

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 28-25: MOTOR VEHICLES AND TRAFFIC – PARKING IN BIKEWAYS – PROHIBITED

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 28-25 will have a minimal impact on racial equity and social justice (RESJ) in the County. Prohibiting parking in bikeways is not likely to affect unsafe street conditions that drive racial disparities in traffic injuries.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is important to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF BILL 28-25

Under County law, community members are prohibited from stopping, standing, or parking a vehicle in any way that impedes traffic and in certain places. This includes sidewalks, crosswalks, and within intersections, among others.³ Currently, community members can be fined \$60 for violations of this law.⁴ Parking violations are primarily enforced by the Montgomery County Department of Transportation (DOT) in the County's three Parking Lot Districts (PLDs): Bethesda, Silver Spring, and Wheaton.^{5,6} Outside of the PLDs, parking violations are enforced by the Montgomery County Police Department (MCPD). The Maryland-National Capital Park and Planning Commission (MNCPPC) enforces parking violations in the County's parks and trails.⁷

If enacted, Bill 28-25 would prohibit community members from stopping, standing, or parking a vehicle in a bikeway. The Bill defines a bikeway as "any area expressly intended for bike travel, including:⁸

- Associated curbs and gutters; and
- Any bike lane, off-street trail, separate bike lane, shared use roadway, or sidepath."

According to the Bill's sponsor, Bill 28-25 is intended to "enhance safety for cyclists and keep designated bikeways clear and accessible for users."⁹ Bill 28-25 would be enforced by DOT, MCPD, and M-NCPPC depending on where the parking violation occurs.

The Council introduced Bill 28-25 on July 29, 2025.

This RESJIS builds on those for:

- Bill 24-22, Streets and Roads, which OLO published in August 2022;¹⁰ and
- Bill 12-23, Police – Traffic Stops – Limitations (The STEP Act).¹¹

Please refer to these RESJISs for background on transportation infrastructure, police stops, and racial equity.

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TRAFFIC SAFETY AND RACIAL EQUITY

Like most institutions, the transportation landscape in the U.S. is characterized by structural racism. This stems from a long legacy of policies and practices at all levels of government that have embedded racial inequity in transportation and traffic safety. For example, highway construction and urban renewal efforts from the late 1950s through the 1970s – carried out by the federal government in collaboration with local and state governments – accelerated the destruction and displacement of Black communities and deepened racial segregation in Montgomery County and throughout the U.S.¹² Today, following patterns of segregation, lower-income BIPOC communities are often characterized by unsafe street infrastructure, such as inadequate sidewalks and crosswalks and major arterial roads that prioritize speed and car volume over pedestrian safety.^{13,14}

Locally, a 2020 study by the Metropolitan Washington Council of Governments (MWCOC) found that Equity Emphasis Areas (EEA) – Census tracts with high concentrations of community members who are low-income and/or BIPOC – had a disproportionate concentration of serious and fatal crashes in the County.¹⁵ Further, a 2022 study by Montgomery Planning found crash risk for all crash types, including bicycle crashes at intersections, to be higher in EEAs than non-EEAs.¹⁶ Unsafe traffic conditions in BIPOC communities contribute to a higher risk of traffic injury among Black and Latinx community members. For instance, between 2015 and 2019 (Table A, Appendix):

- Black and Latinx community members had emergency room admission rates for car crashes that were between two and three times the rate of White community members; and
- Black and Latinx community members had the highest rates of mortality from car crashes.

Local data does not differentiate car crashes that involve pedestrians and cyclists.¹⁷ Nonetheless, national studies confirm that Black and Latinx people experience the highest fatality risk across all modes of travel, including cycling.¹⁸

Overpolicing also undermines health and safety for BIPOC in transportation.¹⁹ For cycling specifically, several studies in local jurisdictions have shown that Black and Latinx neighborhoods and individual cyclists receive a disproportionate share of traffic citations related to cycling.²⁰ Locally, while Black and Latinx community members each comprise 19 and 21 percent of the County's population, they comprised 29 and 32 percent of bike-related traffic citations electronically issued by MCPD since 2012 (Table B, Appendix).²¹ Notably, while Latinx cyclists are more likely to receive a citation for traffic violations, White cyclists are more likely to receive a warning.

