

Statement of  
Diana Zinkl, Chair  
Riders' Advisory Council  
Washington Metropolitan Area Transit Authority  
Before the  
Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia  
Committee on Oversight and Government Reform  
United States House of Representatives

April 29, 2009

Good Morning, Chairman Lynch, Ranking Member Chaffetz and Members of the Subcommittee. Thank you for inviting me to testify today. My name is Diana Zinkl and I am the 2009 Chair of the WMATA Riders' Advisory Council (R.A.C.). It is an honor for me to be here today representing the R.A.C. and riders of public transit through the National Capital Region. A list of the names and jurisdictional affiliations of the other members of the R.A.C. is included at the end of this statement.

The Board of WMATA authorized the R.A.C. in 2005 following public requests to create a citizens' advisory group to serve as an institutionalized voice for riders within the Authority. The establishment of the Council was one of a series of initiatives undertaken by the Authority in 2005 to provide additional avenues for rider input into the system. Other initiatives included holding Town Hall meetings and allowing public comment at WMATA Board of Directors meetings. The R.A.C. reports directly to, and is appointed by, WMATA's Board of Directors. Members also work closely with Authority staff to provide customer input.

There are twenty-one (21) seats on the Council, eighteen (18) allotted by jurisdiction—six each from the District of Columbia, Maryland and Virginia, and two At-Large seats along with a representative from Metro's Accessibility Advisory Committee. The Council includes members who are Metrobus, Metrorail and MetroAccess users, college students and senior citizens, longtime residents and newcomers, those who prefer to use transit, and those who are transit dependent.

Other transit agencies have rider groups to provide feedback. Of the top ten transit systems in the United States, eight have either riders' or citizens' advisory councils. Many locally run transit services in this region receive public input through more general citizens' advisory committees.

WMATA provides basic transportation to residents of the National Capital Region. It is central to how many residents of the region live, work and play. Some riders depend on alternative transportation by choice, others by design, and others because of economics. It operates seven days a week, 365 days a year, taking people of all income levels and backgrounds to and from work at all hours of the day and night, to religious services, medical appointments, day care, cultural events, evenings out. For some transit dependent individuals, such as the elderly, individuals with disabilities, limited English proficient individuals, low income and very low income individuals, transit can be a lifeline to participation in society, providing them their only means of navigating their communities. It brings people home safely in all weather conditions, when they are alone, and when cars break down. It takes people home when they are too tired or too drunk to drive, protecting not only the rider, but people they may never meet.

We appreciate the key role that public transit and transit workers play in keeping the public safe from everyday threats. Public transit delivers people safely to locations near their destination; prevents drunk, tired, and distracted driving; guarantees all riders—particularly women, children, the elderly and those traveling alone—protection from crime, harassment, fear, bad weather and accidents.

As committed transit riders—and several of us are transit dependent—we are aware of the importance of pedestrian and bicycle connections to transit facilities. We also realize that many of these connections—like many other issues affecting WMATA—are outside the control of the Authority and lie in the hands of member jurisdictions.

### **Proposed Operational and Service Changes**

Recent and anticipated changes to WMATA's operations and service indicate a positive future

for bus service. We hope that this will include a commitment to existing routes and a long term commitment to new service by both WMATA and member jurisdictions.

### New Bus Programs

R.A.C. members are very supportive of WMATA's efforts to improve bus service. New, lower profile buses that are easier to board and exit, hybrid buses that should deliver fuel savings in future years, and full implementation of SmarTrip card technology in bus systems throughout the Region are some of the capital improvements that we have welcomed in recently.

Operationally, WMATA has several innovative bus projects that we are excited about. The NextBus program will provide realtime arrival information at all 11,000 bus stops in the WMATA system, allowing riders to make informed choices about when they leave for the bus stop, and which bus line to use. This information will be particularly valuable to bus riders in bad weather and late at night. The Bus Priority Corridor Network will designate high service bus routes that will replicate rail service—hopefully including frequency, leveling the playing field between bus and rail service. As one step in the development of the Bus Priority Corridor Network, WMATA has already restructured the bus service on 16<sup>th</sup> Street in the District, introducing limited stop express buses. We recognize that many elements of improving bus service require partnership with member jurisdictions and hope that WMATA receives this support as needed to improve bus service.

In addition, the Authority is currently considering a pedestrian and bicycle access study and a bus stop study. WMATA as a regional transit authority is in a unique position to promote pedestrian and bicycle safety, both from traffic and crime, throughout the region, but only with the cooperation of member jurisdictions. Many R.A.C. members, of course, as transit dependent individuals or heavy users of transit, regularly experience their communities on foot. We look forward to contributing to these studies and would ask our jurisdictions to support these efforts.

Improvements to the bus system mimic recent improvements to the rail system. It was not so long ago that rail service ended at midnight every night, did not start until 6am on weekdays, and, particularly on weekends, riders often encountered four car trains. Through a series of pilot projects, WMATA has extended hours on the rail system and equipment purchases have

improved capacity. As WMATA approaches final decisions about the purchase of the next generation of rail cars, we hope that this innovative and forward looking view is maintained.

