Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

Expedited Bill 34-22: Streets and Roads – Classification of Roads

Summary

The Office of Legislative Oversight (OLO) finds the racial equity and social justice (RESJ) impact of Expedited Bill 34-22 is indeterminant. Black and Latinx residents could disproportionately benefit from the adoption of complete streets standards to roadway projects in the White Oak Science Gateway and the Veirs Mill/Randolph urban areas. However, given the analysis of spending on roadway projects for Bill 24-22, Streets and Roads, it is generally unclear whether Black, Indigenous, and Other People of Color (BIPOC) residents and communities will be the primary beneficiaries of roadway projects developed with complete streets standards.

Purpose of RESJ Impact Statements

The purpose of RESJ impact statements (RESJIS) is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.[1] Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.[2]

Purpose of Expedited Bill 34-22

In October 2022, the County Council voted to enact Bill 24-22, Streets and Roads, which revised the County Code to apply complete streets standards to the design and construction of roads and road improvements.[3] Bill 24-22 established design standards for various types of streets and roads within five area types: downtown, town center, suburban, industrial, and rural.[4]

The purpose of Expedited Bill 34-22 is to revise the County Code to include additional areas within the list of town centers where complete streets standards will be applied to roadway projects. The following areas would be added to the list:[5]

- White Oak Science Gateway urban area excluding Life Sciences/FDA Village Center (already classified as a "downtown" in Bill 24-22);
- Life Science Center South urban area in the Great Seneca Science Corridor Master Plan;
- Veirs Mill/Randolph urban area in the Veirs Mill Corridor Master Plan; and
- Washingtonian Town Center in the Great Seneca Science Corridor Master Plan.

Additionally, as explained in the Introduction Staff Packet:

> "This [B]ill also more precisely defines some of the other town centers. For example, in Bill 24-22 one of the town centers is "Lyttonsville Purple Line Station." The [B]ill would amend this to read "Lyttonsville Purple Line Station urban area," which corresponds to the area near the station, not just the station itself."[6]

Expedited Bill 34-22 was introduced to the Council on November 15, 2022.

In August 2022, OLO published a RESJIS for Bill 24-22, Streets and Roads.[7] Please refer to this RESJIS for background on transportation infrastructure and racial equity, and for an analysis of the RESJ impact of adopting complete streets standards to roadway projects.

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Expedited Bill 34-22 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who are the primary beneficiaries of this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

For the first question, OLO considered the demographics of residents living in the areas that would be added to the list of town centers where complete streets standards will be applied to roadway projects. OLO approximated the proposed town center areas by identifying Census Designated Places (CDP) the areas are within or surrounded by. Table 1 summarizes resident demographics of the approximated areas; of note:

- Area 1, which approximates the White Oak Science Gateway urban area, includes the demographics of Burnt Mills CDP, Calverton CDP, Hillandale CDP and White Oak CDP.
- Area 2, which approximates the Life Science Center South urban area and Washingtonian Town Center, includes the demographics of the cities of Gaithersburg and Rockville.
- Area 3, which approximates the Veirs Mill/Randolph urban area, includes the demographics of Aspen Hill CDP, North Kensington CDP, and Wheaton CDP.
- The approximated areas cover a larger geography than each of the proposed town centers.

Table 1: Percent of Residents by Race and Ethnicity, Montgomery County and Approximated Town Center Areas

Race and ethnicity	County	Area 1	Area 2	Area 3
Asian	15.4	11.0	20.3	11.2
Black	18.6	45.6	13.8	18.1
Native American	0.7	0.7	0.8	1.3
Pacific Islander	0.1	0.0	0.1	0.1
White	43.1	20.0	41.0	31.0
Latinx	20.5	22.4	22.8	38.7

Source: 2020 Decennial Census, Census Bureau.

Table 1 suggests Black and Latinx residents may be largely overrepresented in the White Oak Science Gateway and Veirs Mill/Randolph urban areas. Asian residents are possibly overrepresented in Life Science Center South urban area and Washingtonian Town Center, though to a smaller degree. White residents may be underrepresented in each area to varying degrees.

For the second question, OLO considered the effect this Bill could have on reducing transportation inequities in the proposed town center areas. As discussed in the RESJIS for Bill 24-22, if the adoption of complete streets standards works as intended, BIPOC residents could benefit from safer designed streets, since racial inequities in transportation infrastructure make BIPOC more likely to suffer from traffic-related injuries than White residents.

However, in the RESJIS for Bill 24-22, the analysis of the FY23 Capital Improvements Program (CIP) found that 41.3 percent of funding for road-related projects, or $870.6 million, is not identifiable by Council district. Thus, it is generally unclear whether BIPOC residents and communities will be the primary beneficiaries of roadway projects developed with complete streets standards. Further, it is unclear the extent to which complete streets could generally encourage redevelopment, which often tends to favor higher-income residents, White residents, and White-owned businesses, and has the potential to displace low-income and BIPOC residents.

Taken together, OLO finds the RESJ impact of this Bill is indeterminant. Black and Latinx residents could disproportionately benefit from the adoption of complete streets standards to roadway projects in the White Oak Science Gateway and the Veirs Mill/Randolph urban areas. However, given the analysis of spending on roadway projects for Bill 24-22, it is generally unclear whether BIPOC residents and communities will be the primary beneficiaries of roadway projects developed with complete streets standards.

Recommended Amendments

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.[8] OLO finds the RESJ impact of Expedited Bill 34-22 is indeterminant due to insufficient information on whether BIPOC residents will be the primary beneficiaries of roadway projects developed with complete streets standards. OLO does not offer recommended amendments since the bill was not found to be inequitable.

While OLO cannot conclude whether BIPOC residents will be the primary beneficiaries of Bill 34-22, funding for the FY23 CIP suggests that, where the specific Council district of a project is identified, White residents are disproportionate beneficiaries of road-related transportation projects and could thus be the primary beneficiaries of future roadway projects developed with complete streets standards. To have a more accurate understanding of the RESJ impact of adopting the complete streets framework, the Council could consider commissioning a comprehensive equity review of the CIP, as recommended for Expedited Bills 15-22, 16-22, and 19-22.[9]

Caveats

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

Contributions

OLO staffer Janmarie Peña, Performance Management and Data Analyst, drafted this RESJ impact statement.

[1] Definition of racial equity and social justice adopted from "Applying a Racial Equity Lens into Federal Nutrition Programs" by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools. https://www.racialequitytools.org/glossary
[2] Ibid
[3] Action Staff Report for Bill 24-22, Streets and Roads, Montgomery County Council, Montgomery County, Maryland, October 25, 2022. https://apps.montgomerycountymd.gov/ccllims/DownloadFilePage?FileName=2764_1_22528_Bill_24-22_Action_20221025.pdf
[4] Introduction Staff Report for Bill 34-22, Streets and Roads – Classification of Roads, Montgomery County Council, Montgomery County, Maryland, Introduced November 15, 2022. https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2022/20221115/20221115_3C.pdf
[5] Ibid
[6] Ibid
[7] RESJIS for Bill 24-22, Streets and Roads, Office of Legislative Oversight, Montgomery County, Maryland, August 22, 2022. https://montgomerycountymd.gov/OLO/Resources/Files/resjis/2022/Bill24-22.pdf
[8] Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council
[9] Racial Equity and Social Justice Impact Statement for Expedited Bill 19-22, Office of Legislative Oversight, Montgomery County, Maryland, June 29, 2022. https://montgomerycountymd.gov/OLO/Resources/Files/resjis/2022/BillE19-22.pdf