

City of Wilsonville
South Metro Area Regional Transit (SMART)
Title VI Program
April 13, 2017

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Introduction

This program reflects the City of Wilsonville's commitment to ensuring that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The City of Wilsonville is committed to complying with the requirements of Title VI in all of its programs and activities including the provision of transit services.

Signed Policy Statement

A policy statement signed by Bryan Cosgrove, Wilsonville City Manager, assuring SMART's compliance with Title VI of the Civil Rights Act of 1964, can be found as Attachment A.

Title VI Complaint Procedures

The City of Wilsonville has a standard process for investigating all complaints filed with SMART. Members of the public may file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. Full procedures for filing a complaint and the City procedures for investigating complaints can be found as Attachment B. At a minimum, the complaint should include the following information:

- Name, mailing address, and how to contact complainant (i.e., telephone number, email address, etc.)
- How, when, where and why complainant alleges s/he was discriminated against. Include the location, names and contact information of any witnesses.
- Other significant information.

The complaint may be filed in writing with the City of Wilsonville at the following address:

Dwight Brashear
Transit Director
29799 SW Town Center Loop E
Wilsonville, Oregon 97070

Record of Title VI investigations, complaints, or lawsuits

SMART has had no Title VI complaints, investigations, or lawsuits filed against it in the past three years.

SMART Limited English Proficiency Outreach Plan

A full copy of SMART's outreach plan for individuals with limited English proficiency can be found in Attachment C. Key elements of the plan include:

- Spanish speaking translators available upon request;
- Route and Schedule brochures available in both English and Spanish;
- Transit surveys conducted by SMART available in Spanish;
- Public meetings with translators available upon request;
- Multiple-language translators available to anyone contacting SMART by phone;
- Rider alerts and other notifications printed in both Spanish and English; and
- Information on SMART's website automatically translated into multiple languages.

Notification of SMART's Title VI obligations

Wilsonville SMART publicizes its Title VI program by posting its commitment to providing services without regard to race, color, or national origin in all buses and in the City of Wilsonville Library, City Hall, the driver break room, and the SMART administration and maintenance facilities. Furthermore, SMART provides information regarding Title VI obligations on the website (<http://www.ridesmart.com/274/Title-VI>) and in customer brochures.

The posters, website, and brochures provide information in English and Spanish:

- A statement that the City operates programs without regard to race, color, and national origin; and
- A statement encouraging anyone to contact the City of Wilsonville with questions or comments about SMART's non-discrimination policies or to file a complaint.

General Information/Comments/Complaints:

smart@ridesmart.com

(503)682-7790

<http://ridesmart.com/128/Let-us-Know>

Title VI – Compliance Officer & Limited English Proficiency Plan (LEP) Coordinator

SMART's Transit Director, who reports to the Wilsonville City Manager, will serve as the overall Title VI Compliance Officer. The Compliance Officer is responsible for ensuring that SMART is meeting its obligations under Title VI of the Civil Rights Act of 1964.

SMART's Program Manager, will serve as SMART's Title VI Limited English Proficiency (LEP) Plan Coordinator. The LEP Plan Coordinator will ensure that SMART satisfies the intent of the LEP Plan by making information available to LEP individuals, offering ways for them to participate in SMART's public participation efforts and ensuring the process is in place for direct input and feedback.

Subrecipients

SMART does not pass any FTA funds through to subrecipients.

