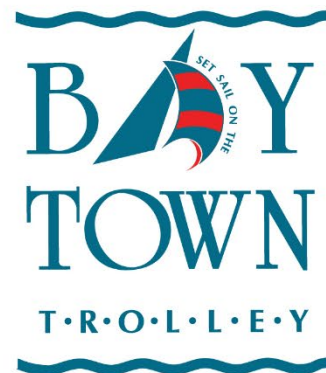


**FY 2021-2024 Title VI Plan
TITLE VI NON-DISCRIMINATION
PLAN INCLUDING LIMITED
ENGLISH PROFICIENCY (LEP)**

Bay County Public Transit System

April 2021



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Plan Revisions

Table 1 | Plan Revisions

Date	Area of Revision	Concerned Person (Signature)	Remarks	Date
12/13/2014	Plan Adopted by Bay County TPO	Bay County TPO Board	Resolution Bay 14-36	12/13/2014
01/07/2019	Plan Review	Lamar Hobbs		01/07/2019
03/08/2019	Plan Revisions; Management's Commitment to Title VI; Section 2 (C); Section 4 (A); Section 6; Section 8; Section 10 (A) & (B)	Lamar Hobbs	Updates requested by FDOT as part of Triennial Review	03/08/2019
07/24/2019	Plan Adopted by Bay County TPO	Bay County TPO Board	Resolution Bay 19-14	07/24/2019
06/02/2020	Plan Review	Lamar Hobbs		06/02/2020
04/01/2021	3-year update			04/01/2021
	Plan Adopted by Bay County TPO			

Title VI/Non-Discrimination Policy Statement

49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].

The Bay County Public Transit System is committed to ensuring that no person shall, on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

The Bay County Public Transit System further agrees to the following responsibilities 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 recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against the Bay County Public Transit System.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by the Florida Department of Transportation (FDOT) or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by Circular 4702.1B of the Federal Transit Administration (FTA) to the primary recipients. A copy of FTA Circular 4702.1B Reporting Requirements for Transit Providers is included in Attachment A.

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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 agency.

Respectfully,

Lamar Hobbs
Transit Program Administrator,
Bay County Public Transit System

Introduction and Description of Services

The Bay County Public Transit System submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

The Bay County Public Transit System is a direct recipient of FTA funds and provides service in the unincorporated areas of Bay County, Callaway, Panama City, Panama City Beach, Parker, Lynn Haven, and Springfield. A description of the current Bay County Public Transit System is included in Attachment B.

Title VI Liaison

Lamar Hobbs
Transit Program Administrator
(850) 248-8161
1021 Massalina Drive
Panama City, Florida 32401

The Bay County Public Transit System must designate a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination regulations when offered by FDOT or any other regulatory agency.
- Disseminate Title VI information to the public, including in languages other than English when necessary.
- Develop a process to collect data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and are not subject to discrimination.
- Implement procedures for the prompt processing of Title VI complaints.

First Time Applicants

FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.

The Bay County Public Transit System is not a first-time applicant for FTA/FDOT funding.

Annual Certifications and Assurances

FTA Circular 4702.1B, Chapter III, Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

The Bay County Public Transit System will remain in compliance with this requirement by annual submission of certifications and assurances as required by FDOT and/or FTA.

Title VI Plan Adoption

1. This Title VI Plan was adopted by the Bay County TPO on _____. (See Attachment C)
2. This Title VI Plan received the Federal Transit Administration's (FTA's) concurrence on _____. (See Attachment D)

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Title VI Notice to the Public

FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

Notice to the Public

The Bay County Public Transit System must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the Bay County Public Transit System operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow in order to request additional information on the Bay County Public Transit System's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the Bay County Public Transit System
- A sample of the notice is included in Attachment E of this Plan. The sample notice should be translated into other languages, as necessary.

Notice to the Public Posting Locations

The Notice to Public will be posted at many locations to apprise the public of the Bay County Public Transit System's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in the following public areas:

Table 2 | Public Posting Locations

Public Area	Location
Bay County Public Transit Operations and Maintenance Facility	919 Massalina Drive Panama City, Florida 32401
Bay County Public Transit Administration Facility	1021 Massalina Drive Panama City, Florida 32401
Bay Town Trolley Buses	Bus interior
Bay Area Transportation Buses	Bus interior
Bay Town Trolley Website	www.baytowntrolley.org
Bay Area Transportation Website	www.bayareatransit.org

A sample of the notice is included in Attachment E of this plan along with translated versions of the notice.

Title VI Procedures and Compliance

FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public.

Complaint Procedure

It is the policy of the Bay County Public Transit System under Title VI of the Civil Rights Act of 1964, as amended, that no person in the United States shall, on the basis of race, color or national origin be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by this agency or its sub-recipients.

Any person who believes he or she has been discriminated against by the Bay County Public Transit System may file a Title VI complaint by completing and submitting a Title VI complaint form.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 180 days after the alleged incident to:

Lamar Hobbs, Transit Program Administrator
1021 Massalina Drive Panama City, Florida 32401
Phone: (850) 248-8161
Email: lhobbs@baycountyfl.gov

The Bay County Public Transit System will only process and investigate complete complaints received no more than 180 days after the alleged incident.

The following procedures will be followed to investigate formal Title VI complaints:

1. Once the complaint is received, the Bay County Public Transit System will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter or email informing her/him whether the complaint will be investigated by our office.
2. The Bay County Public Transit System has 60 days to investigate the complaint. If more information is needed to resolve the case, the Bay County Public Transit System may contact the complainant. The complainant has 10 business days from the date of contact to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the Bay County Public Transit System can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
3. After the investigator reviews the complaint, he/she will issue one of two determination letters/emails to the complainant: a closure letter/email or a letter/email of finding. A closure

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letter/email summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A letter/email of finding summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, he/she has 30 days to do so from the time he/she receives the closure letter/email or the letter/email of finding.

4. The complainant may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, East Building, 5th Floor TCR, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590

The complaint procedure is available to the public at the Bay County Public Transit Administration Facility, on the Bay Town Trolley website at BayTownTrolley.org, and on the Bay Area Transportation website at BayAreaTransit.org.

Complaint Form

A copy of the complaint form in English and Spanish is provided in Attachment F of this plan and on both the Bay Town Trolley website at BayTownTrolley.org and the Bay Area Transportation website at BayAreaTransit.org.

Records Retention and Reporting Policy

FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. The Bay County Public Transit System will submit Title VI Plans to FDOT for concurrence on an annual basis or any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

Subrecipient Assistance and Monitoring

FTA Circular 4702.1B, Chapter III, Paragraph 11: Primary recipients should assist their sub-recipients in complying with DOT's Title VI regulations, including the general reporting requirements.

The Bay County Public Transit System does not have any sub-recipients to provide monitoring and assistance. In the future, if the Bay County Public Transit System has sub-recipients, it will provide assistance and monitoring as required by FTA Circular 4702.1B.

Contractors and Subcontractors

The Bay County Public Transit System is responsible for ensuring that contractors are in compliance with Title VI requirements. Contractors may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. The Bay County Public Transit System, contractors, and subcontractors may not

discriminate in their employment practices in connection with federally assisted projects. Contractors and subcontractors are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

Non-Discrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor"), must agree to the following clauses:

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 Attachment A 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 subcontractor'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 the 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 Bay County Public Transit System shall impose contract sanctions as 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 (6) in every subcontract, including procurement 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 Bay County Public Transit System, 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.

