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PolicyLink

All Aboard!

Making Equity and Inclusion Central to Federal Transportation Policy

PolicyLink is a national research and action institute advancing economic and social equity by Lifting Up What Works.®

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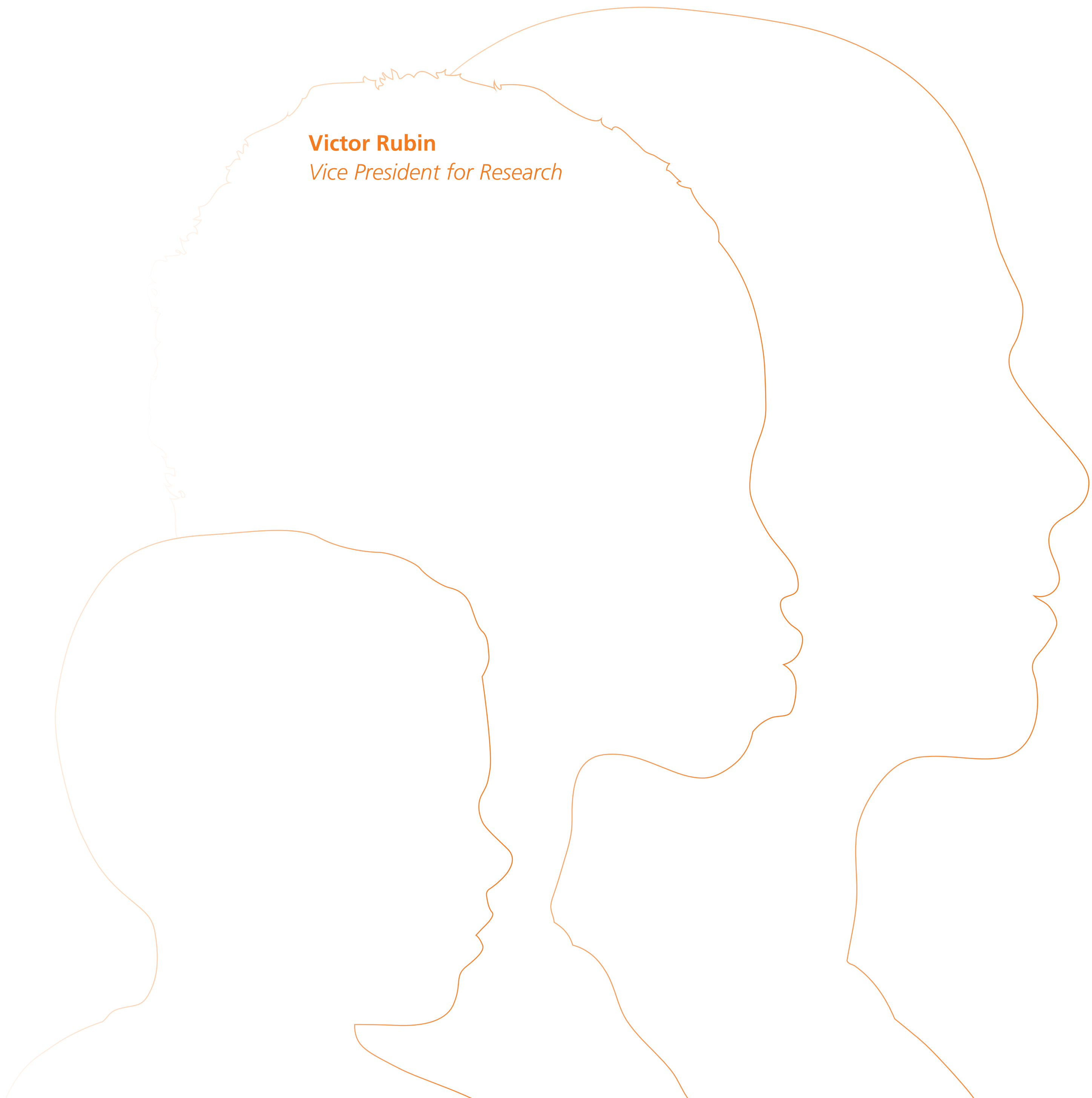

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Preface

Federal transportation policy is vital in the movement to create more equitable, livable cities and regions. The nearly $50 billion in transportation funds in the economic stimulus package and the upcoming potential $450 billion in transportation authorization resources have shown Americans that transportation investment is essential to growth and recovery.

But these major federal investments have also laid bare a serious problem—the system is in need of reform. Thankfully, advocates for low-income communities and people of color have the ideas, the energy, and the organization to create a better, more transparent, more inclusive system—and we are making ourselves heard.

Equity-based transportation policies focus on four core principles:

1. Increasing access to economic opportunity and employment for all;
2. Improving access to jobs and fairly distributing the work of building and fixing critical infrastructure in local communities;
3. Creating healthier, more sustainable communities by supporting safe, smart, affordable alternatives to highway-dominated metropolitan sprawl; and
4. Including local residents in all stages of the decision-making process.

PolicyLink is committed to building momentum for equity-focused transportation policy to foster the proliferation of communities of opportunity. This report provides a framework of principles, describes the work and ideas of key players, and captures the important policy solutions that should be included in the upcoming federal authorization legislation.

All Aboard: Making Equity and Inclusion Central to Federal Transportation Policy was supported by The Rockefeller Foundation as part of its initiative to promote equitable transportation policy. PolicyLink is grateful to the foundation for this support and thank all the people and organizations who contributed time and information to complete the document.

Angela Glover Blackwell
Founder and CEO
PolicyLink

When investments are made equitably, they seek to ensure that individuals and families in all communities can participate in and benefit from economic growth and activity throughout a metropolitan region. Equity, most essentially, means just and fair inclusion. An equitable society is one in which all can participate and prosper. The goals of equity are to create conditions that allow all to reach their full potential.