### 2010 Proposed Bus Service Cuts

As it has been for many, this year has proven to be a difficult budget year for WMATA. In anticipation of proposed service cuts, the R.A.C. adopted a resolution recommending standards for service adjustments for the benefit of the Board of Directors and the Authority. The first standard requests acknowledgement that WMATA provides basic transportation service to many residents of the region. Other standards request equity—interjurisdictional, intermodal and social—in service adjustments, and that service adjustments reflect how riders use the system, such that the impact of any adjustments have the least possible impact. We asked that the Board, the Authority and the jurisdictions look for any way to avoid service reductions, particularly the elimination of bus routes or reduction of hours of service on the rail system. In addition, our resolution also asked for transparency in the process of any service adjustments. Specifically, we requested detailed information to the public about service cuts and an opportunity for public input.

As WMATA moved forward with proposed bus service cuts, the public testimony of many riders confirmed their dependence on bus service to go about their daily lives—get to work, grocery stores, laundromats, religious services and school, and to do so safely—avoiding areas that are dangerous for walking and biking, either because of traffic or crime. Particularly, many low income and moderate income individuals, single parents, elderly individuals and individuals with disabilities spoke about how their bus is a lifeline for them. Moreover, we are concerned that eliminating bus routes may make current and potential bus riders reluctant to depend on bus service in the future.

R.A.C. members are concerned that the pace of some recent operational changes may be too fast for some riders, particularly transit dependent vulnerable populations, such as low income, very low income, elderly, disabled, the limited English proficient and second shift workers. Moreover, we feel both the WMATA and the public would benefit from earlier and more meaningful opportunity for public input into such changes. For example, the time frame of the recent public hearings on service cuts was compressed, and, to date, we have not seen a detailed

2010 proposed budget book as has been made public in past years. In addition, the choices put before the public were very limited, each jurisdiction proposed cuts that exactly met the subsidy deficit. Similarly the elimination of paper transfers was done very quickly, shortly after some local bus systems adopted SmarTrip, leaving bus riders in some areas only a few months to adapt to SmarTrip.

## **Latest Safety and Security Initiatives**

The R.A.C. looks forward to engaging in everyday public safety issues. Our input has been sought on both public safety and homeland security issues.

### **Everyday Safety**

Pedestrian and bicycle connections are an important component of public transit access. Some of the public testimony offered during the recent service cuts hearings raised issues of public safety with pedestrian and bike connections to transit. Many witnesses spoke generally about concerns with pedestrian and bicycle safety in their neighborhoods—both from crime and traffic, discomfort during long waits between buses, and the need for bus service to connect them across unwalkable or unbikeable areas. For example, a mother and her teenage daughter spoke of a sense of unsafe conditions at their neighborhood MetroRail station, particularly for women and girls. Additionally, during the early public discussions of the 2010 budget gap, feedback from outlying areas of the MetroRail system was that extending the hours WMATA charges for parking or raising the hourly weekday parking charges was not tenable because of the lack of pedestrian and bicycle connections between the MetroRail stations and the surrounding areas.

### **Random Bag Search Program**

The Authority sought R.A.C. input last fall on one homeland security initiative, its random bag search program. In October 2008, WMATA publicly announced plans to conduct random bag searches at the entrance to rail stations. The R.A.C. heard public comment on this proposal at both the November and December meetings. At our December meeting, we were also briefed by WMATA staff. WMATA staff stated the program implementation was imminent. R.A.C.

members had concerns about the public opposition voiced at our meetings, the lack of opportunity for public input into the project, and some uncertainties on the scope and operation of the program. We adopted a resolution, requesting the Board hold at least one public meeting on the initiative to allow additional opportunity for public input. Our resolution on this program is attached.

Moving forward, I hope the R.A.C. can have a positive influence on public safety issues in several ways.

- looking generally at public safety issues impacting riders and the Authority;
- participating in the Authority's pedestrian and bicycle and bus stop studies;
- ensuring a sense of security for riders at MetroRail stations.

### **Pending Capital and Improvement Projects and Funding Updates**

With regard to funding, R.A.C. members would like to see WMATA achieve a stable funding situation, both from a capital and operational standpoint. This is a matter of both actual funding, as well as policy, practice and information.

#### **Budget Process**

The lack of authority for WMATA to develop and maintain an operational reserve fund or carry over operating excess from one year to another contributes to financial instability. It creates incentives to take on additional operating expenses in years when the Authority is flush with funding and then makes it more difficult to make ends meet in later years. For example, in many years, the jurisdictions receive a "rebate" on their annual subsidy payment—that is, at the end of the fiscal year, WMATA returns any operating excess to the jurisdictions. Early indications are that 2009 will be no different. It would be a shame to eliminate bus routes and reduce frequencies in 2010, only to find at the end of the year that the Authority had generated an operating excess. If the Authority was allowed to keep some operating excess, this would allow a mechanism to stabilize both the operating and capital budget.

We encourage the Authority to create an open process for fiscal planning—both operational and

capital. This year, the public has not had access to a line by line budget proposal, which would allow public input to a budget funded with public money. This has limited the ability of the public, including the R.A.C., to participate meaningfully in the dialogue over the Authority's 2010 budget. Similarly, the allocation of the WMATA fiscal stimulus funds was allocated to capital projects with no opportunity for public input.

