agencies will need to be established for agreement on the fare policy, which should include the following issues related to the CFCRT fare collection system:

- Fare structure/transfer policy
- CDCIS (ownership, operations and maintenance)
- Fare revenue sharing
- Sales and distribution of fare media
- Emergency service and policy coordination

10.8 Legislation

I. **Overview** - The Florida Statute 341.3025 provides guidance for how multicounty public system should be designed to collect and enforce fares. It also states how any new public rail system that is constructed after December 1, 2010 shall incorporate a universally accepted contactless fare media to facilitate the ease of transfer from one public transportation system to another. The Florida Statute 716.02 provides guidance for the escheat of funds in the possession of federal agencies, as it relates to fares that have remained "unknown" or unused on smart cards for period of for 5 or more consecutive years are declared to have escheated and become the property of the state.

II. **Florida Statute 341.3025 Multicounty public rail system fares and enforcement.**
(1) Any entity that owns or operates a public rail system in two or more counties of the state may adopt rules and regulations relating to the operation and management of its rail system, including regulations relating to fares, fees, and charges for the use of the facilities and services of the system.
(2) It is unlawful for any person to ride the rail system without payment of the appropriate fare or to cause goods or other items for which a fee is charged to be carried on the rail system without payment of the fee.
(3)(a) Any person riding the rail system without paying the appropriate fare or causing goods or other items for which a fee is charged to be carried without paying such fee shall be subject to citation by an enforcement officer of the system and, in addition to any other penalty provided by law, is guilty of a noncriminal violation punishable by a fine of $50 per each such violation.
(b) The citation issued to a person in violation of this section shall state the reason for the citation, the amount of the fine, and the court having jurisdiction of the offense.
(c) Each enforcement officer issuing a citation for an alleged violation of this section shall deposit the original and one copy of the citation with a court having jurisdiction over the alleged offense within 5 days after issuance to the violator.
(d) The entity operating the system shall maintain a copy of the citation.
(e) Upon the deposit of the original and one copy of such citation with a court having jurisdiction over the alleged offense, the original or copy of such citation may be disposed of only by trial in the court or other official action by a judge of the court, including forfeiture

of the bail, or by the deposit of sufficient bail with or payment of a fine to the entity by the person to whom such citation has been issued.
(f) The entity shall maintain or cause to be maintained a record of the disposition of each citation issued.
(4)(a) Any person cited for an offense under this section shall sign and accept a citation indicating a promise to appear.
(b) Any person who does not elect to appear shall pay the fine either by mail or in person within 30 days of the date of receiving the citation. If the person cited follows the procedure provided in this paragraph, he or she shall be deemed to have admitted the infraction and to have waived his or her right to a trial on the issue of commission of the infraction. Such admission shall not be used as evidence in any other proceeding.
(c) Any person electing to appear before the judge shall be deemed to have waived his or her right to pay the penalty. The judge, after a trial, shall make a determination as to whether an infraction has been proven and may impose a civil penalty not to exceed $500. If the judge determines that no infraction has been committed, no cost or penalties shall be imposed, and any cost or penalty which has been paid shall be returned.
(d) Any person who fails to appear or otherwise properly respond to a citation issued under this section shall also be charged with the offense of failing to respond to such citation and, upon conviction, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A written warning to this effect shall be provided at the time such citation is issued.
(e) The commission of an offense must be proved beyond a reasonable doubt at any trial.
(5) For the purpose of enforcing the payment of such fares, fees, and charges for use of the facilities and services of the system, such entity shall have the authority:
(a) To employ enforcement officers or contract with a private firm or company to verify payment of appropriate fares or fees and to issue citations to persons traveling on the system without paying the appropriate fare or to persons who cause goods or other items for which a fee is charged to be carried without paying such fee. Such enforcement officers who are not licensed security officers shall not carry firearms or other weapons or have arrest authority; armed security officers performing fare inspection services shall not have arrest authority and shall be licensed as required by chapter 493 and all other applicable laws and regulations.
(b) To maintain records of citations issued and to accept payment of fines and costs.
(6) All fines and forfeitures received by any court from violations of this section shall be paid monthly, less any administrative costs, to the entity operating the system.
(7)(a) The Legislature recognizes the importance of encouraging the seamless use of local and regional public transportation systems by residents of and visitors to the state wherever possible. The paramount concern is to encourage the implementation of fare collection systems that are interoperable and compatible with multiple public transportation systems throughout the state.
(b) Notwithstanding any other provision of law to the contrary, in order to facilitate the ease of transfer from one public transportation system to another, any new public rail system that is constructed after December 1, 2010, by the state, an agency of the state, a regional transportation authority, or one or more counties or municipalities shall use a universally accepted contactless fare media that is compatible with the American Public Transportation Association's Contactless fare Media System Standard or the applicable bankcard contactless media standards and allows users to purchase fares at a single point of sale with coin, cash, or credit card. Additionally, any existing public rail system that is adding a new fare media system or is upgrading its existing fare media system shall use a universally accepted contactless fare media that is compatible with the American Public

Transportation Association's Contactless fare Media System Standard or the applicable bankcard contactless media standards and allows users to purchase fares at a single point of sale with coin, cash, or credit card.

(8) Venue for prosecution or recovery for violations of rules or regulations adopted pursuant to this section shall be in the county where the entity which owns and operates the public rail system maintains its principal place of business.

History.—s. 1, ch. 88-360; s. 73, ch. 92-152; s. 38, ch. 93-164; s. 506, ch. 95-148; s. 55, ch. 95-257; s. 26, ch. 2010-225.

III. **Florida Statute *716.02 Escheat of funds in the possession of federal agencies.—***

All property within the provisions of subsections (1), (2), (3), (4) and (5), are declared to have escheated, or to escheat, including all principal and interest accruing thereon, and to have become the property of the state.

(1) All money or other property which has remained in, or has been deposited in the custody of, or under the control of, any court of the United States, in and for any district within this state, or which has been deposited with and is in the custody of any depository, registry, clerk or other officer of such court, or the United States treasury, which money or other property the rightful owner or owners thereof, either:

(a) Has been unknown for a period of 5 or more consecutive years; or,

(b) Has died, without having disposed thereof, and without having left heirs, next of kin or distributees, or

(c) Has made no demand for such money or other property for 5 years;

are declared to have escheated, or to escheat, together with all interest accrued thereon, and to have become the property of the state.

(2) After June 16, 1947, all money or other property which has remained in, or has been deposited in the custody of, or under the control of, any court of the United States, in and for any district within this state, for a period of 4 years, the rightful owner or owners of which, either:

(a) Shall have been unknown for a period of 4 years; or,

(b) Shall have died without having disposed thereof, and without having left or without leaving heirs, next of kin or distributees; or,

(c) Shall have failed within 4 years to demand the payment or delivery of such funds or other property;

is hereby declared to have escheated, or to escheat, together with all interest accrued thereon, and to have become the property of the state.

(3) All money or other property which has remained in, or has been deposited in the custody of, or under the control of any officer, department or agency of the United States for 5 or more consecutive years, which money or other property had its situs or source in this state, except as hereinafter provided in subsection (4), the sender of which is unknown, or who sent the money or other property for an unknown purpose, or money which is credited as "unknown," and which said governmental agency is unable to credit to any particular account, or the sender of which has been unknown for a period of 5 or more consecutive years; or when known, has died without having disposed thereof, and without leaving heirs, next of kin or distributees, or for any reason is unclaimed from such governmental agency.