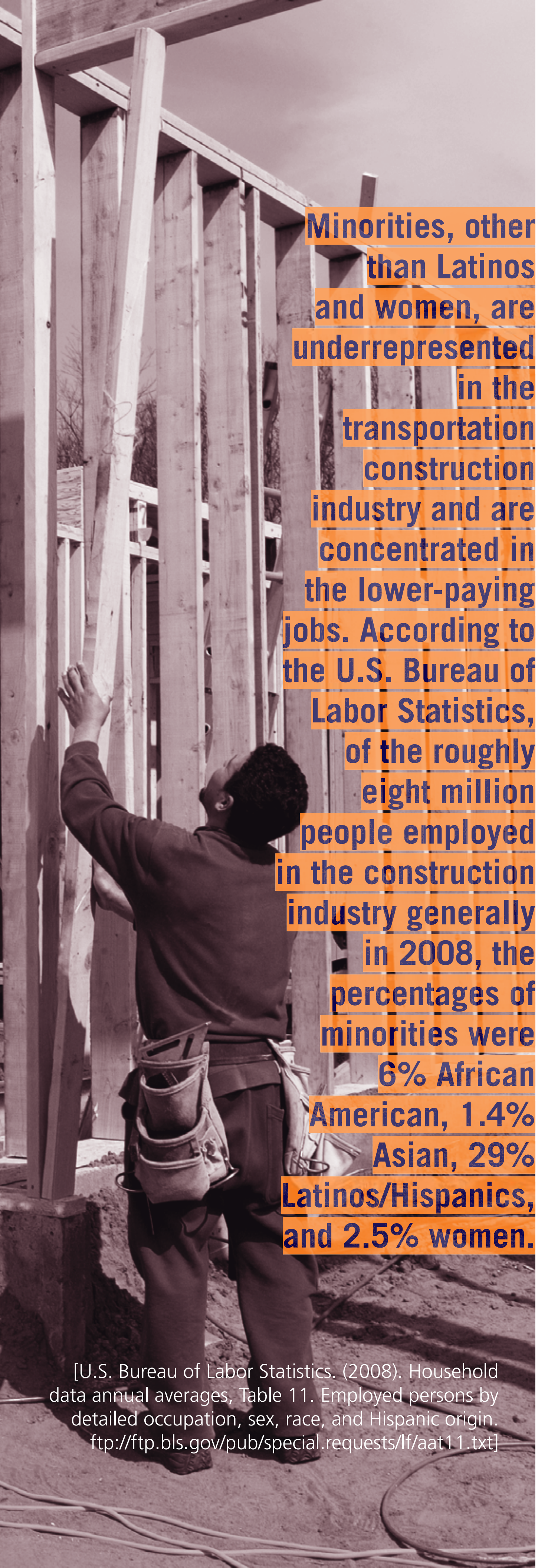
1 Executive Summary

In 2009 Americans turned to federal investments in infrastructure not only for the improvements they could bring to declining or decaying transportation systems, but also for what that spending could do to revive a moribund economy. An unusually bright spotlight is thus shining on transportation spending. In February, President Obama signed the $787 billion *American Recovery and Reinvestment Act* (ARRA), which invests nearly $50 billion—roughly six percent of the total stimulus package—in the construction and repair of our nation's roads, bridges, transit systems, and rails. In June of 2009, Congress began consideration of a multibillion dollar, multiyear federal transportation authorization bill to succeed the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU), which expires in September 2009. At first, some advocates were concerned that the stimulus transportation investments might lead to postponement of this legislation, and more recently, the Secretary of Transportation proposed an 18-month extension of the current law, but as of late June 2009, the first appearance of the House version of the bill has drawn a great deal of public attention.[1]

The transportation authorization bill, coupled with the transportation windfall in the stimulus package, represents a rich opportunity for advocates to persuade Congress and the administration to transform America's cities and suburbs into fairer, more equitable communities, providing low-income families and communities of color with new, marked pathways to prosperity. This is crucial because transportation policy in the United States has historically favored middle-class and affluent neighborhoods at the expense of disadvantaged communities, resulting in skewed patterns of infrastructure development in metropolitan areas across the country. Through the authorization, smart growth, environmental, business, public health, and social justice advocates can not only reverse those patterns but also strengthen local and regional economies. Regions with more equitable transportation systems are more economically competitive.

To create an equitable transportation system, the authorization should include these five major components:

1. **Create Viable, Affordable Transportation Choices:** Transportation systems should provide everyone—regardless of age, income, or disability—with viable choices, whether or not they own a car. Transportation should ensure that people in low-income neighborhoods and communities of color have opportunities to fully participate in the regional economy.
2. **Ensure Access to Jobs:** Transportation infrastructure should provide effective job access to all workers. Proactive measures such as minority hiring goals and workforce training should be mandated to open transportation sector jobs—including construction, maintenance, and operation—to populations that have historically faced barriers to employment.
3. **Invest Equitably so that Transportation Supports All Communities:** Transportation should extend quality transportation options to all the communities in a region, in a way that reflects each community's character and its long-term plans. These investments should be made in transparent, accountable, and democratic ways.
4. **Make a Positive Impact on Community Health:** Transportation policy should improve conditions in all kinds of neighborhoods by increasing options for walking and bicycling, improving pedestrian safety, reducing air pollution, and creating better transit connections to health services.



Minorities, other than Latinos and women, are underrepresented in the transportation construction industry and are concentrated in the lower-paying jobs. According to the U.S. Bureau of Labor Statistics, of the roughly eight million people employed in the construction industry generally in 2008, the percentages of minorities were 6% African American, 1.4% Asian, 29% Latinos/Hispanics, and 2.5% women.

[U.S. Bureau of Labor Statistics. (2008). Household data annual averages, Table 11. Employed persons by detailed occupation, sex, race, and Hispanic origin. ftp://ftp.bls.gov/pub/special.requests/lf/aat11.txt]

5. **Promote Environmentally Sustainable Communities:** Transportation investments should enable the types of metropolitan development that are based on transit use and greater walkability. Transportation policy should promote environmental sustainability by reducing vehicle miles traveled, decreasing air pollution and greenhouse gas emissions, and conserving energy. The costs of attaining sustainability in transportation, as reflected in fees, taxes, and the price of energy, should be allocated equitably across the population.

In this executive summary, we address the key issues that comprise the quest for equitable transportation policies in three broad categories: shaping communities; powering the economy, and influencing health. We also summarize recommendations for the next federal transportation authorization organized around the broader equity questions: Who benefits? Who pays? Who decides?

Key Equitable Transportation Policy Issues: Shaping Communities, Powering the Economy, and Improving Community Health

An equitable transportation investment and policy analysis considers land use, economic opportunity, and community health objectives.

Shaping communities and regions

Transportation planning and investment shape our communities. Goals for building healthy, prosperous, inclusive communities and mitigating climate change cannot be reached without a strategy that integrates transportation and land use. The next federal transportation authorization can, for the first time, establish a process to help cities and regions move toward these kinds of goals. Funding priorities and guidelines for states and regions should be shaped to encourage the creation of transit oriented development projects with housing that addresses a full range of incomes. They can support coordinated planning and project development, to ensure that low-wealth communities participate in and benefit from such efforts. They can also require assessments of the land-use impacts of major transportation projects, and target capital spending primarily for the repair and maintenance of facilities in existing communities. These types of priorities will help to curb sprawl and revitalize existing cities and towns.

Powering economic opportunity

Transportation construction, operations, and maintenance translate to millions of jobs and thousands of business opportunities. The transportation authorization can drive economic opportunity by broadening access to employment, prioritizing projects that create quality jobs in distressed communities, providing extensive training opportunities for those underrepresented in the industry, and ensuring that minority and disadvantaged businesses obtain a significant share of contracts. Under the new surface transportation policy bill, flexible funding for workforce training should be increased and an advisory policy in the current law should be made mandatory: that state departments of transportation and metropolitan planning organizations set aside one percent of project funds—from both highway and transit programs—for workforce education and apprenticeship opportunities for low-income and minority residents. In addition, the authorization should ensure that at least 30 percent of the work hours on large federally funded construction projects be reserved for low-income people, ex-offenders, women, and minorities.

Improving community health

The impact of transportation policy on health is unevenly distributed from one community to the next. Research shows that low-income people and communities of color enjoy fewer of the advantages of efficient transit systems, such as access to jobs and healthcare facilities, and bear a disproportionate burden of the negative health impacts that transportation facilities and air pollution can inflict. More affluent neighborhoods are also more likely to have the infrastructure and safety features that make walking and cycling more feasible, leading to more opportunities for exercise and better health. In order to eliminate health disparities, transportation policy must direct benefits to low-income people and communities of color by prioritizing these communities for capital expansion grants for public transit, investing in the repair and maintenance of existing infrastructure, and bolstering financial support for transit operating costs.

The simplest formulation for understanding equitable transportation investment and planning is to evaluate:
Who benefits? Who pays?
Who decides?

Who Benefits?

Car users have been the primary beneficiaries of federal and state transportation investment, and an automobile-focused pattern of metropolitan development has become entrenched. About 80 percent of federal transportation expenditure goes toward highways, while the infrastructure for all other modes of travel competes for the remaining 20 percent. As a result of these funding disparities, lower-income people and communities of color, who rely more on public transit for mobility and access since they have significantly lower rates of car ownership, have not fared nearly as well as higher-income and white Americans. It is therefore not surprising that people of color, who tend to have significantly lower incomes, use public transportation to travel to work at rates that are up to four times higher than whites, or that African-Americans and Latinos together make up 54 percent of public transportation users in urban areas. To ensure people who do not use cars benefit from transportation investment, the next authorization must shift federal spending away from the current bias of highway building and into a "mode-neutral" system that can diversify regional transportation offerings. This could enable a "fix-it-first" approach for maintaining existing facilities and spending more on transit and other modes in which we have underinvested.

The existing array of 108 federal programs includes some key sources of support for improving public transit, creating more walkable communities, increasing access to suburban jobs, and other critically important aspects of transportation equity. These levels of support are inadequate to the need and must be increased, either through the authorization of the existing programs or through a restructuring that would place these equity outcomes at the center of a new system of national transportation goals. Under this kind of reform, states and regions would have greater flexibility in how they meet these goals and would be accountable for the results. If the goals and benchmarks reflect a commitment to equity, the outcomes should improve as well.