### Future Challenges

Future challenges will likely create additional pressures on WMATA's budget, both capital and operating. Current projections show increasing demand for MetroAccess, increasing ridership on existing MetroRail and MetroBus routes, need for new services in growing parts of the region, aging capital infrastructure in the core system, and demand for new capital facilities. Suggested solutions include creating a dedicated funding source for WMATA, such as a sales tax increment; an infusion of capital funding in exchange for federal participation in WMATA governance; and developing the WMATA owned land adjacent to transit rail and using the revenue to fund WMATA needs.

As has been said often in recent times, we must do more with less, or even more with more. The budget discussions of recent years are likely a bellwether for the future, calling for longer term solutions and requiring multiple responses to stabilize the Authority's funding situation and allow the Board, management and riders to focus on operational issues rather than budgeting. For instance, increased demand for MetroAccess is inevitable as the Baby Boomer generation ages and the first generation of individuals raised under the Americans with Disabilities Act enters the workforce. Creating opportunities for public input by partnering with the disability community to explore making the Bus and Rail systems more friendly and accessible to individuals with disabilities might reveal solutions, such as constructing redundant elevators in Rail stations, more space on buses for passengers using wheelchairs, universal design concepts, automated stop announcements throughout the system and fully accessible pedestrian facilities. I would also suggest here that WMATA as a regional entity is well positioned to partner with state and local governments to holistically address the needs of individuals with disabilities such that mass transit is a more feasible lifestyle option for individuals with disabilities.

Finally, the member jurisdictions of WMATA, the District of Columbia, the State of Maryland,

and the Commonwealth of Virginia, all have a responsibility to the system. This system is available to all residents of and visitors to the National Capital Region, and takes them where they need to go, seven days a week, 365 days per year, safely and quickly. It is in the hands of the General Manager and the Board to manage the Authority efficiently and exhibit fiscal responsibility. It is incumbent on the jurisdictions to provide adequate support based on the work of the Authority leadership. It is the duty of both to meet the needs of their own residents as well as the residents of other jurisdictions and visitors to the area.

In conclusion, I would encourage you, if you have not already done so, to try riding MetroRail and MetroBus, as well as transit systems in your home Districts and throughout the United States. Further information about the R.A.C., including meeting minutes, handouts, and bylaws can be found at [http://www.wmata.com/about\\_metro/riders\\_advisory\\_council/](http://www.wmata.com/about_metro/riders_advisory_council/).

I would like to thank the Subcommittee for the opportunity to speak today. I am happy to answer any questions you may have.

#### **Attachments**

Attachment A—List of Current R.A.C. Members

Attachment B—Recent Policies and Resolutions

Attachment C—WMATA Board Resolution creating R.A.C. and R.A.C. Bylaws



## Attachment A—WMATA Riders' Advisory Council Members

### **District of Columbia**

- David Alpert
- Dr. Kelsi Bracmort
- Patricia Daniels
- Kenneth DeGraff
- Carol Carter Walker
- Diana Zinkl (Chair)

### **Maryland**

- Dr. Sharon Conn - Prince George's County
- Francis DeBernardo - Prince George's County
- Mary Kay Dranzo - Montgomery County
- Christopher Farrell - Montgomery County
- Susan Holland - Prince George's County
- Lora Routt - Montgomery County

### **Virginia**

- Penny Everline - Arlington County (2nd Vice Chair)
- Evelyn Tomaszewski - Fairfax County
- Lillian White - City of Alexandria
- Robin White - Fairfax County
- Vacant - Arlington County
- Vacant - Fairfax County

### **At-Large**

- Dharm Guruswamy
- Carl Scip
- Patrick Sheehan - Accessibility Advisory Cmte. representative (1st Vice Chair)



Attachment B



600 Fifth Street NW  
Washington, DC 20001

April 23, 2009

WMATA Board of Directors  
600 Fifth Street, NW  
Washington, DC 20001

Public Docket B09-3

Dear Board Members,

We are writing in response to the Board's express solicitation of comments from the R.A.C. on proposed service cuts, the General Manager's 2010 proposed budget and the public hearings in the March 26, 2009, resolution authorizing public hearings on those proposals.

### **Summary**

We are concerned that the currently proposed bus service cuts will affect only one mode, harm transit-dependent riders, remove vital connections, reduce safety and increase other costs such as MetroAccess. We urge the Board and member jurisdictions to continue to explore other alternatives to cuts. To increase public participation in the budget process, we also request that Metro make public the complete 2010 budget proposal before further decisions are made.

Further, we believe that the public's involvement in these hearings was needlessly compressed in time and limited to a small range of topics. In the future, we hope the Board will allow more time for hearings, avoiding the need for multiple hearings on the same night, and permit the public to weigh in on a broad range of potential budget solutions that span rail, bus, parking, and other services, instead of a predetermined single choice. We also urge the Board to begin the open process of discussing the 2011 budget gap very soon after concluding the 2010 budget process, providing time for a thorough debate of all alternatives.

### **Service Cuts**

Aware that service cuts might be part of the WMATA 2010 budget process, the R.A.C., at its March 4, 2009, meeting, adopted a resolution on service adjustments. This resolution encourages the Board, WMATA and member jurisdictions to pursue service cuts as a last resort and, if cuts are necessary, outlines principles to guide those decisions. A copy of the resolution is attached.

Our comments in this letter are based on the principles in that resolution which we strongly reaffirm. Additionally, the feedback comes from our personal experiences using the various modes of the WMATA system, from our discussions with other riders and among ourselves, from the information which WMATA staff has provided, and from our attendance at all of the public hearings held from April 13 to 17, 2009.

