

Who Watched Roger Rabbit? The Los Angeles Metro and the Bus Riders Union

CE 5212 / PA 5232

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September 19, 2008

Summary

Los Angeles, California is known to many as the land of cars and highways. The city, however, has a long and rich history of public transportation, yet controversial and contentious as well. Pacific Electric “Red Cars” covered Los Angeles in the first half of the 20th century, providing efficient transit to the city. The service, however, slowly declined and faded into the Hollywood sunset; and despite the claims of Roger Rabbit, neither Cloverleaf Industries nor General Motors plotted its demise. In Hollywood fashion, however, the transit rail sequel would prove to be even more exciting.

Much to the chagrin of Los Angeles’s minority bus riders, expensive light rail and subway systems began dominating the limited resources of the Los Angeles County Metropolitan Transit Authority (MTA) in the 1990s. The Bus Riders Union (BRU) argued that rail transit was disproportionately serving white and wealthy commuters, while their inner-city bus routes were ignored. Adding fuel to the fire, poor minority bus riders were paying for the rail through increasing sales tax and bus fares. The MTA argued, however, that rail was the key to easing congestion, reducing pollution, and a necessity of any world class metropolis. The two sides met in court after BRU filed a class action lawsuit on behalf of 350,000 bus riders, with the primary victory belonging to BRU but MTA also claiming partial victory.

List of Actors

Automobile Club of Southern California

Put forth a proposal (1937) to build a regional network of elevated freeways that both connected to the historic downtowns but also made regional connections outside of the historic core.

Brian Taylor

Professor from UCLA

Served as expert witness for the BRU

Bus Riders Union (BRU)

Formed by the LCSC in 1994

Composed of 1500 members organized against the MTA's approved policies from June 1994:

- Stop the bus fare increase (\$1.10 to \$1.35)
- Reinstate the monthly bus pass
- Increase bus service to reduce overcrowding
- Imposing a moratorium on the rail project

California Railroad Commission (CRC)

Responsible for oversight and approval of system changes proposed by Pacific Electric Rail

Eric Mann

Founder of Labor/Community Strategy Center (LCSC)

Organized bus rider protests and the Bus Riders Union

Labor/Community Strategy Center (LCSC)

Founded in 1989

'a multiracial think-tank/act-tank...to help build democratic, internationalist Left Social movements at the intersection of ecology, civil rights, workers' and immigrants' rights, and a direct challenge... to transnational corporations' (quoted from LCSC, 1997)

Los Angeles County Board of Supervisors

Wanted PE to maintain control of its rail rights-of-way to preserve them for the benefit of the county citizens that would come in any future rapid rail deployment (1949)

Los Angeles County Transportation Commission (LACTC)

Sponsored Proposition A

Controlled the bus system in LA prior to the merging with Southern California Rapid Transit District

Los Angeles County Metropolitan Transit Authority (MTA)

Created in 1992 by merging LACTC and the Southern California Rapid Transit District (SCRTD) -

"the agency that operated the bus system with another agency that controlled the transit funding from Proposition A" (Grengs p.167)

Martin Wachs

Professor from UC Berkley (and formerly UCLA)

Critic of the MTA and its rail project

Served as an expert witness for the BRU

NAACP Legal Defense Fund

Completed legal tasks on behalf of the LCSC and the BRU filing a law suit in 1994 to stop the MTA's proposal to raise bus fares, cut monthly buss pass, and reduce service on the basis of

- MTA's policies had the effect of discriminating against minorities in violation of the Title VI Civil Rights Act (prohibits discrimination in federally funded projects)
- MTA was intentionally discriminating against minority bus riders in violation of the 14th Amendment and Tile VI of the Civil Rights Act

Pacific Electric Rail (PE)

Wanted to convert costly rail lines to motor coach bus services

Southern California Regional Rail Authority

Operates the Metrolink regional rail system

Shares board members with the MTA

Receives 60% of Metrolink operational funding from MTA

Los Angeles Railway Transit Timeline

1901

- Railroad magnate Henry Huntington established Pacific Electric Railway

1949

- California Railroad Commission approves numerous Pacific Electric rail abandonments