(4) In the event any money is due to any resident of this state as a refund, rebate or tax rebate from the United States Commissioner of Internal Revenue, the United States Treasurer, or other governmental agency or department, which said resident will, or is likely to have her or his rights to apply for and secure such refund or rebate barred by any statute of limitations or, in any event, has failed for a period of 1 year after said resident could have filed a claim for said refund or rebate, the Department of Financial Services is

appointed agent of such resident to demand, file and apply for said refund or rebate, and is appointed to do any act which a natural person could do to recover such money, and it is hereby declared that when the department files such application or any other proceeding to secure such refund or rebate, its agency is coupled with an interest in the money sought and money recovered.

(5) It is the purpose of this chapter to include all funds or other property in the possession of the government of the United States, and of its departments, officers, and agencies, which property has its situs in this state or belonged to a resident thereof, and not to limit the application of this chapter by the naming of any particular agency. This chapter shall include all funds held in the United States Department of Veterans Affairs, Comptroller of Currency, United States Treasury, Department of Internal Revenue, federal courts, registry of federal courts, and such evidences of indebtedness as adjusted service bonds, old matured debts issued prior to 1917, unclaimed and interest thereon, postal savings bonds, liberty bonds, victory notes, treasury bonds, treasury notes, certificates of indebtedness, treasury bills, treasurer's savings certificates, bonuses and adjusted compensation, allotments, and all unclaimed refunds or rebates of whatever kind or nature, which are subjects of escheat, under the terms of this chapter. Provided, however, that nothing in this chapter shall be construed to mean that any refunds due ratepayers under order of any court of the United States shall become the property of the state.

History.—s. 2, ch. 24333, 1947; s. 11, ch. 25035, 1949; ss. 12, 35, ch. 69-106; s. 1, ch. 70-405; s. 36, ch. 93-268; s. 847, ch. 97-102; s. 1881, ch. 2003-261.

10.9 Transition Plan (After 7-year FDOT Operation)

I. **Overview** – An interlocal governance agreement for the creation of the Central Florida Commuter Rail Commission has been established that states that FDOT will be responsible for funding, operation, management, and maintenance for a period of 7 years, following the start of revenue operation. The Local Government Partners consisting of representation from Orange, Osceola, Seminole and Volusia counties and the City of Orlando will create the Central Florida Commuter Rail Commission to assume the responsibility from FDOT after the completion of the 7 year period.

10.10 Compatibility with Future Fare Collection Methods

I. **Overview** - CFCRT may explore future expansion or consolidation of its Smart Card program with other local, regional and state agencies including its local partners LYNX and Votran and other transportation agencies like the Orlando Orange County Expressway Authority (i.e. universal regional pass). The fare collection equipment will be designed with an "open architecture" as an Account Based System (ABS), allowing passengers to open accounts linked to contactless smart cards to hold fare products. to enable future expansion and/or consolidation with minimal cost or disruption to CFCRT, its partner agencies and their riders, as well as to accommodate for emerging technologies for contactless smart card payments (i.e. contactless debit/credit card smart cards, near field communication (NFC) mobile phones). The fare media used for the account based system in the initial stage will be closed loop. Open loop media will be deployed at a future stage and is not part of this procurement. The following table depicts the migration and acceptance of various fare media types in the transit sector in U.S. that should be considered.

Forward-Looking Media Type and Technology

	Present to 2 Year	**3 to 6 Year**	**7 to 10 Year**
Media Type	Transit Smart Card MagStrip & EMV Contactless Closed-loop (cards, stickers)	MagStrip & EMV Contactless Open-loop (Cards, Stickers) Mobile ticketing (NFC) Transit specific open payment Form factors: (Phone, tablets, FOBs, ID Cards)	MagStrip & EMV Contactless Open-loop (Cards, Stickers) Mobile ticketing (NFC) EMV Contactless on PIV Social Media Type Payments NFC form factors Transit-specific open payments
Contactless Reader	ISO 14443 A&B (NFC) Bar Code	ISO 14443 A&B (NFC) Barcode	ISO 14443 A&B (NFC) Biometric Scanner

The fare collection equipment, media and system will be designed at initial deployment to support future upgrades required to ensure the acceptance of open loop smart media, including the following technical requirements:

- ISO 14443 Compliancy
- Provisioning of card readers to be certified and compliant with Europay/MasterCard/Visa (EMV) Level 1 and Level 2
- Necessary firmware to encrypt and de-encrypt data

Some software/module and CDCIS server upgrades will be required to support the use of the fare collection equipment to accept open payments, but would not require additional fare collection equipment.

APPENDIX 1 - PEER COMMUTER RAIL FARE COLLECTION AND ENFORCEMENT PRACTICES

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
ABQ (NM) RailRunner Operator is Herzog Transit Services. http://nmrailrunner.com/	Engineer	Conductor	Ticket Agent/Clerk	On-line or On-board Ticket Agent	Violations by Ticket Agents. Charged by State Police	Up to 5	RR has indicated that they use the Ticket Clerk to assist with ticket sales because they have no TVMs at stations.
Altamount Commuter Express (San Joaquin Regional Rail Commission) http://www.acerail.com/Home.aspx	Engineer	Conductor	N/A	Purchase tickets/monthly passes online, mail, agency offices, company sponsored employee programs, at station ticket booths (all methods, e.g., cash) validate the ticket at validators before boarding	ACE is a barrier-free system. Train attendants and Fare Inspectors check the tickets for validation as they greet the passengers between stations.	ACE passenger train runs Monday through Friday, from Stockt on to San Jose Locomotive, coach and cab car, 6 car train. Bicycle Capacity = 34.	
Caltrain	Engineer	Conductor	Assistant Conductor	A Proof-of-Payment (POP) fare enforcement	Conductor/assistant conductor responsible for fare verifying tickets and		CLIPPER – The universal transit card for the San

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AECOM - Best Practice Survey Commuter Rail O&M Personnel

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
				system is utilized with all purchases of tickets and passes from staffed ticket offices in San Francisco and San Jose, TVMs located at all stations, or the Clipper universal transit card .	validations, writing citations, and performing passenger counts. Onboard fare instrument inspection rate goal of 50%,		Francisco Bay Area. The Clipper card is a stored-value card that can be used to pay for a variety of Caltrain tickets and passes.

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AECOM - Best Practice Survey Commuter Rail O&M Personnel

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
Capital Metro METRO*RAIL* Austin, Tx. http://www.capmetro.org/MetroRail/	Operator	Arriving trains stop at all stations. Once the train has stopped, the doors open automatically.		TVM Uses a self-service, proof-of-payment (POP) fare collection system that will be integrated with Capital Metro's existing bus fare collection system. Passes purchased on-line, retail outlets and TVMs at stations. Passes purchased in advance must be validated at a rail station validator on the rail platform before boarding the train. TVM-issued passes are already validated upon purchase.	Roving Inspectors. Fare inspectors will randomly check riders for their fare. Individuals who do not have the proper fare will be subject to citations, fines and/or removal from the train at the next station	Two-car DMU (level boarding)	Weekday service.