Summary of Public Participation Efforts

Over the last three-year period, SMART conducted the following public outreach and involvement activities:

- Public Open House meetings for the Transit Master Plan (Fall 2015, Spring 2016, Summer 2016, Winter 2016).
- Onboard and community surveys for proposed service changes related to the Transit Master Plan available in English and Spanish (Spring 2016, Fall 2016).
- Information booth set up at SMART Central for community surveys of proposed service changes related to the Transit Master Plan available in English and Spanish (Spring 2016, Fall 2016).
- Online community surveys for proposed service changes related to the Transit Master Plan available in English and Spanish (Spring 2016, Fall 2016).
- FACEBOOK posts about community surveys for proposed service changes related to the Transit Master Plan, with cross posts from other departments.
- Boones Ferry Messenger articles for proposed service changes related to the Transit Master Plan.
- Separate surveys for the DEQ Employee Commute Options Rule Survey materials in English and Spanish (ongoing with Wilsonville employers)
- Had Spanish translator available at two public outreach events Summer and Fall 2016.
- Created and installed Spanish "channel cards" on the inside of SMART buses. These cards promote transit and community programs (ongoing).
- Senior and Community Center outreach workshops (ongoing)
- Wilsonville school outreach and workshops (ongoing)
- Wood Middle School Bike Safety Class materials provided in English and Spanish (Spring 2014, 2015, 2016)
- "Bike Rodeo" materials provided in English and Spanish (Summer, 2016)
- SMART website includes the Google Translator tool. This tool instantly translates all pages on the website into more than 80 languages.
Phone callers are now available to connect with a third party translator as of fall

2015 (now ongoing).

- Farmer's Market tabling – (Summer 2014, 2015, 2016).
- Employer outreach workshops (ongoing).
- Community outreach workshops (ongoing)

Overview of SMART Service Standards and Policies

The Wilsonville City Manager adopted the updated SMART Service Standards and Policies document on November 29, 2016 - Attachment F.

Attachment A



29799 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax Administration
(503) 682-7025 Fax Community Development

City of Wilsonville
SMART Transit
Non-Discrimination Policy Statement

November 29, 2016

Title VI of the Civil Rights Act of 1964 states:

"No person in the United States shall, on the grounds of race color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance."

The City of Wilsonville is committed to complying with the requirements of Title VI in all of its programs and activities including the provision of transit services.

A handwritten signature in black ink, appearing to read "Bryan Cosgrove".

Bryan Cosgrove
City Manager
City of Wilsonville & SMART Transit



"Serving The Community With Pride"

Attachment B

Discrimination Complaint Procedure

1. Title VI of the Civil Rights Act of 1964 states that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Any person who believes that he or she, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, may file a complaint with the City of Wilsonville South Metro Area Regional Transit (SMART). A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the City of Wilsonville Transit Director for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a) The date of alleged act of discrimination; or
 - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, SMART may extend the time for filing or waive the time limit in the interest of justice, as long SMART specifies in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the alleged discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of SMART, the person shall be interviewed by the City of Wilsonville Transit Director. If necessary, the City's Transit Director will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the City of Wilsonville's investigative procedures.
4. Within 10 days, the City's Transit Director will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as ODOT and USDOT.
5. The recipient will advise ODOT and/or USDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ODOT and/or USDOT:
 - a) Name, address, and phone number of the complainant.
 - b) Name(s) and address(es) of alleged discriminating official(s).
 - c) Basis of complaint (i.e., race, color, or national origin)
 - d) Date of alleged discriminatory act(s).
 - e) Date of complaint received by the recipient.
 - f) A statement of the complaint.
 - g) Other agencies (state, local or Federal) where the complaint has been filed.
 - h) An explanation of the actions the City of Wilsonville has taken or proposed to resolve the issue in the complaint.

6. Within 60 days, the City's Transit Director will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Wilsonville City Manager. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
7. Within 90 days of receipt of the complaint, the City's Transit Director will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ODOT, or USDOT, if they are dissatisfied with the final decision rendered by SMART. The City's Transit Director will also provide ODOT and/or USDOT with a copy of this decision and summary of findings upon completion of the investigation.
8. Contacts for the different Title VI administrative jurisdictions are as follows:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Attachment C

CITY OF WILSONVILLE/ SMART SERVICES LIMITED ENGLISH PROFICIENT (LEP) PLAN November 28, 2016

SMART is required to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of our programs and activities of individuals who have Limited English Proficiency (LEP). SMART consulted the USDOT's LEP Guidance and performed a four factor analysis of contact with the public to determine the appropriate mix of LEP services to offer.