1961

- Last Pacific Electric line, serving Long Beach, halted operations

Early 1960s

- Peak highway construction period

Late 60s-mid 70s

- Rail transit referendums denied by LA County voters three times

1980

- Proposition A approved for 0.5 percent sales tax for subway and rail construction

1988-1992

- Metropolitan Transportation Authority (MTA) cutback bus service via vehicle-revenue miles by 8 percent

1989

- Labor/Community Strategy Center founded by activist Eric Mann

1990

- 0.5 percent sales tax increase
- Blue Line from CBD to Long Beach

1992

- LA County Metropolitan Transportation Authority (MTA) created by merger of bus system and Proposition A transit funding agency

1993

- Red Line (heavy rail) route
- MTA CEO Neil Peterson fired

1994

- MTA proposed bus fare increase from \$1.10 to \$1.35
- Board approved in June; voted to spend \$123 million on next phase of rail seven days later
- Bus Riders Union (BRU) formed out of the Labor/Community Strategy Center
- Federal Court hearing in September

1995

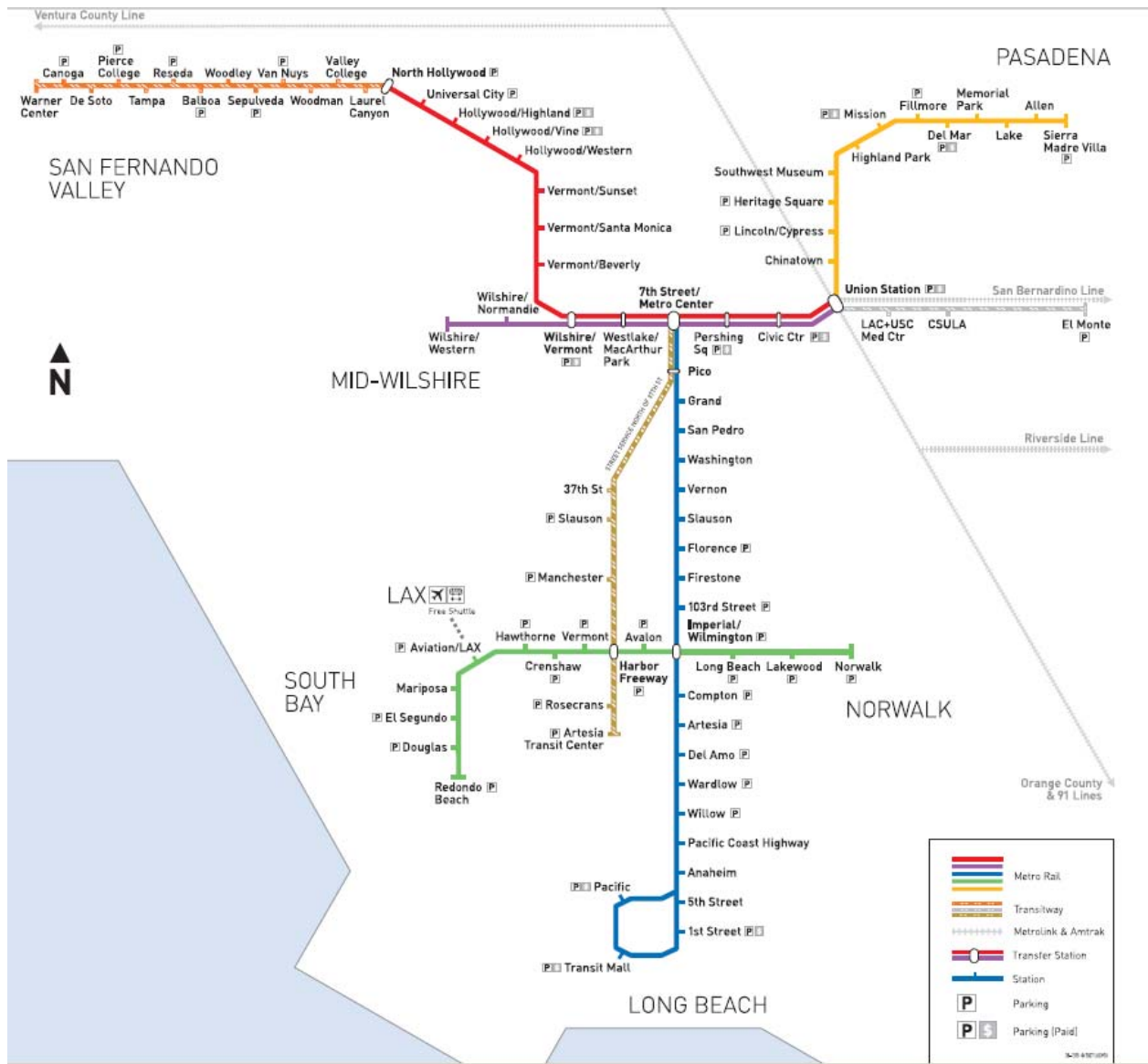
- Green Line light rail east-west from Norwalk to Redondo Beach, connection to LAX