We maintain the strong belief that WMATA should not balance the budget on the backs of bus riders. The burden of the cuts falls exclusively on one subset of riders who use the target services.

In particular, we have serious concerns that:

- These cuts eliminate needed connections to jobs, houses of worship, grocery stores, laundromats, health care and child care options;
- Headway lengthenings, reroutings and reductions in hours of service will increase safety risks to riders;
- Some of the services slated for elimination lack realistic alternatives, and
- Many supposed alternatives require transfers, which are especially burdensome to senior citizens and persons with disabilities;
- The cuts will increase unemployment rates and, thus, social service spending;
- Elimination of bus service may increase use of MetroAccess, neutralizing some or all potential cost savings.

The R.A.C. welcomes a holistic and community-based reexamination of the bus network, and opposes cutting individual routes annually in the budget process and in response to shortfalls. R.A.C. members are encouraged by the Board's recent interest in improvements to bus service and hope this signals a lasting commitment to creating equity between bus and rail service.

### **Transparency in the Public Process**

We are disappointed in the lack of transparency in the decision-making process for these service cuts, despite the recommendations for such in our resolution. We feel the Board should allow ample time for the public to meaningfully comment and for management to advertise any service changes. For example, the public hearings scheduled for the week of April 13, 2009, featured two sets of hearings at the same time and day. In addition, we are concerned that the testimony at hearings did not accurately represent the working poor, some minority groups, and individuals with limited English proficiency, who are disproportionately affected by bus service cuts. Finally, the R.A.C. feels that the Board should have presented the public with a full slate of budgetary options, including fare increases, rail service adjustments, and parking rate increases, rather than just asking for public input on a pre-selected list of cuts.

In the event that WMATA moves forward with service cuts, we believe it should conduct a very intensive public information campaign, so that riders have specific and explicit information about how their service is affected.

Finally, in recent weeks there has been general discussion about the Fiscal Year 2011 budget, but with little specific information available to the public. Given the compressed and hurried nature of our process this year, the R.A.C. encourages the WMATA to seek public input about the 2011 budget immediately, rather than waiting until late in the fiscal year.

### **The 2010 Budget**

In past years the R.A.C. has reviewed WMATA budget proposals—both operating and capital—and provided input to the Board and the Authority. To date, the R.A.C. has yet to receive a copy of the 2010 General Manager's budget proposal. A series of PowerPoint presentations available on the WMATA website provided only vague information on the upcoming budget cycle, lacking the detailed and systematic information available in a complete

and thorough budget proposal. An accessible copy of the detailed budget on the WMATA website would make this publicly available to many at minimal expense. Without a detailed budget to review, the R.A.C. is unable to comment on the 2010 budget, but we look forward to doing so once it is available.

While we are aware the Board, WMATA and jurisdictions have gone through a lengthy process to reduce the original budget gap, we ask that you continue to examine this budget for further opportunities to reduce costs. We would also urge the jurisdictions to apply the subsidy rebate from 2009 to the 2010 budget and increase contributions. Finally, we continue to encourage creative solutions to bring in additional revenue.

Thank you,



Diana Zinkl  
2009 Chair  
WMATA R.A.C.

Patrick Sheehan  
1<sup>st</sup> Vice Chair

Penelope Everline  
2<sup>nd</sup> Vice Chair

Carl Seip, At-Large

Carol Carter Walker, Washington, DC

Francis DeBernardo, Maryland

David Alpert, Washington, DC

Dharm Gururwamy, At-Large

Evelyn Tomaszewski, Virginia

Robin White, Virginia

Dr. Kelsi Bracmort, Washington, DC

Dr. Sharon Conn, Maryland

Kenneth DeGraff, Washington, DC

Christopher Farrell, Maryland

Lora Routt, Maryland

## WMATA Riders Advisory Council Resolution on Service Adjustments

*Whereas*, the Riders Advisory Council recognizes the need for WMATA to achieve a balanced budget,

*Whereas*, the Authority, the Board and the member jurisdictions should search for additional cost savings and sources of revenue, work to improve efficiency, develop a better understanding of the quantitative and qualitative benefits of the system, strongly consider additional, targeted subsidy increases, and aggressively pursue alternative funding before reducing service;

*Whereas*, the Advisory Council acknowledges that a balanced budget may require WMATA to achieve cost savings through service adjustments as well as non-service associated cost savings and additional jurisdictional subsidy;

*Whereas*, the Advisory Council believes WMATA should preserve the quality of the rider experience and not sacrifice the goal of maintaining the best ride in the nation and a high level of civility and cleanliness; now, therefore be it

*Resolved*, the Advisory Council adopts the following principles for service adjustments should guide any decisions made by the Board or the Authority:

- maintaining basic transportation—recognition that Metro provides a critical service, 24 hours a day, seven days per week, enabling residents of the region to travel to work, school, personal appointments, entertainment and recreation at all hours of the day and all days of the week.
- customer, employee and public safety—service adjustments should take into account direct effects on safety, such as operator training and work hours, and indirect effects on safety, such as availability, frequency and security of evening and late night service.
- interjurisdictional and intermodal equity—service adjustments should be adopted in a manner that distributes service, adjustments and the burden of those adjustments throughout the region and among modes and types of services provided by the Authority, acknowledging that existing service in some areas may already be limited under current scheduling.
- valuing social equity—providing service based on community need as well as efficiency and demand. Recognize that for transit dependent individuals, even limited service provides opportunities to participate in basic community functions that might be out of reach otherwise.