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
FrontRunner (SLC) http://www.rideuta.com/index.aspx Operator is Utah Transit Authority.	Operator	Train Host (Part-time classification)	N/A	Smart Card at TVMs, purchase passes on-line or sales outlets. FrontRunner TVMs accept cash and major credit and debit cards	Percentage basis by UTA Police. Have power of arrest, carry fire arms	Push/pull (11) MP36PH diesel locomotive system complete with (20) Bombardier bi-level cab cars and (25) refurbished single-level vehicles (NJT Comet cars) 1 Locomotive and 3 bi-level passenger cars consist.	Operator classification shared with bus and light rail (TRAX) so that salary standardized for 3 groups Train Hosts do not check for fares or handle fare evasion - responsible for emergency preparedness and customer relations Station Attendants may assist with ADA ramp deployment

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
Metrolink (Southern California Regional Rail Authority) Amtrak operator as of July 2010. http://www.metrolinktrains.com/	Engineer	Conductor		Tickets are not sold onboard. TVMs (accept all types of payment) and validators are located on Metrolink train platforms.	Passengers are subject to inspection by Fare Inspector. Metrolink has its own L.A. County Sheriff's unit, which provides security on our trains and along our routes.	The Metrolink fleet consists of 52 locomotives and 150 Bombardier BiLevel Coaches with 117 Rotem Bi-level cars on order(57 cab cars and 60 coaches). As of March 2010, the cab car portion of the fleet consists of 32 Metrolink-owned cab cars. The trailer portion of the fleet includes 118 Metrolink-owned	Seven lines, 55 stations and 40,000 passengers per day. All lines during week, select lines on weekends. Metrolink stations are generally owned and operated by the cities they are in; the Riverside County Transportation Commission operates the Riverside stations. The station operators, not Metrolink, fund the guards and/or security personnel passengers see at various

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
						trailers and leased (5 from NJT and 10 from UTA).	stations. In most cases, the station operators either hire private security guards or have their police department patrol the station on a regular basis.
Music City Star Train, Nashville MTA/RTA Operator is Transit Solutions Group http://www.musiccitystar.org/index.html	Engineer	Conductor: Boarding assistance, will announce each station stop.		Ten-trip tickets and monthly passes can be purchased online, Riverfront Station, retail outlets, Ticket Vending Machines (TVM) located on the platform at each station. The machines accept $5 and $20 bills only; they do not accept credit cards.	The conductor will check and validate your ticket on board.	Three rebuilt Amtrak EMD F40PH locomotives, eleven former bi-level gallery Chicago Metra coaches	RTA Music City Star operates Monday through Friday, no restrooms on the trains. The 32 mile service uses the existing track of the Nashville and Eastern Railroad

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
Northstar (Metro Transit, Minneapolis-St. Paul) BNSF is the operator. http://northstarcommuterrail.com/	Engineer (BNSF)	Conductor (BNSF)	N/A	TVM accepts cash/credit Smart card readers next to TVM on platform	Metro Transit PD dedicates three uniformed, armed, police officers to the service. The three law enforcement officers share fare inspection with on-board train crew (conductor).	Each train consists of a diesel-powered locomotive and typically four passenger cars (multi-level passenger coach trains in push/pull service). Six locomotives and 18 passenger rail cars have been acquired as part of the project.	operating over Burlington Northern Santa Fe (BNSF) railroad freight tracks between Minneapolis and Big Lake (40 miles). Northstar shares the tracks with freight trains and Amtrak. Northstar operates five (5) trains a day in each direction on weekdays and three (3) trains a day in each direction on weekends or holidays.

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
SD Coaster Operator is TransitAmerica Services LLC subsidiary to Herzog Transit Services. North County Transit District (NCTD) http://www.gonctd.com/	Engineer	Conductor	N/A	Contactless smart card (Compass Card) Internet and TVMs – tickets & monthly passes, Validators on platform.	Random checks by fare inspectors (NCTD Security Officer or private security officer)	Typical 5 but 6 for half of the weekday trains GM-EMD locomotives , Bombardier bi-level coach.	
SD Sprinter Operator is Veolia (NCTD) http://www.gonctd.com/sprinter				Smart Card (Compass Card) TVMs– tickets & monthly Validator on platform	Random checks by fare inspectors (NCTD Security Officer or private security officer)	light rail Siemens DMUs	
SEA Sounder BNSF operates the trains http://www.soundtransit.org/	Engineer	Conductor	N/A	Automated (TVM or ORCA regional transit fare card, i.e., tap-on/tap-off) The TVM accepts cash, MasterCard or VISA.	On board, fares are inspected at random by On-board Security Firm for 10% trips Passengers without a valid ticket or pass are subject to a citation and fine	7	Sounder trains provide weekday commuter service.

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
TriMet WES (Westside Commuter Rail) Operated by Portland &Western RR (info from website and O&M scope) http://www.trimet.org/wes/index.htm	Engineer	Conductor may check tickets	N/A	TVM and validators, accept only debit/credit cards	TriMet has a complement of 18 Fare Inspectors who are deployed throughout the TriMet system and verify proof-of-payment (POP)	Four Colorado Rail Cars, three DMU (74 seats) and one trailer (80 seats)	Runs every 30 minutes during weekday ONLY AM and PM rush hour Level boarding 14.7 miles, 5 stations, Security: Sworn police officers/ Non-sworn Transit Security Officers and an on-site manager under contract with a private security firm (Wackenhut Corporation)/ Rider Advocates

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
Trinity Railway Express TRE (Dallas). Operator is Herzog Transit Services. http://www.trinityrailwayexpress.org/	Engineer	Train Attendant (Conductor) assists passengers alighting, disabled passengers, periodic announcements, operate doors, verify fares		A monthly or annual pass, E PASS or validated ticket/day pass (TVM). TVMs validate tickets (no validators)	TRE relies on an "honor system" with random fare inspection. Anyone riding without a valid pass or ticket will be issued a citation by the conductor, and fees or fines cannot be waived ($75.00 administrative fee). Conductor shall verify fare compliance by inspecting tickets at least once per shift Estimated 35% coverage for random fare checks, 97-98% fare compliance.	At least one locomotive unit and one bi-level cab car. Typically, one or two additional coach cars are included between the locomotive and cab car.	From scope: The system is currently operated with **13** self-propelled Rail Diesel Cars (RDCs), ten bi-level coaches, four bi-level cab cars and four diesel-electric locomotives. Weekday service consists of 51 trains in two, three and four car consists, while 34 trains operate on Saturdays. The conductor does not have the ability to take money for the ticket and tickets are not sold on the train.

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AECOM - Best Practice Survey Commuter Rail O&M Personnel

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
							They use ambassadors / hosts during special events to assist passengers Rely on local law enforcement for response / criminal activity
Virginia Railway Express (VRE) Operated by Keolis Rail Services America http://www.vre.org/	Engineer	Conductor		There are a total of 18 stations on VRE's lines. The fare structure is distance-based, with stations grouped into zonesSingle-Ride and Ten-Ride tickets **must** be validated before boarding trains. Purchasers of a Monthly ticket or VRE-TLC pass must validate their ticket by signing their	Passengers observed onboard without a valid ticket are subject to a fine of not less than $150. Conductor checks tickets.	Locomotives GP 39 (2), GP 40 (2), F40PH-2 (3) and MP36ph-3C (2); Gallery cars (69)	VRE doesn't run on weekends.

System	Train Operator	Second Position	Third Position	Fare Purchase	Fare Evasion	# Cars	Comment
				name in the designated space on the ticket. Tickets are not sold on board VRE trains. Purchase on-line, TVMs (combo-validators) at stations (don't accept cash), retail outlets, employers			

APPENDIX 2 - CLEARINGHOUSE CASE STUDIES

This paper is a summary of examples of how agencies administer and operate inter-county/agency Smart Card systems across the United States. The Central Florida CFCRT project participants are evaluating the possibility of utilizing a "regional clearinghouse" for the eventual operations of the Commuter Rail system. The draft plan is for Florida Department of Transportation (FDOT) to operate the Commuter Rail system for 7 years. Afterwards a regional Commuter Rail Commission established by the local jurisdictions, will operate the system.