Four Factor Analysis:

1) The nature and importance of service provided by SMART.

SMART provides important transit services to the City of Wilsonville through its fixed route, paratransit, rideshare, and bicycle/pedestrian programs. SMART serves the transit needs of the City of Wilsonville and provides critical regional links to three other providers (Salem Cherriots, Portland's TriMet and Canby's CAT) through the City's Transit Center: SMART Central at Wilsonville Station.

2) The number or proportion of LEP persons in the service area.

Data was gathered from the following sources to identify information on persons who speak languages other than English at home, who speak English less than very well and are therefore classified as limited English proficient or "LEP":

- a. 2010 Census Data – See attachment E;
- b. Census Bureau's 2010-2014 American Community Survey 5-Year Estimates; *
- c. Department of Labor LEP Special Tabulation website.

A review of the census data and 2010-14 American Community Survey Estimates on the numbers of LEP persons revealed that in Wilsonville, Oregon, the highest percentage of total population 5 years of age and over that spoke a language other than English at home is Spanish speakers. The number of Spanish speaking individuals is estimated to have risen from 9.1% to about 10.0% since the 2010 Census, while the number of identified people in the LEP population that speaks English less than "very well" is estimated to have gone down from 41.4% to 33.1% of the that group.

The second largest LEP populations in Wilsonville are Indo-European and Asian which makes up less than 5% of the total population. The most recent Census Tract (2010) information on minority populations can be found in Appendix D.

3) The frequency with which LEP individuals come into contact with SMART service.

SMART serves LEP persons daily via our buses, paratransit, demand response services, and community programs. SMART has a translator system in place for the customer service phone line. SMART receives an average of approximately one call per month that requires translation and has received no call requests for languages other than Spanish.

Subject	Wilsonville city, Oregon					
	Total		Percent of specified language speakers			
	Estimate	Margin of Error	Speak English "very well"		Speak English less than "very well"	
			Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	19,133	+/-370	95.3%	+/-1.7	4.7%	+/-1.7
Speak only English	85.4%	+/-2.4	(X)	(X)	(X)	(X)
Speak a language other than English	14.6%	+/-2.4	67.9%	+/-9.5	32.1%	+/-9.5
Spanish or Spanish Creole	10.0%	+/-2.3	66.9%	+/-12.5	33.1%	+/-12.5
Other Indo-European languages	2.7%	+/-1.2	82.1%	+/-12.6	17.9%	+/-12.6
Asian and Pacific Island languages	1.6%	+/-0.6	47.3%	+/-15.8	52.7%	+/-15.8
Other languages	0.2%	+/-0.2	100.0%	+/-48.1	0.0%	+/-48.1
SPEAK A LANGUAGE OTHER THAN ENGLISH						
Spanish or Spanish Creole	1,919	+/-437	66.9%	+/-12.5	33.1%	+/-12.5
5-17 years	431	+/-135	81.9%	+/-12.5	18.1%	+/-12.5
18-64 years	1,436	+/-387	61.1%	+/-16.0	38.9%	+/-16.0
65 years and over	52	+/-53	100.0%	+/-41.1	0.0%	+/-41.1
Other Indo-European languages	514	+/-223	82.1%	+/-12.6	17.9%	+/-12.6
5-17 years	87	+/-81	79.3%	+/-33.3	20.7%	+/-33.3
18-64 years	324	+/-132	92.9%	+/-11.0	7.1%	+/-11.0
65 years and over	103	+/-84	50.5%	+/-39.3	49.5%	+/-39.3
Asian and Pacific Island languages	313	+/-108	47.3%	+/-15.8	52.7%	+/-15.8
5-17 years	0	+/-22	-	**	-	**
18-64 years	311	+/-108	46.9%	+/-15.9	53.1%	+/-15.9
65 years and over	2	+/-3	100.0%	+/-100.0	0.0%	+/-100.0
Other languages	38	+/-34	100.0%	+/-48.1	0.0%	+/-48.1
5-17 years	0	+/-22	-	**	-	**
18-64 years	15	+/-21	100.0%	+/-76.6	0.0%	+/-76.6
65 years and over	23	+/-27	100.0%	+/-61.8	0.0%	+/-61.8
CITIZENS 18 YEARS AND OVER						
All citizens 18 years and over	14,474	+/-527	99.2%	+/-0.6	0.8%	+/-0.6
Speak only English	91.3%	+/-2.1	(X)	(X)	(X)	(X)
Speak a language other than English	8.7%	+/-2.1	90.3%	+/-6.2	9.7%	+/-6.2
Spanish or Spanish Creole	5.0%	+/-1.7	94.9%	+/-5.4	5.1%	+/-5.4
Other languages	3.7%	+/-1.2	84.1%	+/-11.5	15.9%	+/-11.5
PERCENT IMPUTED						
Language status	5.8%	(X)	(X)	(X)	(X)	(X)
Language status (speak a language other than English)	9.9%	(X)	(X)	(X)	(X)	(X)
Ability to speak English	13.0%	(X)	(X)	(X)	(X)	(X)

