



## **Commission on People with Disabilities**

March 11<sup>th</sup>, 2020

### **\*\*MEETING WAS HELD VIA CONFERENCE CALL\*\***

#### **Welcome and Approval of February 2020 Meeting Summary Minutes:**

Seth Morgan, Chair, convened the meeting. A motion was made to approve the February 2020 Meeting Summary Minutes. The motion was seconded. A vote was taken and the February 2020 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at [www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd).

#### **Vision Zero and a Discussion on Addressing the Pedestrian and Driver Safety Concerns of People with Disabilities – Wade Holland, Vision Zero Coordinator**

Website: <https://www.montgomerycountymd.gov/visionzero/>

Vision Zero is a goal of eliminating serious and fatal traffic crashes involving car drivers, passengers in vehicles, cyclists and people who are walking and rolling. The Vision Zero concept was created in Sweden in 1997 and is widely credited for significant reductions in fatal and severe collisions on Sweden's roads, despite increased driving, biking, and transit use. Vision Zero came to the US in 2000 with Washington State adopting its Target Zero plan. In 2014, New York City became the first city in the US to adopt Vision Zero. In 2015, Vision Zero was adopted by San Francisco and by D.C., the first in the region. As of now almost every city and county in the metropolitan region has adopted Vision Zero.

On January 27<sup>th</sup>, 2020, Wade Holland was introduced by County Executive March Elrich as the new full-time coordinator of the County's Vision Zero program. Wade has been an employee with the County's CountyStat Office for the past six years, with a focus on public safety and transportation issues. For the past three years, he has served as the part-time coordinator of the County's Vision Zero Steering Committee. Wade's role as the Vision Zero Coordinator is to work in the Office of the County Executive with the Department of Transportation (DOT), the Montgomery County Police Department, the Office of Public Information, and occasionally with the Department of Permitting Services (DPS), the Department of Environmental Protection, and the Montgomery County Planning Department. There is not one department that covers all of the Vision Zero Program. Wade's role is to support all County department efforts and run monthly meetings with all stakeholders. He is also responsible for public engagement such as tonight's meeting with the Commission. The County is developing a ten-year Vision Strategy that will lead the County to goal year of 2030 to eliminate serious and fatal crashes.

Wade thanked the Commission for supporting DOT's grant application that was submitted to Council of Governments (COG) for a visually impaired urban navigation study and to pilot a design in and around the Silver Spring Transit Area. Wade said the County wants to ensure design standards and technology can support residents no matter their abilities.

The floor was opened to questions.

Seth said it seems backwards that bicycle lanes and floating bus stops were installed before the Pedestrian Master Plan was put into place. This Commission has great concerns with how bicycle lane and floating bus stop projects have proceeded. Seth asked how Wade interacts with the Bicycle Master Plan and the Pedestrian Master Plan. Wade said the Bicycle Master Plan is not new. It has been in place since the 1970s and was updated and

approved November 2018. The updates prioritized where bicycle lanes would be installed and the design of the bicycle lanes. The Pedestrian Master Plan, which is currently being drafted, is conducting studies on walkability. DOT is reviewing areas that have issues with narrow sidewalks and obstructions. Wade noted that County Councilmember Andrew Friedson has introduced [Bill 38-19, Streets and Roads, Permit to Obstruct Public Rights-of-Way Amendments](#). The bill would: (1) require the County Executive to adopt certain regulations regarding permits to close curb lanes, sidewalks, or shared use paths in the public rights-of-way; (2) limit the circumstances in which the DPS may grant or extend a permit to close a curb lane, sidewalk, or shared use path; and (3) require the Director of DPS to publish certain information regarding permits to close curb lanes, sidewalks, or shared use paths. The Executive Branch is reviewing potential no-cost or low-cost solutions including changes in the county code to deal with obstructions that come from temporary use such as scooters and recycling and refuse bins. The County Council is scheduled to hold a hearing on Bill 38-19 on March 24<sup>th</sup>. Wade is not involved with the drafting of this bill. DOT and DPS have provided feedback. County Executive Elrich is supportive of the bill and has made recommendations.

