



OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE


Marc Elrich
County Executive

Tiffany Ward
Director and Chief Equity Officer

MEMORANDUM

January 31, 2023

To: Jennifer Bryant, Director
Office of Management and Budget

From: Tiffany Ward, Director
Office of Racial Equity and Social Justice 

Re: Racial Equity Impact Assessment (REIA) Supplemental Appropriation (SA) FY23-28 Capital Improvement Program (CIP) and Special Appropriation #23-53 FY23 Capital Budget Montgomery County Government Department of Transportation Bus Rapid Transit (BRT): US 29 Phase 2 (CIP No. 502201)

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that the *Amendment to the FY23-28 Capital Improvement Program (CIP) and Special Appropriation #23-53 FY23 Capital Budget Montgomery County Government Department of Transportation Bus Rapid Transit (BRT): US 29 Phase 2 (CIP No. 502201)* has the ability to advance equitable outcomes for Montgomery County residents—specifically for low-income communities and communities of color as they are less likely to own, or have access to, a personal vehicle.

ORESJ's assessment is based on the Flash Bus Rapid Transit's (BRT) current US 29 service route¹ which operates through an area largely comprised of low-income residents of color and its low fare rate which ranges between \$0.00 for seniors, persons with disabilities, children and youth aged 18 and under, and Montgomery College students to \$1.00 for all other riders². Census tract geographical information system (GIS) data shows that communities along the US 29 corridor fall within the defined Equity Emphasis Area

¹ Montgomery County Department of Transportation. *US29 Flash Bus Rapid Transit (BRT)*. 2022. Available at: <https://www.montgomerycountymd.gov/dot-dte/projects/US29BRT/>

² Montgomery County Department of Transportation. *Fares*. 2022. Available at: <https://www.montgomerycountymd.gov/DOT-transit/fares/index.html>

(EEA)³. While ORESJ advocates for the use of more granular data when examining community characteristics and ways to support those with the greatest level of need, EEAs generally represent census tracts with high concentrations of low-income individuals and/or traditionally disadvantaged racial and ethnic population groups⁴. Despite being limited in their ability to characterize specific communities, EEAs do provide overarching insights that serve as a starting point in prioritizing whom to serve and where.

- II. **BACKGROUND:** The purpose of the Amendment to the FY23-28 CIP and Special Appropriation #23-53 CIP No. 502201 is to allow for work on the project to continue into the next phase of the US 29 BRT. According to supplemental information accompanying this request, this special appropriation is needed to spend previously approved funds in the FY23-28 CIP for US 29 Phase 2 that were not appropriated to advance the project through preliminary engineering. The current appropriation, which is less than the approved funding level, funded planning, and analysis of alternatives. Should the funds be approved, upon selection of a preferred alternative by the County Council, the project can move into, and complete, preliminary engineering.

As outlined by the Montgomery County MD, Capital Budget, this project⁵ will design and implement more dedicated lanes for transit and/or High Occupancy Vehicles (HOV) along the US 29 corridor to improve travel time and reliability. The project will also include improvements at identified "hot spot" locations to improve overall traffic operations along the US 29 corridor. The additional funding will also allow the project to advance further through the design and prepare the project for construction. This project will complement the investment in US 29 Flash and improve transit, carpool, and overall corridor travel time and reliability, performance, and person throughput from MD 198 to the Silver Spring Transit Center.

- III. **ANALYSIS:** Much like inequities in health, income, housing, and education, the COVID-19 pandemic exacerbated inequities in public transportation – putting both riders and operators at greater risk of contracting the virus while also impacting the economic security of those heavily reliant on these means of transportation to and from their places of employment. Prior to the pandemic, a national look at who frequently utilizes public transportation found that those who are lower-income, Black or Hispanic/Latino, immigrants, under the age of 50, or have a disability often use buses, trains, and subways as

³ Metropolitan Washington Council of Governments. *Equity Emphasis Areas for TPB's Enhanced Environmental Justice Analysis*. 2022. Available at: <https://www.mwcog.org/transportation/planning-areas/fairness-and-accessibility/environmental-justice/equity-emphasis-areas/>

⁴ Ibid.