Figure 1: American Community Survey 2010-2014

All SMART buses are stocked with “SMART Comment” cards in both Spanish and English. Passengers may submit a comment, question, or complaint and request that someone contact them in Spanish or English so they may have full and effective access to SMART services and programs. A copy of the “SMART Comment” card can be found as Attachment F.

4) The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons.

SMART has been providing information in Spanish such as surveys, bus routes, schedules and fares, public service announcements and general information on the buses and website. In addition, the City has provided interpreters at public meetings and has a translator system in place for the customer service information phone line. SMART estimates that over the past three years, more than 300 Spanish speaking LEP individuals have been assisted at SMART related outreach events in the City of Wilsonville.

5) Construction, Site or Location of Facilities

SMART has not sited, located or constructed any facility requiring an equity analysis since the last Title VI program was approved. Minor sidewalk improvements were made at a number of locations to improve ADA access, but the locations were selected solely on the basis of the physical characteristics of the existing sidewalks.

6) Minority Representation on Planning or Advisory Boards

SMART does not currently have any standing or advisory boards. However, as part of the Transit Master Plan process SMART has established a Transit Master Plan Task Force. Staff has reached out to our community partners (detailed below) to identify and encourage the participation of minorities on the Task Force. In fact, anyone who attended the early meetings of the group was automatically invited to serve on the Task Force.

Implementation Plan:

Based on the four factor analysis, SMART recognizes the need to continue providing language services in the area. A review of SMART's relevant programs, activities and services that are being offered or will be offered by the City as of November 2016 include:

- Spanish speaking representatives are available upon request.
- Route and Schedule brochures are available in English and Spanish.
- Route and schedule information are available for Google translation into Spanish or a variety of other languages on the SMART website.
- SMART Options brochures are available in Spanish with information for bicycling and pedestrian safety.
- Transit survey conducted by SMART was made available in Spanish.
- Specific public meetings related to the Transit Master Plan, other planning efforts or major fare or service changes have been held with the Spanish speaking community in Wilsonville. Information was provided in Spanish and translators were available on-site to help with questions or concerns.