Seth reported County Council [Bill 8-20 – Bicycles and E-Scooters – Operating Requirements and Registration](#) would update the definition of bicycle to conform to state law; permit a person to register a bicycle or electric low speed scooter owned by a County resident for personal use; require the registration of an electric low speed scooter provided for rent in the County and pay a registration fee; establish operating requirements for electric low speed scooter use in the County; require persons under the age of 18 to wear a helmet; and only allow persons 14 years or older to operate a scooter. These new regulations would allow police to enforce the law. The current e-scooter trials and pilot programs do not have enforceable regulations. Betsy Luecking, Staff, added that motorized e-scooters are not allowed on sidewalks and should be operated in the bicycle lanes or in the street. Bill 8-20 does not indicate or clarify where motorized or non-motorized e-scooters should be operated. This Commission has asked that this be included in the bill.

Trish Gallalee, Vice-Chair, asked if Wade was aware of the numerous letters and information that this Commission has been providing to DOT regarding concerns of bicycle lanes, floating bus stops, e-scooters, and pedestrian safety issues. Trish asked what this Commission can do to get their concerns to those who can acknowledge and address them, potentially temporarily stopping the installation of bicycle lanes and floating bus stops until concerns are addressed. Wade said he did review the letter that the Commission sent to Councilmember Gabe Albornoz. He has also been speaking with various departments that have spoken before this Commission in the past in preparation for this meeting. Wade noted that the County has made additional modifications to the two floating bus stops in downtown Silver Spring located at Second Avenue and Wayne Avenue to increase the accessibility. Trish said the design of the floating bus stop in general does not address safety issues for pedestrians or persons with disabilities who may enter a bicycle lane and possibly become injured and in turn injure a bicyclist. Some of these designs are extremely unsafe. Bicycle lanes also block entrances where MetroAccess users can be dropped off. If a MetroAccess vehicle is unable to lower their lift onto a curb they will not drop off the rider. Trish noted that this is a problem at Easter Seals located on Spring Street in Silver Spring due to the installation of bicycle lanes. Wade said this information is helpful and asked that if further issues with DOT arise to let him know.

Seth explained for background that this Commission has had multiple meetings with DOT and written multiple letters. The letter this Commission sent to Councilmember Albornoz were highlights from the various letters sent over the last months. Seth stated his impression is that DOT is not taking our concerns seriously and the situation is becoming increasingly frustrating. This Commission foresees real problems – not just for people with disabilities but for the bicyclists as well.

Beth Shuman, Senior Legislative Aide, Office of Councilmember Albornoz, said she knows that this Commission is very involved and active in these pedestrian safety issues and they have clearly communicated their concerns, but there is an issue of being dismissed by DOT. She said the County needs to immediately find a way to incorporate their concerns prior to decisions being made and designs being implemented. She said the system is broken and needs to be fixed. This Commission is eager to work with the County. Wade said it is his goal to work with various groups. He said the County has a lot of competing users with different needs. The County is working

to address Vision Zero goals as well as climate emergency initiatives. There will be changes occurring in the next decade that will affect how residents get around Montgomery County. Wade said it's important to have everyone's concerns be heard and to have those concerns addressed at the front end. Beth said this Commission has given specific recommendations that have not been considered in a significant way. She said there needs to be a different way of working together because it is not working now.

Seth thanked Beth and Councilmember Albornoz for their support. He said he understands that the County needs to balance all issues, but 30 years ago prior to the Americans with Disabilities Act (ADA) people with disabilities were not able to fully participate in society. Today, as people with disabilities are more involved in the community and using public transportation, the design and implementation of bicycle lanes and floating bus stops and changes to roadways and pedestrian walkways will only reduce their participation in their community. Seth said it is important that this Commission be involved as plans are developed and not to respond after the fact.

