



TRANSIT CIVIL RIGHTS AND ECONOMIC SURVIVAL IN LOS ANGELES

A Case for Federal Intervention in LA Metro

OCTOBER 2011

A REPORT CO-AUTHORED BY:

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IMMIGRANT RIGHTS OF
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Organizational co-sponsors of Transit Justice Town Hall

August 20, 2011 • Immanuel Presbyterian Church, Los Angeles, California

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WHY THIS REPORT?

Beginning in 2007, the Los Angeles County Metropolitan Transportation Authority (Metro) has unleashed a four-year storm of transit lifeline cuts and fare hikes on its riders.

It has not been easy to assess the cumulative impact of Metro's policy decisions because they have been pursued in a fragmented manner — for example, passing a package of three fare increases extending over six years in a single vote and obfuscating harmful rider impacts through clever public relations tactics. Yet these policies have finally caught the attention of the Federal Transit Administration (FTA), which earlier this year initiated a comprehensive civil rights review of LA Metro focused on these policies.

On August 20th, 2011, 35 organizations from across Los Angeles gathered, organizations who work in communities that make up the lion's share of Metro's ridership. We put the picture together and asked the riders what the Metro would not: how hard have riders been hit by Metro's four-year storm? What we heard were powerful testimonies that add up to a picture in direct contradiction to Metro's claims and justifications. For over two hours, our broad multi-racial, multi-sector coalition heard over 100 riders offer testimony on the devastating human impacts of fare increases and deep cuts in transit service. We heard testimonies from hotel workers and janitors, security officers and domestic workers, immigrants and veterans, mothers and students, environmentalists and civil rights advocates, unemployed and homeless people, the elderly and differently abled.

The capacity crowd of over 200 people also heard a distinguished panel consisting of Connie Rice from the Advancement Project, Dr. Robert Bullard from the Environmental Justice Resource Center of Clark Atlanta University, Guillermo Mayer from Public Advocates Inc., Martha Arguello from Physicians for Social Responsibility and long-time Bus Riders Union Co-Chair Barbara Lott-Holland offer national and historical perspectives on the current mass transit crisis.

This report brings our voices together to call for federal intervention in mass transit in LA County. The FTA review must be deepened and must result in a reversal of Metro's four-year storm.

EXECUTIVE SUMMARY

Los Angeles stands at a crossroads in transportation policy in 2011.

While political leaders from the City and County tout the region as an environmental leader with ambitious plans for mass transit expansion, the region's major transit agency, the Los Angeles County Metropolitan Transportation Authority (Metro), has taken major steps backwards in the last four years. Ninety percent of bus riders are people of color and 68% come from households living on less than \$26,000 a year.¹ In this environment, two fare increases combined with steep reductions in bus service have created a new civil rights and environmental justice crisis that demands the attention of LA's leaders and the federal government.

Responding to a civil rights complaint submitted by the Bus Riders Union (BRU) last year, the Federal Transit Administration Office of Civil Rights

selected LA Metro for a civil rights compliance review in 2011. Five years since the federal consent decree born out of the BRU's 1994 civil rights lawsuit, Metro has knowingly created a new civil rights crisis by imposing real hardship on transit-dependent riders as they struggle to participate in a tenuous economic recovery. Metro has laid blame for service reductions and fare increases on budget deficits while experiencing unprecedented budgetary growth and planning major capital expansion. Metro justifies service reductions by alleging under-utilization of the bus system, yet is running the second most crowded bus system in the US. It has further justified service reductions by applying strict standards of efficiency to the bus system without holding its rail lines to the same standard. Metro's policies have not only harmed its own riders, but also driven down ridership on public transit — a clear regression as the region continues to grapple with the public health crisis of air pollution and the nation increasingly confronts the reality of the global climate crisis.

Recommendations:

1. **Federal intervention and strong political leadership**, including the Metro Board, to correct the crisis through **reversing the policies of the last four years and establishing standards** that ensure accessible, convenient service for all riders .
2. **Pursue a cost-effective program of bus-only lanes, clean-fuel bus fleet expansion, and fare reduction** that meets the needs of the transit-dependent, stimulates the regional economy, attracts new riders, reduces auto use, and helps the local and global environment.

LA'S TRANSIT CIVIL RIGHTS CRISIS IN THE MAKING

Who is being impacted by Metro's transit cuts and fare hikes?



10%
white

- LA bus riders are 90% people of color¹ with an average household income of just under \$14,000.²
- 941,000 bus service hours slashed from Metro's system since 2008 — 12% systemwide.³
- Monthly Pass increased 44%, Day Pass increased 66-100% since 2007.
- Unlike other transit agencies across the country beset by crippling budget deficits, LA Metro has slashed service and raised fares while experiencing major growth in its budget — \$1.4 billion (52%) increase over five years. Metro's 2012 budget is the largest the agency has ever seen.⁴
- Annual Boardings for 2010-2011 were 453 million, **having dropped from a near-record high** of 495 million in 2007.⁵

INTRODUCTION

With LA Metro under federal civil rights review, LA is the epicenter of the national transit crisis.

Where just five years ago Los Angeles Metro won a national award for transit service, this year it is one of two transit agencies nationwide — along with Atlanta’s MARTA — subject to a civil rights review by the Federal Transit Administration. The review, which is currently underway, responds in large part to concerns raised in a civil rights complaint submitted by the Bus Riders Union last year. This complaint holds that deep cuts in bus service result in civil rights harms for the region’s transit-dependent low-income communities of color. LA’s crisis is emblematic of the transportation policy dilemmas facing the US — heavy investment in expensive, capital-intensive freeway and rail projects while existing transit service is sacrificed and riders are forced to pay more at the gate.

Will transit facilitate or hinder economic recovery? Mass transit is central to everyday life in the US, with nearly 30 million trips made every day and the vast majority in major metropolitan areas like Los Angeles.¹⁰ In the midst of “the Great Recession,” scarce employment opportunities make transit mobility paramount for finding a job. High gas prices and shrinking family budgets caused mass transit use nationally to reach a 55-year high just three years ago. Yet a national crisis is emerging, with nearly nine out of 10 transit agencies that responded to a 2009 national survey indicating they have slashed service or raised fares.

Nearly half the agencies in the survey did both in a single year.¹¹

The climate and public health crises demand a change of course. At the same time, the devastating consequences of extreme weather in the last year have brought home the reality of the global climate crisis. In LA, close to 50% of carbon emissions driving global warming come from cars and trucks.¹² However, lower income families contribute significantly less greenhouse gas emission and are more likely to lack access to full-service food markets, fresh foods, medical care and schools.¹³ Transit-dependent residents rely on affordable and convenient alternatives to the single

“At times like these, it’s more important than ever to have the courage to ask a hard question: if you can’t afford to operate the system you have, why does it make sense for us to partner in your expansion? If you can’t afford your current footprint, does expanding that underfunded footprint really advance the President’s goals for cutting oil use and greenhouse gases? Does it really advance our economic goals in any sustainable way?”¹⁴
— Peter Rogoff
Federal Transit Administration Chief May 18, 2010

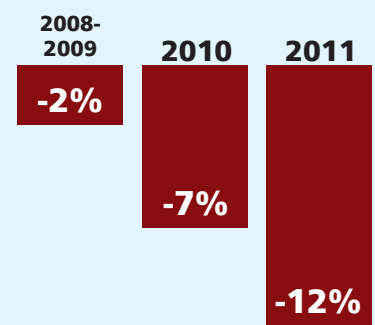
passenger automobile for their daily trips. Ensuring that transit-dependent people have access to transportation that gets them to medical services, food, and other essential needs is a vital component of public health. Yet with 7 million automobiles, the region continues to expand its freeway, funded in part by billions in funds from LA’s mass transit agency.