- Federal Transit Administration withheld federal funds and halted construction of Red Line
- MTA CEO Franklin White fired

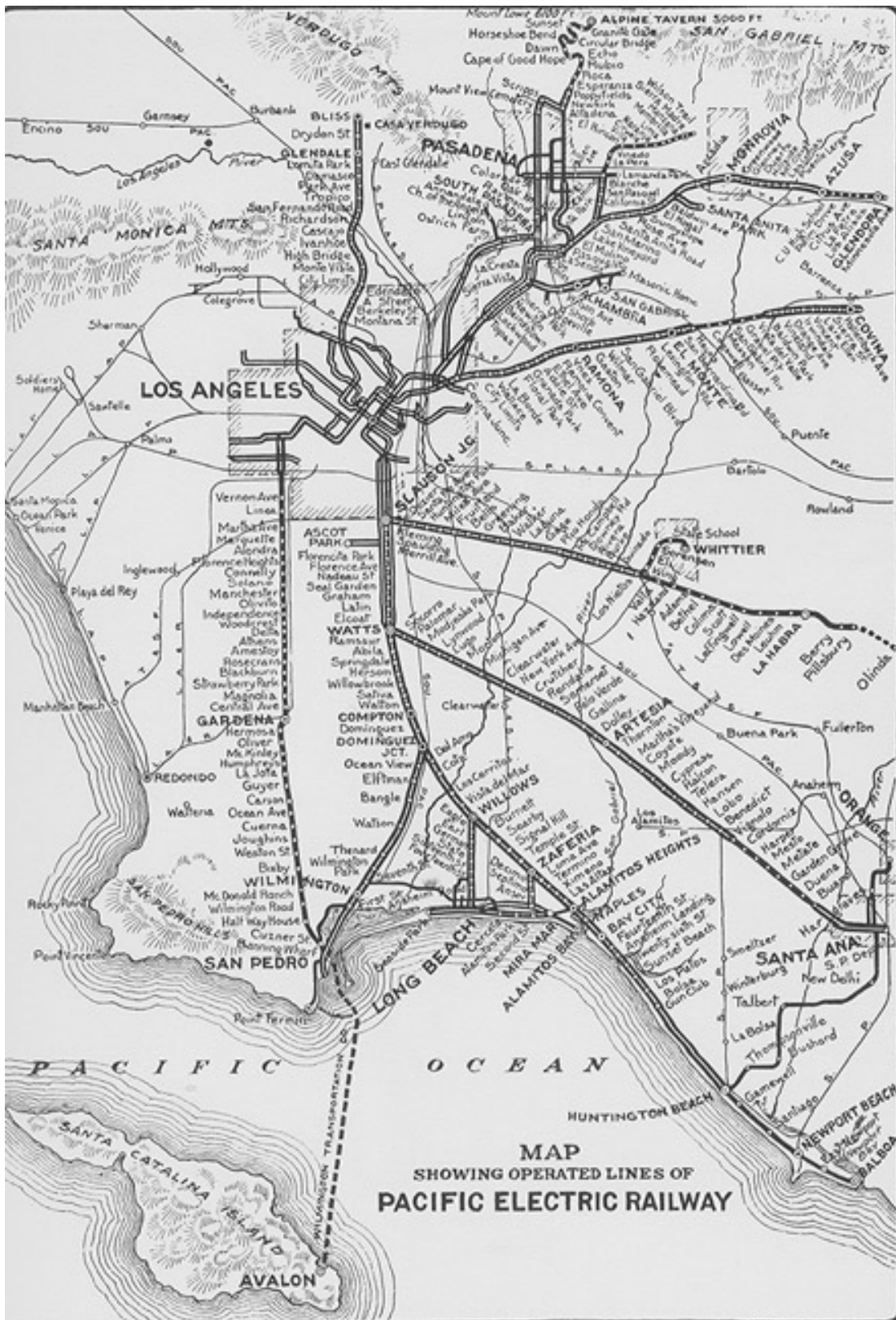
1996

- Consent Decree signed between MTA and Bus Riders Union

Maps of Locations



http://www.metro.net/riding_metro/maps/images/rail_map.pdf



<http://www.usc.edu/libraries/archives/la/historic/redcars/>

Policy Issues

Los Angeles County Metropolitan Transportation Authority (MTA) disproportionately funds rail over other modes of public transit.

MTA, from an economic standpoint, does not need to put money into better bus service.

MTA supports the use of bus fare increases to fund rail initiatives.

MTA encourages rail ridership by keeping fares artificially low, while allowing bus fares to increase.

Federal government dedicates money for rail projects.

Los Angeles favored low density development, leading to scattered populations and employers.

Los Angeles, in response to state and federal clean air and congestion mandates, now emphasizes rail transit and HOV lanes, and to a lesser extent, traditional bus service.

Los Angeles supports environmentally sound transit. Rail is deemed better than bus.

MTA supports transit as a tool primarily for white collar commuters, while ignoring social aspects that inner-city buses provide.

Narrative of Case:

The case of the Bus Riders Union and the Los Angeles MTA is a single event in a long debate between transportation modes in Los Angeles County. The early adoption of the automobile made for unique patterns both in urban development and travel behavior that shaped early transportation policy in Los Angeles County. However, in the 1980s and 90s the conflict between rail and automobile took on a new component as bus riders objected to the growth of rapid rail. The earlier policy trends were reversed, resulting in a new conflict with social equity at the center of the debate.