LYNX, Central Florida Regional Transportation Authority, and Votran, Volusia County's public transit system, are two major public transit providers in the area directly served by the CFCRT project. FDOT's role has been primarily to lead the project and get it through the start-up process. LYNX is in the process of developing a smart card program for its system which would have direct impact on the operations of the commuter rail program when it begins operations. The agencies are seeking a model that would enable effective operations of the commuter rail system long term.

This memo discusses examples of regional fare management programs currently in use that could serve as models for what the operators of CFCRT want to implement in Central Florida. Each program is unique and the systems have established programs that are suited for their locality and thus the success of each program depends on the working relationships between the local agencies. Ultimately, MOUs/Agreements are negotiated and developed on terms (relating to revenue sharing, cost distribution, service provision, governance, etc.) agreeable to each participant in the program.

The four existing programs this memo summarizes are:

- *One Regional Card for All* (for the Northwest Puget Sound region), a program that has seven participating transit agencies involving travel on buses, rail and ferries.
- *The Clipper* (for the San Francisco Bay area), a program that currently has 7 participating agencies involving travels on buses, rail and ferries. It can allow up to 26 participating agencies.
- *Breeze Card* (For Metro Atlanta Regional Transit Authority), a program that includes two participating agencies and involves travels on rail and buses.
- *EASY CARD*, a program implemented first by Miami-Dade Transit and later by South Florida Regional Transit Authority and interoperates between the two agencies for travels on rail and buses. Palm Tran and Broward County Transit are expected to participate in the future.

One Regional Card for All (ORCA)

Washington State's Puget Sound region has the ORCA (One Regional Card for All) card for transit users to enable seamless travel throughout the region from one system to another. There are 7 transit agencies participating in it:

- Snohomish County Public Transportation (Community Transit),
- City of Everett (Everett Transit),
- King County Metro,
- Kitsap County Public Transportation (Kitsap Transit),
- Pierce County Public Transportation (Pierce Transit),
- Central Puget Sound Regional Transit Authority (Sound Transit)
- Washington State Department of Transportation, Ferries Division (Washington State Ferries).

The mode of travels between these agencies in the region include: bus, train and ferry. The agencies signed an Interlocal Cooperation Agreement for design, implementation, operation and maintenance of the Regional Fare Coordination System (RFC) in April 2009. The Agreement states that the agencies desire to implement the RFC to establish a common, non-cash fare system throughout their service areas. An RFC Contractor was procured by the agencies to design, implement and operate the system while the agreement was entered into specifically to manage the system.

The Agreement established the framework for the management of the Operating Phase of the RFC and specified each agency roles and responsibilities and the respective roles and responsibilities of the Contractor (ERG Transit Systems), vendors and service providers to the agencies. A Joint Board was thus created for the purpose of acting for the common good for all the agencies.

There are two types of costs associated with the smart card system. There are agency-specific costs which each agency is responsible for. There are also region-specific costs which all the agencies share based on a formula. The regionally shared costs have been established in proportion to the agency ridership numbers as reported to the National Transit Database (NTD). Revenues are distributed based on use of fare media and formula agreed upon by the agencies.

During the development phase, King County, acting as the Fiscal Agent for the seven agency partners was the recipient of the individual agency cost shares to pay for system design. King County then paid ERG, the system developer, for their services. A component of the seven agency partners' agreement with ERG is to the greatest extent possible act as one client for the vendor. In this case, making one payment in lieu of seven. The agencies have a 10-year contract with ERG to provide system support services ("back office" services) but there is no customer contact with ERG.

The Clipper

The San Francisco Clipper (formerly Translink) card is managed by the Bay Area Metropolitan Transportation Commission (MTC, the San Francisco metropolitan governing agency) to reduce number of fare systems and integrate transit systems in the bay area. Seven transit agencies that currently participate in the program are:

- AC Transit,
- BART,
- Caltrain,
- Golden Gate Transit,
- Muni,
- SamTrans
- Valley Transportation Authority (VTA).

Same as ORCA, the modes of travels between these agencies are rail, buses and ferries. Although managed by the MTC, it is operated by Cubic Transportation Systems who took over from ERG. MTC has a Memorandum of Understanding with each of the agencies to manage the Clipper program. MTC also has a contract between itself and Cubic to provide operations of the program.

Cubic Transportation Systems, Inc. designs and manufactures automated fare collection systems for public mass transit authorities. It offers integrated fare collection systems, which include access control, fare payment, revenue control, card distribution/vending, data communications, and information management. For the Clipper program, Cubic Transportation Systems, Inc. owns rights to the back-end and allows up to 26 operators to be on the system at the same time. Fares are collected on daily basis and are settled with each agency a day later.

MARTA Breeze Card

The system was installed by Cubic Transportation Systems, Inc. and available to the public in 2006. It can be used on MARTA Rail and Bus. Among the regional transit operators, only Cobb Community Transit has implemented the Breeze system for use on its buses. Other transit operators have expressed interest of the ability to do seamless transfers. These agencies have existing reciprocal agreements with MARTA.
Cubic provided the software, computer networks, communications, high-speed smart card encoding machines, sales terminals for customer agents, parking equipment, bus fareboxes, faregates and multi-language ticket vending machines that issued the smart cards. Cubic also provided innovative customer service features including credit-debit payment, Internet-based ticketing, Autoload (the ability to automatically load value onto the card), and electronic transit benefits delivery.

These and other advanced capabilities are integrated and managed by Cubic's Nextfare™ Central System, a configurable suite of software modules designed using industry standards, open platforms and commercial off-the-shelf applications to provide the core fare collection, management and reporting functions. Through Nextfare's modular design and scalability, the MARTA system can expand to support a variety of financial, operational and customer service options.

Cubic became the clearinghouse for MARTA's operations of its Breeze Card.

South Florida Regional Transportation Authority (SFRTA)/Miami-Dade EASY CARD

Tri-Rail implemented the EASY CARD in January 2011. Cubic Transportation Systems Inc., the transportation business unit of Cubic Corp., was awarded the contract to design, deliver and provide services for the new smart card ticketing and revenue management system for the SFRTA. The system will be interoperable with Miami-Dade County's new EASY CARD system which was in place previously.

Plans are for Palm Tran and Broward County Transit to join in the near future. Tri-Rail, the commuter rail service connecting Palm Beach and Broward Counties with Miami-Dade County, will be the first transit agency to join in the creation of a South Florida regional system, giving Floridians the ability to use one fare card to travel on both systems.

Tri-Rail's transaction monitoring, processing, settlement and reporting are handled by the Miami-Dade Transit through the back-office system of Cubic's Nextfare open software and hardware platform. Nextfare integrates a business management system and passenger devices for smart card issuing, processing and validating. The open design enables multiple agencies in a region to share resources while keeping all proprietary information separate and secure, giving agencies a way to reduce costs. Examples of regional systems where Cubic's Nextfare systems are in use are the greater Los Angeles area, Atlanta, and Brisbane, Australia.

Miami-Dade Transit's EASY CARD, which officially launched in October 2009, was built, integrated and fully operational across all bus and rail services within 15 months, an accomplishment owing to the increasing maturity of Nextfare, which has been fielded by more than a dozen transit agencies around the world.

The SFRTA system processes smart cards and printed tickets encompassing about 76 ticket vending machines, 85 station validators, six ticket office machines, and 60 handheld units.