BY THE NUMBERS

- LA Metro ranks second after New York City as the **second-most crowded bus system in the US.**⁶
- Because LA was the site of one of the country’s largest and best-known transportation civil rights cases, **Bus Riders Union v. LACMTA**, the success or failure of Metro’s attempted rollback of transit system **improvements won as civil rights remedies in that case has national implications.**
- **LA Metro was one of only two agencies** — alongside Atlanta’s MARTA — to be selected for a civil rights review by the Federal Transit Administration.
- Among the 25 most populous metropolitan areas in the US, **LA’s 13.3% unemployment rate is second highest.**⁷
- **LA continues to rank first among major US cities for air pollution**⁸ and first in auto congestion.⁹

Metro’s devastating cuts:

Bus service lost since 2008



PART ONE

HIT HARD BY METRO'S STORM

Despite Metro's stated intentions in 2006, they have eliminated 941,000 hours of bus service to date. This is three-quarters of the service expansion under the BRU civil rights Consent Decree since 1996-2006.

These improvements were meant as remedies for civil rights harms that affected low-income Black, Latino, and Asian-Pacific Islander bus riders after years of Metro neglecting and underfunding the service these communities rely on.

Under federal court order from 1996 to 2006, Metro expanded its peak-hour bus fleet by 550 buses, created dozen of new bus lines, including the highly successful Rapid Bus program, and won a national award for the nation's best bus system. Yet Metro has moved quickly to roll back the victories of the Consent Decree by slashing service, with the biggest cuts in the last 18 months.

"Metro is committed to sustaining the improvements made to the bus system... Nobody at Metro wants to turn back the clock and undo all the progress we have made."¹⁹

— **Gloria Molina, Metro Board Chair**
on the announcement of the Consent Decree's expiration, October 2006

FIGURE 1: LA Metro's transit cuts are undoing civil rights remedies

LA'S BUS SYSTEM: Federal court supervision vs. No federal supervision	CONSENT DECREE 2006	TODAY 2011	% Change
Weekday Peak Hour Bus Fleet ¹⁵	2245	1912	-15%
Saturday Peak Hour Bus Fleet	1010	900	-11%
Average Weekday Revenue Service Hours	26875.9	21125	-21%
Annual Revenue Service Hours ¹⁶	7,667,000	6,733,554	-12%
Metro Annual Budget ¹⁷	\$2.73 billion	\$4.145 billion	+52%
Annual System-wide Boardings (Bus & Rail) ¹⁸	495 million	453 million	-8%

CIVIL RIGHTS HARMS TO BUS RIDERS

Barriers to education:



Ana Exiga
Watts
Community college student

Since the elimination of the Rapid Lines on Manchester and Central Avenues, my commute to school takes over two hours on three buses and two trains. The local buses run every 30 minutes and are so packed that sometimes I have to walk. Now it is much more frustrating and time consuming to go where I need to go. I frequently worry about arriving

late to class, and last year I missed a mid-term because of the buses running late.

Health & safety risks for seniors:



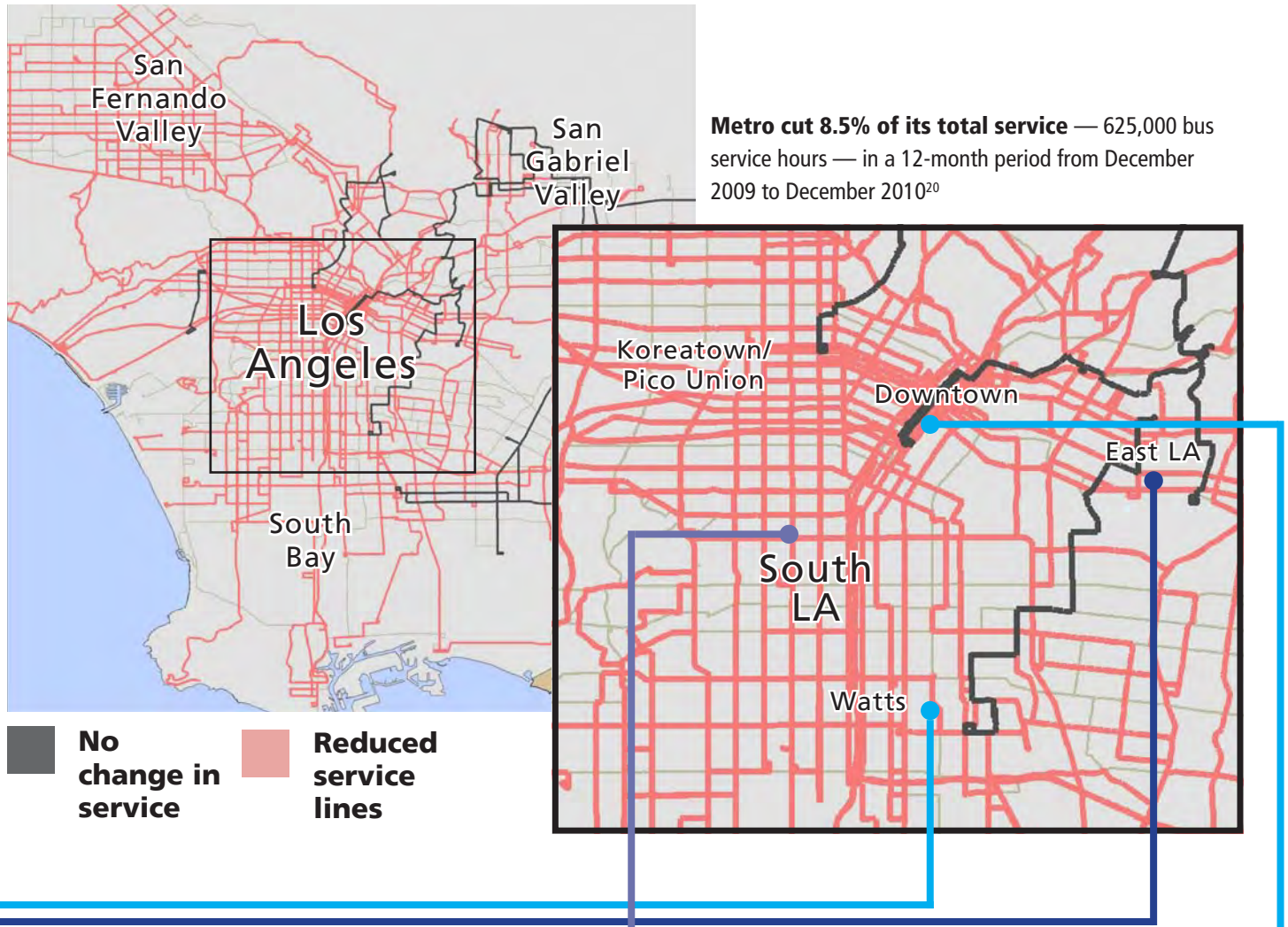
Maria Elena Castañeda
East Los Angeles
Jeweler

I'm 79 and I've lived and worked in East LA for over 50 years. Since Metro canceled Line 31 in 2010, I've been forced to walk 1/3 of a mile in each direction to get to the next closest bus, and my daily commute to work has gone from 10 minutes to 70 minutes. Walking at night isn't safe and last year I fell on the sidewalk and broke my

arm. Metro tells me there are alternative buses along 1st Street, but one doesn't run where I need to go and the other runs only every 60-70 minutes.

SLASHING TRANSIT LIFELINES, ROLLING BACK CIVIL RIGHTS

FIGURE 2: One year of bus system decimation in Los Angeles County 2009-2010



Barriers to medical access Physical and mental distress:



Arthur Neal

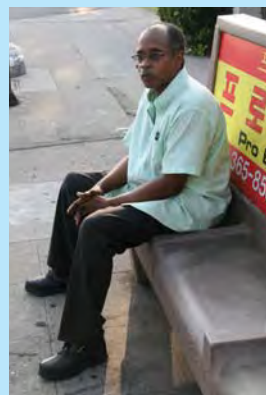
South LA

Suffers from arthritis, high blood pressure

Because of the elimination of weekend service on the 757 Rapid Bus on Western and the cancelation of the 711 Rapid Bus on Florence, I have to travel much further to receive my medical needs. Along with my mobility problems, I also have high blood pressure and congestive heart failure. So the frustration of waiting for a

bus, sometimes getting passed up because the buses are overcrowded, or just getting on an overcrowded bus and having to get to other bus stops just to get to my appointment — it can really have a serious effect on me.