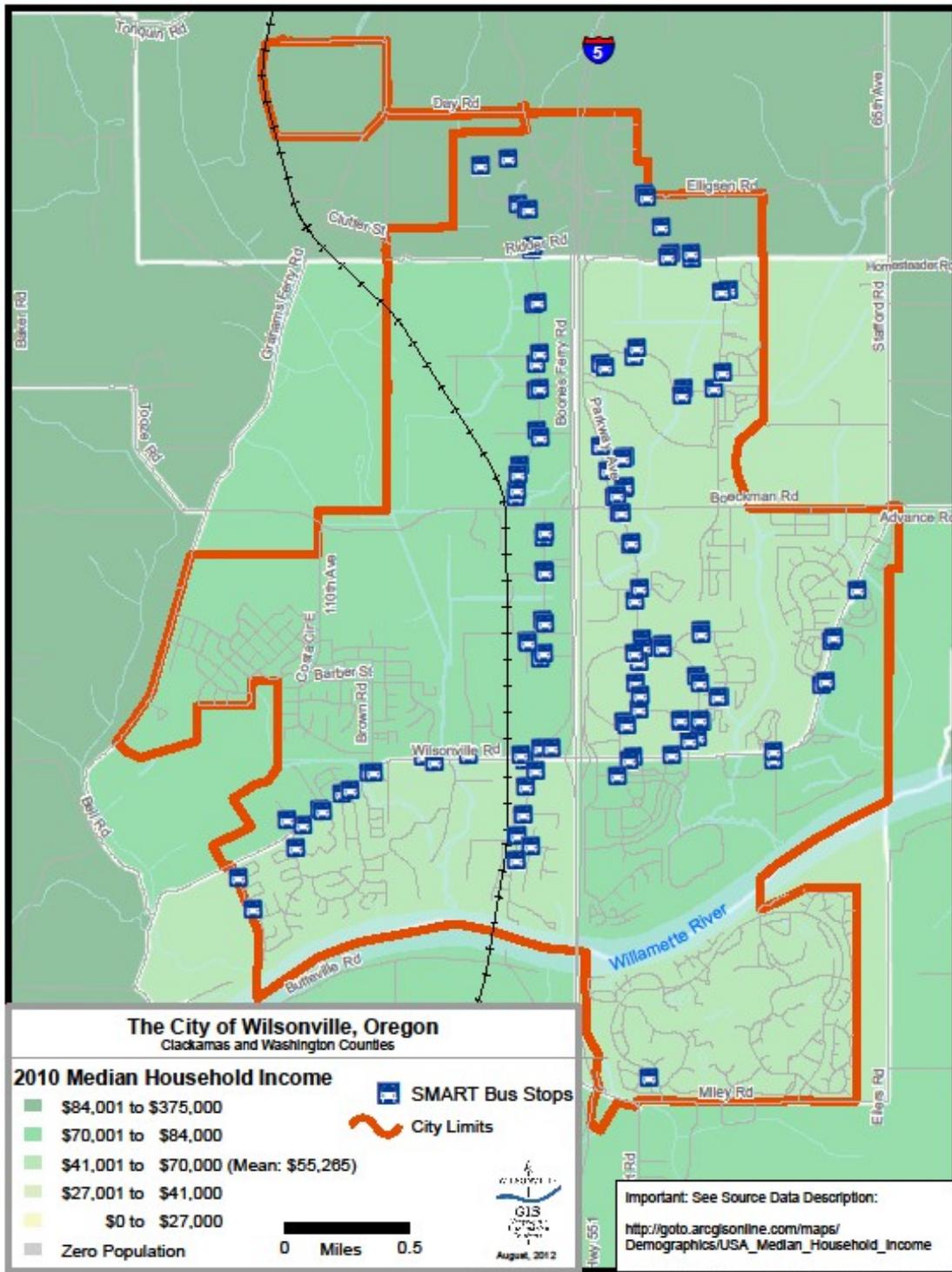
SMART's outreach and marketing initiatives have yielded a list of community organizations that provide service to populations with limited English proficiency. The following list of community organizations and schools in the area have been contacted to assist in gathering information and see what services are most frequently sought by the LEP population:

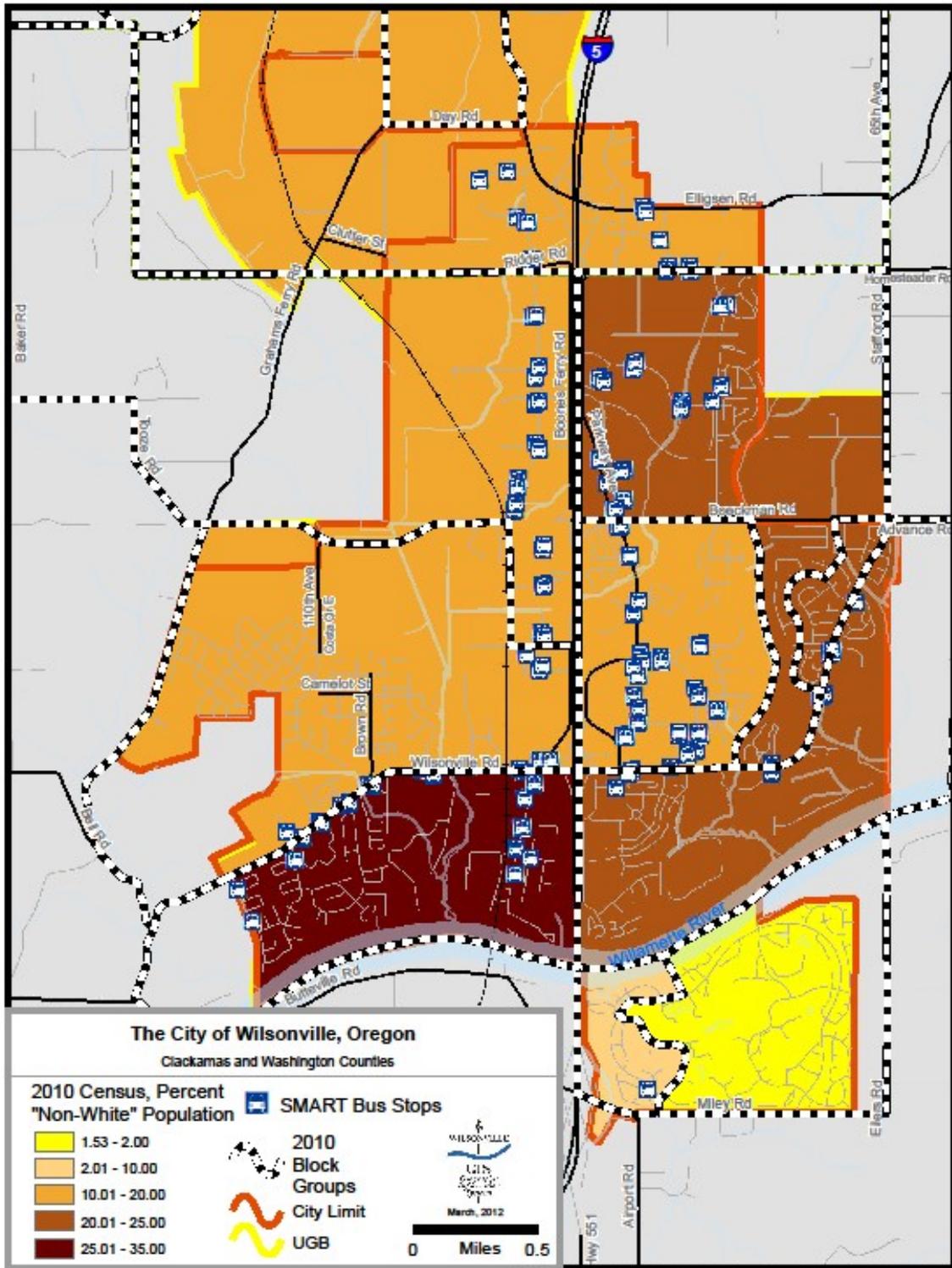
Wilsonville High School
Wilsonville Art Tech High School
Wood Middle School
Boeckman Creek Primary School
Boones Ferry Primary School

Wilsonville Community Center
Wilsonville Public Library
Wilsonville businesses over 100 employees
Lowrie Primary School
Wilsonville City Hall

SMART will continue to contact the community organizations that serve LEP persons, as well LEP persons themselves, and perform a four factor analysis every three years to identify what, if any, additional information or activities might better improve SMART services to assure non-discriminatory service to LEP persons. SMART will then evaluate the projected financial and personnel needed to provide the requested services and assess which of these can be provided cost-effectively.