▪ **Disadvantaged Business Enterprise (DBE) Policy**

As a part of our Master Grant Agreement and Certifications and Assurances with FTA, the Bay County Public Transit System and its contractors and subcontractors agree to ensure that Disadvantaged Business Enterprises, as defined in 49 CFR Part 26 as amended, have the opportunity to participate in the performance of contracts. The Bay County Public Transit System and its contractors and subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the performance of any contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of FDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of the contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate.

▪ **E-Verify**

As a part of the Public Transportation Grant Agreement (PTGA) with FDOT and/or FTA, vendors and contractors of the Bay County Public Transit System shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with the Bay County Public Transit System. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for the Bay County Public Transit System shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor while working for the Bay County Public Transit System.

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Title VI Investigations, Complaints, and Lawsuits

FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations, lawsuits, and complaints naming the recipient.

In accordance with 49 CFR 21.9(b), the Bay County Public Transit System must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; actions taken by the Bay County Public Transit System in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to FDOT and/or FTA.

The Bay County Public Transit System has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three 3 years. Table 3 below is a placeholder for any future investigations, lawsuits, or complaints received.

Table 3 | Summary of Investigations, Lawsuits, and Complaints

Type of Process	Date (Month, Day, Year)	Summary (Including basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
Lawsuits				
Complaints				
1.				

Public Participation Plan

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

The Public Participation Plan (PPP) for the Bay County Public Transit System was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for the Bay County Public Transit System. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about the Bay County Public Transit System services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Attachment G to this Title VI Plan.

Current Outreach Efforts

The Bay County Public Transit System is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of the Bay County Public Transit System's recent, current, and planned outreach activities.

- Coordination Meeting with local Dialysis Centers to address how public transit might assist people with disabilities with transportation to their medical appointments. Bay County Government Center 840 W. 11th Street Panama City, FL. 32401, 5/23/19 at 9:30 AM.
- Coordination Meeting with Maximus to address how public transit might assist their employees who are transportation disadvantaged with being able to access work. As a result of the meeting, a new route was created. Maximus 1002 Arthur Drive Lynn Haven, FL, 32444, 8/1/19 at 10:00 AM.
- Bay County TPO Sub-committee Meeting to review Demand Response contract proposals. Bay County Government Center 840 W. 11th Street Panama City, FL. 32401, 9/25/19 at 2:00 PM.
- Bay County Transportation Disadvantaged Meeting and Public Workshop, Virtual Meeting, 6/3/20 at 10:30 AM.
- Bay County Annual Corridor and Grant Review Meeting, Virtual Meeting, 8/26/20 at 9:00 AM.
- Bay County Transportation Disadvantaged Meeting, Bay County Public Transit System Administration and Meeting Facility, 1021 Massalina Drive Panama City, FL, 11/19/20 at 10:30 AM.
- TDP Virtual Town Hall Meetings- 6/2/20 at 10:00 AM, 6/3/20 at 1:30 PM, 6/4/20 at 6:30 PM
- Public workshops on the Transportation Development Plan (TDP).

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- Lynn Haven Rotary - 10/21/20
 - Central Panhandle Association of Realtors - 10/27/20
 - Panama City Beach Young Professionals (Beach Chamber of Commerce) - 10/27/20
 - Central Panhandle Association of Realtors - 3/18/21
-
- In person surveys at the transfer centers to obtain public input from the community, existing riders, and stakeholders.
 - Online surveys to obtain public input from the community, existing riders, and stakeholders.

Language Assistance Plan

FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP).

The Bay County Public Transit System operates a transit system within Callaway, Lynn Haven, Panama City, Panama City Beach, Parker, Springfield, and unincorporated areas of Bay County. The Language Assistance Plan (LAP) has been prepared to address the Bay County Public Transit System's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In the Bay County Public Transit System service area, there are 4,499 residents or 2.6% who describe themselves as not able to communicate in English very well (Source: 2019 American Community Survey 5-Year Estimates). The Bay County Public Transit System is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The Bay County Public Transit System has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Attachment H.

Transit Planning and Advisory Boards

FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees and a description of efforts made to encourage the participation of minorities on such committees.

Bay County Transportation Planning Organization (TPO)

Deviated Fixed Route System

The Bay County Transportation Planning Organization (TPO) is the local, intergovernmental transportation policy board for Bay County, Florida. The board is comprised of 19 locally elected government officials who make decisions regarding transportation at the county level. The Bay County TPO is required by state and federal legislation to establish a continuing, cooperative, and comprehensive planning process. The TPO also works to increase safety, security, accessibility, mobility, and connectivity for people and freight. In addition to the TPO Board, the Bay County TPO has a Technical Coordinating Committee (TCC) and a Citizens' Advisory Committee (CAC).

The TCC is made up of local government staff and other stakeholders. Their knowledge of local projects and issues allow the members of the TCC to provide technical advice to the TPO board.

The CAC is comprised of members of the general public who express an interest in transportation planning. Prospective members complete an application and must be approved by the committee and the TPO board.

Minority Representation Table

Table 4 below depicts the Bay County Public Transit System's non-elected committees related to fixed route transportation.

Table 4 | Minority Representation on Committees

Body	White	Hispanic	African American	American Indian	Asian	Other
County Population	81.1%	6.5%	11.0%	0.3%	2.3%	1.6%
Technical Coordinating Committee	100%	0.0%	0%	0.0%	0.0%	0.0%
Citizen Advisory Committee	60%	0.0%	20%	0.0%	0.0%	20.0%

Bay County Board of County Commissioners (BOCC)

Demand Response System

The Bay County Board of County Commissioners (BOCC) is the Community Transportation Coordinator (CTC) for Bay County, Florida. The board is comprised of five locally elected government officials who

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make decisions regarding the transportation disadvantaged population at the county level. In addition to the BOCC, the Commission has a Local Coordinating Board (LCB).

The LCB is comprised of state agencies and community representatives of the transportation disadvantaged population. The LCB works to identify local service needs and to provide information, advice, and direction to the Bay County Board of County Commissioners as the CTC.

Title VI Equity Analysis

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

Title 49 CFR, Attachment C, Section (3)(iv) requires that “the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, the Bay County Public Transit System will ensure the following:

1. The Bay County Public Transit System will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. The Bay County Public Transit System will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, the Bay County Public Transit System will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If the Bay County Public Transit System determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the Bay County Public Transit System may only locate the project in that location if (a) there is a substantial legitimate justification for locating the project there, and (b) there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The Bay County Public Transit System must demonstrate and document how both tests are met. The Bay County Public Transit System will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

The Bay County Public Transit System plans to remove a parking lot and replace it with a new parking lot at the following location:

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- Bay County Public Transit Administration Facility
1021 Massalina Drive Panama City, Florida 32401

The Bay County Public Transit System plans to build a new bus wash on its property listed if funding allows:

- Bay County Public Transit Operations and Maintenance Facility
919 Massalina Drive Panama City, Florida 32401

The above-described property is owned by the Bay County Public Transit System and will not require any land acquisition or displacement of persons from their residences or businesses.

Pursuant to FTA C. 4701.1B, an equity analysis only applies to projects requiring land acquisition and displacement of persons from their residences and business. Because the proposed parking lot and land for bus wash is currently owned by the Bay County Public Transit System and no person will be displaced from their residence or business, an equity analysis is not required.