Conclusions

Based on this summary of examples, transit agencies typically employ the services of contractors to design, build, install and/or operate the system, serving as clearinghouses. Contractors that have been used by others include:

- Cubic Transportation group (MARTA, Clipper, TransLink, EZ Transit Pass, etc)
- ERG/Motorola (ORCA)
- On Track Innovation (OTI)
- Affiliated Computer Systems (ACS) (Harris County MTA, Texas)
- Accenture
- LG

APPENDIX 3 – CFCRT/LYNX/Votran Transfer Pricing Scenarios

One Way		
Board Votran Bus, pay one way full fare to Fort Florida Train Station	$	1.25
Go to Ticket Vending Machine and pay up charge to travel to Sanford	$	1.00
Total Fares Paid from Volusia to Seminole County	$	2.25
One Way		
Board Sun Rail at Sanford / State Road 46 Station		
Pay one way full fare plus one zone	$	3.00
Board Votran Bus from Sun Rail - Free Transfer	$	-
Total Fares Paid from Seminole to Volusia County	$	3.00
Total Fares Paid	**$**	**5.25**
Round Trip		
Purchase round trip Sun Rail Pass - 2 - Zones	$	5.50
Board Votran Bus, with round trip Sun Rail Pass to Fort Florida Train Station	$	-
Board Sun Rail at Sanford / State Road 46 Station	$	-
Total Fares Paid	**$**	**5.50**

One Way		
Board Votran Bus, pay one way full fare to Fort Florida Train Station	$	1.25
Go to Ticket Vending Machine and pay up charge to travel to Orlando		
2 Zones, Seminole County and Orange County		$2.00
Board Lynx Bus to complete trip, get validation from TVM	$	-
Lynx trip completed with 90 minute / free transfers		
Total Fares Paid from Volusia to Orange County		$3.25
One Way		
Board Lynx Bus, pay one way full fare to Sun Rail Train Station	$	2.00
Go to Ticket Vending Machine and pay up charge to travel to Debary		
2 Zones, Orange County and Seminole County		$2.00
Board Votran Bus to complete trip, get validation from TVM	$	-
Total Fares Paid from Volusia to Orange County		$4.00
Total Fares Paid		**$7.25**
Round Trip		
Purchase round trip Sun Rail Pass - 3 - Zones	$	7.50
Board Votran Bus, with round trip Sun Rail Pass to Fort Florida Train Station	$	-
Board Lynx Bus, with round trip Sun Rail Pass in Orlando	$	-
Board Lynx Bus, with round trip Sun Rail Pass in Orlando to Train Station	$	-
Board Votran Bus, with round trip Sun Rail Pass at Fort Florida Train Station	$	-
Total Fares Paid	**$**	**7.50**

APPENDIX G

SunRail Service and Fare Equity Analysis

1. Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin under any program or activity receiving Federal financial assistance. To comply with this law, the Federal Transit Administration (FTA) published mandatory guidance in FTA Circular 4702.1A and 4702.1B which requires each transit agency receiving Federal funds to develop and implement an agency-wide Title VI program.

As part of these requirements, a service equity analysis is required for agencies within urbanized areas with a population of 200,000 or more that propose a "major" service change. The threshold for defining a "major" service change is left to the discretion of the transit agency. In addition, all agencies, regardless of population, are required to perform a fare equity analysis if any fare change is proposed.

The purpose of the service and fare equity analysis is threefold:

- To analyze how the proposed changes impact low-income and minority populations
- To identify whether the change disproportionately impacts low-income and minority populations in an adverse manner, and
- To identify methods to avoid, minimize, and mitigate disproportionate methods.

This report documents the SunRail Title VI Service and Fare Equity Analysis for Phase 2 North. Section 2 of this Appendix describes the methodology used to perform the analysis, Section 3 documents the results of the Service Equity Analysis, and Section 4 documents the results of the Fare Equity Analysis.

2. Methodology

The FTA guidance affords transit agencies flexibility in developing a methodology for conducting a service and fare equity analysis. For the SunRail Title VI service and fare equity analysis for Phase 2 North, the extension of SunRail service to DeLand is evaluated. No reduction in service is proposed on the existing SunRail system (inclusive of Phase 1 and Phase 2 South), there are no proposed service changes to the existing bus routes resulting from the implementation of the SunRail Phase 2 North commuter rail extension[1], and there are no proposed changes to the existing fare structure.

A major service change is defined as a change (unless otherwise noted under "Exemptions") in service that would remain in effect for twelve (12) or more months on any individual route that would add or eliminate more than: (1) twenty-five percent (25%) of the route revenue miles; or (2) twenty-five percent (25%) of the route revenue hours (**Appendix H**). If more than one service or fare adjustment is happening simultaneously, the presence of disparate impact and disproportionate burden will be determined cumulatively.

The extension of service to DeLand exceeds the SunRail Major Service Change Policy threshold established for revenue miles by adding more than 25% of the route revenue miles of the existing SunRail system to achieve the Full-build network. However, existing riders and Deland residents will benefit from the northern extension of the SunRail service.

The following methodologies documented in Sections 2.1 and 2.2 were used for the SunRail Title VI service and fare equity analysis.

2.1 Service Equity Evaluation Methodology

Step 1. Due to the introduction of a new fixed guideway project (commuter rail), those proposed changes are considered "major" and thus require service equity analysis. Furthermore, the service changes meet the 25% threshold established by SunRail for major service changes in **Appendix H.**

Step 2. Routes which provide redundant service to the Build Alternative that are planned for deletion

[1]The existing bus network in the DeLand area is provided by Votran. The Volusia County Transit Services Division, which oversees Votran, launched their neighborhood on-demand transportation service in the DeLand Area. The DeLand zone covers most parts of the city of DeLand, serves the existing Amtrak and upcoming DeLand SunRail Station, and will help cater to the transit needs of the high transit propensity areas clustered in the core of DeLand city. Any future bus modifications to the existing Votran local network should be evaluated, if required, under their respective Title VI program.

are considered “adversely impacted routes”. No adversely impacted routes were identified with this evaluation.

Step 3. Assemble data that will be used to determine if expanded service disproportionally affects low-income or minority populations:

a. 2022 Census American Community Survey (5-yr) data for minority and low-income populations

Step 4. Map census data and determine regional averages, or thresholds, for minority and low-income populations. Identify areas of above-average minority and low-income populations.

Step 5. The analysis of the SunRail expansion will look at the following factors:

a. Population of area served by commuter rail: Overlay the route network on minority and low-income census data maps developed in Step 4. Create a 3-mile buffer, for each impacted route and selected Census tracts intersected by the buffer. The Phase 2 North commuter rail station, DeLand, will have a 3-mile buffer that represents the typical watershed for park-ride passengers. A ½ mile buffer is considered for the urban stations. Minority population and low-income population data will be extracted to determine the percent population within the buffer for each station.

Step 6. The presence of a disparate impact and/or disproportionate burden occurs if a proposed major service requires minority and/or low-income populations to bear adverse effects by twenty percent (20%) or more than the adverse effects borne by the whole population. If more than one service adjustment is happening simultaneously, the presence of disparate impact and disproportionate burden will be determined cumulatively.

Step 7. Should a proposed major service change result in disparate impacts and/or disproportionate burden, SunRail will consider modifying the proposed change to avoid, minimize or mitigate the disparate impact and/or disproportionate burden. If SunRail finds potential disparate impacts and/or disproportionate burden and then modifies the proposed changes to avoid, minimize, or mitigate potential disparate impacts and/or disproportionate burden, SunRail will reanalyze the proposed changes to determine if the modifications removed the potential disparate impacts and/or disproportionate burden of the changes. If SunRail chooses not to alter the proposed change, SunRail may implement the service change if there is substantial legitimate justification for the change and SunRail can show there are not alternatives that would have less of an impact on the minority and/or low-income populations and would still accomplish SunRail’s legitimate program goals.