Charlie Crawford, former Commissioner, detailed his experience earlier this week when trying to use a smartphone application to locate a bus stop in downtown Silver Spring on Second Avenue. The application connects to a person who uses the phone's camera to help the person who is blind navigate. He said it took approximately 25 to 30 minutes for him to find the bus stop using this application as he could not locate it based on the current design. Charlie noted that not every person who is blind or visually impaired can use this application based on the person's ability to afford a smart phone and their data plan. Charlie said this Commission has had ongoing discussions on how a person who is blind can properly locate a floating bus stop in such a way that is safe. He has notified his Councilmember Tom Hucker, who is also the Chair of the Council's Transportation & Engineering (T&E) Committee. The response was that the County will review the issue. Charlie asked why the floating bus stop design was implemented without ensuring that the goal of Vision Zero was met. He suggested that the County implement a moratorium on installation until concerns are addressed.

Charlie also discussed the location of the bicycle lanes that are currently being installed next to the sidewalks. He suggested that DOT install bicycle lanes in the middle of the street, like they have done on Pennsylvania Avenue in D.C. There the intersections have lights to identify the right of way for both pedestrians and bicyclists. Pedestrians can go straight across the crosswalk and bicyclists can go straight or turn left or right. While this method may not work everywhere, it could work between Spring Street and Colesville Road in Silver Spring. It would be less of a worry for both bicyclists and pedestrians. Betsy added that Baltimore City has also installed bicycle lanes in the middle of the street. Charlie said with the introduction of a bicycle lane adjacent to the sidewalk, normal activity patterns of going to stores, receiving deliveries, and being dropped off or picked up are being disturbed. Wade said he is not a designer or an engineer so he cannot say if one way to install bicycle lanes is better than the other. He said the bicycle lane design on Pennsylvania Avenue may be more of an exception than the rule and there are potential safety issues with vehicles u-turning in the bicycle lanes. Charlie added that it may become necessary for an outside group to file a lawsuit against the County. Seth stated that the Commission would not be part of any litigation.

Susan Crawford said that under the ADA the County has an obligation to make its programs and services accessible to people with disabilities. Yet the County has proceeded with a design that denies access to people with disabilities, especially those who use MetroAccess.

Seth asked how Wade receives input from people with disabilities for the Vision Zero initiative. Wade said traditionally Vision Zero receives feedback from the Pedestrian, Bicycle, and Traffic Safety Advisory Committee (PBTSAC). There is a position on that Committee that is designated for a person representing the disability community. Commissioner Day Al-Mohamed said she is now on the Pedestrian Master Plan Advisory Group representing this Commission and people with disabilities. The group had its first meeting on February 27<sup>th</sup>. Wade added that it is his role to reach out and meet with various county boards, commissions, and committees as well as community groups, town halls and pop-up events to get their perspectives.

Seth said that this Commission legislated role to advise the County government on the coordination and development of policies for people with disabilities. This is not the purview of PBTSAC and having one person

with a disability on that Committee cannot speak for everyone who has a disability because there are so many different types disabilities and different issues. He said Wade needs to hear from a Commission like ours that has members with all types of disabilities. Wade said the PBTSAC does not review designs or plans. The Committee is a high-level advisory group that gives an overview of pedestrian safety programs, enforcement, and education. DOT conducts community engagement initiatives such as flyers, notifications, and social media to receive community feedback on each individual project. Trish said typically the Commission is asked to review designs. For example, when the Silver Spring Library was being renovated this Commission reviewed plans and provided feedback. Recently, several Commissioners attended a walkthrough in downtown Silver Spring for the Purple Line construction.

Lillian Cruz, Deputy Chief of Staff, Councilmember Alborno, asked Wade if legislative action would be necessary to ensure this Commission along with PBTSAC are included in Vision Zero discussions and for their input to be heard on equal footing. Beth added that there needs to be a structured way that input is given and that this Commission be included in that process. Wade said in terms of individual projects there is no one Committee or Commission that is responsible to provide feedback. He suggested that a different process be implemented going forward and that legislation would not be necessary.