Who Pays?

The system of funding transportation is, as many have said, both broke and broken. The dedicated federal gas tax generates nearly 90 percent of federal transportation revenue, but the tax alone is not enough to sustain our needs in the future. As a result, a determination of who pays for transportation infrastructure must begin with an analysis of how gas tax revenue is derived and whether those who pay receive comparable benefit. Several studies have found that metropolitan areas pay the most extensive gas taxes, yet outlying areas receive the most benefit from federal transportation investment. In 2004, the Environmental Working Group found that commuters in 176 metropolitan areas paid a total of $20 billion more in federal gas taxes than they received in federal highway trust fund money for both transit and highways from 1998 through 2003. Taxpayers in 54 metropolitan areas did not realize commensurate benefit from the estimated $100 million they paid in gas taxes over the six-year period analyzed.[2] This disparity has been fueled by transportation investments that expand roads and highways beyond the region's core and older suburbs. To reverse these inequities and limit sprawl, the authorization should prioritize "fix-it-first," which promotes a strong equity agenda by focusing on repairing and maintaining roads and existing transit systems as opposed to expanding them. However, it will also be important not to limit federal policy or equity advocacy to the areas which already have an infrastructure to "fix," since many needy areas, particularly smaller cities and certain rural areas, have not gotten that far yet.

Given declining revenues from the federal gas tax, new sources of funding are needed. In September 2008, Washington was forced to shift eight billion dollars from the general fund to cover a shortfall in the transportation account. In the summer of 2009, experts project that another nine billion dollars will be needed to shore up the fund. The reason is that while the fund derives its revenues from the federal gas tax, but the gas tax rate has not been raised in nearly twenty years. In addition, Americans are driving more fuel-efficient cars and, in many cases, fewer miles. In the full paper, we explore a number of proposals for funding transportation, including user fees, public-private partnerships, and carbon taxes, and we examine the principles needed to guide each of these financing mechanisms to ensure equity.

Who Decides How Money Will Be Used?

An equitable transportation system must ensure that the decision-making processes used by Metropolitan Planning Organizations (MPOs) and state Departments of Transportation (DOTs) are representative, responsive and accountable, and that they select projects with a goal of promoting equitable outcomes at the metro level. This is often not the case under the current system. Few MPOs or state DOTs are representative of the populations they serve. A 2008 survey of the 50 largest MPOs showed that the voting members of the MPO boards were 88 percent white, with about seven percent African American, three percent Hispanic, and one percent Asian/Pacific Islander. Thirteen of the 50 MPOs in the study had all white members and only 10 had a membership of more than 20 percent nonwhite members.[3] Generally, the MPOs are less representative of the population in 2008 than they were in a similar survey completed in 2000.

Most MPO boards also are overrepresented by suburban interests because of a "one-area, one-vote" system. Urban core areas that have denser populations than suburban zones end up being underrepresented because they have the same number of votes as sparsely populated suburban counties. This system influences the level of participation based on residential location, negatively so in the case of low-income neighborhoods of color in urban core areas. It also has a significant effect on the outcomes of transportation investment decisions, especially those related to public transit. In fact, for each additional suburban voter on a MPO board, one to seven percent fewer funds were allocated to public transit in MPO budgets.[4] The new authorization has the power to restructure MPO board decision making and the manner in which their membership is selected, to ensure that all stakeholders, including low-income people and communities of color, have a vote.

Transparency, accountability, and extensive public participation are important tools to ensure an equitable distribution of benefits. To improve transparency, the bill should require written criteria for project selection, developed through a participatory public process. Outreach for this kind of process must extend well beyond the internet to reach all stakeholders.

The recent National Surface Transportation Policy and Revenue Study Commission called for "federal funding that is performance-based and focused on cost-beneficial outcomes with accountability for the full range of economic, environmental, and social costs and benefits of investments." The 2009 authorization has an opportunity to expand transparency and improve clarity by consolidating the 108 distinct funding programs for transportation into fewer, more mode-neutral programs. Given that each program has its own constituency, a major overhaul of programs is politically daunting but nonetheless important. If flexibility in implementation and accountability for outcomes were tied to progressive national goals and sufficient funding, there would be strong prospects for positive change.

Conclusion

Advocates have made social and economic equity the focus of an unprecedented and robust campaign to shape the next authorization bill. PolicyLink is working in partnership with supporters of quality transit, equitable access to jobs, smart growth, sustainable development, affordable housing, and healthy communities to push for progressive reform and create transportation investment priorities that take into account the needs of all Americans. At the same time, PolicyLink will work to build the capacity of local, regional, and statewide transportation equity leaders and to help them to partner effectively with a broad coalition of stakeholders in transportation policy to include equity as a major outcome. This dual approach to building local capacity and advocating directly for federal policy change is necessary if the transportation system is to be truly restructured to serve the needs of all communities.

2 Introduction

In 2009 Americans turned to federal investments in infrastructure not only for the improvements they could bring to declining or decaying transportation systems, but also for what that spending could do to revive a moribund economy. An unusually bright spotlight is thus shining on transportation spending. In February, President Obama signed into law the $787 billion *American Recovery and Reinvestment Act* (ARRA), which invests nearly $50 billion—roughly six percent of the total stimulus package—in the construction and repair of roads, bridges, transit systems, and rails. In June 2009, Congress began consideration of legislation to replace the nearly $300 billion *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU), which expires in September 2009. House leaders signaled that even though the stimulus act took up most of the recent attention to infrastructure and although other major domestic policy matters are in play, the authorization bill should go forward this year. The secretary of transportation has proposed an 18-month extension.

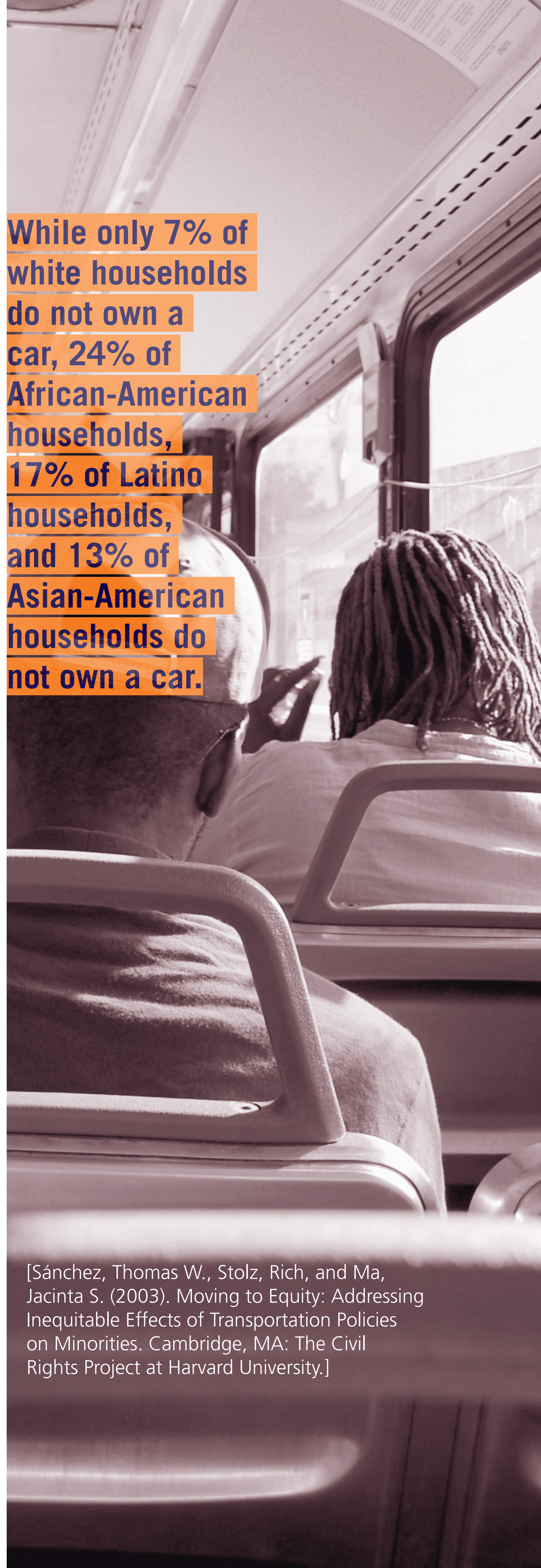
The transportation authorization bill, coupled with the transportation stimulus funding, provides equity advocates with a rich opportunity to coax Congress into reenergizing America's cities and suburbs with redesigned transportation policies that create new, marked pathways to prosperity for low-income families and communities of color. This is crucial because transportation policy in the United States has historically favored middle-class and affluent neighborhoods at the expense of disadvantaged communities, resulting in skewed patterns of infrastructure development in metropolitan areas across the country.[5] Through the authorization bill, social justice, smart growth, environmental, business, and public health advocates can reverse these patterns and strengthen local and regional economies by putting people back to work.