2.2 Fare Equity Evaluation Methodology

Fare equity analysis is required for all fare changes regardless of magnitude. Since no fare policy changes are being proposed for the implementation of Phase 2 North service, there are no adversely impacted routes to evaluate.

3. Service Equity Evaluation

The introduction of SunRail Phase 2 North service was determined to be a major service change requiring a service equity evaluation. Phase 2 North adds 12.2 miles of SunRail passenger service to the existing 49.1 miles of SunRail passenger service, an increase of 25% of the route revenue miles which meets the threshold for a major service change.

2022 Census American Community Survey (ACS) 5-year average data was used to map Title VI communities throughout the SunRail service area at the census tract level. For this analysis, Title VI thresholds, or the comparison values against which the impacted corridor is evaluated, were developed based on regional averages for each demographic variable. Volusia, Seminole, Orange, and Osceola Counties serve the SunRail commuter rail system and represent the comparison region. The Title VI demographic variables, or populations, evaluated include minority population and low-income population (as measured by population below poverty status). The following racial/ethnic groups are included in the determination of minority population:

- Black/African American
- American Indian and Alaska Native
- Asian
- Hawaiian/Pacific Islander
- Hispanic/Latino.

New Phase 2 North Service Area

Table 2 documents the SunRail Phase 2 North service areas using the specified ½ mile (for urban stations) or 3-mile (for non-urban stations) buffer around station areas. Phase 2 North is projected to open in 2024 and adds 12.3 miles of rail and one additional SunRail station (DeLand) in Volusia County. In the Phase 2 North DeLand Station area, minorities make up 32.23% of the population, compared with 30.98% in Volusia County overall. 13.26% of the DeLand Station area population is low-income, compared with 7.94% across Volusia County. Compared to Volusia County as a whole, the DeLand Station area contains a similar percentage of minority residents, and a higher percentage of low-income residents and there is no disparate impact in provision of the Phase 2 North SunRail service. The new DeLand Station and the expanded service in Phase 2 North will provide these minority and low-income populations with increased mobility options.

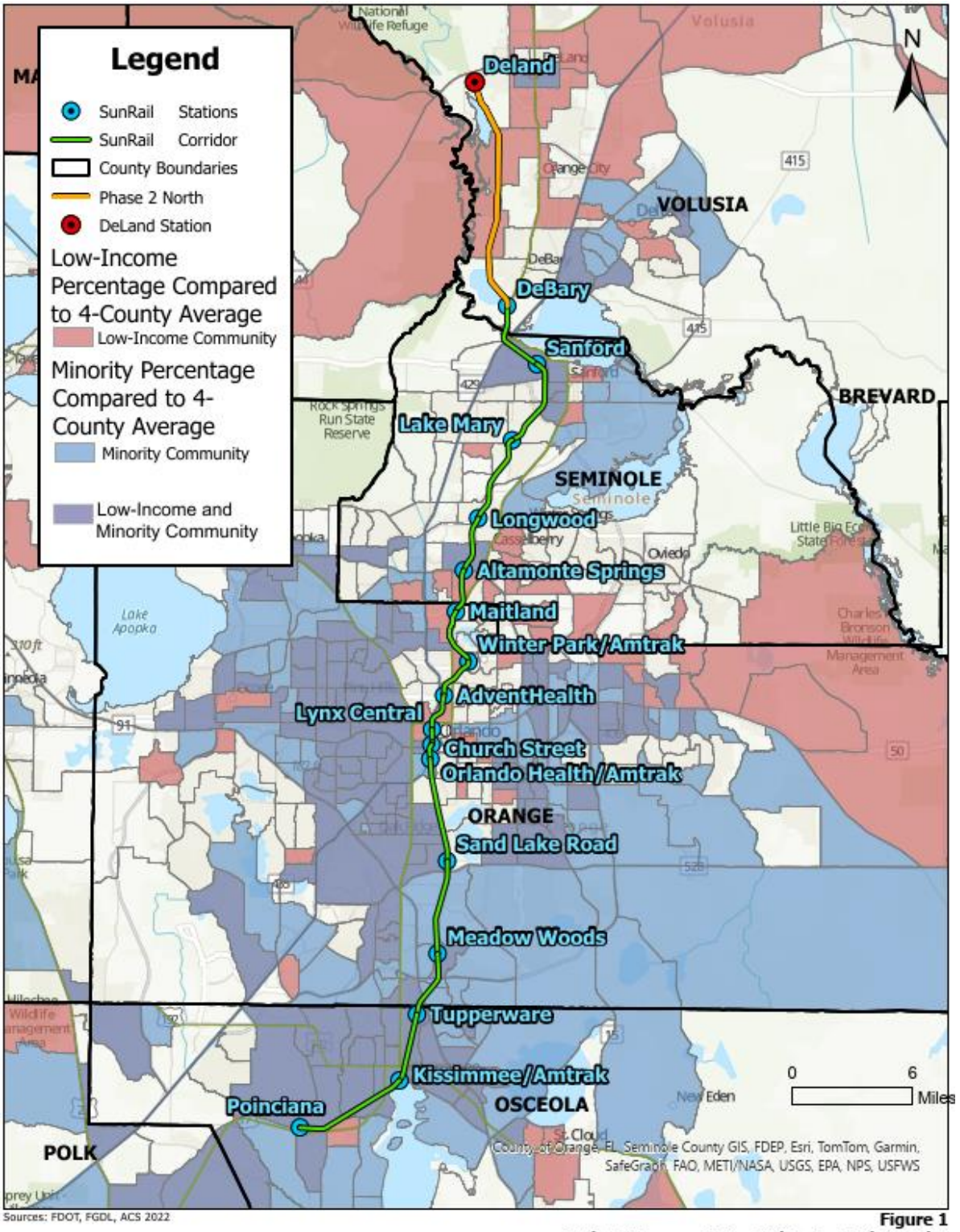
This analysis also evaluated the total population within SunRail's expanded service area, which includes Orange, Osceola, Seminole, and Volusia Counties. The 4-County regional population is 54.31% minority, compared with 32.23% for the DeLand Station area. 12.31% of the 4-County population is low-income, compared with 13.26% for the DeLand Station area. In comparison with the 4-County regional population, the DeLand Station area contains a smaller, yet still substantial, percentage of minority residents, and a slightly higher percentage of low-income residents. As mentioned above, these populations will benefit from the increased mobility options offered with SunRail Phase 2 North.

Table 2: Title VI Populations within SunRail Service Area,
DeLand Station Area and Regional Averages for Phase 2 North

Type of Service Change		Total Population				Minority Population				Low-Income Population			
		All Regional Tracts*	Tracts within SunRail Service Area**	Tracts within Volusia County***	Tracts within Deland Station****	All Regional Tracts*	Tracts within SunRail Service Area**	Tracts within Volusia County***	Tracts within DeLand Station ****	All Regional Tracts*	Tracts within SunRail Service Area**	Tracts within Volusia County***	Tracts within DeLand Station****
Expanded Service	Raw	2,850,989	869,738	558,520	58,024	1,548,433	498,158	173,022	18,703	351,019	109,918	44,389	7,696
	Percent					54.31%	57.28%	30.98%	32.23%	12.31%	12.64%	7.94%	13.26%

**Based on census tracts located in the following counties: Volusia, Seminole, Orange, and Osceola.*
***Based on ½ or 3-mile service area buffer around the proposed SunRail stations.*
****Based on Census Tracts within Volusia County.*
*****Based on 3-mile service area buffer for the proposed SunRail stations.*

Figure 1: Title VI Communities within SunRail Corridor



Sources: FDOT, FGDL, ACS 2022

Figure 1
Title VI Communities Within SunRail Corridor
ACS 2022

4. Fare Equity Evaluation

FTA's Title VI guidelines require that a fare equity analysis must be completed whenever a fare change is implemented. Since no fare policy changes are being proposed for the implementation of Phase 2 North service, there are no adversely impacted routes to evaluate. For more information, please see the Central Florida Commuter Rail Transit Fare Policy, Equipment and Implementation Plan in **Appendix F**.