⁵ Montgomery County, MD Capital Budget. *Bus Rapid Transit: US 29 Phase 2*. 2022. Available at: <https://apps.montgomerycountymd.gov/BASISCAPITAL/Common/Project.aspx?ID=P502201>

a means to access work, resources, and services.⁶ Specifically, 34% of Black urban residents and 27% of Hispanic/Latino urban residents utilize public transportation daily or weekly compared to 14% of white urban residents.⁷ In many urban areas, white, highly educated, and high-income residents have greater access to public transportation, however, wealth differences by race and ethnicity make it easier for white residents to purchase a car.⁸ By comparison, Black and Hispanic/Latino urban residents are less likely to have access to a personal vehicle and are more likely to use public transit for commuting to work—for which they tend to live further away, resulting in longer commutes that make walking or biking less common.⁹

As detailed in the [REIA for Supplemental Appropriation #22-74 Preserving Naturally Occurring Affordable Housing](#), the distribution of low-income households and those most impacted by racial disparities live along the County's major transit routes—with low-income cost-burdened households being concentrated along the I-270 corridor and on the Southeastern part of the County that intersects with I-495¹⁰—including communities along the Flash US 29 route. Due to this route servicing an area with demonstrated levels of need amongst groups who have been historically disenfranchised, ORESJ finds that the Amendment to the FY23-28 CIP and Special Appropriation #23-53 CIP No. 502201 has the ability to advance equitable outcomes for County residents. Specifically, the project will transform mobility options for riders by connecting them to activity and employment centers in a safer, faster, and more reliable way.¹¹ This is especially pertinent for low-income, Black, Hispanic/Latino, immigrant communities along the Flash US 29 service route as unreliable mass transit, transportation costs, and unequal access are known contributors to longstanding structural racism and associated socioeconomic barriers that have segregated communities from a range of opportunities.¹² Or as Shima Hamidi, Ph.D., a Bloomberg Assistant Professor of American Health in Environmental Health and

⁶ Anderson, M. *Who relies on public transit in the U.S.* 2016. Available at: <https://www.pewresearch.org/fact-tank/2016/04/07/who-relies-on-public-transit-in-the-u-s/>

⁷ Ibid.

⁸ The Urban Institute. *The Unequal Commute*. 2020. Available at: <https://www.urban.org/features/unequal-commute>

⁹ Anderson, M. *Who relies on public transit in the U.S.* 2016. Available at: <https://www.pewresearch.org/fact-tank/2016/04/07/who-relies-on-public-transit-in-the-u-s/>

¹⁰ HR&A Advisors, Inc. and LSA. *Montgomery County Housing Needs Assessment*. 2020. Available at: <https://montgomeryplanning.org/wp-content/uploads/2020/07/MoCo-HNA-July-2020.pdf>

¹¹ Montgomery County Department of Transportation. *Flash Bus Rapid Transit (BRT)*. 2022. Available at: <https://www.montgomerycountymd.gov/dot-dte/projects/brt/index.html>

¹² Powder, J. For Blacks and Other Minorities, Transportation Inequities Often Keep Opportunities Out of Reach: Barriers to mobility have contributed to long-standing structural racism. 2020. Available at: <https://magazine.jhsph.edu/2020/blacks-and-other-minorities-transportation-inequities-often-keep-opportunities-out-reach>

Engineering asked “...If people don’t have access to jobs, how are they supposed to have one?”¹³

Throughout the pandemic and across the nation, utilization of public transportation has drastically reduced as employees (with the ability to do so) were encouraged to work from home—decreasing commuter ridership. For essential workers employed in service industries (who are largely women and people of color earning low wages), public transportation remains the primary way for them to commute to and from work. For public transit systems operating during this time, an increase in costly sanitation policies aimed at curbing the spread of COVID-19 coupled with decreased revenue from fares as a result of reduced ridership has made it difficult for them to continue operating at full capacity—leaving some with hard decisions such as discontinuing underutilized services. Montgomery County’s public transit system is not immune to similar financial hardships facing other jurisdictions across the nation, however, continued investment into efforts such as Flash BRT US 29 into Phase 2 shows a commitment to advancing equitable outcomes for County residents with the greatest barriers to access.

Should the project receive the funding necessary to advance, ORESJ encourages continued transparency through means such as community engagement and efforts identified by the US 29 Mobility & Reliability Study¹⁴. Additionally, community engagement efforts such as those utilized by Nspiregreen/Public Engagement Associates’ in their report [*Thrive Montgomery 2050 Racial Equity and Social Justice Review*](#) should also be referenced as a potential model when soliciting continuous feedback and being in partnership with communities whose inputs are often omitted. This would include both riders of the Flash US 29 route as well as the communities the route passes through—particularly low-income households facing potential burden by the Right-of-Way¹⁵ process.

cc: Christopher Conklin, Director, Department of Transportation
Ken Hartman, Director, Strategic Partnerships, Office of the County Executive

¹³ Ibid.

¹⁴ Montgomery County Department of Transportation. *US 29 Mobility & Reliability Study*. 2022. Available at: <https://www.montgomerycountymd.gov/dot-dte/projects/US29Study/index.html>

¹⁵ Montgomery County Department of Transportation. *Right of Way*. 2022. Available at: <https://www.montgomerycountymd.gov/dot-dte/row/index.html>