System-Wide Service Standard and Service Policies

FTA Circular 4702.1B, Chapter III, Paragraph 10: All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.

The Bay County Public Transit System is a deviated fixed route service provider.

The Bay County Public Transit System has adopted the following system-wide standards and policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

Service Standards

FTA requires that all fixed route transit providers develop quantitative standards for all fixed route modes of operation for the following indicators. The Bay County Public Transit System has prepared standards for all modes it operates including deviated fixed route and demand response.

Vehicle Load

Table 5 | Average Passenger Capacities

Vehicle Type	System	Seated	Standing	Total	Max. Load Factor
Turtle Top Terra Transit	Demand	14	7	21	1.50
Glaval Universal	Demand	14	8	22	1.50
El Dorado EZ Rider II	Fixed	27	13	40	1.48
El Dorado EZ Rider II	Fixed	29	15	44	1.52
El Dorado EZ Rider II	Fixed	31	16	47	1.52
Champion Defender	Fixed	36	18	54	1.50
Champion Defender	Fixed	26	13	39	1.50
Arboc Spirit of Liberty	Fixed	26	13	39	1.50
Arboc Spirit of Liberty	Fixed	32	16	48	1.50
Arboc Spirit of America	Fixed	33	17	50	1.50
Arboc Spirit of Liberty	Fixed	37	19	56	1.51

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Bay County Public Transit System

Vehicle Headway

Table 6 | Vehicle Headway

Service Category	Monday-Friday	Saturday
Route 1	60 minutes	120 minutes
Route 2	60 minutes	120 minutes
Route 3	60 minutes	120 minutes
Route 4	60 minutes	120 minutes
Route 5	60 minutes	120 minutes
Route 6	60 minutes	120 minutes
Route 7	60 minutes	120 minutes
Route 8	60 minutes	-
Route 10	60 minutes	-

Headways do not apply to Bay Area Transportation, as it is a demand response system for the elderly, disabled, low income, and individuals not living within $\frac{3}{4}$ of a mile of the Bay Town Trolley routes.

On-Time Performance

A Bay Town Trolley vehicle is considered on time if it departs a scheduled time point no more than one (1) minute early and no more than five (5) minutes late. The Bay County Public Transit System's on-time performance objective is 85% or greater. The Bay County Public Transit System continuously monitors on-time performance and system results are discussed publicly during regularly scheduled public meetings.

Service Availability

Bay Town Trolley distributes service so that approximately 72.6 % of all residents living in the urban fixed-route service area are within $\frac{3}{4}$ mile walk of fixed-route bus service.

Service Policies

FTA requires fixed route transit providers to develop a policy for service indicators. The Bay County Public Transit System has prepared the following policies for its transit system.

Distribution of Amenities

Where appropriate in urban and rural areas, the Bay County Public Transit System provides various amenities such as benches, shelters, bike racks, and litter receptacles. These guidelines are desired levels of service but may be modified to reflect the economic viability of the operating budget to enable these expenditures.

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

Table 7 | Distribution of Amenities

Average Boardings	Bus Stop Locations	Amenities Which May Be Considered
1-10	Urban/Rural	ADA Boarding Pad
11-25	Urban/Rural	ADA Boarding Pad, Trash Receptacle, Bench, Bike Rack
26+	Urban/Rural	ADA Boarding Pad, Boarding Pad, Trash Receptacle, Bench, Bike Rack, Shelter

The Bay County Public Transit System will (1) consider the installation of safety lighting in shelters at poorly lit areas, or (2) work with property owners, the city or the county to provide improved lighting.

Vehicle Assignment

The Bay County Public Transit System will design its services to keep the number of passengers on its vehicles at a comfortable and safe level. In peak periods, this means that some passengers may be expected to stand for part of the trip. In off-peak periods, services will be designed with the goal of providing a seat to all off-peak customers.

Consideration is given to matching the capacity of the vehicles to ridership levels on each route. All vehicles are wheelchair lift or ramp equipped.

In the urban and residential areas, vehicles are typically 30 feet in length. These vehicles are assigned to the fixed routes because their size allows them to travel more easily within the urban environment. These buses are equipped with both front and rear doors for ease of access and exit. Vehicles are assigned based on passenger load, route demand, and fuel capacity.

ATTACHMENTS

ATTACHMENT A: FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS

ATTACHMENT B: CURRENT SYSTEM DESCRIPTION

ATTACHMENT C: TITLE VI PLAN ADOPTION

ATTACHMENT D: FTA CONCURRENCE

ATTACHMENT E: TITLE VI NOTICE TO PUBLIC

ATTACHMENT F: TITLE VI COMPLAINT FORM

ATTACHMENT G: PUBLIC PARTICIPATION PLAN

ATTACHMENT H: LANGUAGE ASSISTANCE PLAN

ATTACHMENT I: OPERATING AREA LANGUAGE DATA

**ATTACHMENT A:
FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT
PROVIDERS**

FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS

Every three years, on a date determined by the Federal Transit Administration (FTA), each recipient is required to submit the following information to the FTA as part of its Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly) on a schedule to be determined by the primary recipient.

General Requirements

All recipients must submit:

1. Title VI Notice to the Public, including a list of locations where the notice is posted.
2. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint).
3. Title VI Complaint Form.
4. List of transit-related Title VI investigations, complaints, and lawsuits.
5. Public Participation Plan, including information about outreach methods to engage minority and Limited English Proficient (LEP) populations, as well as a summary of outreach efforts made since the last Title VI Program submission.
6. Language Assistance Plan for providing language assistance to persons with Limited English Proficiency (LEP), based on the DOT LEP Guidance.
7. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees.
8. Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions.
9. A Title VI equity analysis if the recipient has constructed a facility such as a vehicle storage facility, maintenance facility, operation center, etc.
10. A copy of board meeting minutes, resolutions, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions, reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
11. Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

Requirements of Transit Providers

All Fixed Route Transit Providers must submit:

1. All requirements set out in Chapter III (General Requirements)
2. Service standards
 - a. Vehicle load for each mode
 - b. Vehicle headway for each mode

- c. On time performance for each mode
- d. Service availability for each mode
- 3. Service policies
 - a. Transit Amenities for each mode
 - b. Vehicle Assignment for each mode

Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

- 1. Demographic and service profile maps and charts
- 2. Demographic ridership and travel patterns, as collected by surveys
- 3. Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered and was aware of the results, and approved the analysis
- 4. A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- 5. Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered and was aware of and approved the results of the analysis

**ATTACHMENT B:
CURRENT SYSTEM DESCRIPTION**

CURRENT SYSTEM DESCRIPTION

1. An overview of the organization including its mission, program goals and objectives.

The Bay County Public Transit System's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for this community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to county residents.

2. Organizational structure, type of operation, number of employees, service hours, staffing plan, and safety and security plan.

The Bay County Public Transit System is made up of a Deviated Fixed Route and a Demand Response System. The following is an overview of each system:

Deviated Fixed Route System

The Deviated Fixed Route System is administered by the Bay County Transportation Planning Organization (TPO), whose board is comprised of elected officials from the Bay County Board of County Commissioners and every municipal government within the Bay County area. The TPO is the recipient of local, state, and federal funds.

