

Date: January 22, 2014

To: Board of Directors

From: Neil McFarlane

Subject: **ORDINANCE NO. 333 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) ADOPTING LIFT FARE INCREASES AND AMENDING TRIMET CODE CHAPTER 19 (FIRST READING AND PUBLIC HEARING)**

1. Issues or Purpose of the Item.

Ordinance No. 333 amends TriMet Code Chapter 19 to increase LIFT fares, raising the LIFT cash fare to be equivalent with the Adult fixed route cash fare. The increases would become operative on April 1, 2014, and are described further below in Section 3, Background.

2. Reason for Board Action.

The TriMet Code may be amended only by adoption of an ordinance. Ordinance No. 333 will require two readings. The first reading and a public hearing are proposed for the January 22, 2014 Board of Directors (Board) meeting.

3. Background.

In 2011, TriMet began working with community stakeholders regarding an approach for increasing LIFT paratransit fares. TriMet initially proposed increasing LIFT fares to \$3 over three years and eliminating the unlimited use LIFT monthly pass. However, after an extensive outreach process, and in response to public comments, comments from the Committee on Accessible Transportation (CAT), and Board input, TriMet revised the LIFT fare proposal to retain the LIFT monthly pass, and to increase the LIFT cash fare in 30 cent increments until it reached the same level as the Adult fixed route fare. Ordinance No. 321 was proposed which included LIFT fare increases effective April 1, 2012 and April 1, 2013, in 30 cent increments to \$2.15 and \$2.45, respectively.

At their meeting on December 21, 2011, the CAT voted to recommend the LIFT fare increase as proposed in Ordinance No. 321, and to continue to increase the LIFT cash fare until it reached the same level as the Adult fixed route cash fare. The CAT also recommended that the Honored Citizen cash and pass fare not be increased during the transition to higher LIFT fares. The recommendation passed with 10 votes in favor of the proposal, and one abstention.

The Board adopted Ordinance No. 321 at their February 22, 2012 Board meeting.

At the December 18, 2013 CAT meeting, TriMet staff again met and discussed with CAT the proposed Ordinance No. 333 LIFT fare increase, in response to which there were no concerns raised by CAT.

LIFT service is provided pursuant to the Americans with Disabilities Act of 1990 (“ADA”) which applies to local transit service providers. The ADA “emphasizes non-discriminatory access to fixed route with complementary paratransit access as a “safety net” for people who cannot use the fixed route system.”¹ Like ADA paratransit services throughout the country, TriMet’s LIFT cost per ride is high because rides are individually scheduled origin to destination to any location within the TriMet district, and normally each vehicle trip carries just one or two customers. The average cost per LIFT ride is \$30.93, compared to the fixed route cost per ride of \$2.64. The annual cost of LIFT service is over \$32 million, and the cost has grown on average 8.9% per year since 1992. TriMet provides approximately 1 million rides per year to qualifying persons through its door-to-door LIFT service.

There are essentially two ways for transit agencies to contain growth of their ADA paratransit service costs: 1) individual assessments to determine eligibility; and 2) higher fares.

TriMet implemented assessments of individuals as to their functional ability to use fixed route transit in April 2010, and provides paratransit eligibility on a trip-by-trip basis. The eligibility decision must consider any trip the individual with a disability might make on fixed route. For example, an individual in a mobility device who can navigate fixed route in Portland, but is unable to do so due to environmental barriers in suburban Washington or Clackamas counties, would be eligible for LIFT trips to or from those areas.

Under the ADA, paratransit fares can be double the fixed route base fare, without regard to discounts. As such, the LIFT cash fare at TriMet could be \$5.00, based on current fixed route fares. The current TriMet LIFT fare is \$2.45. The average paratransit cash fare for TriMet’s peer agencies is approximately \$3 per trip, and many transit agencies charge the maximum amount allowed in order to recover more of the cost of paratransit service, and to provide an incentive to use fixed route service.