Pat Sheehan asked how bicycle and pedestrian priority area group recommendations coincide with this Commission's recommendations, and how those recommendations fit into the Pedestrian Master Plan. Wade said the Bicycle and Pedestrian Priority Areas (BiPPAs) involve land use. There are currently 30 BiPPAs in the County and five of those are currently funded for changes. Pat asked how recommendations for Pedestrian Master Plan are processed or voted on by this Commission. From this discussion he is hearing a lot of disjointed and uncoordinated recommendations made after the fact and not prior to development or construction. Wade said the Pedestrian Master Plan will make recommendations but will not detail project schedules or timelines. There is no implementation schedule for the Pedestrian Master Plan. The Montgomery County Planning Commission will hold several worksessions. Once those have been completed the Pedestrian Master Plan will go before the County Council for their review and for public feedback.

Seth asked how a Bicycle Master Plan can be put in place before a Pedestrian Master Plan. Wade said Pedestrian Master Plans are not as common as Bicycle Master Plans. The Bicycle Master Plan goes back many decades. Aside from the Pedestrian Master Plan, the County has been conducting sidewalk gap inventories, reviewing the current state of our sidewalks, and trying to determine priority projects that can be completed over the next few years within Capital Improvement Projects. Seth said the issue is that the Bicycle Master Plan being implemented now did not have any apparent input in terms of how it impacted pedestrians. Wade asked if the Commission provided feedback to the Bicycle Master Plan. Seth said the Commission was not consulted and only provided feedback when it had been made public and the County began implementation.

Shawn Brennan, Mobility Manager, said it can be hard to anticipate some of these issues that can crop up. For example, we can read a report that discusses incorporating bicycle lanes in certain parts of the County or view a design for a floating bus stop, but it can be hard to conceptualize until people can see it or use it. Ongoing communication from the beginning and throughout the project is needed.

Cindy Buddington, former Commissioner, said it seems that the Bicycle Master Plan is disrupting pedestrian travel. As a bus rider who uses a wheelchair, she asked if those who designed the floating bus stops realize the safety issues for those using the bus. The Bicycle Master Plan continues to move forward and the Pedestrian Master Plan, which includes buses, vehicles and their drivers, MetroAccess, and pedestrians, is just getting started. She does not think bicyclists understand the difficulties or limitations of people with disabilities. When she parks her vehicle on a street, she now has to exit into a bicycle lane and roll her wheelchair to the nearest curb cut so that she may enter onto the sidewalk. The problem is the bicyclists and persons with disabilities have not discussed their issues together. Cindy asked where else bicycle lanes will be installed throughout the County.

Seth asked how Vision Zero interacts with the Bicycle Master Plan and the Pedestrian Master Plan. Wade explained he is part of the Executive Branch which is separate from the Montgomery County Planning

Department and the Montgomery County Planning Board. They are included in discussions and other Executive Branch offices, such as the Department of Transportation, provide comments. In the final stages, these master plans are approved by the Montgomery County Planning Board and the Council Council. Wade said general sector plans have pedestrian and bicycle recommendations in them that are also implemented.

Trish thanked Wade for participating this evening and listening to the Commission. She hopes he understands that our concerns come from a place of wanting to help. Wade said the comments made will be helpful as he moves forward in his job and working with Vision Zero partners, departments and agencies. He stated that It is unfortunate that this Commission feels like it has not been heard or that its feedback has not been incorporated. He looks forward to working with this Commission in the future.

**Chair and Vice-Chair Report:** The Steering Committee meeting scheduled for next Wednesday, March 18<sup>th</sup>, has been cancelled.

Commissioners with announcements or reports can e-mail them to Betsy who will share with the Commission.

**Ex-Officio Member Updates:**

Tabled due to time constraints.

**Announcements:**

Tabled due to time constraints.

Submitted by: Carly Clem, Administrative Specialist I  
Betsy Tolbert Luecking, Community Outreach Manager