On October 1, 2013, the TPO established an agreement with the Bay County Board of County Commissioners Transit Department to perform all financial, procurement, planning, and other administrative functions on behalf of the TPO. The Transit Department is managed by a Transit Program Administrator who is responsible for the comprehensive oversight of the Deviated Fixed Route System's transit related functions and answers directly to the TPO.

On August 1, 2013, the TPO established an agreement with the West Florida Regional Planning Council (WFRPC), now the Emerald Coast Regional Council (ECRC), to staff planning meetings and conduct other non-transit related functions for the TPO. The ECRC is managed by an Executive Director who oversees all non-transit related functions.

The TPO contracts with First Transit to operate the deviated fixed route system. First Transit employs 24 full time drivers, 6 part time drivers, and 0 volunteers. First Transit operates the Deviated Fixed Route System out of the Bay County Public Transit System Operations and Maintenance Facility located at 919 Massalina Drive in Panama City, Florida. The transit facility is open to the public Monday thru Friday 8:00 am to 5:00 pm.

The Deviated Fixed Route System consists of nine routes and operates on weekdays and Saturdays from 6:00 a.m. to 8:00 p.m. On Saturday, only seven of those routes are in operation. There is a total of 15 grant-funded vehicles made up of medium duty buses. The basic adult fare for fixed route bus service is \$1.50. A reduced fare of \$0.75 is offered during all hours of service to students, senior citizens, and persons with disabilities.

Demand Response System

The Demand Response System is administered by the Bay County Board of County Commissioners (BOCC) as the Community Transportation Coordinator (CTC), which is comprised of five elected officials from within the Bay County area. The BOCC is the recipient of local, state, and federal funds.

On January 1, 2014, the BOCC established an emergency agreement with the Florida Commission for Transportation Disadvantaged (CTD) to act as the CTC and serve the transportation disadvantaged for the community that includes the entire Bay County area.

The BOCC's Transit Department performs all financial, procurement, planning, and other administrative functions. The Transit Department is managed by a Transit Program Administrator who is responsible for the comprehensive oversight of the Demand Response System's functions and answers directly to the BOCC's Chief Financial Officer. An organizational chart outlining the chain of command is included in this attachment.

The BOCC contracts with First Transit to operate the demand response system. First Transit employs 12 full time drivers, 4 part time drivers, and 0 volunteers to operate Bay Area Transportation. First Transit operates the demand response system out of the Bay County Public Transit System Operations and Maintenance Facility located at 919 Massalina Drive in Panama City, Florida. The transit facility is open to the public Monday thru Friday 8:00 am to 5:00 pm.

The Demand Response System operates ambulatory and wheelchair service weekdays and Saturdays from 6:00 a.m. to 6:00 p.m. throughout the Bay County Area only. There is a total of 18 grant-funded vehicles made up of standard cutaway buses. The demand response fare varies by length and type of trip and the subsidy offered by the sponsoring agencies.

All public transportation services are provided in accordance with the Bay County Public Transit System's approved Operations Manual/Public Transit Agency Safety Plan (PTASP)/Security Program Plan and its Transportation Disadvantaged Service Plan (TDSP).

3. Indicate if your agency is a government authority or a private non-profit agency.

The Bay County Public Transit System is a government authority.

4. Who is responsible for insurance, training and management, and administration of the agency's transportation programs?

The Bay County Public Transit System's Operator, First Transit, is responsible for training and management of our transportation program. All safety-sensitive employees are required to complete an FDOT approved safety and security training course as part of their new hire orientation. All new employees are also required to complete 54 hours of on-the-road driver training, which includes riding with a training driver, behind-the-wheel training, and training on proper use of wheelchair lifts and securement devices. The Safety/Security Manager is responsible for the annual renewal of all liability

insurance for all transit related vehicles. It is the General Manager's responsibility to administer all aspects of the transportation program and to control access and usage of all agency vehicles. The BOCC Transit Department provides ongoing oversight and conducts annual evaluations of the operator to ensure continued compliance with state and federal requirements.

5. Who provides vehicle maintenance and record keeping?

Maintenance on all agency vehicles is provided by First Transit. First Transit employs technicians with experience working on commercial passenger vehicles like the type our agency uses. All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the FDOT Preventative Maintenance Guidelines document. All vehicle files are kept on site at the Bay County Public Transit System Operations and Maintenance Facility, located at 919 Massalina Drive in Panama City, Florida, and are maintained by the Maintenance Manager. All driver files are kept on site at the Bay County Public Transit System Operations and Maintenance Facility, located at 919 Massalina Drive in Panama City, Florida, and are maintained by the Safety/Security Manager. All records are maintained and retained for a minimum of five (5) years following contract completion and closeout.

6. Number of current transportation related employees

Our transportation department has a total of 64 employees that include: 36 full-time drivers, 10 part-time drivers, 4 administrators and 14 support staff.

7. Who will drive the vehicles, number of drivers, CDL certifications, etc.?

Only transportation employees that have completed all required safety and driver training requirements are allowed to drive agency vehicles. All drivers operating vehicles weighing 26,000 lbs. or more are required to carry a Commercial Driver's License (CDL) Class B with a Passenger Endorsement. All drivers operating vehicles weighing less than 26,000 lbs. but carrying 15 or more passenger seats are required to have a CDL Class C with a Passenger Endorsement. All drivers operating vehicles with no more than 15 seats are required to carry a Class E Driver's License.

8. A detailed description of service routes and ridership numbers

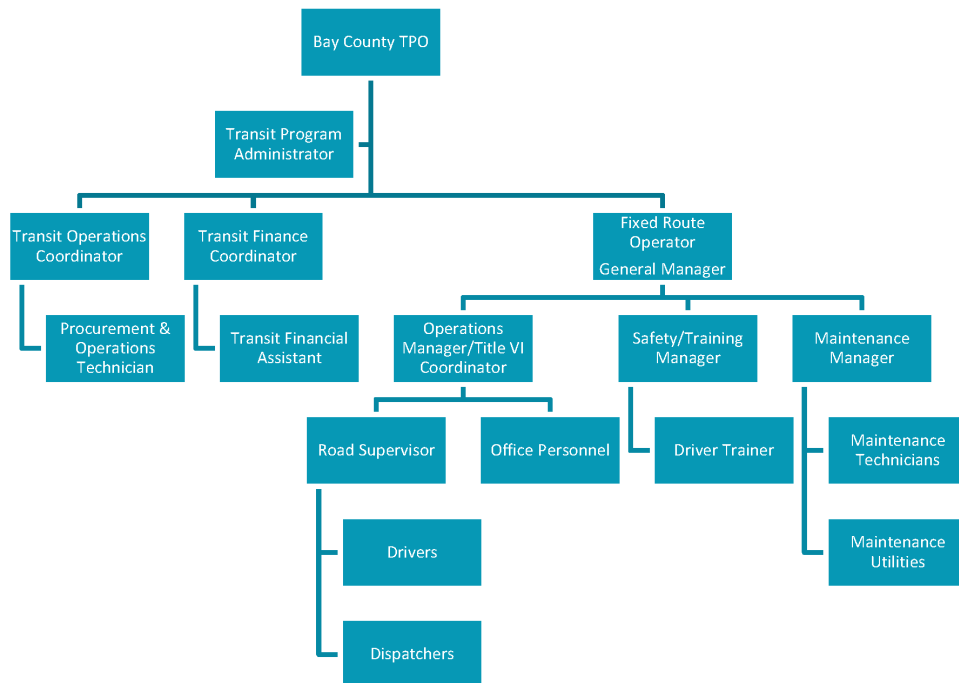
Transportation services provided through our program are available to any rider within the Callaway, Lynn Haven, Panama City, Panama City Beach, Parker, Springfield, and unincorporated areas of Bay County. Our service incorporates both a deviated fixed route and demand response system. We provide a wide range of trip purposes that include medical, nutrition, shopping, social service, training, employment, social and recreation. Approximately 100% of the medical trips we provide are to medical facilities in Bay County. Currently, we use a variety of vehicles to provide passenger services. Our fleet includes standard cutaway buses and medium duty buses with 37 of our vehicles being equipped to transport wheelchairs. We provide ambulatory and wheelchair trips but not stretcher trips. Our Demand Response System groups trips and multi-loads passengers to the maximum extent possible. On average, we provide 911 Fixed Route passenger trips per day and 130 Demand Response