The history of this case can be outlined as a series of historical instances where transit congestion required policy reaction. These events placed rail and automobile transportation modes in conflict, each vying to be the dominant mode for the region. The first instance of this multi modal conflict occurred in the 1920's. Prior to the introduction of the automobile, transportation was provided by rail service from Pacific Electric Rail and Los Angeles Railway. However, with the dawn of the automobile and rise in ownership, the Los Angeles City Council and consenting voters approved a Major street and Highway Plan in 1924 (Wachs, 1993). This initiative was necessary to create the roads and network that could support the growing demand that was created by the new automobile owners. The preference of roads and automobile transportation furthered a trend of declining ridership for the rail companies (Richmond, 1996). Additionally, voters rejected requests by Pacific Electric and Los Angeles Railway to expand and improve the regional rail service (Wachs, 1993). This early adoption of the automobile severed a dependency on the rail system, fostering growth away from major rail hubs. It supported new patterns of development and a new travel behavioral pattern which set the stage for the next congestion induced modal conflict (Richmond, 1996).

Leading up to and following World War II, the existing automobile and rail transportation networks came to a conflict fueled by automobile induced congestion. In this instance, the suburban residential developments, made possible by the new automobile technology, had supported vast growth in automobile ownership and the need to accommodate the increase volume of travel from these outlying sites (Wachs, 1993). The debate was again between supporting growth in rail or automobile transit networks to accommodate the congestion.