Attachment D





Attachment E

TITLE VI STANDARDS AND POLICIES

Pursuant to requirements set forth in the Federal Transit Administration's (FTA) Circular 4702.1B, SMART must establish and monitor its performance under quantitative Service Standards and qualitative Service Policies. The service standards contained herein are used to develop and maintain efficient and effective fixed-route transit service.

This Title VI 2016 Service Standards and Policies document is the second formal service standard document for SMART. While it was initially created to meet FTA Title VI requirements, SMART will be looking to make transit service standards and policies part of the Transit Master Plan through the update of that document.

FTA Title VI Standards & Policies

The FTA requires all fixed-route transit providers of public transportation to develop quantitative standards and qualitative policies for the indicators below:

- A. Vehicle Load Standard;
- B. Vehicle Headway Standard;
- C. On-time Performance Standard;
- D. Service Availability Standard;
- E. Vehicle Assignment Policy; and
- F. Transit Amenities Policy.

(VEHICLE) PASSENGER LOAD FACTOR - Standards for passenger capacity are used to determine if a bus is overcrowded. The chart below shows the Maximum Safe Capacity of each type of bus in revenue service, both seated and standing. The Maximum Load Factor is the ratio between seated and standing capacity.

Standard: SMART’s standard for all routes for Maximum Load Factor is 1.5, except in the case of freeway express buses traveling more than 55 mph, which then is 1.0.

Vehicle Type	Seated	Standing	Maximum Safe Capacity	Maximum Load Factor
26 ft. Bus	21	7	28	1.3
30 ft. Bus	33	10	43	1.3
35 ft. Bus	35	11	46	1.3
40 ft. Bus	37	12	49	1.3
40 ft. freeway Bus	45	0	45	1.0

Measure: Vehicle load issues will be measured through customer complaints, driver feedback and supervisor on-board reviews.

VEHICLE HEADWAY - Vehicle headway is the measurement of the frequency of service and is the scheduled time between two trips traveling in the same direction on the same route at a given location. SMART provides both residential and commuter service.

Standard: The chart below shows the targeted headways for each route.

Route	Commute Period	Base Period	Type of Service
1X - Salem	60 min. (30 min. in conjunction with Salem)	----	Commuter express
2X - Barbur Blvd.	30 min.	60 min.	Local in Wilsonville, then express to Barbur
3 - Canby	60 min.	----	Out of town commuter
4 - Crosstown	30 min.	60 min.	Local
5 - 95 th Ave.	30 min.	----	Local Commuter
6 - Argyle Sq.	30 min.	----	Local commuter
7 - Villebois	2 trips a.m./2 trips p.m.	----	Local Commuter shuttle

Measure: Ensure that schedule changes of 25% or more will go through a Title VI review process.

This will ensure that SMART meets the expectation of Title VI that the minority/disadvantaged population will be provided no less service than the non-minority/non-disadvantaged populations.

ON-TIME PERFORMANCE – On-time performance is a measure of trips completed as scheduled.

Standard: SMART has set a standard that at least 92% of all trips will run on time. SMART measures on-time performance through bus schedule adherence. A bus is considered “on time” if it is within 0-5 minutes of the schedule at any time point, “late” is defined as more than 5 minutes after the scheduled departure time, and “early” is defined as anything before the scheduled departure time.