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

passenger trips per day. We leverage our fleet resources so that all vehicles are used in a responsible manner to provide full coverage and retire vehicles at a consistent pace based upon appropriate age and mileage.

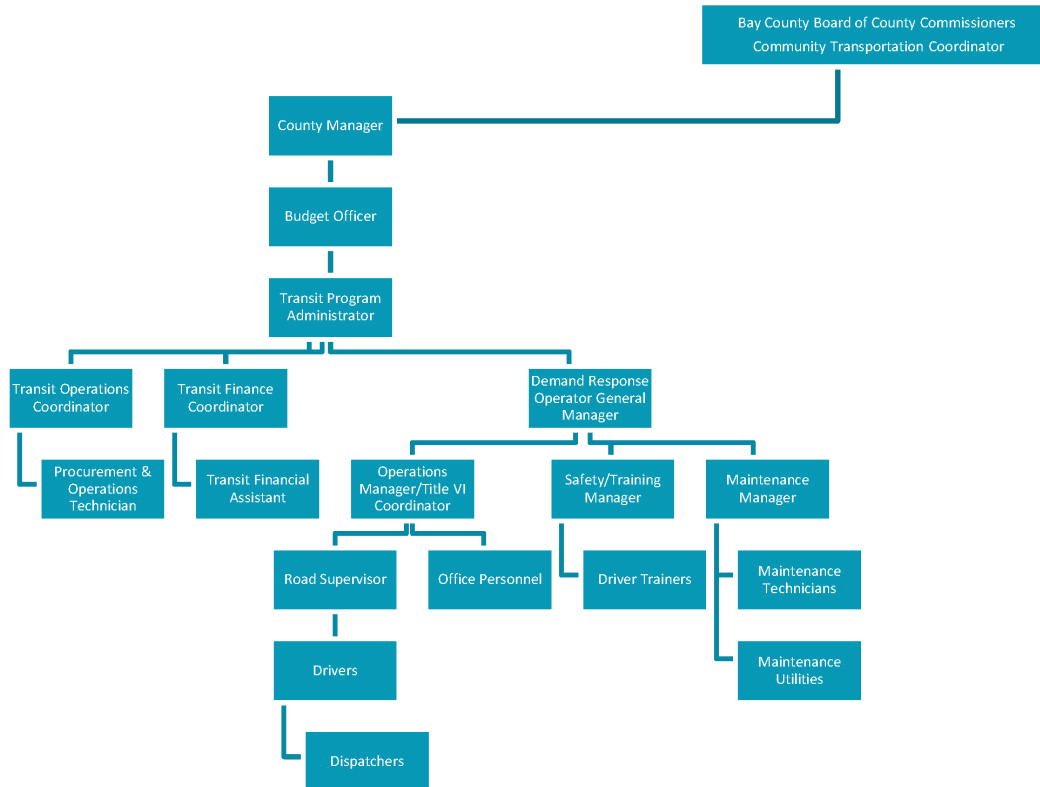
ORGANIZATIONAL CHART: BAY TOWN TROLLEY – DEVIATED FIXED ROUTE SYSTEM



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Bay County Public Transit System

ORGANIZATIONAL CHART: BAY AREA TRANSPORTATION – DEMAND RESPONSE SYSTEM



**ATTACHMENT C:
TITLE VI PLAN ADOPTION**

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

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Insert TPO Resolution

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**ATTACHMENT D:
FTA CONCURRENCE**

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

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Insert FTA Concurrence Letter

1 page

**ATTACHMENT E:
TITLE VI NOTICE TO PUBLIC**

NOTIFYING THE PUBLIC OF RIGHTS UNDER TITLE VI

BAY COUNTY PUBLIC TRANSIT SYSTEM

The Bay County Public Transit System operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any Person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Bay County Public Transit System. For more information on the Bay County Public Transit System's Civil Rights Program, and the procedures to file a complaint, contact (850) 785-0808 if riding Bay Area Transportation or (850) 769-0557 if riding Bay Town Trolley. You can also visit the Bay County Public Transit System's Operations and Maintenance Facility at 919 Massalina Drive Panama City, Florida 32401.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

If information is needed in another language, contact Bay Area Transportation (850) 785-0808 or Bay Town Trolley (850) 769-0557.

NOTIFICAR AL PÚBLICO DE DERECHOS BAJO EL TÍTULO VI

SISTEMA DE TRANSPORTE PÚBLICO DEL CONDADO DE BAY

El sistema de tránsito público del Condado de Bay opera sus programas y servicios sin tener en cuenta la raza, el color y el origen nacional de acuerdo con el título VI de la ley de derechos civiles. Cualquier persona que cree que ha estado agraviada por cualquier práctica discriminatoria ilegal bajo el título VI puede presentar una queja ante el sistema de tránsito público del Condado de Bay. Para obtener más información sobre el programa de derechos civiles del sistema de tránsito público del Condado de Bay, y los procedimientos para presentar una queja, comuníquese con (850) 785 - 0808 si está montando el área de transporte de la bahía o (850) 769 - 0557 si monta el Trolley de Bay Town. También puede visitar el centro de operaciones y mantenimiento del sistema de transporte público del Condado de Bay en 919 Massalina Drive Panama City, Florida 32401.

Un reclamante puede presentar una queja directamente con la administración federal de tránsito presentando una queja ante la oficina de derechos civiles, atención: Title VI Program Coordinator, East building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Si necesita información en otro idioma, comuníquese con el área de transporte de la Bahía (850) 785 - 0808 o Trolley de la ciudad de la Bahía (850) 769 - 0557.

**ATTACHMENT F:
TITLE VI COMPLAINT FORM**

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

Bay County Public Transit System

Title VI Complaint Form

The Bay County Public Transit System is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its transit program, policy or activity on the basis of race, color or national origin as protected by Title VI of the Civil Rights Act of 1964, as amended. If you believe you have been subjected to discrimination under Title VI, you may file a written complaint with the Bay County Public Transit System.