For the past five decades, transportation policy in the United States has emphasized highway construction and automobile travel, and given short shrift to more equitable and sustainable modes of public transportation. The dependence on automobiles encourages and feeds upon the lower-density sprawling development patterns of metropolitan regions. Federal highway spending fueled the growth of exurban communities located ever farther from the central city, which is where the bulk of affordable rental housing has traditionally been located. This created a spatial mismatch for low-income residents, who often cannot easily

The American Recovery and Reinvestment Act's goal was to fund shovel-ready projects and did not attempt to chart a new course for transportation policies. Like SAFETEA-LU, ARRA funding heavily favors highways over transit, spending more than half, or $27.5 billion, on highway improvements. Another $8.4 billion will go towards transit improvements; $1.3 billion to Amtrak capital improvements; and eight billion dollars for capital investments in designated high-speed rail corridors. Equity advocates are working around the country to see that their states, regional agencies, and cities implement the stimulus infrastructure investments in ways that reach the communities hardest hit by the recession, with respect to both what gets built or repaired and who gets the jobs to make those improvements.[6]

reach the communities in their region where job growth is greatest. And in the latest twist to the mismatch problem, many metro areas have now seen their more affordable owner-occupied housing built only at the extreme fringes of their regions, putting those working-class residents behind the wheel for extraordinarily long and expensive commutes back to job centers. The auto-dependent, sprawling metropolitan region has now failed both inner city residents seeking jobs and new exurban homeowners burdened with sub-prime mortgages, and that failure has been magnified in the current recession.

The mismatches between jobs and housing, and the low density common to most suburban areas, work against public transit becoming a widely used solution to limited access and mobility. But transit systems, even those that are popular, efficient and heavily used, also face the obstacle of a chronic lack of adequate operating funds. Most American public transit systems are, in their present state, in no position to solve these problems of auto-dependent regions, for they can barely hold their own financially. These transit systems have been systematically underfunded for decades and are facing widespread service cutbacks. In the St. Louis area, for example, to offset part of the transit agency's $50 million budget deficit, 600 bus drivers and other transit employees have recently been laid off and the region's largest transit agency reduced bus service by 44 percent and metro service by 32 percent starting March 30, 2009.[7] As a result of the inadequacies of transit routes and service levels, residents without cars often lack the means to get to jobs, schools, health care services, and full-service grocery stores. The riderships of different transit systems vary but, overall, racial minorities are four times more likely than whites to rely on public transportation for their work commute.[8] Effective transit could be a potent vehicle for economic stabilization, because when residents can get by without a car, as many low-income families must, they can save an average of $9,500 annually based upon 2008 gas prices.[9] But even if commuter rail and light rail systems can be built or expanded in a number of cities, the overall state of public transit, especially in low-income communities, will decline if basic bus services continue to be reduced.



While only 7% of white households do not own a car, 24% of African-American households, 17% of Latino households, and 13% of Asian-American households do not own a car.

[Sánchez, Thomas W., Stolz, Rich, and Ma, Jacinta S. (2003). Moving to Equity: Addressing Inequitable Effects of Transportation Policies on Minorities. Cambridge, MA: The Civil Rights Project at Harvard University.]

Car ownership is beyond the means of many minority households and when low-income residents do own cars they pay a high and growing proportion of their incomes for transportation.[10] The regressive cost of transportation squeezes the budgets of low-income households even more sharply than those in higher income brackets. Transportation costs are now the second largest expense for most American households, eating, on average, 20 cents of every dollar in income, and as much as 55 cents for every dollar earned by the poorest households. (High-income households spend only nine cents for every dollar earned). [11]

In short, despite some positive examples, overall, America's approaches to both highways and public transit have reached a point of crisis. These difficult circumstances, made much worse by the recession, are the landscape in which the new federal transportation authorization bill will be created. It represents an unparalleled opportunity to establish different national transportation priorities and new ways to enable states, regions, and cities to address their challenges. PolicyLink is partnering with advocates across the country to create a transportation investment system that meets the needs of all citizens. In this paper, we put forth our perspective on how we can make equity central to federal transportation policy.

To create an equitable transportation system, the federal transportation authorization should advance these five major goals:

1. **Create Viable, Affordable Transportation Choices:** Transportation systems should provide everyone—regardless of age, income, or disability—with viable choices, whether or not they own a car. Transportation should ensure that people in low-income communities and communities of color have opportunities to fully participate in the regional economy.
2. **Ensure Access to Jobs:** Transportation infrastructure should provide effective job access to all workers. Proactive measures such as minority hiring goals and workforce training should be mandated to open transportation sector jobs—including construction, maintenance, and operation—to populations that have historically faced barriers to employment.
3. **Invest Equitably so that Transportation Supports All Communities:** Transportation should extend quality options to all the communities in a region, in a way that reflects each community's character and its long-term plans. These investments should be made in transparent, accountable, and democratic ways.
4. **Make a Positive Impact on Community Health:** Transportation policy should improve conditions in all kinds of neighborhoods by increasing options for walking and bicycling, improving pedestrian safety, reducing air pollution, and creating better transit connections to health services.
5. **Promote Environmentally Sustainable Communities:** Transportation investments should enable the forms of metropolitan development that are based on transit use and greater walkability. Transportation policy should promote environmental sustainability by reducing vehicle miles traveled, decreasing air pollution and greenhouse gas emissions, and conserving energy. The costs of attaining sustainability in transportation, as reflected in fees, taxes, and the price of energy, should be allocated equitably across the population.

These five goals can be addressed through actions in three broad categories of public policy. Transportation policy is important to our national equity and recovery conversation because transportation: 1) shapes the way our communities are designed and how we use space; 2) powers our economy by connecting communities to opportunity and is a major employment sector; and 3) can create healthier communities of opportunity by revitalizing economically distressed areas, improving health outcomes, and addressing environmental concerns.

In this paper, we summarize the quest for equitable transportation policies in these three areas. Then, we offer recommendations for the next federal transportation authorization, organized around the broad equity questions: Who benefits? Who pays? Who decides? These recommendations are not a detailed platform for that legislation, but rather the principles and priorities developed from the wisdom, voice, and experience of numerous advocates for equity as well our own research and engagement in policy campaigns.

3 Key Equitable Transportation Policy Issues

Under SAFETEA-LU, transportation policy and investment decisions were made in isolation, and focused on moving people, goods, and services from point A to point B in the fastest and cheapest ways. As a result, the goals of healthy, livable communities and economic opportunity for all were addressed only peripherally through a small number of underfunded programs. The authorization offers a significant opportunity for federal transportation investments to be made as part of a smarter, coordinated approach to housing, transportation, economic, and environmental policy.

In this section, we discuss three subject areas that an equitable transportation investment must recognize and prioritize for significant action: (1) transportation's ability to shape communities; (2) the transportation sector's role as a major employer and as a conduit between workers and jobs; and (3) transportation infrastructure's impact on health at the household and community level. Going forward, federal transportation investments must not be viewed within a silo, but as part of a coordinated effort to promote broadly shared economic opportunity, good planning, and a healthier environment.

