

## ORDINANCE NO. 43

### AN ORDINANCE ADOPTING PROCEDURES RELATING TO ROUTE, SCHEDULE, AND FARE CHANGES, AND AMENDING AND RESTATING ORDINANCE NO. 33.

WHEREAS following a recent review of its ordinances, Lane Transit District determined that its ordinances should be better organized so as to make them more accessible to the public; and

WHEREAS the District wishes to better organize and streamline its ordinances without making any substantive changes to the ordinances:

BE IT ENACTED BY LANE TRANSIT DISTRICT:

Lane Transit District Ordinance No. 33 is amended and restated in its entirety to read as follows:

The Board of Directors of Lane County Mass Transit District, under authority of ORS 267.010 to 267.990, both inclusive and in compliance with Chapter 799, Section 110, Oregon Laws 1987, ordains as follows:

#### **Section 1. Definitions**

- A. A "transit route" is a route over which a transit vehicle travels that is specifically labeled or numbered for the purpose of picking up or discharging passengers at regularly scheduled stops and intervals.
- B. A "transit route mile" is a distance of one statute mile along a route regularly traveled by transit vehicles while available for the general public to carry passengers. The length of a route is the round-trip distance traveled in traveling completely over the route and returning to the starting point to begin another circuit of the route. If a route is only defined in one direction, then this one-directional distance is the route length.
- C. A "transit revenue vehicle mile" is a distance of one statute mile traveled while a transit vehicle is available to the general public to carry passengers.
- D. "Ridership" means the number of unlinked revenue passenger trips carried. An unlinked passenger trip does not include any transfers. (A single trip by a transit user involving three vehicles and using two transfers is three unlinked passenger trips.)
- E. A "service change" is any addition or deletion resulting in the physical realignment of a transit route, or a change in the type or frequency of service provided in a specific, regularly scheduled transit route.
- F. "Experimental service change" is an addition of service to an existing transit route, or the establishment of a new transit route.

#### **Section 2. When Hearing is Required**

- A. Except as provided elsewhere in this ordinance, a hearing must be held when:
  - (1) There is a change in any fare;

- (2) There is any change in service of:
  - (a) 25 percent or more of the number of transit route miles of a route; or
  - (b) 25 percent or more of the number of transit revenue vehicle miles of a route computed on a daily basis for the day of the week for which the change is made; or
- (3) A new transit route is established.
- B. Reduced or free promotional fares which are instituted on a daily basis or periodically within a period of 180 days are exempt from the public hearing requirement.
- C. If a number of changes on a route in a fiscal year add up to the percentages in paragraph A of this section, a hearing must be held prior to the last change.
- D. Headway adjustments of up to 5 minutes during peak hour service, and up to 15 minutes during non-peak hour service, are exempt from the public hearing requirements.
- E. Standard seasonal variations are exempt from the public hearing requirement unless the number, timing, or type of standard seasonal variations changes.
- F. In an emergency situation, a service change may be implemented immediately without a public hearing being held. A public hearing on the emergency change must be held if the emergency change is to be in effect for more than 180 days and if the change meets the test of paragraph A (2) or (3) of this section. Examples of emergency service changes include but are not limited to those made because of a power failure for a rail or fixed guideway system, the collapse of a bridge over which bus routes pass, major road or rail construction, or inadequate supplies of fuel.
- G. Experimental service changes may be instituted for 180 days or less without a public hearing being held. The public hearing on an experimental service change is required if the experimental service change remains in effect for more than 180 days and if the change meets the tests of paragraph A (2) or (3). The hearing may be held prior to the institution of, or during the period of the experimental service change and will satisfy the requirement for a final public hearing if the hearing notice required by section 3 states that the experiment may become permanent at the end of the experimental period. If a hearing is not held prior to or during the period of the experimental service change, the service that existed prior to the change must be reinstituted at the end of 180 days and a public hearing held in accordance with section 3 before the experimental service may be continued.

### **Section 3. Hearing Requirements**

- A. Prior to the institution of a fare change or to a service change that falls within the levels established in section 2, a notice of intent to hold the public hearing shall be published in a newspaper of general circulation in the urbanized area. The notice must also be published in newspapers oriented to specific groups or neighborhoods that may be affected.
- B. The notice must be published at least 30 days prior to the hearing.



C. The notice must contain:

- (1) A description of the contemplated service changes, or the fare change, as appropriate, and
- (2) The time and place of the hearing. If a hearing required by Section 2 C is held, the notice must describe the last change being contemplated, and the prior changes that were made.


#### **Section 4. Hearing Process**

- A. Public comment received through telephone calls, e-mails, and written documents will be collated into a document and presented to the Board of Directors at the first public hearing at which testimony will be accepted. This document will continue to be updated throughout the process and until which time the final public hearing is conducted.
- B. Public comment received during open houses and public hearings will be documented and added to the summary document containing all comments received. The summary document will be reviewed by staff and provided to the Board prior to the meeting at which final action on service or fare changes is scheduled to occur. After consideration of public comments gathered at this point in the process, the Board may provide direction to staff. Under Board direction, staff will conduct additional research and prepare a final recommendation.
- C. Staff will take into account public comment and Board direction, and will present a final recommendation for review and adoption.

#### **Section 5. Decision Notice**

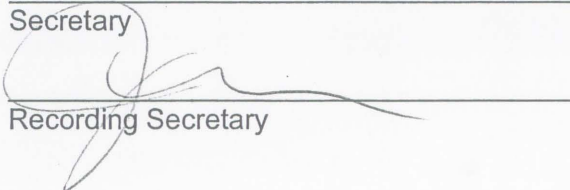
- A. Prior to adoption of a proposed fare or service change, notice shall be published in a newspaper of general circulation in the urbanized area.
- B. Prior to adoption of a proposed fare or service change, notice shall be provided on the District's Web site, through on-vehicle publications, and on posted information signage at transit stations and affected bus stops.
- C. District printed information will be updated to reflect service or fare changes at the next scheduled update cycle.

ADOPTED this 20th day of February, 2013.

  
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President and Presiding Officer

ATTEST:

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Secretary

  
\_\_\_\_\_  
Recording Secretary