Lack of service for workers at night:



John Lewis

Downtown LA

Security Officer, member of SEIU United Service Workers West

I live downtown and work three different security jobs all over town. For my night shift in Culver City, I get off at 2:00 AM and have to walk three miles to the nearest bus stop. When I get there, the Local Bus 33 runs only once an hour. When it gets there, it's so packed that it often

passes me by. I end up getting home about 4:00 or 5:00 AM on the bus. Or, I have to ride my bike 6 miles to downtown or catch a \$60 cab.

PART TWO

HIT HARD BY METRO'S STORM

Metro has increased transit fares twice in the last four years despite declining quality of service and the sharpest economic downturn in decades.

"In the name of "efficiency," people are going to be paying more for less."

— **Esperanza Martinez**, Bus Riders Union spokeswoman
New York Times, July 3, 2011²¹

FIGURE 3: How sharp are the fare hikes?

Type of Pass	2006	2010	% Change
Monthly Pass	\$52	\$75	+44%
Daily Pass	\$3	\$6*	+100%
Student Pass	\$20	\$24	+20%
Single-Ride Fare	\$1.25	\$1.50	+20%
EZ-Pass (for Metro & other systems)	\$61	\$84	+38%
Average household income of bus riders ²²	\$14,056	\$13,761	-2%
Average monthly household transit expenditures for transit-dependent family of four ²³	\$160	\$223.50	+40%

* After increasing the Day Pass from \$5 to \$6 on July 1, 2010 as part of a package of fare increases, Metro reduced just the Day Pass back to \$5 on August 1, 2011 as a one-year trial.

2007 — Metro ignores a mountain of testimony, approving a fare increase after determining that it will have no discriminatory impact.

Metro's public hearing drew 1,500 people to Metro's headquarters on a Thursday morning to testify about the hardships the increases would impose on low-income riders and riders of color. Less than one year removed from the Consent Decree, Metro's internal "Title VI Assessment" fails to look at how the fare increase impacts different sets of riders in different ways. The assessment concludes that the steep increase would thus have no disproportionate impact.

2010 — Metro refuses to hold a public hearing and fails to conduct any civil rights assessment of the fare hikes' impacts.

The agency claims that the public hearing and the Title VI Assessment conducted in 2007 are sufficient to justify raising fares in 2010 despite significantly different economic conditions.

HARD CHOICES IN HARD TIMES



Bonnie Stillwater

Hollywood
 Single mother, disabled

I'm a single mom of a young child requiring me to escort her everywhere she needs to go, including two full-time schools. I am homeless and disabled but months out of the year I cannot get a disabled discount pass. Metro's high fare takes one fifth of our fixed monthly income and we are living in extreme poverty. With an extra \$100 a month, I could buy clothes or a new pair of shoes for my daughter or take her out.



Aracely Barboza

East Los Angeles
 Community college student

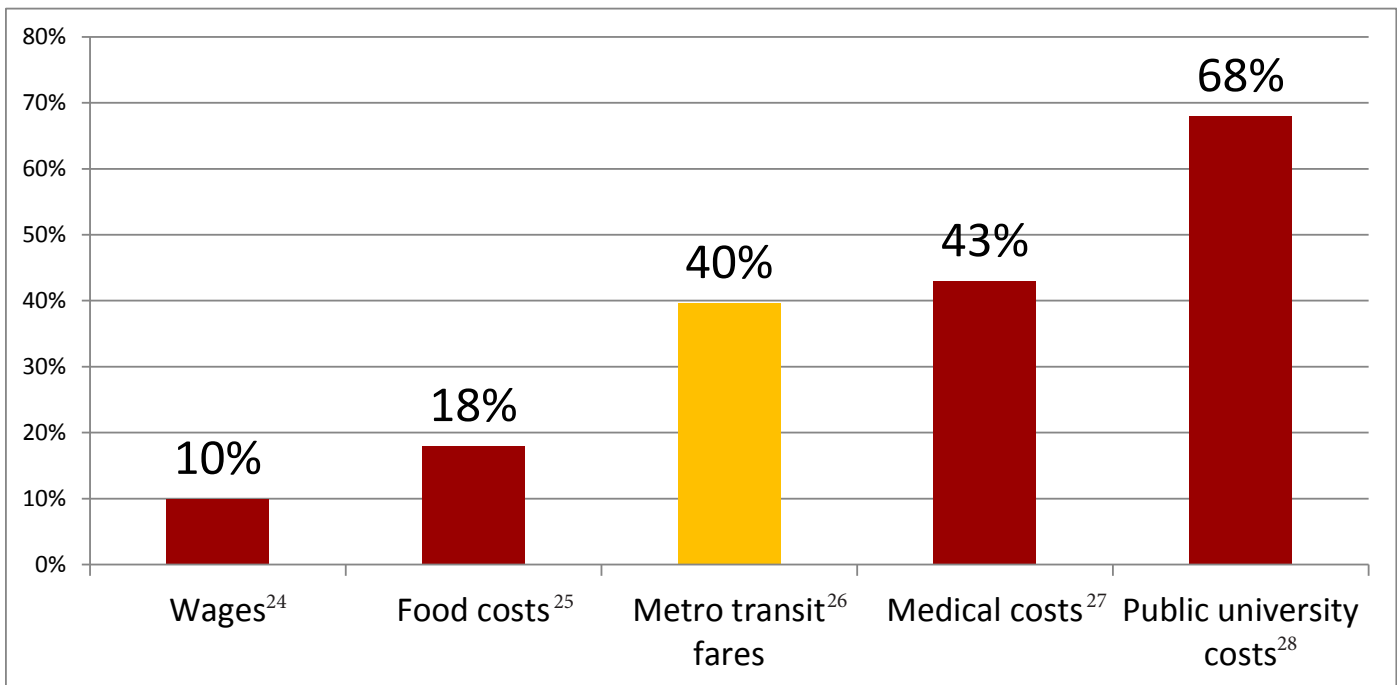
The fare increases have completely limited my mobility. I constantly have to make choices about where I travel, because paying \$6.00 for a Day Pass is steep for me. As it is, community college fees have gone up and I'm trying to save to transfer to a UC, which is even more expensive. Some days, I have had to choose between buying lunch for the day or buying a Day Pass.

FARE HIKES FORCE HARD CHOICES FOR TRANSIT RIDERS IN HARD TIMES

Transit expenses and other rising costs outpace rise in wages for families in Los Angeles

A transit-dependent family of four will spend **\$762** more per year on transit fares in 2011 than in 2006.²³

FIGURE 4: Percent increase in wages and costs 2006-2011



Delfina Guzman

South LA
Elder care worker, single mother

When Metro raised fares last year and then cut service, I had to switch my kids from a great school to a much lower-quality school because the bus passes and the new multi-leg bus trip were just too much. I need the money I saved from the bus passes just to pay for

basic food like bread and milk for my kids. Starting this year, two of my daughters don't have bus passes and I have no money in the budget for any fun family outings.



Raymond Chan

Northeast Los Angeles
High school student

Taking a bus is the only means of transportation I have to go to the places I need to go. I am from a low-income family. The increase in bus fare has been very hard for us. We struggle every month to pay for rent and other bills. With the increase of bus fares, we have to cut down on other necessities. Fares should come down and buses should run more often.