In *Untokening 1.0: Principles of Mobility Justice*, Untokening – a multiracial collective that advocates for mobility justice and equity – outlines several principles to advance mobility justice for BIPOC and other impacted communities. These include:²²

- Recognizing and addressing historical and current racial and social injustices that negatively impact equitable and safe mobility;
- Co-creating new decision-making processes for mobility policies and programs that share power with BIPOC and other impacted communities;
- Prioritizing the lived experiences of BIPOC and other impacted communities over quantitative data to assess infrastructure and investment needs;
- Identifying and investing in grassroots mobility solutions that respond to local needs; and
- Rejecting policing as a solution for street safety.

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ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 28-25 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 28-25:

- **Community members who use bikeways** would benefit from safer bikeways if Bill 28-25 works as intended. Advocates note that parking vehicles in bike lanes can be dangerous. This often forces cyclists to maneuver into traffic, which increases their risk of being hit by a moving vehicle.^{23,24}

OLO could not find data on the demographics of community members who bike or who use bikeways by race and ethnicity. Notably, as previously described, Black and Latinx community members experience the highest rates of traffic injury in the County. However, prohibiting parking in bikeways is not likely to affect unsafe street conditions that drive racial disparities in traffic injuries.
- **Community members who drive** would be burdened by an additional prohibition on parking. According to the Office of Management and Budget, parking enforcement officers currently cite community members for stopping, standing, or parking a vehicle in a bikeway through an existing provision in County law. Unless more funding is provided for additional enforcement officers, Bill 28-25 is not likely to lead to more enforcement of this violation.²⁵

Taken together, OLO anticipates Bill 28-25 will have a minimal impact on RESJ in the County.

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.²⁶ OLO anticipates Bill 28-25 will have a minimal impact on RESJ in the County. As such, OLO does not offer recommended amendments. However, should the Council seek to improve the RESJ impact of this Bill, OLO offers two policy options for Council consideration:

- **Encourage DOT to collaborate with BIPOC community members in efforts to enhance bicycling safety.** Developing any policy or program that advances RESJ, including mobility justice,²⁷ requires community engagement that centers the needs and priorities of BIPOC community members.²⁸ The Council could support efforts that encourage DOT to prioritize engagement with BIPOC communities in determining policies, programs and investments to enhance bicycling safety.
- **Commission study of local racial disparities in parking violations.** In other local jurisdictions, studies have found geographic disparities in parking citations by race, income, and/or other community demographics. They have also found that BIPOC community members are disproportionately harmed by outstanding debt that results from parking citations.²⁹ Commissioning a study could help the Council to understand local racial disparities in parking violations, how parking-related policies like Bill 28-25 could impact these disparities, and solutions to reduce racial inequities and disparities in parking violations.

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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.

APPENDIX

Table A. Emergency Room Visits and Mortality Rate for Motor Vehicle Crashes by Race and Ethnicity, Montgomery County, 2015-2019

Race or ethnicity ³⁰	Emergency Room Visits (Age-Adjusted Rate Per 100,000 Residents)	Mortality Rate (Age-Adjusted Rate Per 100,000 Residents)
Asian or Pacific Islander	266	4.4
Black	1,394	5.7
White	438	4.7
Latinx	1,082	6.4
Overall	800	5.2

Source: ["Supporting Data Analysis for the Vision Zero 2030 Action Plan," Montgomery County Vision Zero, July 2021, pg. 11.](#)

Table B. MCPD Bike-Related Traffic Stops by Race and Ethnicity, 2012-2025³¹

Race or ethnicity	Percent Stopped (N=77)	Percent Receiving Citation (N=38)	Percent Receiving Warning (N=39)
Asian or Pacific Islander	5.2	5.3	5.1
Black	28.6	28.9	28.2
White	40.3	34.2	46.2
Latinx	26.0	31.6	20.5

Source: OLO analysis of [dataMontgomery Traffic Violations dataset](#) as of August 25, 2025.

¹ Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., "Applying Racial Equity to U.S. Federal Nutrition Programs," Bread for the World](#) and [Racial Equity Tools](#).

² Ibid.