Shaping Communities

Transportation plans and investment shape our communities in profound ways. Building healthy, prosperous, inclusive communities requires a strategy that integrates planning for transportation and land use. Local infrastructure—streets, sidewalks, bus stops, rail stations, bicycle lanes, walking trails—forms the backbone of healthy, vibrant neighborhoods, connecting residents to jobs, health care, retailers, and recreation throughout the region. How we decide to use land, in turn, impacts transportation choices. Policies that promote sprawl and low-density neighborhoods lead to more driving, while more compact development reduces driving and encourages residents to walk, bike, or take public transit.[12] The availability of streets that can accommodate pedestrian, bicycle, and bus traffic, in addition to automobile traffic often dictate commuters' mode of travel. Similarly, the existence of densely populated routes with sufficient potential passengers to generate ridership and fare revenues determines whether new transit lines can be formed. The coordination of land use and transportation planning is essential for maximizing economic growth and preserving a community's character or revitalizing a community in need of more vibrant growth and new amenities.

Local governments largely determine land use while regional and state agencies select transportation investment priorities. Yet the federal authorization can create powerful incentives for transportation and land use decisions to be made in a compatible, mutually supportive manner. The bill can take up a number of goals and provisions, including: 1) requiring an assessment of the land use impacts of major transportation projects; 2) targeting transportation spending and economic development assistance to locations with adequate preexisting transportation infrastructure; 3) changing the funding match requirements for transit and highways to make it easier for localities to create a more balanced system; and 4) offering technical assistance to local governments to help add transportation modes or to introduce transit oriented development. Each of these concepts is discussed in more detail in later sections.

The coordination of land use and transportation decision making in these ways would eventually contribute to the reduction of vehicle miles traveled (VMT), the key surface transportation benchmark with respect to reducing greenhouse gas emissions. The push to substantially reduce

The **Transportation for America (T4A)** campaign (*www.transportation4america.org*) is an alliance of more than 200 housing, business, environmental, public health, transportation, equitable development, and other organizations, as well as a growing number of government officials, which seeks to shape the 2009 federal authorization to build a fundamentally better national transportation system. The T4A campaign advocates for much greater financial support for transit and for support of transit oriented development, and proposes these priorities in the context of an overhaul of the federal transportation system.

In its May 2009 Blueprint, T4A recommends Congress include four critical reforms in the upcoming transportation authorization bill:

1. Articulate a national vision, objectives, and performance targets for the national transportation program and hold state and local transportation agencies accountable for demonstrable progress toward goals including safety, efficiency, environmental sustainability, health, and equity.
2. Restructure and consolidate federal programs for greater modal integration, with a focus on completing the second half of the national transportation system, providing more transportation options for all Americans, and creating seamless transportation systems that meet unique needs and connect metropolitan regions, small towns, and rural areas.
3. Empower states, regions, and cities with direct transportation funding and greater flexibility to select projects, using carrots and sticks to encourage wise transportation investments and require demonstrated performance on meeting national objectives.
4. Reform how we pay for the transportation system and create a Unified Transportation Trust Fund that would achieve balanced allocations of federal funds in a portfolio of rail, freight, highway, public transportation, and nonmotorized transportation investments.

VMT has led to a potential strengthening of regional planning, most notably so far in California, where the requirement to meet strict VMT targets may lead to strong regional policies, sometimes called "blueprints," in support of higher density and compact development. Aspects of the California experience are being examined with reference to federal authorization. A key to equitable regional planning for more compact development is to ensure that such investment serves the needs of people of all income levels.

Coordinated land use and transportation decision making can help to reduce sprawl and promote dense development patterns that can support cost-effective transit and build stronger connections between affordable housing and employment opportunities. Massive spending on roads and highways, cheap energy, inexpensive land, and rising incomes helped to create the environment for sprawling automobile-dependent growth patterns. Now, as road construction costs have risen, gasoline prices are fluctuating wildly, incomes of working people are falling, and our population is aging, the country must take action to reverse these trends and target our transportation investments back to where the most people live. A recent Brookings Institution publication found that "[t]hanks to the cost-effective sharing of fixed resources in relatively dense locations, infrastructure investments yield markedly higher payoffs in metropolitan areas than in non-metro areas, or in the old hub-and-spoke, urban/suburban model."[13] Not only does denser development provide more mobility and access for less funding, it also can accommodate alternative modes of transportation such as transit and walking that are cleaner and greener and help to meet public health and environmental sustainability goals.

Transit oriented development (TOD), compact, mixed-use development located within a half-mile of a transit stop, is one type of dense development that offers numerous benefits. High market demand exists for transit oriented development driven by Americans who want to be less dependent on their cars. The Center for TOD at Reconnecting America estimates that 15.2 million households will be looking to rent or buy housing near transit by 2030. These numbers are more than double the number of households who live near transit today.[14] Transit oriented developments tend to create quality walking environments by attracting housing, retail, and services in close proximity to transit stations. These types of developments boost transit ridership and reduce automobile congestion.

Transit oriented development, however, needs guidance and incentives from government to ensure a mix of housing types that are affordable to a range of family incomes. Through its policies and investments, the federal government can help create and preserve affordable housing near transit. The new Sustainable Communities Initiative put forward jointly by the U.S. Department of Housing and Urban Development and the U.S. Department of Transportation will coordinate federal assistance and promote effective practices in transit oriented development.

The most basic step toward affordable housing near transit does not even involve new construction: it is, instead, about preservation. Hundreds of thousands of federally-supported rental units are located near transit lines. An analysis of eight cities found over 100,000 federally-subsidized housing units located within a half-mile of proposed or existing rail stations. The federal contracts that require 65,500 of these units to remain affordable are set to expire before 2012.[15] By working with federal housing programs to effectively shape communities and extend opportunities, the 2009 authorization could recognize the extraordinary amenity transit provides to lower-income residents and require programs like Low Income Housing Tax Credits (LIHTC) to include transit access in their allocation criteria. This would encourage the creation and preservation of affordable units near transit. Current HUD funding sources, such as Community Development Block Grants, and competitive grant programs should also prioritize proximity to transit in their evaluative criteria.

In addition, once affordable housing is created with transit oriented development property values, its status as affordable housing must be protected because TOD property values tend to climb fast given high demand and limited availability. Residential properties within a five- to ten-minute walk of a transit station typically sell for premiums, with one study showing a range from -10.8 percent to +32 percent over comparable properties located farther away.[16]

The 2009 Growth and Transportation Survey found that an overwhelming 80% of Americans believe it is more important to use stimulus funding to repair existing highways and build public transit than to build new highways.

[National Association of Realtors® and Transportation for America] http://www.realtor.org/press_room/news_releases/2009/01/smarter_transportation]

The federal transportation authorization should explicitly mandate a "fix-it-first" policy to ensure the structural integrity, safety, and reliability of existing transportation infrastructure critical for economic growth, user safety, and environmental quality. By including a "fix-it-first" policy that targets dollars to maintenance and repair of crumbling infrastructure prior to spending money on new road and bridge expansion projects, government can reduce maintenance costs over the long run, support business and residential investment in areas already served by transportation infrastructure, and create jobs. For example, the State of Maryland, which in the early part of the decade was a leader in directing public investment to existing communities, has taken a similar "fix-it-first" approach to the expenditure of its ARRA infrastructure funds.[17] Nationwide, about two-thirds of state transportation funds are spent on the construction of new roads. Meanwhile, about half of our existing roads and bridges show signs of poor maintenance, along with many of our transit buses, railcars, and other equipment. A "fix-it-first" policy can begin to correct this imbalance while encouraging growth in existing centers and corridors. There is general industry agreement that every one dollar invested in preservation yields six dollars in savings as a result of the extended life of the project.[18] The U.S. Conference of Mayors has called upon Congress to include a provision in the authorization "requiring maintenance of existing transportation assets in a state of good repair."[19] A mandatory "good condition standard" for existing infrastructure will preserve our existing transportation system and enhance the integration of the system, easing commuters' transition from road to rail, for example. It will be important, however, not to limit federal funding exclusively to the areas which already have an infrastructure to "fix," since many needy areas, particularly smaller cities and certain rural areas have not yet gotten that far.