APPENDIX H

SunRail Major Service Change

&

Service/Fare Equity Policy

MAJOR SERVICE CHANGE & SERVICE/FARE EQUITY POLICY

Introduction

As a federally funded and regulated transit provider, SunRail has a responsibility to adhere to the objectives of Title VI of the Civil Rights Act of 1964 as well as the policies set forth in the Executive Order on Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations (1994).

A. **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." (42 U.S.C. Section 2000d).

B. **ENVIRONMENTAL JUSTICE:** Although no formal report is required for the Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, the Federal Transit Administration (FTA) requires transit providers to incorporate EJ and non-discrimination principles into its transportation planning and decision-making process as well as environmental review for specific projects. The two primary classes considered are minorities and low-income populations.

Service Coordination/Solicitation of Public Comments

In response to recent changes made by the FTA on Title VI Requirements and Guidelines for FTA Recipients, SunRail sought public comment on the following policies regarding (1) ***major service changes***, (2) ***fare changes***, (3) ***disparate impacts***, and (4) ***disproportionate burden*** based on FTA Circular 4702.1B.

Coordination regarding these policies occurred between the Florida Department of Transportation (FDOT) and the regional transit providers---LYNX and Votran---in addition to gathering public input for determining acceptable thresholds for disparate impact (minority population) and disproportionate burden (low-income population). The establishment of SunRail's Fare Policy, Equipment and Implementation Plan was also based on regional coordination between FDOT and the regional transit providers. Coordination meetings were held between the three agencies to discuss the following fare media-related issues in 2008:

- SunRail fare policy,
- Fare strategy and fare structure,
- Fare payment technology and equipment, and
- Implementation responsibilities.

The coordination effort was conducted to ensure that SunRail's new fare collection system was designed to support fully integrated, seamless transfers between the other transit systems.

Description of the Public Engagement Process

To comply with Circular 4702.1B, SunRail sought public comments on all the proposed Title VI policies. SunRail held a Technical Advisory Committee Meeting (February 5, 2014) and a Central Florida Commuter Rail Commission (CFCRC) meeting (February 17, 2014) to present these policies and to solicit public comment. Both meetings were advertised on SunRail's website and through social media channels. Additionally, SunRail posted its Proposed Title VI policies online throughout the public notice and comment period (February 5, 2014 – March 7, 2014). The input received throughout the public comment period was analyzed and incorporated into SunRail's Major Service Change and Service/Fare Equity Policy.

Implementation and Adoption of Proposed Policies

After the completion of the public meetings and public comment period, SunRail analyzed and incorporated the input received from the public engagement process into its Proposed Title VI Policies. The threshold definitions were presented to the CFCRC Board at its February 17, 2014 meeting and to establish the following policies following Board approval. The CFCRC Board approved these policies through adoption of Resolution No. 2014-01 on April 11, 2014.

Purpose of the Policy

The purpose of the Major Service Change and Service/Fare Equity Policy is to define thresholds for determining major service changes and for determining whether potential changes to existing service or transit fares will have a discriminatory impact based on low-income populations in addition to Title VI-protected populations.

The FTA Circular 4702.1B, effective October 1, 2012, requires any FTA recipient that operates 50 or more fixed route vehicles in peak service and is located in an Urbanized Area of 200,000 or more in population, to evaluate any major service or fare changes at the planning and programming stages to determine whether those changes have discriminatory impacts. To meet this requirement, SunRail will prepare and submit an equity analysis for major service changes (including all new service changes) and all fare adjustments including an analysis of adverse effects.

Definitions (FTA Circular 4702.1B)

Adverse Effect is defined as a geographical or time-based reduction in service which includes but is not limited to: span of services changes, frequency changes, route segment elimination, rerouting, or route elimination.

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 SunRail's policy or practice lacks a substantial legitimate justification and where there exists 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 and/or income status.

Disparate treatment refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin and/or income status.

Disproportionate burden refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

Low-income person means a person whose household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.

Low-income population refers to any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.

Minority Persons include those persons who self-identify as being one more of the following ethnic groups: American Indian and Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian and Other Pacific Islander, as defined in the FTA Title VI Circular.

Service Area is a half mile radial buffer on either side of SunRail's alignment.

Level of Service refers to the span of service (hours of operation), days of operation, trips and headways (service frequencies) for a transit route or the regional transit service.

Adopted Policies

The following are adopted policies for SunRail for determining if a service or fare adjustment will result in a disparate impact or low-income disproportionate impact. These adjustments will be evaluated in accordance with the regulatory requirements set forth in the FTA Circular 4702.1B.

A. **MAJOR SERVICE CHANGE POLICY:** A major service change shall be defined as a change (unless otherwise noted under "Exemptions") in service that would remain in effect for twelve (12) or more months on any individual route that would add or eliminate more than: (1) twenty-five percent (25%) of the route revenue miles; or (2) twenty-five percent (25%) of the route revenue hours. All major service changes will be subject to an equity analysis which includes an analysis of adverse effects. The major service change thresholds ***exclude*** any changes to service that are caused by the following:

Exemptions

Temporary or Demonstration Services: SunRail may initiate or terminate a temporary service that is in effect for less than 12 months.

Service Level Adjustments: SunRail service may be adjusted up to 15 minutes during the peak hour periods, and 30 minutes during non-peak hour periods.

New SunRail Service: SunRail may adjust the level of service for a new SunRail route that has been in revenue service for less than 6 months.

Natural or Catastrophic Disasters: A major adverse event resulting from natural forces such as hurricanes, earthquakes, or other natural disasters, or human-caused catastrophic disasters that may force the suspension of transit service for public safety reasons and/or technical events.

Seasonal Service/Special Events: Changes in level of service because of seasonal ridership changes and events activities served within the SunRail service area.

Temporary Route Detours: A short-term change to SunRail's route caused by rail construction, rail maintenance, emergency rail conditions, fiscal crisis, or any other circumstances beyond SunRail's control.

B. DISPARATE IMPACT POLICY: The purpose of this policy is to establish a threshold which identifies when adverse effects of major service change or any fare changes are borne disproportionately by minority populations. For this policy, minority population means any readily identifiable group of minority persons who live in geographic proximity and in residential land use areas within Census tracts where the percentage of minority persons is higher than SunRail's service area average. As defined in the FTA Title VI Circular, minority persons include persons who identify themselves as American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, or Native Hawaiian or Other Pacific Islander.

A disparate impact occurs if a proposed major service or fare change includes the following:

- route elimination,
- new route creation,
- reorganization of a route,
- change in frequency, and
- any fare change

that requires minority populations to bear adverse effects by twenty percent (20%) or more than the adverse effects borne by the population as a whole. If more than one service or fare adjustment is happening simultaneously, the presence of disparate impact will be determined cumulatively.