³ [Introduction Staff Report for Bill 28-25, Montgomery County Council, Introduced July 29, 2025, pgs. 1-2.](#)

⁴ [Introduction Staff Report for FY 26 Resolution on Transportation Fees, Charges, and Fares, Montgomery County Council, Introduced March 25, 2025, pgs. \(7\)-\(8\).](#)

⁵ ["Parking District Services Mission," Division of Parking Management, Montgomery County Department of Transportation.](#)

⁶ ["PLD and TMD Program Descriptions," Division of Parking Management, Montgomery County Department of Transportation.](#)

⁷ OLO communication with DOT staff on August 19, 2025.

⁸ Introduction Staff Report for Bill 28-25, pg. 2.

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⁹ [“Councilmember Evan Glass Introduces Bicycle Safety Legislation,” Press Releases, Montgomery County Council, July 29, 2025.](#)

¹⁰ [RESJIS for Bill 24-22, Office of Legislative Oversight, August 22, 2022.](#)

¹¹ [RESJIS for Bill 12-23, Office of Legislative Oversight, April 17, 2023.](#)

¹² RESJIS for Bill 24-22, pg. 2.

¹³ Ibid, pg. 3.

¹⁴ [“Our Plan to Eliminate Fatalities and Serious Injuries on our Roads by 2030,” Montgomery County Vision Zero, July 1, 2023, pg. 17.](#)

¹⁵ [“Supporting Data Analysis for the Vision Zero 2030 Action Plan,” pg. 12 citing “Regional Safety Study: Equity Emphasis Area Analysis,” National Capital Region Transportation Planning Board, Metropolitan Washington Council of Governments, May 7, 2021.](#)

¹⁶ [“Predictive Safety Analysis Final Report,” Montgomery Planning, July 2022, pg. 28.](#)

¹⁷ [“Supporting Data Analysis for the Vision Zero 2030 Action Plan,” Montgomery County Vision Zero, July 2021, pg. 11.](#)

¹⁸ [Matthew Raifman and Ernani Choma, “Disparities in Activity and Traffic Fatalities by Race/Ethnicity,” American Journal of Preventative Medicine, August 2022.](#)

¹⁹ RESJIS for Bill 12-23, pg. 3.

²⁰ [Jesus M. Barajas, “‘Bicycling While Black’: The Problems of Policing and Planning,” Institute of Transportation Studies, UC Davis, September 9, 2020.](#)

²¹ Of note, bike-related traffic stops appear to be uncommon in the County. Since 2012, for traffic stops that are tracked electronically, MCPD conducted 77 stops for traffic violations related to bicycling, with only six stops occurring since 2020. Of the six stops since 2020, 5 involved White cyclists and 1 involved a Latinx cyclist.

²² [“Untokening 1.0 – Principles of Mobility Justice,” Untokening, November 13, 2016.](#)

²³ [Stephen Hudson, “What’s wrong with parking in bike lanes? A lot, actually,” Greater Greater Washington, August 9, 2018.](#)

²⁴ [“Bike Lanes Are Not Parking Spots: Why Blocking Them Puts Memphis Lives at Risk,” Memphis Hightailers Bicycle Club.](#)

²⁵ Fiscal Impact Statement for Bill 28-25, Office of Management and Budget, August 29, 2025.

²⁶ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)

²⁷ “Untokening 1.0 – Principles of Mobility Justice.”

²⁸ [Janmarie Peña and Chitra Kalyandurg, OLO Report 2024-8: Community Engagement for Racial Equity and Social Justice, Office of Legislative Oversight, March 12, 2024.](#)

²⁹ [Livia Mucciolo, et al., “The Cost of Parking: A Preliminary Analysis of Parking Tickets Data in Austin, Minneapolis, and Portland,” Urban Institute, January 2023, pgs. 4-5.](#)

³⁰ For Tables A and B, race is not inclusive of Latinx origin.

³¹ OLO filtered the [Traffic Violations dataset on dataMontgomery](#) to only include violations of [Maryland Code Title 21, Subtitle 12 – Operation of Bicycles and Play Vehicles](#), excluding violations of 1209 (a2) and 1209 (d) (motor vehicle violations) and other violations of subtitle 12 that cited drivers of motor vehicles.