- maintaining alternatives within transit—seemingly overlapping services may provide needed options, prevent overcrowding and bottlenecks, minimize the impact of service disruptions and are not necessarily “duplicative.”
- sensitivity to “day of week” and “time of day” changes in demand—Metro should consider broader use of targeted service adjustments that reflect time of day and day of week variation in demand and minimize the impact of service adjustments on customers (for example the weekend closure of the 17<sup>th</sup> street entrance to the Farragut West Metro is one example of a “targeted service adjustment”).
- strong communication to the public on service adjustments—
  - transparency at all stages in the development of any and all service adjustments, including detailed information available to the public and open, public, noticed meetings for all discussions of service adjustments, except where directed to do so by the Board.
  - opportunity for public input into service adjustments through public hearings in affected areas for all service reductions.
  - any service adjustments need to be widely and unambiguously communicated to the public to prevent confusion, delay, and maintain strong relationships with the riding public, taking into account regular users, occasional users, tourists and special needs riders.

*Approved by the Riders' Advisory Council – March 4, 2009*



## **WMATA Riders Advisory Council Resolution on Real-Time Bus Information**

*Whereas*, the NextBus system allows riders to access real-time information about bus arrivals on the Web and on mobile devices;

*Whereas*, real-time information is extremely valuable to riders, allowing them to better time their actions to catch a bus or make decisions about which bus to choose;

*Whereas*, according to a UK study, real-time information also improves riders' perception of bus reliability and frequency;

*Whereas*, WMATA has been working with NextBus to set up a new and more accurate real-time information system for Metrobus;

*Whereas*, some Metrobus riders have been using NextBus at their own risk for several months, and many have found it useful despite its limitations; now, therefore be it

*Resolved*, the Riders' Advisory Council urges WMATA to work with NextBus to complete and officially release the system as soon as practical, and

*Resolved*, the Riders' Advisory Council requests that WMATA explore opportunities for RAC members and interested members of the public to start using the NextBus system in a "beta test" before it is officially launched, and as soon as possible, to receive feedback and benefit riders.

*Approved by the Riders' Advisory Council - March 4, 2009*

## **Metro Riders' Advisory Council Resolution on Random Security Inspection Policy**

The Riders' Advisory Council urges the Metro Board and the General Manager to convene at least one public meeting, at a time and place convenient to the public, where the Metro administration will present information on its random security inspection policy, including any information supporting its rationale for such a policy, and give the public sufficient opportunity to ask questions and make comments.

The Council asks that Metro suspend implementation of this policy until such time as at least one public meeting is held.

*Approved by the Riders' Advisory Council – December 3, 2008*

**SUBJECT: APPROVAL OF CREATION OF RIDERS' ADVISORY COUNCIL**

2005-44  
**RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, during the last few months the Authority has added several new modes of customer communication, including town hall meetings, online chats, a new Board of Directors email address, public comment period during Board meetings and advance posting of Board presentations on the WMATA website; and

WHEREAS, The Authority believes that increased interaction with riders will result in increased rider satisfaction; and

WHEREAS, The Authority previously has had no formal advisory body consisting of riders; and

WHEREAS, The Board desires to provide as many outlets as feasible for rider input; now, therefore be it

*RESOLVED*, That the Authority establishes a Riders' Advisory Council; and be it further

*RESOLVED*, That this council will serve in an advisory role and recommend possible solutions to the Board and staff, based on public input, so that WMATA can effectively address the diverse concerns of the riding public; and be it further

*RESOLVED*, That the Riders' Advisory Council will consist of 21 members, six residing within each jurisdiction and reflecting the varied groups of riders from all services and representing the diversity of the system ridership and an additional three members appointed without regard to ridership pattern or demographics (one of whom shall always be the Chair of the WMATA Elderly and Disabled Transportation Advisory Committee); and be it further

*RESOLVED*, That members will agree to devote sufficient time to the Council, will not be WMATA employees or elected officials and will sign a Standards of Conduct agreement with the Authority; and be it further

Motioned by Mr. Kauffman, seconded by Mr. Graham

Ayes: 6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Graham, Mr. Smith, Mr. Euille

*RESOLVED*, That the Board of Directors will appoint the council members from each jurisdiction and the three additional at-large members for a term of three years with terms staggered; and be it further

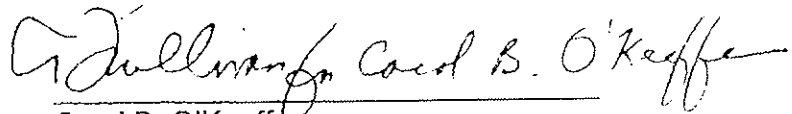
*RESOLVED*, That the Chair and two Vice Chairs of the Council will be chosen annually by the membership of the Council; and be it further

*RESOLVED*, That the Board adopts the By-Laws as shown on Attachment A to this Resolution, and be it further

*RESOLVED*, That all members of the Council shall comply with the Standards of Conduct as shown in Attachment B, and be it finally

*RESOLVED*, That this resolution shall take effect immediately.

Reviewed as to form and legal sufficiency:

A handwritten signature in cursive script that reads "Carol B. O'Keeffe". The signature is written in black ink and is positioned above a horizontal line.