Several authors have had different ways of framing the debate, including Bradford Snell, Sy Adler, Jonathan Richmond, and Martin Wachs. Snell saw the conflict as one determined by a conspiracy led by General Motors. In *American Ground Transportation*, Snell believed that General Motors worked with Standard Oil to buy out Pacific Electric and convert the rail system to bus service (Snell, 1974). However, the work of Adler, Wachs, and Richmond all disprove this theory and offer alternative accounts. Both Wachs and Richmond put forth the argument that the general public as well as Pacific Electric were not in favor of expanding rail. Wachs states that “major rail transit initiatives were defeated as a decentralizing population saw little value in the construction of subways to benefit primarily the central city business community (Wachs, 1993). Additionally Richmond cites Pacific Electric’s requests “for a sweeping series of abandonments” that “were almost all approved by the California Railroad Commission” as evidence that Pacific Electric wanted to move to a bus transit system. This desire is also referenced by Adler who discusses the debate as seen through the suggestions offered by two engineer consultants who separately analyzed the Pacific Electric’s operations.

Jenkins had believed that the era of rail transit, indeed, of transit generally, was drawing to a close and that PE out to grow old as gracefully as possible while it bowed to the realities of technological progress represented by the automobile. Ager, in contrast, thought that transit, especially rail rapid transit, still had a great deal to offer in dealing with metropolitan area traffic congestion problems and that it was PE’s responsibility to play a leadership role in securing for the region the benefits that rapid transit had to offer.

Adler frames the conflict as one of desire for a new network to connect the Los Angeles downtown, suburban residents, and newly emerging suburban business centers. Two of the parties the downtown business owners and suburban residents saw promise in an expanded rail network that could link the city core to the residential communities. The suburban business owners, however, did not want a system that favored the downtown businesses, but rather favored a highway system that could connect across suburbs in addition to the downtown (Adler, 1991). In resolution, plan was discussed for a radial highway system with combined corridors in which rail would run down the median of some of the highways which connected to the downtown. However, the proposal led to great debate in the legislation to develop funding mechanisms, which in the end resulted in the highways system being built so as not to lose access to the right-of-ways, while the rail component would require additional analysis (Adler, 1991).

The next instance, and focus of this case, is the congestion induced modal conflict that began in late 1970’s and continued through the 1990’s. Growth in automobile ownership is again cited as a main cause for the new congestion. However the political climate had changed since the 1950’s and 60’s and freeway construction was no longer as popular with the public. Additionally federal funding for highway construction had also declined (Wachs, 1993). A slight shift in the political landscape was reflected in the Los Angeles County voter’s approval for Proposition A in 1980 by 54%. Put forth by the Los Angeles County Transportation Commission (LACTC), Proposition A lowered the bus fare for three years (from 85¢ to 50¢), raised the sales tax by 0.5%, and allocated transportation funds both for the discretionary

use of local administrators and to build a countywide system of rail rapid transit lines (Richmond, 1996; Grengs, 2002). The bus fare reduction was in place from 1982 to 1985, after which the funds that formerly supported the reduction went to the rapid rail projects (Grengs, 2002). In 1990 the first line of the rapid rail system, the blue line, was opened followed by the red line in 1993.

Along with the passing of Proposition A, new concerns about air pollution from the automobile were raised in opposition to highway expansion. Backed by the demands of the Federal Clean Air Act of 1990, Los Angeles county transportation commission developed a congestion management program that focused on transportation demand management (TDM) and transportation control measures (TCM). TDM's encouraged carpooling and vanpooling via high occupancy vehicle (HOV) lanes to expand capacity on existing highways while TCM's attempted to change travel behavior with tolls and parking fees (Wachs 1993). These efforts were prescribed to reduce congestion and thus reduce air pollution.

As the Los Angeles County Transportation Commission (LACTC) moved forward with its plan to build new rapid rail service, the issue of funding became a major point of debate. In 1992, a legislative action merged the LACTC with the Southern California Rapid Transit District to form the Los Angeles County Metropolitan Transportation Authority (MTA) to operate the bus system and oversee the new rapid rail program. Despite rider opposition, the MTA proposed and approved a bus fare increase (\$1.10 – 1.35), elimination of the monthly bus pass program, and cut service on several bus lines. This was followed by a decision to spend \$123 million on the next phase of the rail system (Grengs, 2002).