Require construction of streets that provide safe access for all users: pedestrians, bicyclists, motorists, and bus riders of all ages and abilities. Redesigning our nation's roads so that they safely accommodate all users, not just cars, will give people real choices in their mode of travel, particularly to nearby schools, stores, and other destinations. Health experts agree that people must walk and bike more, but when streets do not have sidewalks or bike lanes, pedestrians and cyclists must dangerously compete with cars for space. In a recent speech, Senator Barbara Boxer (D-CA) said: "If we make walking and biking a more practical choice for all ages, we can combat congestion, improve air quality, and promote better health all at the same time."[20]

Powering economic opportunity

The transportation authorization can be an engine for economic growth in two broad ways. The first is by enabling better access to employment throughout regions and helping to redevelop distressed communities. The second concerns the transportation sector itself: equitable preparation for and allocation of the jobs, contracts, and economic opportunities within construction, maintenance, and operations, which taken together comprise a massive share of the domestic economy.

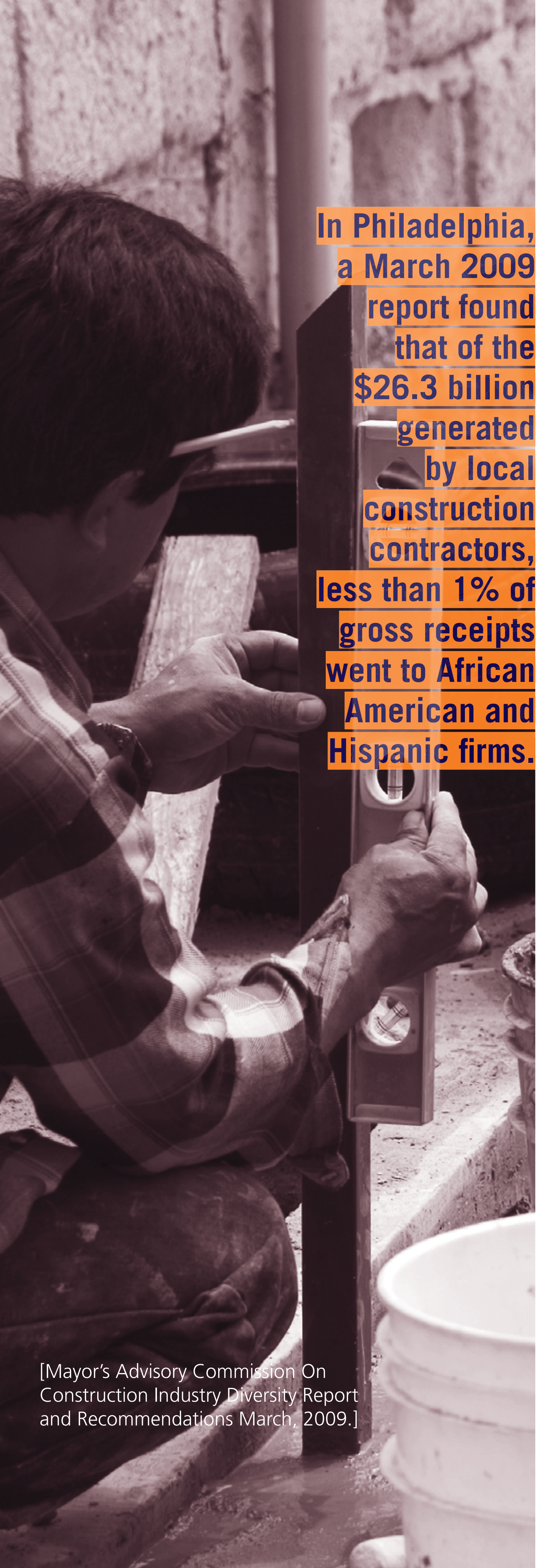
1. To enable better access to employment, the federal authorization must prioritize improved connectivity between disadvantaged communities and job clusters. An important priority under the new authorization should be well articulated goals, programs, and policies that create and expand transit connections between employment centers and workers in underserved communities who are physically isolated from job opportunities. Currently, transit access too often does not bridge the spatial mismatch between the residential location of low-income households and the location of suitable jobs, which creates enormous barriers to job acquisition, retention, and upward mobility. The Jobs Access Reverse Commute (JARC) program, funded through SAFETEA-LU, is an important response to this mismatch, providing support for employees whose commute does not match the transit grid or schedule, and programs of this kind need to be greatly expanded. Changes to transit systems routes and schedules that reflect the new realities of regions and discounts for low-wage workers need to be encouraged as well.

Incentivize businesses and jobs near transit. The authorization bill should encourage businesses to locate near transit and thereby provide jobs that workers without a car can access. By providing qualified businesses with additional business benefits such as tax credits for locating in areas with access to public transportation, the federal authorization can extend opportunity for workers, help businesses to thrive by increasing the workforce they can draw from, and more effectively utilize the existing transportation system by encouraging opportunities to locate along its existing lines. Once again, as with attempts to target low-income housing near transit discussed earlier, this effort will require coordination among a number of federal funding programs and policies.

2. To enable equitable preparation for and allocation of jobs, contracts, and economic opportunities within the transportation sector, the federal authorization must increase access to jobs and training in the transportation industry for persons of color who are currently underrepresented, as well as increase contracts to minority-owned firms. The transportation industry makes up a significant portion of the total civilian workforce, accounting for one in 10 employees. According to *The Workforce Challenge: Recruiting, Training, and Retaining Qualified Workers for Transportation and Transit Agencies*, the total transportation employment in the United States is more than 14.7 million, about 11 percent of the civilian workforce.[21] Employment opportunity in the construction of transportation infrastructure has historically been difficult for lower-income people and communities of color to access. A study of 25 major metropolitan regions found that white males dominate construction work regardless of the racial and gender composition of the local workforce as a whole. African Americans are the most underrepresented, with 137,044 black workers essentially "missing" from the construction workforce (relative to their rates of participation in other industries) in the regions analyzed. The study also found that the most significant gaps in black employment in the construction sector were in the regions that had the largest African American populations (e.g., Atlanta, Baltimore, Dallas, and Houston).[22]

To remedy this disparity in access to employment, the authorization should make mandatory the SAFETEA-LU soft goals that at least 30 percent of the work hours on large federally-funded construction projects

One in every 10 civilian employees in the United States works in the transportation industry.



In Philadelphia, a March 2009 report found that of the $26.3 billion generated by local construction contractors, less than 1% of gross receipts went to African American and Hispanic firms.

[Mayor's Advisory Commission On Construction Industry Diversity Report and Recommendations March, 2009.]

be reserved for low-income people, ex-offenders, women, and minorities and 10 percent of privately-funded projects should go to disadvantaged business enterprises (DBE's). Under federal law, all states are required to establish targets or goals for the number of women and minorities employed by contractors in transportation construction. Private contractors must make a good faith effort to subcontract up to 10 percent to women- and minority-owned companies or DBEs. The goal on large federally-funded projects is three times as great. Yet these goals are rarely met and while federal penalties exist for missing the goals, including the withholding of federal transportation dollars, the rules are rarely enforced. By enforcing this hiring goal as a mandate, minority-owned companies will gain millions of dollars' worth of work and a far more equitable transportation workforce will be created.

As the nation fulfills its need to increase the transportation sector workforce, training and apprenticeship programs that help lower-income people and communities of color prepare for employment in the transportation sector are essential. The federal government estimates that from 2004 to 2014, the construction industry will need to recruit and train 245,900 new workers each year to meet labor demand.[23] Spending on transportation in eighteen metropolitan areas prior to the ARRA stimulus package was predicted to generate 68,316 annual on-site construction jobs in the coming years.[24] This need to recruit and train new workers presents an extraordinary opportunity to diversify the workforce and offer good-paying apprenticeships and regular jobs to minorities and women who have been underrepresented in these industries in the past. The SAFETEA-LU currently allows up to one half of one percent of a state's surface transportation and bridge funds (not to exceed 10 million dollars) to be used for workforce development and training. Under the federal authorization, flexible funding for workforce education and apprenticeship opportunities for low-income and minority residents should be increased to one percent of projects funds from both highway and transit program and should be made mandatory.