Carol B. O'Keeffe  
General Counsel

# Washington Metropolitan Area Transit Authority Riders Advisory Council

## BY-LAWS

### ARTICLE I

#### NAME

The name of the advisory group shall be the Washington Metropolitan Area Transit Authority (WMATA) Riders Advisory Council, and may be referred to as "the RAC."

### ARTICLE II

#### MISSION

##### A. MISSION STATEMENT

The mission of the RAC is to actively seek input from a broad range of riders on operational and budgetary issues that affect Metrorail, Metrobus, and MetroAccess riders and organizations with an expressed interest in public transit; advise the WMATA Board, on ways to resolve such issues in order to improve the Metrorail/bus system and MetroAccess; promote WMATA responsiveness to riders; and recommend possible solutions to the WMATA Board of Directors and staff, based on public input, so that WMATA can effectively address the diverse concerns of the riding public.

This mission is consistent with WMATA's goal to encourage public input in order to provide the best service to all of its customers.

##### B. GOALS OF THE RAC

The goals of the RAC are to:

- Advise the Board of Directors on operating and budgetary issues that have a direct impact on Metrorail, Metrobus, and MetroAccess riders;
- Encourage rider awareness of the RAC and of the opportunities that the RAC provides for riders to make their voices heard;
- Advise the Board of Directors on operating and budgetary issues that have a direct impact on Metrorail, Metrobus, and MetroAccess riders;
- Encourage open decision-making process by WMATA that clearly reflects riders' needs and concerns;
- Support improvements in service;
- Aim for a high level of rider satisfaction with WMATA; and
- Strive for a high level of public confidence in WMATA.

### C. RESPONSIBILITIES

The RAC shall serve in an advisory capacity to the WMATA Board and may work with staff to:

- Educate themselves about the Metrorail/bus system, the budget process, and the administrative process as they relate to providing transportation by bus, rail, and paratransit;
- Review, analyze, and prepare recommendations on issues that relate to the provision of Metrorail/bus and MetroAccess service;
- Hold public forums with special focus on an issue, geographical location, or targeted group as necessary to respond to riders' concerns and apprise WMATA of the date and time of such public forums for its information and use;
- Attend, listen, and speak at community meetings to better learn and represent riders' perspectives;
- Develop recommendations which take into consideration the needs of people throughout the Metrorail/bus system service area and which consider the financial impacts of different solutions on both customers and WMATA;
- Execute and adhere to a RAC Standards of Conduct Policy;
- Establish annual goals for the RAC;
- Interact with the WMATA Elderly and Disabled Committee (E&D Committee), which advises the WMATA Board on WMATA's programs and transportation facilities insofar as they affect customers with disabilities and those who are elderly; and
- Interact with other advisory groups established by WMATA.

### D. COMMUNICATION WITH BOARD AND STAFF

The RAC may communicate with the WMATA Board of Directors and appropriate staff on a regular schedule as established by the WMATA Board, and may send additional reports or recommendations as needed by the WMATA Board. A brief report may be made at the beginning of each WMATA Board or Board Committee meeting that is open to the public on items that are within the mission and goals of the RAC. The RAC may also provide advice in other areas not within the stated goals or mission of the RAC after prior consultation of the WMATA Board.

## ARTICLE III

### MEMBERSHIP PRIVILEGES

#### A. COMPOSITION

The RAC shall be composed of up to twenty-one (21) members, eighteen (18) of which shall consist of six (6) members from each of the jurisdictions who live in the WMATA service area. Membership will be selected, generally, from people who live in the WMATA service area. It is important that the membership reflect a broad representation of people from different geographic locations of the WMATA service area and not any particular advocacy group. Therefore, membership on the RAC shall reflect a broad array of ages, genders, races, and disabilities so as to capture the concerns of the riders in the WMATA service area. To that end, each set of six jurisdictional members shall be spread among two (2) bus riders; two (2) rail riders; and two (2) paratransit, combination rail and bus riders, or other rider trip patterns. An additional three (3) members shall be appointed by the WMATA Board without regard to trip pattern or demographic composition; provided, however, that one of the three additional members shall be the Chair of the WMATA Elderly and Disabled Transportation Advisory Committee (or any successor committee thereto). WMATA employees or elected officials are not eligible for membership on the RAC.

#### B. SELECTION PROCESS FOR MEMBERS

Applications will be available on the WMATA website, in the take-one boxes throughout the Metrorail/bus system and MetroAccess vehicles and through the Office of Customer Service. A selection committee for each of the District of Columbia, Maryland, and Virginia will convene annually to review applications and select a slate of prospective RAC members who reside within the boundaries of the Compact signatory whose selection committee is supporting their nomination to present to the WMATA Board of Directors for approval. The Selection Panel will be comprised of one or more members of the WMATA Board of Directors from the given Compact signatory. The original Selection Panel will be comprised of one or more members of the WMATA Board of Directors from the affected Compact signatory. WMATA staff shall provide support as necessary. The WMATA Board will review and appoint the members using the following process: Each selection committee shall present its report at the December meeting of the Board of Directors and the Board of Directors shall vote on that report at the January meeting. Should the report of the initial Selection Committees be presented to the Board of Directors at any meeting other than the December meeting, then the Board shall vote on the report at the meeting following the meeting at which the report was presented. Mid-term vacancies shall be governed by Article III section F of these Bylaws.

