

## Equity in Transportation Planning

Northeast Community Impact  
Assessment Workshop  
Trenton, New Jersey  
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## Learning Outcomes

- Review transportation policies since World War II and impact on transportation equity
- Discuss transportation nondiscrimination mandates
- Identify effect of environmental justice on transportation equity

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## What's In The Topic "Equity in Transportation Planning"?

- Equitable allocation of transportation services, programs, projects, activities?
- Implementing transportation policies and practices in an equitable manner?
- Equal access to transportation opportunities?
- Nondiscrimination in transportation decision-making?

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## Remarks on Transportation Equity

- “Historically, transportation equity has been largely ignored by the vast majority of transportation planners and researchers” (Harvard Report, 2003)
- “Equity will be one of the major themes in transportation policy for the coming decade” (M. Wachs, 1999 TRB address)

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## Transportation Policy Decisions

- World War II – 1990 (Federal-aid Highway Act 1956)
  - Emphasize highway development & construction
  - Increase in mobility; more reliance on automobiles
  - Inequitable effect on minority and low income populations
    - Restricted access to socio-economic opportunities
    - Displacement of minorities & low income communities
    - Destruction/elimination of thriving neighborhoods
    - Disproportionate negative [health] effects
- In effect, insignificant effort directed toward ensuring transportation equity

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## Transportation Policy Decisions Continued

- 1990s and Beyond
  - Intermodal Surface Transportation Efficiency Act (ISTEA) 1991
  - Started the demise of longstanding preference for highway funding and construction
    - Significantly changed the way transportation projects were planned in metropolitan areas
    - Provided funding and responsibility directly to MPOs
    - Public involvement became a vital element in transportation planning
- 1<sup>st</sup> significant effort toward transportation equity

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## Transportation Policy Decisions Continued

- Transportation Equity Act for 21<sup>st</sup> Century (TEA-21) 1998
  - Mandated increased public involvement in transportation planning
  - Established grant programs for transportation needs of traditionally underserved
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users (SAFETEA-LU) 2005
  - Specifically added reps. of users of pedestrian walkways, bicycle transp. facilities, and disabled in planning process
  - MPOs develop participation plan with interested parties and reasonable opportunity for all parties to comment
- Both enhanced efforts toward transportation equity

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## Transportation Nondiscrimination Mandates

- Title VI of Civil Rights Act of 1964 (42 USC 2000)
- Civil Rights Restoration Act of 1987 (P.L. 100-209)
- Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (42 USC 4601)
- Section 504 of 1973 Rehabilitation Act (29 USC 790)
- Federal-aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975 (42 USC 6101)
- 49 CFR 21 & 23 CFR 200 - Implementing Regulations
- 1994 Executive Order 12898 on Environmental Justice (EJ)
- 2000 Executive Order 13166 on Limited English Proficiency (LEP)

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## Environmental Justice (EJ)& Transportation Equity

- EJ Order encourages & elicits full & fair participation of LI&M individuals in all phases of transp. planning
- Reinforces & reinvigorates Title VI
- Triggers new look at NEPA
- Increases community activism on equity issues
- Heightens community awareness of environmental hazards and adverse human health risks
- Increases skills & ability to use available administrative & judicial avenues to challenge sitings and other decisions related to disproportionate & adverse impacts

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## Environmental Justice (EJ)& Transportation Equity Contd.

- Agencies to improve methods in research, data collection, and analysis on human health and environmental impacts on M&LI communities
- Agencies to make EJ part of mission by evaluating effects of activities, policies and programs that negatively and inequitably affect M&LI communities
- Agencies to exert GFE to avoid, minimize, and mitigate impacts
- Agencies to refrain from denial, delay, and reduction in benefits to EJ persons and population

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## Role of Transportation

- Pivotal in our society
  - Impacts every human endeavor
  - Right to travel one of the basic rights guaranteed by U.S. Constitution (Shapiro v. Thompson, April 21, 1969)
- Beyond tangible elements
  - About People and their pursuit of happiness
  - Rights & obligations
  - Allocation of benefits & burdens

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## Bottom line

- Transportation planning decisions have significant & vital impacts on lives of all people
- Ergo, they must be done carefully, conscientiously, honestly & fairly to assure equitable results and foster peaceful coexistence & national harmony

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## What's In It For You?

- Be people-oriented & public-spirited
  - Sensitivity to human & cultural values
  - Public interest not personal or special interest/agenda
- Honor professional code of honesty & impartiality
  - Incorporate equity values in routine activities
- Be knowledgeable of nondiscrimination mandates, past transportation policies, practices, & decisions
- Be a doer
  - Enforce laws, authorities, & procedures
  - Document
  - Do the Right Thing – Be effective not just efficient

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## Resources

- Moving To Equity: Addressing Inequitable Effects of Transportation Policies on Minorities, Thomas W. Sanchez, et. al., 2003
- Not In My Backyard: Executive Order 12,898 and Title VI as Tools For Achieving Environmental Justice, U.S. Commission on Civil Rights Report, 2003

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