Improving community health

One of the most important new trends in advocacy on transportation issues has been the increased attention being given to community health. This includes, but goes well beyond, the vital concerns about air pollution and traffic safety that have been the most common focal points for public health. One of the newer recognitions, backed by a growing body of research, has been that communities that promote active living, and thus better health, cannot be fully realized in regions dominated by auto-dependent sprawl. Public health leaders, including the American Public Health Association, have pointed to transportation policy as a means to create environments more conducive to walking, bicycling, and healthy lifestyles in general. The second recognition has been that transportation-related health issues are not the same in communities of different incomes and races and that the better-known disparities in healthcare are matched by significant disparities in the quality of community environments. According to the Centers for Disease Control and Prevention, there is "compelling evidence that race and ethnicity correlate with persistent, and often increasing, health disparities among U.S. populations" that are due in part to their community environments.[25] For instance, a recent survey in the San Francisco Bay Area confirmed that disadvantaged communities face significant transportation barriers to health, including inadequate transit access to hospitals, parks, and supermarkets. In Contra Costa County, for example, only 20 percent of disadvantaged neighborhoods can access public transit to the nearest hospital. Inadequate transportation is also a leading cause of missed medical appointments.[26] Such disparities are the unsurprising result of patterns of metropolitan development that largely segregate neighborhoods by income, leave lower-income residents disproportionately without cars, and keep public transit systems underfunded.

The leading transportation-related health challenges in the nation include chronic ailments, such as heart disease, cancer, stroke, asthma, hypertension, and obesity.[27] Motor vehicles are responsible for about half of toxic air pollutant emissions and 75 percent of carbon monoxide emissions in the United States, which cause respiratory illnesses such as asthma and half of all cancers attributable to outdoor air toxins.[28]

Offering quality transportation choices in disadvantaged communities can dramatically improve health indicators. Obesity, a disease affecting almost 35 percent of the United States adult population in 2004[29] has been linked with the quality of a community's transportation alternatives. While drivers are six percent more likely to be obese for each hour they spend in a car daily, transit users are five percent less likely to be obese when their commute involves a half mile walk.[30] When well-planned transportation options are offered, residents use them. Portland, Oregon, increased its miles of bike lanes from 78 miles in 1991 to 263 miles in 2006 and, as a result, daily trips biked increased from 2,850 to 11,956.[31] The Trust for America's Health reports that disease prevention programs yield a $5.60 return in reduced health care costs after five years, for each dollar spent on prevention.[32] Such prevention initiatives increasingly involve not only efforts to motivate people to walk and exercise more, but also strategies to improve trails, sidewalks, local parks, and public transit so that they can fit that greater amount of movement readily into their lives.

The Transportation Equity Network *(http://transportationequity.org)* has become a powerful voice of organized residents in cities and regions demanding a more equitable transportation system. Many of the TEN member groups have advocated in their home regions for greater access to jobs, training, and business opportunities in transportation construction for low-income communities and communities of color. Recently, TEN has developed a comprehensive platform for the 2009 federal authorization, including strong support for public transit.

4 Viewing Federal Transportation Policy through an Equity Lens: Who Benefits? Who Pays? Who Decides?

The simplest formulation for understanding equitable transportation investment and planning is to evaluate: Who benefits? Who pays? Who decides? This section discusses fundamental questions concerning the value, the role, and the control of transportation investment decisions by analyzing: What types of transportation investments most benefit consumers and communities? Who pays to finance our transportation improvements? Who decides who should benefit from investments, which transportation projects should be funded, and what the priority outcomes should be? Are these decisions made in a transparent, open, and accountable manner? This section answers these questions by analyzing available data and discusses a number of key areas for reform that will help to create a fair and equitable transportation system.

Who Benefits?

Motorists have been the primary beneficiaries of federal and state transportation investment. A total of 80 percent of federal expenditure goes toward highways, while all other modes of travel compete for the remaining 20 percent. This disparity in funding benefits car owners, who, as we discussed earlier, are most likely to be white middle class or wealthy households, based on higher rates of car ownership. African Americans and Latinos benefit least as they have the nation's lowest rates of car ownership. To ensure that the millions of people who don't use cars benefit from transportation investment, the authorization must shift a significant level of federal transportation spending from highway construction to other more equitable modes of travel.

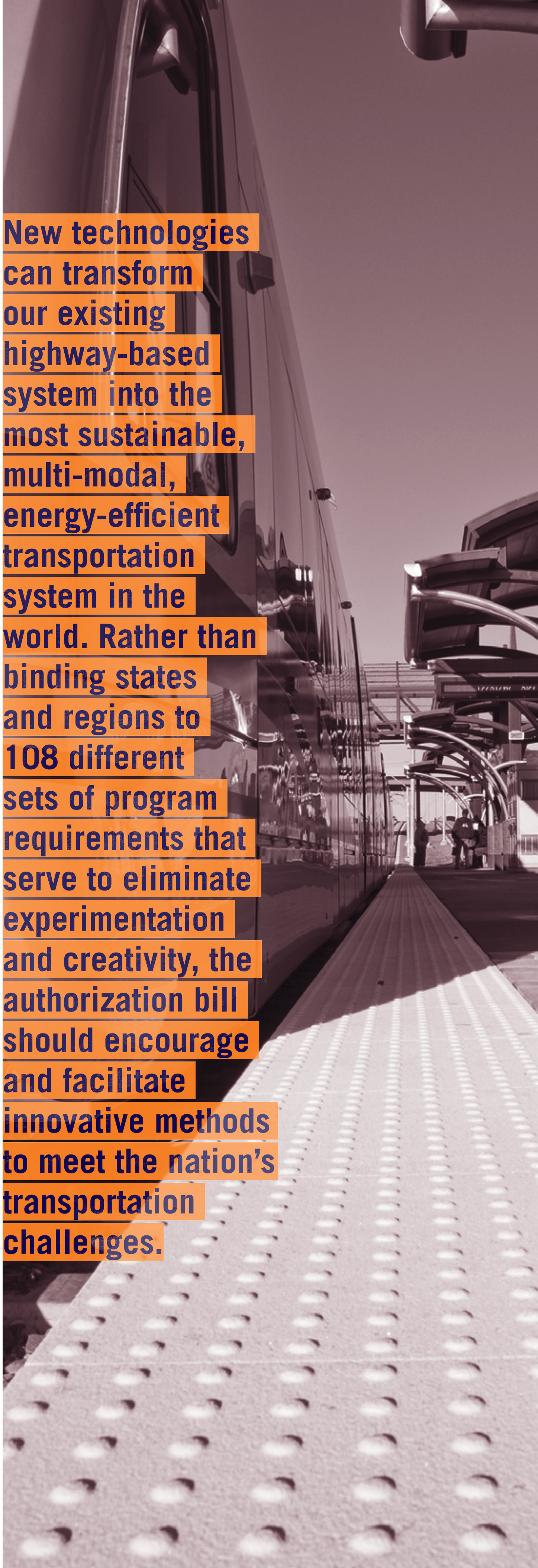
Suburban and rural areas also receive far more state and federal transportation funding per capita than metropolitan areas, where the majority of the U.S. population lives and works. A study by the Environmental Working Group in 2004 found that rural areas received far more than their residents and workforce paid in gas taxes and car-related fees, while the metropolitan regions received less in transportation investments than their residents and commuters paid in taxes and fees.[33] A 2003 study of the Atlanta region found that "since July 1999, [Georgia] has spent roughly $620 for every resident in the 13 metropolitan Atlanta counties, where commuters endure the state's worst congestion and breathe the dirtiest air. The rest of the state reaped about $1,000 per resident for road widenings and maintenance, transit operations, and other transportation improvements.[34] The Brookings Institution found a similar pattern in Ohio. Each of these studies point to the need for a more balanced funding approach that better recognizes the infrastructure needs of cities and older communities.