The opposition to the MTA's initial fare increase and reduction in bus services was most admittedly voiced and organized by the Labor/Community Strategy Center (LCSC). This national political activist group founded by Eric Mann, rallied riders to stage protests but their efforts failed to convince the board to resist the fare increase and service decrease. However, following the decision to spend an additional \$123 million on rapid rail after having cut the bus services, the riders formed the Bus Riders Union with the help of the LCSC and found legal aid from the NAACP Legal Defense Fund to file a lawsuit against the MTA. The Bus Riders Union claimed that "the MTA's policies had the effect of discriminating against minorities in violation of Title VI of the Civil Rights Act...[and]...that the MTA was intentionally discriminating against minority bus riders in violation of the 14th Amendment and Title VI" (Grengs, 2002).

The outline of each side of the case is as follows:

The Case according to the Bus Riders Union

The Bus Riders Union (BRU) came into existence as a direct result of MTA intentions to raise bus fares to help fund rail transit (Mann, 1996). Increased bus fares and the elimination of monthly bus passes and various routes would result in a \$126 million capable of covering the \$123 million needed for the next stage of rail (Marcantonio and Jongco, 2007). Considered the final insult, the BRU sued in 1994, alleging discrimination under Title VI of the Civil Rights Act.

Strife between bus riders and the transit authority has been ongoing for years. Proposition A, approved in 1980, set the tide by increasing the sales tax by half of one percent. Primarily used to fund rail transit, a three year reduction on bus fares included to appease those who opposed the matter (Adler, 1986). One decade later, another half of one percent was added to further fund the rail projects.

Why so much was being spent on rail was a question to many. Low density defined most of Los Angeles, and rail was hardly the appropriate mode of public transportation. Regardless, the city was planning and building rail lines connecting the central business district (CBD) with many of the wealthy suburbs. In 1990, the Blue Line opened for riders, and within five years, the Red and Green Lines were also in operation. According to figures from the MTA website, approximately \$6.1 billion was spent to create the lines. This incredible investment will slowly be paid back over the next several decades.

The BRU, angered by these outlandish rail projects financed by the sales tax they were paying, continued to see inner-city buses bursting at the seams with patrons. Too few buses on too few routes running all too infrequently appeared to be the norm in the city. While nearly all MTA passengers were on buses, the 6% of MTA patrons riding the rail were devouring 70% of MTA's budget (NAACP Legal Defense Fund, 1996a). Public subsidies, as documented by MTA, showed 1992 average subsidies ten times higher on the Blue Line than on the bus (Rubin, 1993). Furthermore, 90% of operating costs were being paid by fares on a few of the bus routes (Wachs, 1993). This reduced public subsidies to pennies on those routes.

While disproportionate spending may have been easier to swallow by the BRU if ridership levels were equally high and made up primarily of minorities, it was not. Ridership levels on rail never met the original forecasts. The Blue Line's original forecast was almost 55,000 riders a day by the year 2000. This number was reduced 15,000 the first year by the lackluster 1990 figures. One year later, 27,500 daily riders took the route, 4,000 less than the original bus route had done (Richmond, 1996). Fare suppression helped bring increase ridership to levels in the 40,000 plus range five years later. By pricing rail on par with the bus, ridership levels increased. This is especially evident where express buses became more expensive than the rail (Richmond, 1996). The Green Line, much like the Blue Line, originally touted high ridership forecasts. 100,000 expected daily riders quietly became 10,000 expected riders, thus allowing the MTA chairman to proudly proclaim the 15,000 daily riders seen after the first year (Richmond, 1996).

Minority riders, much like total daily riders, were fewer on the rail. A projected 66% of the Red Lines patrons would be minorities (Grengs, 2002). While this may appear to be a high number, the MTA buses were averaging 80%. Additionally, the Metrolink trains, serving the outer suburbs, were only 28% minorities.

