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CONTACT: GREG DAVY, STEVE CHESSER
JIM SMART
MTA MEDIA RELATIONS
(213) 244-7048, 244-7056
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MTA DEFENDS FARE INCREASE, DENIES DISCRIMINATION

The MTA will forcefully deny discrimination in its actions and defend its fare increase -- a step that increased equity among its passengers -- as a last resort in balancing its budget in a hearing before U.S. District Court Judge Terry Hatter on Monday, September 12.

Judge Hatter will hear arguments on whether he should grant a preliminary injunction against the MTA's September 1 fare increase.

"There is not a scrap of evidence showing MTA's response to its budget resulted from invidious discrimination," said MTA Legal Counsel David Kelsey in the introduction to the agency's argument.

He added that the plaintiffs' claim that the rail system is for white people and the bus system is for all others is "wholly untrue", and that the heart of plaintiffs' claims is a political agenda favoring buses over rails.

The MTA strongly refuted the key points made by the plaintiffs, including:

- The combined minority population in rail corridors of the Metro Rail system that is in service, under construction, or funded is 81 percent.
- The cost of MTA's combined rail program, including construction, operating costs and Metrolink subsidy, totals 30.9 percent of MTA's total \$2.9 billion FY 1995 budget -- not the 79 percent claimed by plaintiffs.
- The proposal by plaintiffs to transfer \$50 million from the Pasadena Blue Line to bus operations is not only unfeasible, it is illegal. The only possible Pasadena Blue Line money that could be transferred to bus operations is approximately \$5 million, available only if MTA defaults in its bond obligations.

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- MTA's two inner city bus divisions have received the newest buses in the fleet in recent years, contrary to plaintiffs' claim that older, poorly maintained buses have been assigned to inner city routes.
- It is untrue that MTA and its predecessor agency altered its grid service system to provide inferior service to minority communities, as plaintiffs claim. An on-board survey conducted in 1986 showed that only 18 percent of MTA riders required two or more transfers to arrive at their destinations -- not the multiple transfers claimed by plaintiffs.
- The new fare structure was intentionally developed to reduce inequities among MTA's riders -- not exacerbate them, as plaintiff claims. Only 18 percent of MTA riders use regular monthly passes, and more than 40 percent of those have annual household incomes exceeding \$50,000. Monthly pass holders were being subsidized by poorer riders who were forced to pay cash fares each day.

The MTA's brief also characterized the plaintiffs' inclusion of Metrolink costs and demographics in its indictment of MTA's rail system as bogus and irrelevant. Metrolink is operated by a separate multi-county joint powers authority, and is funded only in part by MTA, which has a minority vote on its board. For FY 1995, MTA's subsidy to Metrolink is \$76 million, 2.6 percent of MTA's budget.

Further, the average Metrolink trip is six times the length of the average bus trip. The average subsidy per mile for a Metrolink passenger is 25 cents, compared with 26 cents for a bus passenger.

The Long Beach Blue Line, attacked as serving a predominantly white ridership, actually has a two-thirds minority ridership. And the Pasadena Blue Line, singled out as an example of MTA's preference for wealthy white suburbanites, is actually defined by the Federal Transportation Authority as a minority line, with a 63 percent minority population within its corridor.

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The fare increase was described as the last resort taken by the MTA to balance a \$126 million deficit.

The agency first reduced staff by 600 positions, endured a nine-day strike to obtain concessions from its unions, adjusted service levels, and allocated new funds for bus and rail services. Two public hearings and public comment at numerous MTA Board meetings revealed strong sentiment to raise fares before significantly cutting service levels.

Balancing the budget was necessary to continue receiving federal transportation funds, not only for Los Angeles County, but for the entire six-county Southern California Association of Governments (SCAG) region.

Federal funds would also be jeopardized if the region does not meet its clean air mandates. SCAG's Regional Transportation Plan, adopted earlier this year, identifies the development of a rail system, including the Red Line, Green Line, and Pasadena Blue Line, as integral to meeting mobility and air quality standards.

"The evidence proves the fare structure was one of several measures to reduce a budget deficit for FY 1995," said MTA Attorney Richard Katzman. "The plaintiffs are not likely to prevail on their unsupported allegation that this part of the MTA's budget was enacted to discriminate against minorities."

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