C. TERM OF OFFICE

1. Members

- a. The term for each member of the RAC shall be for three (3) years or until replaced by the appointment of a new member of the RAC, appointed by the Board. In order to stagger membership, one-third of the first RAC members shall serve for a one-year term, one-third of the first RAC members shall serve for a two-year term, and one-third of the first RAC members shall serve for a three-year term, all of which shall be selected by lots. The term of a member of the RAC does not include time serving on the RAC before the first January meeting of the WMATA Board after the formation of the RAC.
- b. Terms shall follow the calendar year and normally commence in January after action by the Board. Terms shall expire on the later of December 31 or when the Board makes new appointments to the RAC.
- c. Optimally, one-third of the membership terms would begin or expire each year. The seat held by the Chair of the WMATA Elderly and Disabled Transportation Advisory Committee shall, for the purposes of this subsection, be deemed to have expired at the close of every third year.

2. Members may be considered for reappointment at the end of their term through the established selection process. The selection process shall consider the value of retaining some historical memory as well as the value of new ideas. However, no person shall serve on the RAC for more than 4 complete terms, with the exception of the Chair of the WMATA Elderly and Disabled Transportation Advisory Committee, who shall not be so limited.

D. VOTING RIGHTS

The RAC shall at its first meeting determine the methods by which the RAC shall take positions.

E. RESIGNATION

Members may resign by filing a written resignation with the RAC Chair who then will inform the staff and WMATA Board of Directors.

F. MID-TERM VACANCY

If membership vacancies arise during the year, the WMATA Board of Directors' Chair, with input from the WMATA Board of Directors, will fill the



vacancy for the unexpired term. Such time serving an unexpired term shall not count against the 4 complete term limitation on RAC membership.

#### ARTICLE IV

##### TERMINATION OF MEMBERSHIP

- A. A member's appointment to the RAC shall be terminated upon an affirmative determination by the RAC made at a regular meeting with two-thirds of the members present and voting and which constitutes a majority of all members holding appointments to the RAC that a member:
1. Has had three consecutive unexcused absences or missed five regular meetings without an approved excuse in a calendar year.
  2. At the time of appointment, materially misrepresented use of the Metrorail/bus system or MetroAccess or affiliation with a community organization upon which his/her appointment was based. The omission of information substantially relevant to the basis for the appointment shall be considered to be a material misrepresentation, thereby subjecting the RAC member to removal as provided in this Article.
  3. Engaged in a consistent pattern of disruptive behavior in RAC or other WMATA-related meetings which includes use of slurs, derogatory comments, or any other conduct, whether physical, verbal or written directed at another person or based upon another person's race, color, origin, sex, religion, sexual orientation, disability, or age.
  4. Refuses to execute or adhere to the RAC Standards of Conduct Policy.
- B. The Chair will notify the member and the WMATA Board when membership has been terminated. The WMATA Board Chair, with input from the Board of Directors, shall appoint a new member to serve the unexpired term of the terminated member.

#### ARTICLE V

##### OFFICERS

A. CHAIR

The membership of the RAC will annually elect the Chair of the RAC from the RAC membership. The RAC Chair will develop an agenda, lead meetings and keep order, appoint members to subcommittees, present reports to the WMATA Board of Directors, prepare and sign all letters, reports and other

communications of the RAC. Additionally, the RAC Chair may discuss matters of interest directly with the Chair of the WMATA Board of Directors.

B. VICE-CHAIR

The membership of the RAC shall annually elect a First Vice-Chair and a Second Vice-Chair from the RAC membership. In the absence or inability of the Chair to serve, the First Vice-Chair shall have all of the powers and shall perform all of the duties of the Chair. In the absence of both the Chair and the First Vice-Chair, the Second Vice-Chair shall have all of the powers and shall perform all of the duties of the Chair. The Vice-Chairs shall perform such other duties from time to time as may be requested by the Chair.

C. CHAIR AND VICE-CHAIRS

1. Term of Office

The officers of the RAC shall serve for one (1) year. The positions of Chair and Vice Chair shall be split among Members from the District of Columbia, Maryland, and Virginia and rotated annually. No person shall serve as Chair for more than three years.

2. Vacancy

A vacancy in any office shall be filled by a special election held by the RAC at the meeting next following the announcement of the vacancy and shall be for the unexpired term.

3. Temporary or Permanent Vacancies

If the Chair and both Vice-Chairs are absent from any meeting and/or are unable to act, the meeting shall be called to order by staff. The staff shall immediately call for the election of a Temporary Presiding Officer.

4. Failure to Elect

If the RAC fails to elect a Chair or Vice-Chair, the existing Chair or Vice-Chair shall continue to serve until successors are appointed.

D. STAFF SUPPORT

The GM/CEO or his designee shall designate a person to serve as RAC staff to prepare meeting notices, agendas, and minutes as required and to serve as liaison between the RAC and the WMATA Board of Directors. Such staff member shall be a WMATA employee hired by the Hiring Committee composed of four members of the RAC and one appointee of the GM/CEO. A hiring decision shall be made by a majority vote of the Hiring Committee with such majority containing at least one affirmative vote from the RAC

appointees and one affirmative vote from the GM/CEO appointee. A representative of the WMATA Office of Human Resources and Management Services shall sit on the Hiring Committee and participate in its discussions but shall not have a vote in the hiring decision. The RAC shall have input into the development of the job description for the position, the annual performance plan for the employee, and the annual evaluation of the employee's performance. These documents shall be prepared by WMATA in cooperation with the RAC and in compliance with all WMATA policies and procedures.