PART THREE

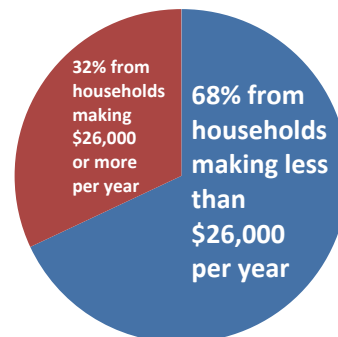
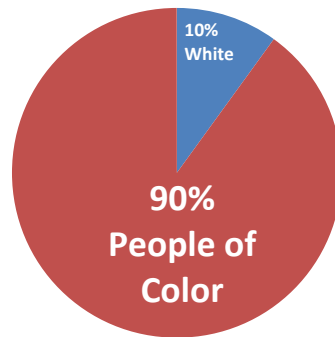
HIT HARD BY METRO'S STORM

Eight out of 10 Metro bus riders are Black or Latino. Seven out of 10 come from households with an annual income less than \$26,000. For transit-dependent people in LA — unemployed and underemployed, home-care workers, hotel workers, security officers, janitors, formerly incarcerated people, student workers, and many more — transit service often can make the difference between

Los Angeles's transit-dependent communities of color top the hardest hit nationally

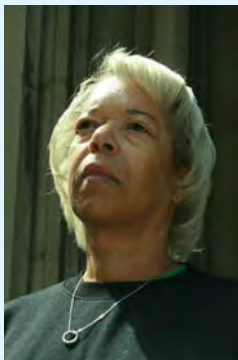
FIGURE 5: Demographics of Los Angeles Metro bus riders, 2010

\$1 in service cuts causes \$10 in local economic harms from lost wages and increased transportation costs.²⁹



- **13.3% overall unemployment rate.** Second-highest after Detroit among the country's 25 largest metropolitan areas³⁰ (2011)
- **13.4% Latino/a unemployment rate.** Third-highest among the country's 25 largest metropolitan areas.³¹ (2010)
- **19.5% African-American unemployment rate.** Third highest among the country's 25 largest metropolitan areas.³² (2010)
- **More than 1.7 million Los Angeles County residents struggle with hunger,** more than any other county in the US.³³ (2009)

BARRIERS TO EMPLOYMENT: HARD TO FIND A JOB, HARD TO KEEP IT



Judi Redman
South LA
Unemployed worker

I have been unemployed on-and-off for almost a year. The past and future bus service cuts in South LA hamper my search for work from Santa Monica to downtown LA; from Hollywood to Hawthorne. Imagine waiting 45 minutes in a black business suit in 84 degree heat with nowhere to sit and no shade. When the bus comes, it's

overcrowded and passes me by. I'm late for my interview. The anger and frustration is overwhelming. Bus service is instrumental in my future as an unemployed person, and I believe I have the right to dignified transportation.



Jose Rodriguez
Downtown LA
College student & unemployed airline worker

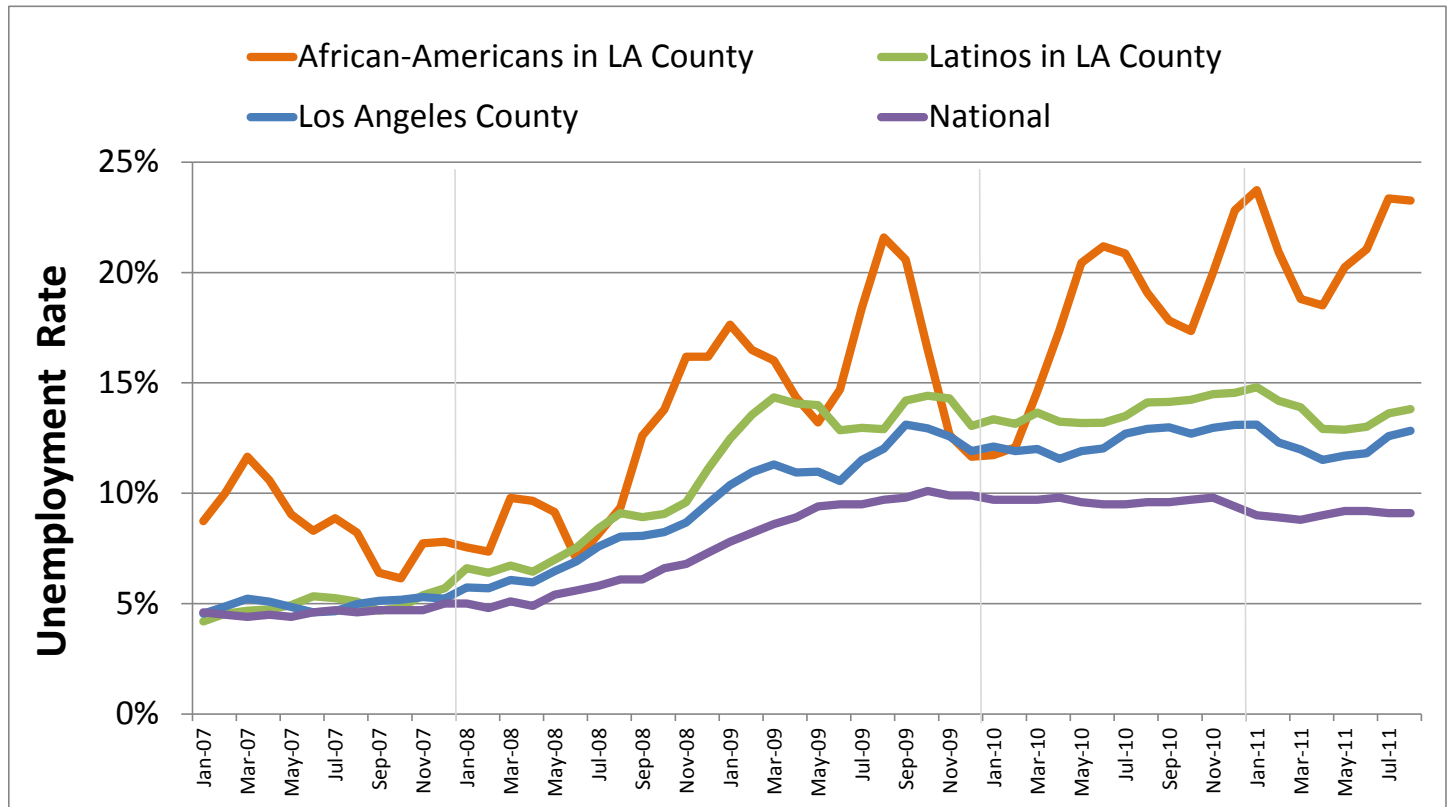
I'm a student and I live with my mother, who's on a fixed income. I worked for less than a year in 2007-08 for United Airlines at the LA Airport, then got laid off. While I look for another job, I'm still on the list to be called back by United. But last year Metro eliminated Line 439, which was the only Metro bus that connected LAX workers from downtown directly to the airport.

One alternative, the LA city bus 438, costs me \$15-20 more a month but only runs a few trips in the mornings and evening. The other alternative, the Flyaway Shuttle, costs \$7 each way or \$120/month. Hanging on to this job, staying in school, and staying afloat isn't easy.

HARMFUL IMPACTS ON RIDERS MAGNIFIED BY LA'S ECONOMIC CRISIS

economic survival and financial collapse. They live at the bottom rungs of a bleak economic ladder, with unemployment and under-employment well above national averages that continue to climb even after the end of the official recession.

FIGURE 6: Unemployment among Blacks and Latinos in Los Angeles above national and regional average³⁴

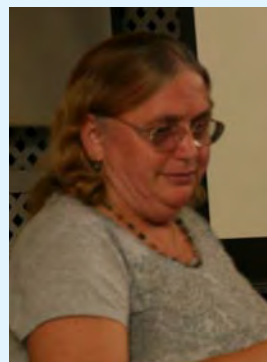


Druscilla Armstrong

City of Hawthorne
Military veteran, mother & grandmother, under-employed security officer.