Should a proposed major service or fare change result in disparate impacts, SunRail will consider modifying the proposed change to avoid, minimize or mitigate the disparate impact. If SunRail finds potential disparate impacts and then modifies the proposed changes to avoid, minimize, or mitigate the potential disparate impacts, SunRail will reanalyze the proposed changes to determine whether the modifications removed the potential disparate impacts of the changes. If SunRail chooses not to alter the proposed changes, the agency may implement the service or fare change if there is substantial legitimate justification for the change and the agency can show that there are not alternatives that would have less of an impact on the minority populations and would still accomplish the agency's legitimate program goals.

C. **DISPROPORTIONATE BURDEN POLICY:** The purpose of this policy is to establish a threshold which identifies when the adverse effects of a major service change or any fare changes are borne disproportionately by low-income populations. For purpose of this policy, low-income population is defined as any readily identifiable group or households who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.

A disproportionate burden occurs if a proposed major service or fare change includes the following:

- route elimination,
- new route creation,
- reorganization of a route,
- change in frequency, and
- any fare change

that requires low-income populations to bear adverse effects by twenty percent (20%) or more than the adverse effects borne by the population as a whole. If more than one service or fare adjustment is happening simultaneously, the presence of disproportionate burden will be determined cumulatively.

Should a proposed major service or fare change result in disproportionate burdens, SunRail will consider modifying the proposed change to avoid, minimize, or mitigate the disproportionate burden. If SunRail finds potential disproportionate burdens and then modifies the proposed changes to avoid, minimize, or mitigate the potential disproportionate burdens, SunRail will reanalyze the proposed changes to determine whether the modifications removed the potential disproportionate burden of the changes. If SunRail chooses not to alter the proposed changes, the agency may implement the service or fare change if there is substantial legitimate justification for the change and the agency can show that there are not alternatives that would have less of an impact on the low-income population and would still accomplish the agency's legitimate program goals.

D. SERVICE/FARE EQUITY ANALYSIS DATA METHODOLOGY: Tables 1 and 2 represent the service/fare equity analysis data methodology for determining if major service or fare changes result in disparate impacts or disproportionate burdens on SunRail's customers. This methodology will be used ***except*** during the following fare adjustment actions: (1) "Spare the air days" or other promotional events when a local municipality or transit agency has declared that all passengers ride free;[1] (2) Temporary fare reductions that are mitigating measures for other actions;[1] (3) All promotional fare reductions remaining in effect for less than 6 months.[1]

TABLE 1. SERVICE/FARE EQUITY ANALYSIS DATA METHODOLOGY

CATEGORY	ACTION	EVALUATION METHOD
Fare	Adjustment	On-board Survey Data – profile data of affected fare category and/or Census Data
Service Span	Reduction	On-board Survey Data – profile data of affected route
	Expansion	
Service Headway	Reduction	On-board Survey Data – profile data of affected route
	Expansion	
Route Length	Reduction	On-board Survey Data
	Expansion	Census Data
Route Alignment	Reduced Alignment	On-board Survey Data
	Expanded Alignment	Census Data
	Modified Alignment, Eliminated Segments, and Segments to New Areas	On-board Survey Data
		Census Data
New Route	New Route	Census Data

TABLE 2. EQUITY ANALYSIS DATA SOURCES

DATA SOURCE	DATA PROVIDER	COLLECTION METHODOLOGY	EVALUATION METHOD
American Community Survey	U.S. Census Bureau	Sample of general population	Identify minority and low-income population by Census tracts

[1] FTA's Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" Chapter IV Sections 13 and 19.

DATA SOURCE	DATA PROVIDER	COLLECTION METHODOLOGY	EVALUATION METHOD
SunRail On-Board Survey	SunRail	Sample of passengers riding SunRail at various times of the day and days of the week	Identify origin-destination patterns, ethnicity, household income and fare type usage among riders.

E. **PUBLIC PARTICIPATION POLICY:** SunRail will hold at least one public meeting for all proposed major service changes and all fare adjustments, advertised for a period of 30 days, to receive public comments. Public materials will be produced in English, and in the Limited English Proficient (LEP) languages (Spanish and French Creole) prevalent within the service area. Other languages will be available upon request. This will ensure that all Limited English Proficient (LEP) populations within the service area are informed of the proposed service and/or fare changes. The public will have at least 30 days from the date of publication to make comments. SunRail will conduct a service and fare equity analysis for the CFCRC Board and public consideration prior to any public meetings associated with the proposed service and fare changes.

The following is the public meeting procedure for major service changes and all fare adjustments:

- All public meetings shall be held during a regular meeting of the CFCRC Board.
- SunRail shall advertise notice of public meetings approximately 30 days prior to the public meeting and on the SunRail website in accordance with Title VI guidelines and requirements outlined in Circular 4702.1B.
- In addition to the public meeting, SunRail will follow the Agency's LEP policy to notify the public of the public comment period during which comments will be accepted up to 30 days after the date of publication by any standard method of communication--phone, email, postal mail, at public meetings, at SunRail's main office, or at CFCRC Board meetings.
- A summary of the service and fare equity analysis to identify disparate impact including disproportionate burden affects related to minority and low-income communities to all CFCRC Board members.
- A summary of all input received from the public will be provided to all CFCRC Board members for consideration in the evaluation of proposed service changes.

- The CFCRC Board will vote on the proposed changes including mitigations for identified disparate impacts. SunRail will publicize the Board's decision to the public prior to implementing the major service changes.

APPENDIX I

Central Florida Commuter Rail

Commission Resolution of Support

Resolution No. 2024-01

Central Florida Commuter Rail Commission

in support for the *Service and Fare Equity Analysis* included in the *Draft SunRail Title VI Program* (April 2024)

WHEREAS, the Central Florida Commuter Rail Commission Governing Board, is the duly designated and constituted body responsible for assisting the Florida Department of Transportation with policy direction during the planning, design, construction and operation for the SunRail System during the FDOT Funding Period; and

WHEREAS, the Technical Advisory Committee (TAC) serves in an advisory capacity to the Central Florida Commuter Rail Commission Governing Board; and

WHEREAS, the Technical Advisory Committee members collectively represent communities along the Central Florida Rail Corridor in the Orange, Seminole, Osceola and Volusia Counties; and

WHEREAS, the *Draft SunRail Title VI Program* was developed pursuant to Title VI of the Civil Rights Act of 1964 and in compliance with the Federal Transit Administration's Circular 4702.1B; and

WHEREAS, the Technical Advisory Committee is recommending for approval the *Service and Fare Equity Analysis* as documented in the *Draft SunRail Title VI Program* dated April 2024; and

WHEREAS, the Technical Advisory Committee and the Central Florida Commuter Rail Commission received an overview of the Service and Fare Equity Analysis as was presented at the April 10, 2024 and April 25, 2024 regular meetings, respectively; and

WHEREAS, the *Draft SunRail Title VI Program* and associated attachments were made available to the public for a 30-day review period. No public comments were received; and

WHEREAS, per FTA requirements, the *Service and Fare Equity Analysis* must be approved by the Central Florida Commuter Rail Commission Governing Board prior to commencement of Phase 2 North revenue service; and

NOW, THEREFORE BE IT RESOLVED that we, the Central Florida Commuter Rail Commission, do hereby approve for submission the aforementioned documents to the Federal Transit Administration (FTA) for concurrence.

Passed and duly adopted at a regular meeting of the Central Florida Commuter Rail Commission on the 23rd day of May, 2024.

The undersigned duly qualified and Chairman of the Central Florida Commuter Rail Commission certifies that the foregoing is a true and correct copy of a Resolution adopted at a legally convened meeting.

Jeff Brower, Chairman

Amy Lockhart, Vice Chair