Please provide the following information in order to process your complaint. Assistance is available upon request. The completed form must be returned to:

Bay County Public Transit System
1021 Massalina Drive, Panama City, Florida 32401
Attn: Lamar Hobbs, Transit Program Administrator
Telephone (850) 248-8161
Or email at lhobbs@baycountyfl.gov

Section I:		
Complainant(s) Name:		
Address:		
Telephone (Home):	Telephone (Work):	Email Address:
Section II:		
Complainant(s) Representative's Name:		
Relationship (e.g. friend, attorney, parent, etc.):		
Address:		
Telephone (Home):	Telephone (Work):	Email Address:

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

Section III:					
What was the discrimination based on? (check all that apply):					
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin			
Date of Incident:	Time of Incident				
Location where incident occurred:					
Name of person who allegedly subjected you to Title VI discrimination:					
Section IV					
Did anyone else witness the incident? (If yes list witnesses)					
<input type="checkbox"/> Yes	<input type="checkbox"/> No				
Witness Name:					
Address:					
Telephone (Home):					
Section V					
Have you filed this complaint with any Federal, State, or Local agency/court?					
<input type="checkbox"/> Yes	<input type="checkbox"/> No				
If yes, check all that apply:					
<input type="checkbox"/> Federal	<input type="checkbox"/> Federal Court	<input type="checkbox"/> State	<input type="checkbox"/> State Court	<input type="checkbox"/> Local	<input type="checkbox"/> Local Court

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

Please provide the name of the Agency/Court where the complaint was filed.

Name:

Title:

Agency:

Telephone:

I hereby swear/affirm that the information that I have provided regarding this Title VI Complaint is true and correct to the best of my knowledge, information and belief.

Complainant/Representatives Signature: _____

Date: _____

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

Sistema de Tránsito Público del Condado de Bay

Formulario de quejas del Título VI

El Sistema de Tránsito Público del Condado de Bay se compromete a garantizar que ninguna persona esté excluida de participación o negación de los beneficios de su programa, política o actividad de tránsito por motivos de raza, color o origen nacional según lo protegido por el Título VI de la Ley de Derechos Civiles de 1964, según enmendada. Si cree que ha sido objeto de discriminación en virtud del Título VI, puede presentar una queja por escrito ante el Sistema de Tránsito Público del Condado de Bay.

Por favor, proporcione la siguiente información para procesar su queja. La asistencia está disponible bajo petición. El formulario completado debe ser devuelto a:

Bay County Public Transit System
1021 Massalina Drive, Panama City, Florida 32401
Attn: Lamar Hobbs, Transit Program Administrator
Teléfono (850) 248-8161
O envíe un correo electrónico a lhobbs@baycountyfl.gov

Sección I:		
Nombre del demandante (s):		
Dirección:		
Teléfono (Hogar):	Teléfono (Trabajo):	Dirección de correo electrónico:
Sección II:		
Nombre del / de la / los Representante / s de la demandante:		
Relación (por ejemplo, amigo, abogado, padre, etc.):		
Dirección:		

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Bay County Public Transit System

Teléfono (Hogar):	Teléfono (Trabajo):	Dirección de correo electrónico:
Sección III:		
¿En qué se basó la discriminación? (marque todo lo que corresponda):		
<input type="checkbox"/> Carrera	<input type="checkbox"/> Color	<input type="checkbox"/> Origen nacional
Fecha del incidente:	Hora del incidente:	
Lugar donde ocurrió el incidente:		
Nombre de la persona que supuestamente lo sometió a discriminación del Título VI:		
Sección IV:		
¿Alguien más fue testigo del incidente? (Si es así, enumere testigos)		
<input type="checkbox"/> Sí	<input type="checkbox"/> No	
Nombre del testigo:		
Dirección:		
Teléfono (Hogar):		
Sección V:		
¿Ha presentado esta queja ante alguna agencia / corte federal, estatal o local?		
<input type="checkbox"/> Sí	<input type="checkbox"/> No	

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

En caso afirmativo, marque todo lo que corresponda:

☐ Federal ☐ Corte federal ☐ Estado ☐ Corte estatal ☐ Local ☐ Corte local

Por favor proporcione el nombre de la Agencia / Corte donde se presentó la queja.

Nombre:

Título:

Agencia:

Teléfono:

Por el presente juro / afirmo que la información que he proporcionado con respecto a esta Reclamación del Título VI es verdadera y correcta a mi leal saber y entender.

Firma del demandante / representante:

Fecha:

**ATTACHMENT G:
PUBLIC PARTICIPATION PLAN**

BAY COUNTY PUBLIC TRANSIT SYSTEM PUBLIC PARTICIPATION PLAN

Introduction

The Public Participation Plan (PPP) for the Bay County Public Transit System was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for the Bay County Public Transit System. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about the Bay County Public Transit System's services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The Bay County Public Transit System also recognizes the importance of many types of stakeholders in the decision-making process, including other units of government, area agencies, community-based organizations, major employers, passengers and the general public. The general public includes low-income, minority, LEP, and other traditionally underserved communities.

Public Participation Goals

The main goal of the PPP is to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low-income, minority and LEP groups, to comment about the Bay County Public Transit System and its operations. The goals for this PPP include:

Inclusion and Diversity: The Bay County Public Transit System will proactively reach out and engage low-income, minority, and LEP populations living in the Bay County Public Transit System's service area so these groups will have an opportunity to participate.

Accessibility: All legal requirements for accessibility will be met. Efforts will be made to enhance the accessibility of the public's participation – physically, geographically, temporally, linguistically and culturally.

Clarity and Relevance: Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.

Responsive: The Bay County Public Transit System will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.

Tailored: Public participation methods will be tailored to match local and cultural preferences as much as possible.

Flexible: The public participation process will accommodate participation in a variety of ways and will be adjusted over time as needed.

Public Participation Methods

The methods of public participation included in this PPP were developed from best practices in conjunction with the needs and capabilities of the Bay County Public Transit System. The Bay County Public Transit System intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

The Bay County Public Transit System will conduct community meetings and listening sessions as appropriate with passengers, employers, community based organizations, and advisory committees to gather public input and distribute information about service quality, proposed changes or new service options.

The public will be invited to provide feedback on both the Bay Town Trolley website at BayTownTrolley.org and the Bay Area Transportation website at BayAreaTransit.org. Any feedback received on the site will be documented and referred to the Bay County Public Transit System administration for consideration. The public will also be able to call the Bay Town Trolley at 850-769-0557 and/or the Bay Area Transportation offices at 850-785-0808, during its hours of operation. Feedback collected over the phone will be documented and referred to the Bay County Public Transit System administration for consideration. Formal customer surveys to measure performance and listening sessions to solicit input will be conducted periodically. The comments recorded as part of these participation methods will receive a response as appropriate.

Meeting formats will be tailored to help achieve specific public participation goals that vary by project or the nature of the proposed adjustment of service. Some meetings will be designed to share information and answer questions. Some will be designed to engage the public in providing input, establishing priorities, and helping to achieve consensus on a specific recommendation. Others will be conducted to solicit and consider public comments before implementing proposed adjustments to services. In each case, an agenda for the meetings will be created that works to achieve the stated goals, is relevant to the subject, and is not overwhelming for the public.

For all public meetings, the venue will be a facility that is accessible for persons with disabilities and, preferably, is served by public transit. If a series of meetings are scheduled on a topic, different meeting locations may be used to attract participation from a geographic cross-section of the public.

For community meetings and other important information, the Bay County Public Transit System will use a variety of means to make riders and citizens aware, including some or all of the following methods:

- In-vehicle advertisement;
- Posters or flyers in transit center;
- Posting information on website;
- Press releases and briefings to media outlets;

Flyers and information distribution through various libraries and other civic locations;

Communications to relevant elected officials;

Other methods required by local or state laws or agreements.