Ordinance No. 333 Fare Increase Proposal:

Ordinance No. 333 would raise the LIFT cash fare to be equivalent with the Adult fixed route fare (\$2.50), in accordance with the CAT’s recommendation for adoption of Ordinance No. 321. Ordinance No. 333 increases LIFT fares as follows:

- Cash fare: from \$2.45 to \$2.50
- Pre-Paid Tickets: from 10/\$24.50 to 10/\$25.00
- Monthly Pass: from \$72.00 to \$74.00
- 14 Day Pass: from \$36.50 to \$37.50
- Annual Pass: from \$864.00 to \$888.00
- 20 Trip Punch Card: from \$47.00 to \$48.00
- Fixed route transfer for Honored Citizens (from fixed route to LIFT): from \$1.45 to \$1.50

This fare proposal will bring the LIFT cash fare in line with TriMet’s Adult fixed route fare, bring TriMet’s paratransit fares into closer alignment with TriMet’s peers and industry standards, and provide additional revenues to support the increasing cost of LIFT service.

¹ Federal Register Vol. 56 No 173, September 1991 Rules and Regulations

Public Comment:

Verbal testimony and written comment may be provided at the public hearing for the first reading of Ordinance No. 333. In addition, public comment related to fare changes is accepted by phone, email and standard mail. These comments will be provided to the Board and made part of the Board record.

4. Options, if any.

Should the Board not proceed with a first reading of Ordinance No. 333, the existing TriMet Code LIFT fare pricing provisions would remain in place.

5. Recommendation.

The General Manager recommends that the Board conduct a first reading and public hearing of Ordinance No. 333 at its January 22, 2014 meeting.

ORDINANCE NO. 333

AN ORDINANCE OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) ADOPTING LIFT FARE INCREASES AND AMENDING TRIMET CODE CHAPTER 19

THE BOARD OF DIRECTORS OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET), pursuant to the authority of Oregon Revised Statutes Chapter 267, does hereby ordain and decree the following Ordinance:

Section 1 – Adoption of LIFT Fare Increases; Amendment of TriMet Code Chapter 19

TriMet Code (TMC) Chapter 19 shall be amended as set forth on the attached Exhibit A, which is incorporated into and made part of this Ordinance No. 333.

Section 2 – Effective/Operative Date

This Ordinance shall take effect thirty days after the date of its adoption. Amendments to TMC Section 19.15 (B) Fares shall become operative on April 1, 2014.

Date Adopted:_____

Attest:

Recording Secretary

Presiding Officer

Approved as to Legal Sufficiency:

Legal Department

ORDINANCE NO. 333
EXHIBIT A

TriMet Code (TMC) Chapter 19 is amended as set forth below. Deletions are shown in brackets with a line through the text, and additions are shown in underlined, bold text. The amendments to TMC Section 19.15 (B) shall become operative on April 1, 2014.

19.15 Fares.

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B. Door-to-door LIFT services:

(1) The fare for door-to-door LIFT services, excluding rides paid for by agencies under contract with TriMet, shall be:

- (a) Cash: [~~\$2.15; \$2.45 (operative April 1, 2013)~~] **\$2.50**.
- (b) Pre-paid Tickets: [~~10/\$21.50; 10/\$24.50 (operative April 1, 2013)~~] **10/\$25.00**.
- (c) Monthly Pass: [~~\$62.00; \$72.00 (operative April 1, 2013)~~] **\$74.00**; non-transferable.
- (d) Annual Pass: [~~\$744.00; \$864.00 (operative April 1, 2013)~~] **\$888.00**; non-transferable.
- (e) 20 Trip Punch Card: [~~\$41.00; \$47.00 (operative April 1, 2013)~~] **\$48.00**; valid for 20 trips on LIFT service only, non-expiring.
- (f) 14-Day Pass: [~~\$31.50; \$36.50 (operative April 1, 2013)~~] **\$37.50**; valid for travel on LIFT service for a period of fourteen (14) consecutive days, non-transferable.

(2) The following additional methods of fare payment will be accepted as total payment for door-to-door LIFT services:

- (a) A regularly scheduled service route transfer plus [~~\$1.15; \$1.45 (operative April 1, 2013)~~] **\$1.50**;

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