I take the bus everywhere – to the VA for my own medical appointments, 2½ hour trips each way three days a week to visit my son in the hospital. As a Security Rover, I get assignments at different hours in different places every week. Sometimes I can't take an assignment because I can't

depend on the bus to get me there. There's not enough work and looking for work when you are on the bus and constantly re-routing yourself is work in itself – very draining. With the cuts in bus service it's even worse – slower buses, more waiting, more transfers.



Donna Gooley

San Fernando Valley
Clerical worker

Because of Metro slashing service in the San Fernando Valley, at least three of the jobs that I've had in the previous few years I could not accept. As it is, I travel an hour and a half to work every day from one part of the Valley to another. The Valley has been hit hard by cuts in service. Lines like the 156 and 168 get

shaved every six months until there is barely anything left or they are outright cancelled. People need to get to work on the bus, but Metro has a habit of destroying bus lines, then saying, "Ridership is low and the line must be cut"

METRO'S FAILURE OF ACCOUNTABILITY AND SOCIAL RESPONSIBILITY

Given the terrible impacts of these transit lifeline cuts and fare hikes to its ridership, Metro should be seeking every means to reverse or mitigate them. Instead, Metro actions have created and deepened the crisis. Even worse, Metro has tried to downplay and deny its responsibility for the crisis.

Metro Accountability Failure #1: Manipulating financial constraints

"We cannot survive operating deficits that annually topped \$100 million. We can't afford to duplicate service, especially against the backdrop of the worst economic downturn in 80 years."

— Metro CEO Art Leahy,

A Message to Our Customers & Taxpayers, February 16, 2011³⁵

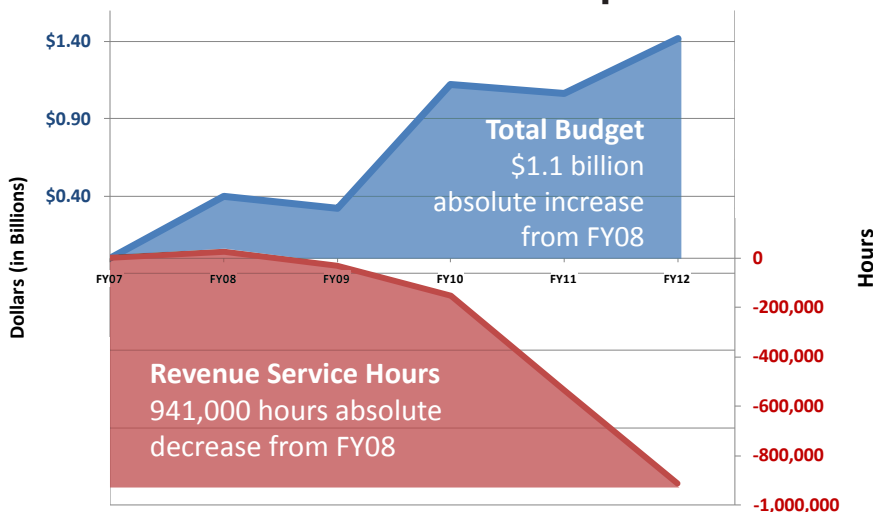
According to Metro, its fiscal hands are tied: it has no choice but to raise fares and cut transit lifelines. Metro has argued that it faces a "structural operating deficit," and crippling losses of state funding. The public readily accepts these justifications, as they seem to reflect the bigger state and national picture of public agencies and programs in financial trouble because of the recession. But *Metro's financial reality is very different.*

Unlike most public agencies facing budget cuts, Metro's annual budget has grown by over \$1 billion over the past four years, with \$600 million in new revenue arriving annually during the heart of the recession. These funds come from the 2008 half-cent sales tax, Measure R, with 20% of revenue dedicated to the very lifeline transit service that has been cut so deeply. Metro's Board members promoted Measure R to LA County voters as a boon for public transit, yet the vast majority of transit riders have seen only higher fares and reduced service.

\$98 million of state operations funding was restored to Metro early this year. In January 2010, Metro claimed that deep cuts in bus service and a major fare increase in the same year were necessary because the state had eliminated longstanding State Transit Assistance (STA) funds from its budget. But in March, the State Legislature restored these funds including \$98 million to Metro, yet Metro has made no plans to reverse the service cuts and fare hikes.

Metro has a substantial discretionary pot of funding from two previous local sales taxes, Proposition A and Proposition C. Metro can use these discretionary funds for capital or operating costs at its discretion. Metro has spent steadily less of these funds to operate the bus-based core of its transit system. When rationalizing operations cuts (service cuts, fare hikes), Metro obscures the availability of these funds to the operations budget in complex budget analyses and recommendations of its staff.

FIGURE 7: Metro's budget grows while bus service drops



Metro Accountability Failure #2: Downplaying & denying the harmful impacts of reversing civil rights remedies

While Metro transit cuts have been very hard on the livelihoods of riders, Metro has insisted that its actions are relatively harmless.

Metro has rationalized its actions as targeting only “under-utilized,” “duplicative,” and “inefficient” lines and service, consistently downplaying and denying the deep impacts and harms of its actions.

The tremendous contradiction between Metro’s claims and the experiences of everyday riders seems to grow with each passing week. The testimonies of riders at the town hall reflect

common threads among diverse individual and community impacts our organizations have observed. Metro’s claims are put into question further by statistical comparison with national peer agencies.

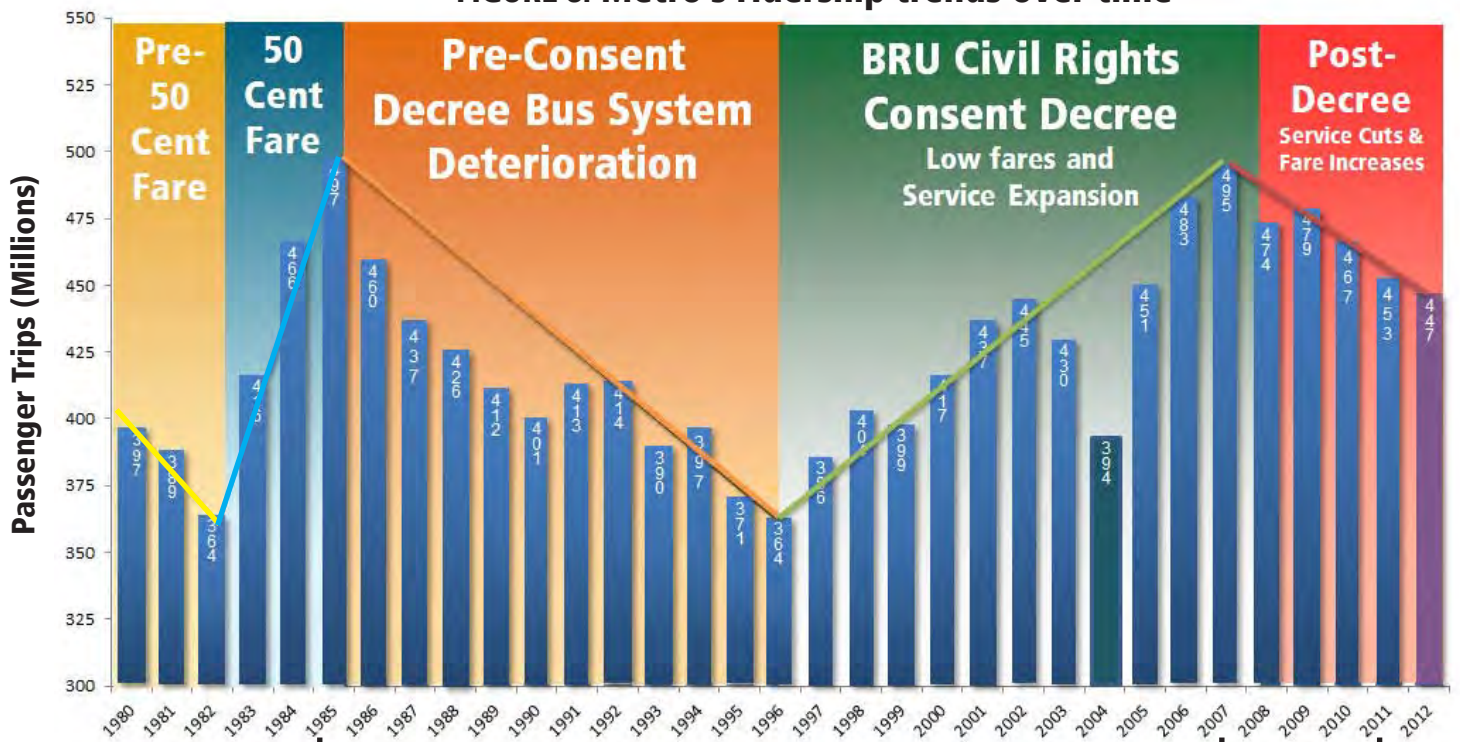
Metro bases its contention of “under-utilization” in part on its claim that the LA transit system currently runs at only 42% capacity, with load factor levels lower than many other systems around the country.