WMATA shall provide a specific amount of space on its external website for the general public for use by the RAC and shall take all necessary steps within a reasonable time to post RAC provided information on that website. The sole review of the RAC content shall be to ensure that the posted information is in a form conducive to use on the website and not defamatory, false, misleading or deceptive.

## ARTICLE VI

### MEETINGS

#### A. REGULAR MEETINGS

All regular meetings of the RAC shall be held once a month, generally in the evening, and conducted in accordance with Robert's Rules of Order and these by laws. Meeting agendas shall be posted on WMATA's website in the same manner as agendas posted for meetings of the WMATA Board of Directors. Meetings will be open to the public, held in a location accessible to people with disabilities, and within the geographical boundaries of WMATA's service area.

At least 72 hours prior to a regular meeting, an agenda must be posted which contains a brief general description of each item to be transacted or discussed at the meeting. Members of the public have the right and should be solicited by the RAC to attend and directly address the RAC on any item on the agenda that is within the subject matter of the RAC before or during the consideration of the item.

#### B. SPECIAL MEETINGS

Special meetings may be called by the Chair when in the opinion of the Chair the business of the RAC requires it or by the request of a majority of the RAC membership. Notice for special meetings will conform to the requirements of notice for regular meetings. No other business shall be considered at such meeting.

C. QUORUM

A majority of the appointed members of the RAC (50 percent of the membership, plus one) must be present in order to constitute a quorum necessary for the transaction of the business of the RAC. No decision of the RAC shall be valid unless a majority of members present and voting concur by their vote.

D. DECISIONS AND ADVICE OF THE RAC

All decisions of the RAC, which require a formal vote, shall be made only after an affirmative vote of a majority of its members in attendance unless otherwise expressly stated in these By-Laws, provided a quorum is present. Staff shall forward minutes of meetings, as well as any special reports or communication desired by the RAC, to the WMATA Board of Directors. In addition, the Chair or a designee may present reports to the WMATA Board of Directors or an appropriate committee in person.

Dissenters to a decision made by a formal vote may forward to the WMATA Board of Directors their minority or dissenting report by recording them in the minutes of the meeting or in the form of a prepared minority report.

The RAC may also provide advice to the WMATA Board that represents a variety of opinions and for which no formal action is taken or necessary.

ARTICLE VII

AGENDA, MINUTES, AND RULES OF CONDUCT

A. AGENDAS

1. The Chair, with the support of WMATA staff, will prepare an agenda for regular meetings. Members approve the agenda by vote as part of the meeting proceedings. Members may contact the Chair to have items put on the agenda. Also, each meeting agenda calls for members to put items on future agendas.
2. The RAC liaison shall be responsible for distributing the final agenda and preparing or compiling the associated agenda materials for each meeting. Agenda materials shall normally be mailed to members one week prior to each meeting.

B. MINUTES

Minutes of each RAC meeting shall be prepared by the RAC liaison and distributed to RAC members together with the agenda for the next meeting.

## C. RULES OF CONDUCT

All regular and special meetings of the committee shall be conducted in accordance with these by-laws and with the most current edition of Robert's Rules of Order. In case of conflict, these by-laws shall take precedence over Robert's Rules of Order.

The following rules will be followed:

1. Chair Responsibility: The Chair is responsible for the orderly conduct of the meeting. Every member desiring to speak shall address the Chair, and upon recognition by the Chair, shall talk only to the question under debate.
2. Representation: Representation of positions on issues shall conform to the following principles:
  - No member of the RAC shall misrepresent the position of the RAC on any issue, including the absence of any formal position on an issue, in any communication with the general public, including the media.
  - No member of the RAC shall be seen as representing any position of WMATA to the general public, including the media, without first having been so authorized by the WMATA Board of Directors.
  - Every member is free to express individual opinions, after making a good faith effort to label his/her comments as such, to the general public including the media on any topic that the member chooses to address.

## ARTICLE VIII

### SUBCOMMITTEES

The Chair has authority with concurrence by the RAC to appoint subcommittees and/or ad hoc committees to address issues. Subcommittees will operate according to the requirements of these by-laws and Robert's Rules of Order.

## ARTICLE IX

### BY-LAWS AMENDMENTS

The by-laws may be proposed for amendment or repeal by a motion that is made, seconded and passed by a two-thirds (2/3) vote of regular members at any regular meeting. The 2/3 vote shall be based on the number of persons currently holding appointments to the RAC whether present at the meeting or not. Written and oral notice of the proposed amendment must be given at the prior regular monthly

meeting to all members. The notice must contain both the original language and the proposed amending language to the by-laws. The proposed by-laws change will be made final upon approval by the WMATA Board of Directors or their designee. Any by-law may be altered or amended or annulled at any time by a majority vote of the WMATA Board of Directors.

#### ARTICLE X

##### TERM OF RAC

The Board will periodically review the operation of the RAC and may modify its composition, structure or by-laws. Such review shall occur no less frequently than every five (5) years but may occur more frequently on an as-needed basis.