All information and materials communicating proposed and implemented service adjustments will be provided in English and any other language that meets the “safe harbor” criteria.

Public Hearing

The Bay County Public Transit System, as described in the Current System Description, is made up of two public transportation systems, deviated fixed route and demand response. Each system is separately governed by a governmental board before which public hearings are held to allow public participation, answer questions, provide input, establish priorities, direct staff, and achieve a consensus on specific recommendations.

Deviated Fixed Route System

Bay County Transportation Planning Organization (TPO): Meetings are typically held six times a year on the fourth Wednesday of the month at 3:30 p.m. Meetings take place in the Commission Chambers of the Bay County Government Center located at 840 W. 11th Street, Panama City, Florida 32401.

Bay County TPO Citizens Advisory Committee (CAC): Meetings are typically held six times a year on the fourth Wednesday of the month at 1:30 p.m. Meetings take place in the Commission Chambers of the Bay County Government Center located at 840 W. 11th Street Panama City, Florida 32401.

Bay County TPO Technical Coordinating Committee (TCC): Meetings are typically held six times a year on the fourth Wednesday of the month at 11:00 a.m. Meetings take place in the Commission Chambers of the Bay County Government Center located at 840 W. 11th Street Panama City, Florida 32401.

Demand Response System

Bay County Community Transportation Coordinator (CTC): The Bay County Board of County Commissioners is designated as the CTC for Bay County. Meetings are typically held 24 times a year on the first and third Tuesday of every month at 9:00 a.m. Meetings take place in the Commission Chambers of the Bay County Government Center located at 840 W. 11th Street Panama City, Florida 32401.

Local Coordinating Board (LCB): Meetings are typically held four times a year on the first Wednesday of the month at 1:00 p.m. Meetings take place in room 1030 of the Bay County Government Center located at 840 W. 11th Street Panama City, Florida 32401.

**ATTACHMENT H:
LANGUAGE ASSISTANCE PLAN**

BAY COUNTY PUBLIC TRANSIT SYSTEM LANGUAGE ASSISTANCE PLAN

Introduction

The Bay County Transportation Planning Organization operates a transit system within Bay County, Florida. The Language Assistance Plan (LAP) has been prepared to address the Bay County Public Transit System's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals who have a limited ability to read, write, speak or understand English are LEP. In the Bay County Public Transit System's service area, there are 4,499 residents, or 2.6% of the area's population, who describe themselves as not able to communicate in English "very well" (Source: US Census 2019 American Community Survey 5-Year Estimates). The Bay County Public Transit System is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The Bay County Public Transit System has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a Four Factor Analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled *Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers* (April 13, 2007) (referred hereinafter as "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide 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 that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

Executive Order 13166 dated August 16, 2000 states that recipients of federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (Handbook, page 6). Additionally recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP (Handbook, page 6). These provisions are included in FTA Circular 4702.1B in Paragraph 9 of Chapter III (pages III-6 to III-9).

For many LEP individuals, public transit is the principal transportation mode available. It is important that the Bay County Public Transit System be able to communicate effectively with all of its riders. When such takes place, the service provided is safer, more reliable, convenient, and accessible for all within its service area. The Bay County Public Transit System is committed to taking reasonable steps to ensure meaningful access for LEP individuals to this agency's services in accordance with Title VI.

This plan will demonstrate the efforts that the Bay County Public Transit System undertakes to make its service accessible to all persons without regard to their ability to communicate in English. The plan

addresses how services will be provided through general guidelines and procedures including the following:

Identification: Identifying LEP populations in service areas;

Notification: Providing notice to LEP individuals about their right to language services;

Interpretation: Offering timely interpretation to LEP individuals upon request;

Translation: Providing timely translation of important documents;

Staffing: Identifying staff employed by the Bay County Public Transit System to assist LEP customers;

Training: Providing training on LAP to responsible employees.

Four Factor Analysis

The analysis provided in this report has been developed to identify the LEP population that may use the Bay County Public Transit System's services and identify needs for language assistance. This analysis is based on the "Four Factor Analysis" presented in the *Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons*, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a Bay County Public Transit System program, activity or service;
2. The frequency with which LEP persons come in contact with the Bay County Public Transit System programs, activities or services;
3. The nature and importance of programs, activities or services provided by the Bay County Public Transit System to the LEP population;
4. The resources available to the Bay County Public Transit System and overall costs to provide LEP assistance.

a. **Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population**

Of the 170,989 residents in the Bay County Public Transit System's service area, 4,499 residents describe themselves as speaking English less than "very well". People of Spanish descent are the primary LEP persons likely to utilize the Bay County Public Transit System's services. For the Bay County Public Transit System service area, the US Census 2019 American Community Survey 5-Year Estimates show that among the area's population 94.7% speak English "very well". For groups who speak English "less than very well", 1.5% speak Spanish languages.

Attachment I contains a table which lists the languages spoken at home by the ability to speak English for the population within the Bay County Public Transit System service area.

b. **Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services**

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

Bay County Public Transit System has assessed the frequency with which LEP individuals come into contact with the transit system. The methods utilized for this assessment include analysis of census data, examining phone inquiries, requests for translated documents, and staff surveys. As discussed above, census data indicates that the area of Bay County has a prominent population of Spanish, Asian and Pacific Islanders. Phone inquiries and staff survey feedback indicated that Bay County Public Transit System dispatchers and drivers interact infrequently with LEP persons. The majority of these interactions have occurred with LEP persons who mainly spoke Spanish. Over the past 3 years, Bay County Public Transit System has had 0 requests for translated documents.

c. **Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People's Lives**

Public transportation and regional transportation planning is vital to many people's lives. According to the Department of Transportation's Policy Guidance Concerning Recipient's Responsibilities to LEP Persons, providing public transportation access to LEP persons is crucial. A LEP person's inability to utilize public transportation effectively may adversely affect his or her ability to access health care, education, or employment.

An onboard sampling of riders was conducted to determine the amount of usage and access to the Bay County Public Transit System's services. According to the sampling, the most common age among all the participants was 30 or older.

To further access personal mobility options, each respondent was asked how he or she would have made the trip had the Bay County Public Transit System not been available. The most frequent response was "friend or family member" (40 percent). An additional 25 percent indicated they would not have been able to make the trip if the service was not available. This data indicates that the Bay County Public Transit System's service is very important as a primary means of transportation for its customers.

d. **Factor 4: The Resources Available to the Recipient and Costs**

The Bay County Public Transit System assessed the available resources that are currently being used, and those that could be used, to provide assistance to LEP populations. These resources include the following:

- Spanish translation of the Bay Town Trolley Ride Guide, Cost: \$320.00
- Spanish translation of the Bay Area Transportation Ride Guide. Cost: \$320.00
- Spanish version of the Bay Town Trolley Ride Guide available on website BayTownTrolley.org. Cost: \$200.00
- Spanish version of the Bay Area Transportation Ride guide available on website BayAreaTransit.org. Cost: \$200.00
- Spanish translation of the Title VI notice to public and complaint form. Cost: \$320.00
- Spanish version of Title VI notice and complaint form available on website BayTownTrolley.org. Cost: \$200.00
- Spanish version of Title VI notice and complaint form available on website BayAreaTransit.org. Cost: \$200.00
- Spanish translation of the Americans with Disabilities Act (ADA) notice to public and complaint form. Cost: \$320.00
- Spanish version of Americans with Disabilities Act (ADA) notice to public and complaint form available on website BayTownTrolley.org. Cost: \$200.00
- Spanish version of Americans with Disabilities Act (ADA) notice to public and complaint form available on website BayAreaTransit.org. Cost: \$200.00
- Spanish translation of the Bay Area Transportation eligibility application. Cost: \$320.00
- Spanish version of the Bay Area Transportation eligibility application available on website BayAreaTransit.org. Cost: \$200.00
- Google Translator available on website BayTownTrolley.org. Cost: \$200.00
- Google Translator available on website BayAreaTransit.org. Cost: \$200.00
- Professional Personal Interpreter available 24/7 in over 200 languages. Cost: \$3.95 per minute

Bay County Public Transit System provides a reasonable degree of services for LEP populations in its service area.