However, Metro is actually the second-most crowded bus system in the US after the New York City Transit system.³⁶

(Continued on p.14)

Demand for greater transit service and lower fares is real and persistent. Metro’s ridership has historically risen during periods of high service provision and low fares. The overall 9% decline in ridership from 1985 is not the result of a falloff in demand, as Metro suggests, but by actions taken by the agency itself, principally in the last five years.

FIGURE 8: Metro’s ridership trends over time³⁷



Transit boardings reached an all-time high in 1985 after multiple years with a 50 cent fare...

...and then almost matched this peak in 2007 after 10 years of Consent Decree-mandated low fares and service expansion...

...and then dropped 10% after five years of post-Consent Decree fare hikes and service cuts.

2004: Reduced hours due to bus operators’ strike. 2012: Projected

METRO'S FAILURE OF ACCOUNTABILITY AND SOCIAL RESPONSIBILITY

Metro Accountability Failure #2 (cont.): Downplaying & denying the harmful impacts of reversing civil rights remedies

(Continued from p. 13)

One of Metro's most egregious claims about under-utilization and inefficiency is that its system operates "an artificially high level of bus service" because of the civil rights remedies — low fares and expanded transit service — it pursued because of the 1996-2006 Consent Decree. To make this claim, Metro also cites a 6% decline in ridership between 1985 and 2009.

The claim of "an artificially high level of bus service" rests on an assumption that there was never any real rider demand for the higher levels of transit service and accessibility through lower

fares — civil rights remedies that were imposed by the Consent Decree.

But a recent study by transit expert Tom Rubin directly contradicts Metro's claims. It shows that demand for greater transit service and lower fares is real and persistent. Metro's ridership has historically risen dramatically during periods of high service provision and low fares, including but not limited to the period of the Consent Decree.

The overall 9% decline in ridership from 1985 to today resulted from Metro's actions, not from any falloff of demand, as Metro suggests. The chart (see Fig 8: "Metro's ridership trends over time") highlights the gains made under the Consent Decree and the ridership decline that resulted from Metro's post-Consent Decree policies of raising fares and cutting service.³⁹

Overcrowding on Metro Rapid 720 at rush hour along Wilshire Boulevard.

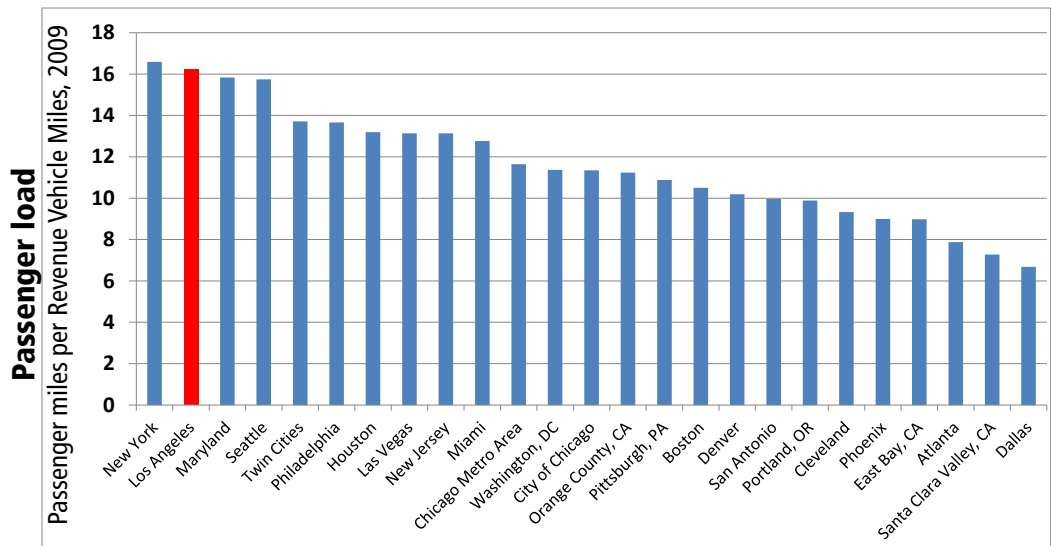


The proposed changes result in reducing wasteful and under-utilized service. — Metro press release, January 4, 2011³⁸

My legs are Bus Line 305. I need the 305 to get to my doctor, to my market, to church. I just need the 305 to keep running. I don't need it cut. —Arthur Wells, parapalegic transit rider, on a South LA-West LA bus line planned for elimination



FIGURE 9: LA Metro 2nd-most crowded bus system of 25 largest systems in USA⁴⁰



Metro Accountability Failure #3:

Imposing a double-standard for bus and rail to justify cutting transit lifelines

“They eliminated Line 730, 31, and reduced 30. And it was a result of putting in the Gold Line. Not everyone can take the light rail because it doesn’t really go through Boyle Heights like the buses. It doesn’t really serve senior citizens and the people with disabilities.”

— *Diana Barajas, East LA Community Corporation member, Boyle Heights*

Metro has justified its cuts to transit lifelines by imposing a perplexing double standard.

It argues that the bus-based majority of the transit system — which the bulk of ridership depends upon — should meet ridership and cost-efficiency standards that it refuses to apply to its rail-based system.

In reality, Metro’s buses are more highly utilized and more cost-efficient than Metro Light Rail and Heavy Rail.

Metro has offered no evidence to substantiate its claim that the purported low productivity of the bus system justifies reduction of service relative to the rail system. Metro has never proposed reducing rail service levels to address its purported operations deficit or for any other reason.

In fact, Metro has reduced bus service and increased rail service in spite of evidence that Metro Bus, as a system, enjoys a higher capacity utilization, a lower operating cost per boarding, and a lower subsidy per boarding than light rail as well as comparable capacity utilization to heavy rail.