Measure: Schedule adherence will be measured through computer software that is connected to an AVL on each vehicle. The software provides highly accurate on-time performance data regularly throughout each day. Ride checks, field checks, and trip checks will be performed periodically to ensure the computer program maintains accuracy.

SERVICE AVAILABILITY - Service availability (a.k.a. service access) is a general measure of the distribution of routes within the SMART service area.

Standard: SMART’s goal is to ensure that 85 percent of City residents live within walking distance (i.e., no more than 1/3 mile) of a bus stop. SMART service continues to be particularly strong in neighborhoods with significant minority and low-income populations.

Measure: Transit access is determined by mapping all active bus stops within the system and then calculating the population (based on 2010 Census data) within 1/3 mile radii of those stops. This information is then compared to the City’s total population.

VEHICLE ASSIGNMENT POLICY - Vehicle assignment refers to the process by which transit vehicles are placed into service in on routes throughout the SMART’s system

Standard: Vehicles are rotated throughout the SMART system, with newer vehicles serving all areas of the system. Specific vehicles are assigned to routes only when required by operating conditions (e.g., in cases where a smaller bus is required to provide service on narrower streets).

Measure: Daily assignments are reviewed to ensure that the most equitable distribution is made. Generally, within the small city of Wilsonville, the same buses serve both the minority/disadvantaged neighborhoods and the non-minority/non-disadvantaged neighborhoods. As such, there is no pattern of providing poorer quality vehicles in minority or disadvantaged neighborhoods.

DISTRIBUTION OF TRANSIT AMENITIES - Distribution of Transit Amenities is a general measure of the distribution of transit amenities (items of comfort, convenience and safety) available to the general riding public

Standard: Bus stop signs: SMART ensures that bus stops are easily identifiable, safe, and accessible places to wait for the bus. Seats can be applied to signs as needed.

Shelters: Although some shelters are provided by developers in new growth areas, SMART uses ridership as the primary criterion for determining shelter placement when public funds are used. Minimum threshold for shelter consideration is an average of 10 or more boardings per weekday. A seat bench is included with all shelters.

Trash can placements: Trash cans are provided at all shelters. They are mounted on either the shelter or bus stop sign pole so as to not block ADA pads or pedestrian walkways. At other stops, trash cans are provided on an as needed basis.

Measure: The distribution of transit amenities is determined by demand. Annually, SMART reviews ridership levels to make decisions on how limited federal resources should be spent. Currently, passenger amenities are spread equitably throughout the SMART service area.

Attachment F



SOUTH METRO AREA REGIONAL TRANSIT

COMMENT CARD

Please complete this card and return it to the Operator, drop off at City Hall, or mail to 29799 SW Town Center Loop E, Wilsonville, OR 97070

NAME: _____
DATE: _____
PHONE: _____
EMAIL: _____
ADDRESS: _____

WOULD YOU LIKE SOMEONE TO CONTACT YOU? YES NO

COMMENTS:

The City of Wilsonville operates services and programs without regard to race, color, and national origin. Please contact the City of Wilsonville with questions, comments, or complaints about SMART's non-discrimination policies.

Smart@ridessmart.com 503-682-7790



SOUTH METRO AREA REGIONAL TRANSIT

Tarjeta de Comentario

Por favor complete esta tarjeta y devuélvela al conductor del autobús, o dejéla en o envíela a 29799 SW Town Center Loop, E, Wilsonville, OR 97070

NOMBRE Y APELLIDO: _____

FECHA: _____
TELÉFONO: _____
CORREO ELECTRÓNICO: _____

DIRECCIÓN: _____

¿Le gustaría hablar con alguien en español sobre este comentario SÍ NO

COMENTARIO:

SMART está dedicado a proveer servicios y programas sin respeto a raza, color de piel, y nacionalidad. Por favor comuníquese con el Director de Tránsito de la Ciudad de Wilsonville si tiene preguntas o comentarios sobre la política de no discriminación o para presentar una queja.

Smart@ridessmart.com 503-682-7790