Language Assistance Plan

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five elements:

1. Identifying LEP individuals who need language assistance;
2. Providing language assistance measures;
3. Training staff;
4. Providing notice to LEP persons;
5. Monitoring and updating the plan.

The five elements are addressed below.

a. Element 1: Identifying LEP Individuals Who Need Language Assistance

Federal guidance provides that there should be an assessment of the number or proportion of LEP individuals eligible to be serviced or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.

Bay County Public Transit System has identified the number and proportion of LEP individuals within its service area using the US Census 2019 American Community Survey 5-Year Estimates (see Attachment I). As presented earlier, 93% of the service area population speak English only. The largest non-English spoken language in the service area is Spanish (3.6%). Of those whose primary spoken language is Spanish, approximately 1.5% identify themselves as speaking English less than “very well”.

Bay County Public Transit System may identify language assistance needed for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Having Census Bureau Language Identification Flashcards available at Bay County Public Transit System Meetings. This will assist Bay County Public Transit System in identifying language assistance needs for future events and meetings.
3. Having Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to obtain contact information to give to Bay County Public Transit System management to follow-up.

4. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

b. Element 2: Language Assistance Measures

Federal Guidance suggests that an effective LAP should include information about the ways in which language assistance will be provided. This refers to listing the different language services an agency provides and how staff can access this information.

For this task, Federal Guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively deal with LEP individuals when they either call agency centers or otherwise interact with the agency.

Bay County Public Transit System has undertaken the following actions to improve access to information and services for LEP individuals:

1. Provide bilingual staff at community events, public hearings, and transit committee meetings.
2. Survey transit drivers and other front-line staff annually on their experience concerning any contacts with LEP persons during the previous year.
3. Provide Language Identification Flashcards onboard transit vehicles and in the Bay County Public Transit System offices.
4. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

c. Element 3: Training Staff

Federal guidance states staff members of an agency should know their obligation to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing Element 3 of the Language Assistance Plan, involve: (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities; (3) providing regular re-training for staff dealing with LEP individual needs; and (4) designing and implementing LEP training for agency staff.

In the case of Bay County Public Transit System, the most important staff training is for transit drivers and dispatchers. Several drivers are bilingual in English and Spanish.

The following training will be provided to all staff involved in customer service:

1. Information on Title VI Procedures and LEP responsibilities;
2. Use of Language Identification Flashcards;
3. Documentation of language assistance requests;
4. How to handle a potential Title VI/LEP complaint.

d. Element 4: Providing Note to LEP Persons

Bay County Public Transit System will make Title VI information available in English and Spanish on the Agency's websites. Key documents are written in English and Spanish. Notices are also posted in Bay County Public Transit System facilities and on buses. Additionally, when staff members prepare a document or schedule a meeting for which the target audience is expected to include LEP individuals, documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

e. Element 5: Monitoring and Updating the Plan

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

The number of documented LEP person contacts encountered annually;

How the needs of LEP persons have been addressed;

Determination of the current LEP population in the service area;

Determination as to whether the need for translation services has changed;

Determine whether Bay County Public Transit System's financial resources are sufficient to fund language assistance resources needed.

Bay County Public Transit System understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of the system easier. Bay County Public Transit System is open to suggestion from all sources, including customers, Bay County Public Transit System staff, other transportation agencies with similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

Safe Harbor Provision

DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient 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, then such action will be considered strong evidence of compliance with 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 reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

Bay County Public Transit System service area does have LEP populations which qualify for the Safe Harbor Provision. Spanish speakers qualify for the Safe Harbor Provision as the number of persons speaking English less than "very well" is counted as 1.5% or 2,591 persons. Additionally, there are two other potential LEP populations. However, given the large margin of error in the ACS data, experience of the Agency, and the minuscule percentage of the population, there is not currently a need for written translations for these languages (Russian, Polish, or other Slavic languages and Asian and Pacific Islander). If the Agency comes in contact with these populations in the future, this will be reassessed.

The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. The Bay County Public Transit System may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

**ATTACHMENT I:
OPERATING AREA LANGUAGE DATA**

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

OPERATING AREA LANGUAGE DATA: 2019 American Community Survey 5-Year Estimates

Languages	County	Population	Percent of Population
Total	Bay	170,989	100.0%
Speak only English	Bay	158,259	92.6%
Spanish or Spanish Creole	Bay	6,211	3.6%
Speak English “very well”	Bay	3,620	2.1%
Speak English less than “very well”	Bay	2,591	1.5%
French, Haitian, or Cajun	Bay	619	0.4%
Speak English “very well”	Bay	619	0.4%
Speak English less than “very well”	Bay	0	0.0%
German or other West Germanic languages	Bay	323	0.2%
Speak English “very well”	Bay	272	0.2%
Speak English less than “very well”	Bay	51	0.0%
Russian, Polish, or other Slavic languages	Bay	1,007	0.6%
Speak English “very well”	Bay	811	0.5%
Speak English less than “very well”	Bay	196	0.1%
Other Indo-European languages	Bay	969	0.6%
Speak English “very well”	Bay	822	0.5%
Speak English less than “very well”	Bay	147	0.1%
Korean	Bay	351	0.2%
Speak English “very well”	Bay	253	0.1%
Speak English less than “very well”	Bay	98	0.1%
Chinese (incl. Mandarin, Cantonese)	Bay	102	0.1%
Speak English “very well”	Bay	70	0.0%
Speak English less than “very well”	Bay	32	0.0%
Vietnamese	Bay	600	0.4%
Speak English “very well”	Bay	193	0.1%
Speak English less than “very well”	Bay	407	0.3%
Tagalog (incl. Filipino)	Bay	648	0.4%
Speak English “very well”	Bay	372	0.2%
Speak English less than “very well”	Bay	276	0.2%
Other Asian and Pacific Island languages	Bay	1,079	0.6%
Speak English “very well”	Bay	652	0.3%
Speak English less than “very well”	Bay	427	0.3%

TITLE VI/NON-DISCRIMINATION PLAN

Bay County Public Transit System

Arabic	Bay	466	0.3%
Speak English “very well”	Bay	217	0.1%
Speak English less than “very well”	Bay	249	0.1%
Other unspecified languages	Bay	355	0.2%
Speak English “very well”	Bay	330	0.2%
Speak English less than “very well”	Bay	25	0.0%

Lamar Hobbs

Transit Program Administrator
Bay County Public Transit System