For example, under current loading standards, Metro Bus runs at 13.9% higher capacity than Metro Light Rail and 2.8% lower than Metro Heavy Rail. Based on the load factor criterion

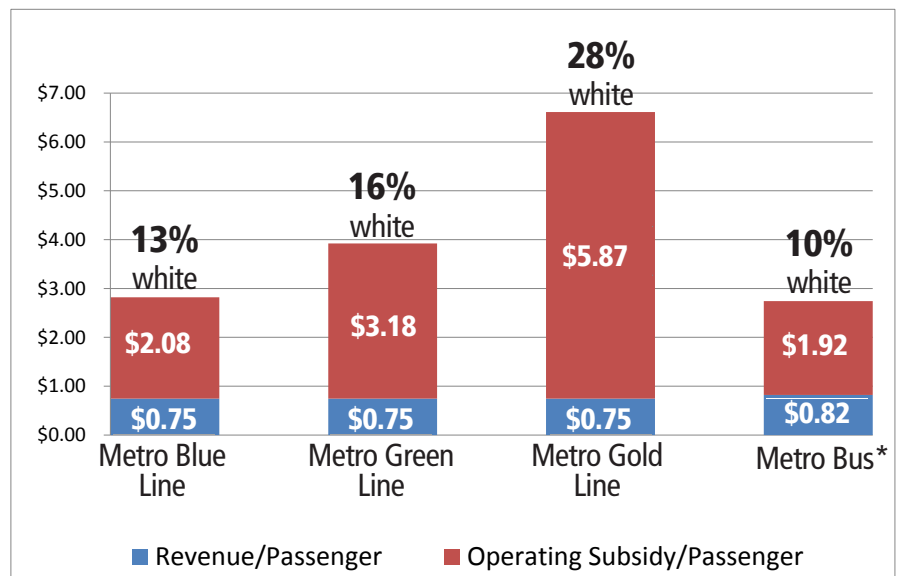
established under the Consent Decree, Metro’s bus system out-performs both its light and heavy rail fleet in utilization of capacity.⁴¹ An analysis of operating subsidies per boarding also demonstrates that the light rail Gold, Green and Blue Lines require higher subsidies per rider than Metro Bus. All three lines have higher white ridership than Metro Bus, and Metro’s own analysis confirms that its light rail passengers are subsidized almost twice as much as its bus passengers (see Fig. 10).⁴²

Metro Rail riders, who are as twice likely to be white and higher income, have seen increases in service.

Metro is cutting bus lines that are more highly utilized and more cost-efficient than its rail lines.

An analysis of operating subsidies per boarding demonstrates that Metro spends nearly twice as much to subsidize a passenger trip on its light rail system than it does on its bus system.

FIGURE 10: Metro Light Rail riders more often white, more highly subsidized than Metro Bus⁴²



*Excluding Metro Orange Line Bus Rapid Transit.

IMMEDIATE RECOMMENDATIONS FOR LA'S CRISIS:

Federal intervention & strong leadership to protect the bus system & the civil rights of riders

Federal intervention is necessary to immediately correct the crisis and restore canceled, truncated or reduced service that has resulted in civil rights harms. Moreover, strong political leadership from Mayor Antonio Villaraigosa and other members of the Metro Board are also necessary to re-commit Metro to meet the needs of riders through expanding bus service and making fares affordable. We urge Metro to adopt the standards we proposed to its Board earlier this year:

- 1. Reinvest resources in the bus system and keep resources in neighborhoods:** Any changes to the bus systems made in the name of efficiency should be invested 100% back into the bus system. If services have been or will be reduced on specific lines in specific neighborhoods, the resources extracted from these lines should be re-invested in existing or new service to prevent disparities in service between neighborhoods.
- 2. Open an honest debate about Metro's funding allocation decisions based on transparent accounting of the availability of operation eligible funds.** Metro Board members have for too long accepted without question the analysis of the agency's staff that Metro faces a "bus operations deficit" requiring increases in fares and reductions in service. Metro is not under any real financial obligation to reduce bus service or raise fares; year after year, funds available for bus operations are allocated to other expense categories.
- 3. Decisions about service changes should protect civil rights and be based on fair and balanced analysis of modes and efficient use of resources.** Metro calls the bus system inefficient without offering a fair comparison of investment in bus operations versus rail operations or capital expenses. Applying strict standards of efficiency to the bus system as a basis for justifying reductions in service while not applying those standards to other spending decisions or other modes has led Metro to impose civil rights harms for Black, Latino, and low income bus riders.
- 4. Ensure minimum impact of service changes through strict standards for alternative service.** On a line-by-line basis, all lines should meet the following criteria to avoid irreparable harm to riders:
 - A. Alternative service should be no more than a quarter-mile walk.** Metro stated policies and practice on the ground must follow this standard. To do otherwise, places a substantial burden on riders, especially for the elderly and those who are not able-bodied.
 - B. No alternative service should have more than a five-minute wait.** Cutting bus service and forcing riders to wait 15, 30 or 60 minutes for an alternative is unacceptable and in direct contradiction to Metro's stated goal of a more efficient bus system.
 - C. Service cuts should not place an additional fare burden on riders.** In staff's current proposal, service cuts will require riders to make one or two extra transfers, potentially doubling or tripling the cost of travel. Any service reduction must be accompanied by some form of fare relief (free transfers and/or lowering the day pass to \$3) to avoid this additional burden.

RECOMMENDATIONS FOR REGIONAL TRANSIT EXPANSION:

A plan for bus expansion, economic stimulus, and clean air in Los Angeles

In 2009, after the passage of a new transportation sales tax created the financial possibility for bus system expansion, the Bus Riders Union released its Clean Air and Economic Justice Plan as a policy platform benefiting transit riders, economic recovery, public health, and the local and global environment. The plan is sensible and cost-efficient, and can be implemented by leveraging local funding to access federal funding. It would require the political will for Metro to reorient and balance out its freeway and rail-heavy capital expansion priorities and to aggressively seek federal dollars in the way that it has pursued funds for the much-touted America Fast Forward Initiative.

- **Expand the peak-hour fleet by 500 buses**, adding more night, weekend, and Rapid service, and the creation of five new freeway express lines, 10 new Metro Rapid lines, and five local lines on new or existing routes.
- **Invest \$150 million for bus-only lanes**, creating 10 bus-only lanes on major streets and freeways that will be the first phase of a county-wide network of bus-only lanes.
- **Reverse the 2007 & 2010 fare increase for all Metro fares**, lowering back the \$75 Monthly Pass to \$52 and the \$5 Day Pass to \$3.
- **Invest in job creation**, generating over 10,000 jobs, including 3800 union green jobs through the implementation of this plan.

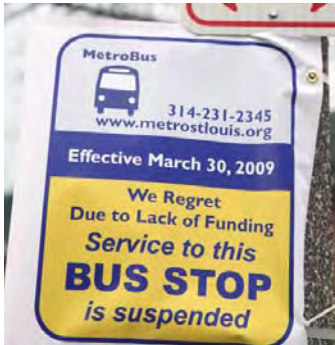


Bus-only lanes, like the one planned for Wilshire Boulevard, triple or quadruple the lane's utility, improve the speed of buses, and help make public transit an attractive alternative to the automobile.

- **Create economic stimulus** with \$4 billion in economic activity and \$300 million in direct economic stimulus through savings for low-income bus riders.
- **Bring environmental, public health & traffic relief benefits** with better bus service and lower fares that drive up transit ridership and drive down use of single passenger autos. This will reduce carbon emissions fueling global warming and climate change.

NATIONAL CONTEXT

A dangerous mix — the national transit operations crisis, the Great Recession, and climate change



Los Angeles is not unique. A national crisis is emerging in mass transit, with 89% of transit agencies nationwide having slashed service or raised fares in the last year due to shrinking budgets.⁴³

Slashing transit service has been especially devastating in the midst of the worst economic crisis in 80 years, when scarce employment opportunities make transit mobility paramount for finding a job and high gas prices and shrinking family budgets have caused demand for mass transit to skyrocket.

Yet drafts of the new federal surface transportation re-authorization bill currently circulating in Congress propose as much as a 37% reduction in federal funds for public transit with no funds designated to protect existing transit operations. In the meantime, federal highway spending still quadruples federal investment in transit — a funding formula that is disastrous for our health, the environment, and civil rights of low-income people of color.

Transportation remains as critical a civil rights issue in 2011 as it was in 1956 during the Montgomery Bus Boycott to desegregate transit. The struggle then was to sit in front of the bus, but today low-income riders and people of color across the US are fighting to keep their transit from being eliminated. In the post-*Alexander v. Sandoval* era, when the private right of action — the right of the people to hold public agencies accountable to federal civil rights law through the courts— has been eliminated, the role of the federal government is critical to ensure civil rights protection and compliance. Two important steps are: 1) strengthening federal Title VI and environmental justice guidelines for transit agencies receiving federal funds; and 2) strengthening administrative enforcement of these guidelines by the US Department of Transportation.