Disadvantaged bus riders, faced with increasing taxes to fund rail while seeing their own service ignored and fares increased, created the BRU. Grassroots activism led to increasing numbers of informed and angry bus riders. By recruiting members on the buses and using pamphlets written in languages other than English the BRU got noticed. With the help of the NAACP Legal Fund, the BRU filed a class action lawsuit in 1994 for the 350,000 MTA bus riders against MTA (Labor/Community Strategy Center v. Los Angeles County Metropolitan Transportation Authority, 1994).

The case according to the MTA

When Proposition A was approved in 1980, the sentiment was that a new approach need to be taken to deal with the automobile congestion. This approach was founded in the belief that rail "would restrict sprawl, reduce air pollution, save energy, and relieve the city's notorious freeway congestion" (Grengs, 2002). Proponents felt that light-rail could be a "lower cost alternative to buses and cars" and looked to examples in the east coast as models for successful rail systems (Richmond, 1996). Other metropolitan areas across the United States were also utilizing the revival of rail as a means to combat automobile

congestion. These efforts were supported by “billions of federal dollars dedicated to rail construction” that for a region like Los Angeles came with the added pressure of other competing municipalities that also wanted to develop new rail projects (Grengs, 2002).

In planning the system, LACTC commissioners visited rail systems in Paris, New York, and Canada where they witnessed “‘how well it works in Europe’... [and how]... ‘people in Canada love the darn thing’” (Richmond 2002). Officials felt that when commuters saw and experienced the rail system, they too would be captivated by the experience. They thought that rail would be more attractive to car drivers, believing that most people often saw busses as “noisy, dirty, and slow” (Richmond, 2002). Four months after completion, an MTA on-board study showed that “21% of the blue line passengers had previously driven” (Richmond, 1996).

Resolution

In October of 1996, after two years of litigation, the Los Angeles County Metropolitan Transit Authority and the Bus Riders Union entered a consent decree. While both parties did make some concessions, the MTA agreed to several of the BRU’s requests. For the MTA, the BRU agreed to the \$1.35 fare increase. However, for the BRU, the MTA made several agreements including:

Adopting its highest priority, improvement of the quality of bus service in Los Angeles

Establishing a new fare structure including a monthly bus pass at a lower fare (\$49 to \$42); added new fares of semi-monthly pass (\$21), weekly pass (\$11.00), and an off-peak discounted fare (75¢) for November 1996 – November 2003

Reducing overcrowding by adding new service

Establishing a Joint working Group with representatives from the BRU for implementing the principles and objectives of the consent decree.

The decree also appointed a Special Master to serve as a mediator between the BRU and MTA for any disputes that arose over the following ten years while the consent decree provisions were implemented.

Since the decree was signed the MTA remained compliant with the some key areas of the agreement. The fee structure remained in place for the full eight year duration even while they replaced much of the diesel bus fleet with new compressed natural gas buses. However, the 15% expansion did not meet the outlined expectation for resolving overcrowding (Marcantonio and Jongco, 2007). Additionally, a new bus rapid transit system (BRT) known as the orange line was created to serve a 14 mile east –west route from North Hollywood to Metro Rail Station to Warner Transit Center (Swope, 2006). In spite of these changes, the MTA continued to develop the rapid rail system including a new gold line in 2003 (LACMTA, 2008). Furthermore, as the ten year agreement expired in November 2006, the BRU requested to extend the consent decree, however, the district court refused their request and the MTA began raising fares following the court’s decision (Marcantonio and Jongco 2007).

Discussion questions

Is transit’s purpose to serve those without cars, or is it to get people with cars to stop driving?

What obligation do transit authorities have to the people who have no option but transit?

What obligation do transit authorities have to the people with alternative transportation modes?

Is the Bus Riders Union racism claim valid?

Do people who pay more taxes have a right to more expensive rail transit?

Is the cost of a transit option the only factor of importance when deciding which to incorporate? What benefits of rail validate its continuing use?

Given the argument that funding transit by increasing sales tax disproportionately burdens the poor, what other taxing options would be more equitable?

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