FIGURE 11: Hemorrhaging transit: Fare increases & service cuts across the country, 2009⁴⁴



NATIONAL RECOMMENDATIONS

A vision for transit expansion, civil rights, job creation, and environmental justice

In a time of economic and environmental crisis, a bold yet practical vision is necessary to break from the status quo. Changes in federal policy are desperately needed to stem the bleeding in mass transit systems around the country, with the injection of operations funding to cease or reverse repeated transit cuts and fare hikes and stricter enforcement of civil rights regulations on local transportation agencies. Moreover, federal transportation funding priorities should be overhauled to make mass transit a vehicle for combating global warming and stimulating economic recovery for millions of low-income people.

National recommendations:

Transit Riders for Public Transportation, a national campaign co-initiated by the Bus Riders Union,

Public Advocates, Urban Habitat and other transit justice organizations around the country, has proposed the following platform for an overhaul of the federal surface transportation act:

- 1. Dramatic reduction in highway funding and expansion of public transit funding.** Reversing the current formula and dedicating 80% for public transit and 20% for highway maintenance that will lead to dramatic greenhouse gas reductions.
- 2. Federal requirement to dramatically restrict auto use in all major urban centers,** including auto-free zones and auto free rush hours, bus-only lanes on roads and freeways, expanded bicycle and pedestrian infrastructure, and viable transportation for the differently abled as well as rural areas.
- 3. Dedicate a minimum of 50% of the entire Act's allocation for transit to operating purposes, with half of these funds for bus operations.** This will stop the massive fare increases and operation cuts and allow for service expansion and fare reductions.
- 4. Prioritize capital preservation over expansion, with at least half of all capital funds dedicated to bus fleets.** Invest in clean fuel buses as the most cost-effective way to move people in urban and rural areas. Emphasize system preservation, modernization, and vehicle safety.
- 5. Restore the Private Right of Action to Enforce Department of Transportation Title VI regulation** in federally funded transit projects.
- 6. Mandate that all federally funded transportation projects produce at least a 25% reduction in emissions** of greenhouse gases and air pollution.

If 20 major metropolitan areas shift 50% of their current highway spending to transit, they can create 1.1 million new transit-related green jobs over five years. This will create 800,000 more jobs than a renewal of the current federal transportation act, which allocates 80% of funds to highways.⁴⁵



TIMELINE OF THE CRISIS

CUMULATIVE IMPACT:

- 941,000 bus service hours eliminated
- 40-66% increase in price for standard transit passes.

July 2008: New half-cent transportation sales tax takes effect, generating \$600 million in new revenue annually for Metro. 57,000 hours of bus service slashed over one year.

November 2010: BRU submits civil rights complaint to Federal Transit Administration (FTA) focused on racially disparate impact of slashing service.

March 2011: Metro Board approves 305,000 hours in reductions implemented June-November 2011, including nine lines eliminated and 24 others truncated or otherwise reduced.

July 2011: FTA begins civil rights review.

2006

October 2006: 10-year federal civil rights Consent Decree placing LA Metro under federal court supervision ends.

2007

July 2007: Bus passes increase in price 19-66%. Monthly Pass \$52 → \$62; Daily Pass \$3 → \$5; \$20 → \$24.

2008

2009

December 2009: 200,000 bus service hours reduced.

2010

December 2010: 275,000 bus service hours reduced; 5 Rapid Buses and 2 Local Buses completely eliminated.

March 2011: Federal Transit Administration announces it will conduct civil rights review of Metro in response to BRU complaint.

2011

May 2011: Metro Board approves reduction of additional 61,000 hours of bus service for December 2011.

APPENDIX B

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 41. The metric “Passenger Miles per Vehicle Capacity Mile” is used here to compare capacity utilization of Metro’s bus and rail services. This methodology was developed by Dr. Martin Wachs to allow for meaningful comparison between different modes in light of the shortcomings of other metrics – like the measurement Passenger Miles per Seat Mile used by Metro -- that do not control for different norms in seat capacity for different modes. (Wachs, Martin, and Li Jianling. *A Test of Inter-modal Performance Measures for Transit Investment Decisions*. Tech. Los Angeles: University of California Transportation Center, 2000. Print.) Dr. Wachs is a Professor Emeritus at UCLA’s urban planning department, former director of the Institute for Transportation Studies, and director of the RAND Corporation’s Transportation, Space and Technology Program. Traditional metrics of capacity utilization do not normalize for vehicle capacity and therefore “offer meaningless information for inter-modal performance comparisons when and where variation across modes in vehicle capacity are very large”. (Wachs, 247). Metro uses a metric which only partially corrects for these variations: passenger mile / seat mile (vehicle miles* vehicle seats), or PM/VM*Seats.

However since—as acknowledged by Metro staff—“rail cars are specifically designed to carry a larger proportion of riders standing up” (Metro Operations Committee, July 15th 2010), a metric capable of assessing capacity utilization across modes must include total vehicle capacity, both sitting and standing. Thus, “both seating capacity and standing capacity are included in the calculation of vehicle capacity because together, they represent full vehicle capacity” (Wachs, 247). The resulting metric, Passenger Miles per Vehicle Capacity Mile (PM/RVCM), allows us to assess capacity utilization across mode. Service statistics are for Metro FY2010-11 and from the FY2011-12 budget. Load factors are from Metro’s 2011 Transit Service Policy.

In 2011, Metro abandoned the bus load factor standard of 1.2 established by the federal courts during the BRU-Metro Consent Decree, raising it to 1.3. Metro’s load factor standard for light rail is 1.75 and for heavy rail 2.3. In the analysis below, the “Passenger Miles per Vehicle Capacity Mile” measurement was calculated twice for bus, once with the current load factor which allows more crowding, and again with the load factor established during the Consent Decree.
 42. These calculations are based on an element of the “new starts” costing methodology utilized by the Department of Transportation/Federal Transit Administration. Operating subsidy is given simply by operating costs divided by the number of boardings, less fare and other operating revenues. Data for the Red/Purple line, Orange line and bus (which excludes Bus Rapid Transit) is gathered from Metro’s “Modal Operating Statistics,” FY2010-11 Budget. Statistics for all other lines are from Metro’s “Activity Based Cost Model,” FY 2010 Budget, pages VII 38-44. The FY2010-11 budget is the most recent for which data is available for specific light rail lines. Accessed at <http://www.metro.net/about/financebudget/financial-information/#budget>
 43. See Note 11.
 44. Transportation for America. *Stranded at the Station: The Impact of the Financial Crisis in Public Transportation*. Rep. Aug. 2009. Web Accessed at <http://t4america.org/resources/stranded/>.
 45. Swanstrom, Todd, Transportation Equity Network, Will Winter, and Laura Wiedlocher. *More Jobs, More Transit: The Impact of Increasing Funding for Public Transit*. Rep. Sept. 2010. Web. Accessed at: <http://www.transportationequity.org/images/downloads/MoreTransit=MoreJobs-final.pdf>.

Utilization of Capacity, Bus, Light Rail and Heavy Rail Fiscal Year 2010

	Bus (excluding Orange Line)	Light Rail	Heavy Rail
Passenger Miles	1,447,863	329,268	231,936
Vehicle Miles	86593	9646	5885
Average Seats/Vehicle	44	76	57
Max Load Factor	1.3	1.75	2.3
Capacity Utilized - (Load Factor 1.3)	0.292313 (Load Factor 1.3)	0.256656	0.300621
	0.316673 (Consent Decree Load Factor 1.2)		
Percent Difference Capacity Utilization of Metro Bus vs. Metro Light Rail & Heavy Rail	N/A	13.9% (1.3 Load Factor) 23.3% (1.2 Load Factor)	-2.8% (1.3 Load Factor) 5.3% (1.2 Load Factor)

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Pg 18: Cover image of closed bus stop from “Stranded at the Station,” a report by Transportation for America. Photo originally credited to Richard Keeling



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