Transit Riders for Public Transportation (TRPT) (http://www.thestrategycenter.org/project/transit-riders-public-transportation) is a new coalition of grassroots advocates for transit, coordinated by the Labor/Community Strategy Center in Los Angeles, home to that city's Bus Riders Union. TRPT brings environmental justice and civil rights priorities to the federal authorization and takes a strong position in support of significantly greater federal funding for transit operating costs, as well as capital improvements, with a preference for the bus systems that serve more working class riders.

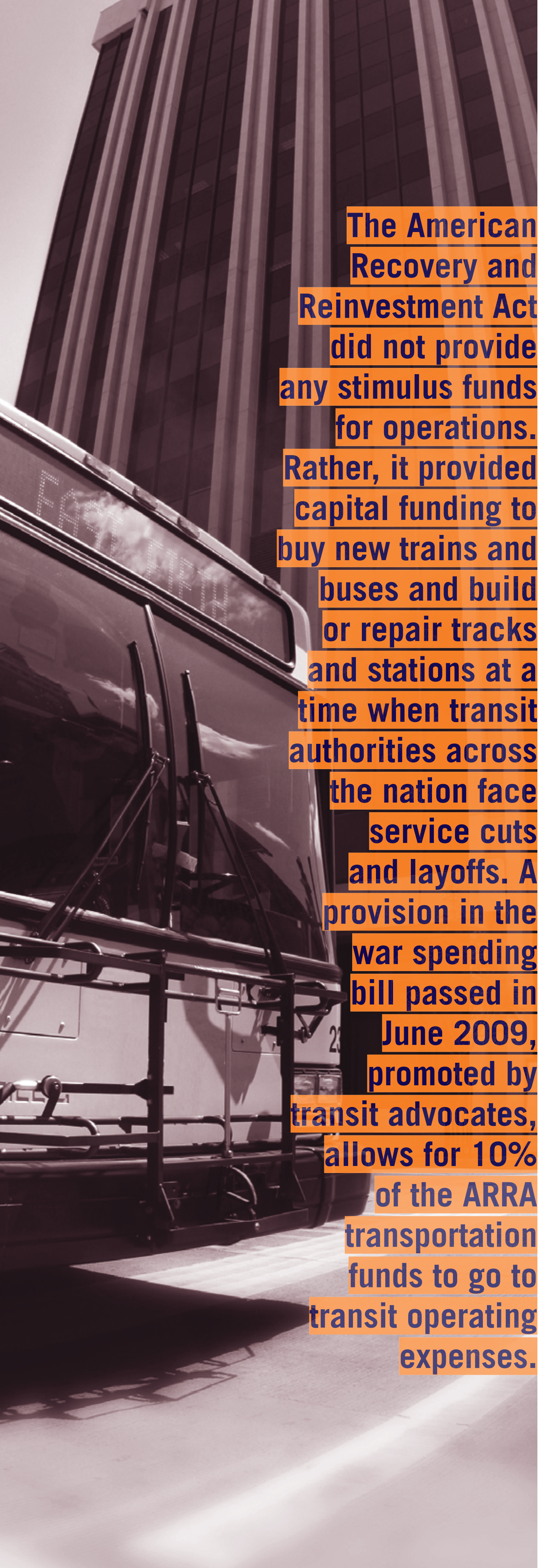
Consolidation of the transportation system's numerous "siloed" programs is critically important to address the nation's infrastructure challenges. The existing transportation funding structure is comprised of 108 separate federal programs, each of which addresses a specific type of infrastructure or issue and provides different program criteria for recipients to fulfill. These separate and often underfunded programs limit the ability of communities to flexibly meet their transportation needs. For example, the challenges of a major regional corridor cannot be effectively met with separate modal programs, each with its own evaluation criteria and program requirements. The corridor's transportation needs must be comprehensively assessed and met holistically. Flexibility and so-called "mode-neutrality" in spending should be enabled and encouraged in order to meet national goals and local priorities.

To distribute benefits equitably, the federal government must provide the same ratio of matching funds to states and regions regardless of the mode of transportation. Under SAFETEA-LU the Bush administration matched state highway construction funds dollar for dollar, while providing only a quarter in federal funds for each state dollar spent on new transit systems such as light rail. As a result, states and regions were provided with a strong incentive to improve access by road rather than rail. By leveling the funding playing field and ensuring that qualified transportation projects will be funded with equal ratios, the federal government can eliminate bias and encourage states and regions to select projects based on the outcomes they will produce rather than the amounts of federal funding they will attract.

The authorization should re-establish federal support for public transit operating costs to better balance funding between modes. The authorization bill must recognize the reality of transit finance. Transit systems cannot survive on fares alone. They require federal money dedicated to operating costs. Currently, transit systems across the country receive enough federal funding to pay only a fraction of their operating expenses. This limited federal contribution, along with reduced state and local aid due to falling tax revenues, has led to a paradox in which transit ridership is at an all-time high yet transit authorities are being forced to cut routes and raise fares. To understand how



New technologies can transform our existing highway-based system into the most sustainable, multi-modal, energy-efficient transportation system in the world. Rather than binding states and regions to 108 different sets of program requirements that serve to eliminate experimentation and creativity, the authorization bill should encourage and facilitate innovative methods to meet the nation's transportation challenges.



> **The American Recovery and Reinvestment Act did not provide any stimulus funds for operations. Rather, it provided capital funding to buy new trains and buses and build or repair tracks and stations at a time when transit authorities across the nation face service cuts and layoffs. A provision in the war spending bill passed in June 2009, promoted by transit advocates, allows for 10% of the ARRA transportation funds to go to transit operating expenses.**

this happened, it is important to evaluate how transit operations are currently funded. Fare-box revenues account nationally for just over 40 percent of operating expenses. In 2004, fares raised $11 billion for transit, with most transit systems paying about one-fifth to one-half of their operating revenue from fares.[35] Federal funding provides only eight percent of the remaining 60 percent of revenues needed to keep transit running, or two billion dollars in 2004. State and local governments are left to finance over 50 percent of total operating expenses. In 2004, state governments provided six billion dollars, or 22 percent of total operating expenses; local governments provided eight billion dollars, or 29 percent of total operating expenses.[36]

In spring 2009, because of reductions in the taxes state and local governments are able to collect during this economic downturn, transit systems across the country have insufficient funding to cover operations at a time when many commuters are turning to public transportation. The Metro system in the Washington metropolitan area is planning to cut service and eliminate 900 jobs. Chicago experienced the biggest gain in riders in three decades but will have to raise fares, which may cause new riders to return to their cars. The Metropolitan Transportation Authority in New York City is faced with the possibility of eliminating dozens of bus routes and two subway lines. By investing in operations using progressive funding mechanisms, the authorization can ensure that ridership will continue to grow, provide support to jobless citizens, prevent layoffs of workers, and achieve the health and environmental benefits created when Americans commute by transit.

To promote equity, priority should be given to the needs of disadvantaged communities when funding capital expansion grants for public transit. According to the American Public Transportation Association, 164,000 vehicles are currently in service nationwide.[37] As the federal government works to green the nation's fleet, capital grants for replacing older bus fleets should favor transit systems that commit to expanding bus service in low-income neighborhoods, as part of their efforts to reduce harmful emissions and create jobs. Meanwhile, capital grants for light rail similarly could give preference to public entities that connect disadvantaged communities to jobs at the regional level.

Who Pays?

An evaluation of equity within the transportation system demands an analysis of who pays for our transportation improvements and whether those who pay receive value for their contributions. The short answer is that those who pay gas taxes pay the majority share of existing funding. The much more difficult question is who will pay in the future. The existing system of funding transportation is both broke and broken. The Highway Account of the Highway Trust Fund will be out of money by September 2009 and will need approximately nine billion dollars to shore up the fund. This is after Washington was forced to shift eight billion dollars from the general fund in September 2008 to cover a similar shortfall. The reason the fund is not self-sustaining lies with the fact that the fund derives its revenues from the federal gas tax, but the gas tax rate has not been raised in nearly twenty years. At the same time, gasoline consumption in the United States fell almost six percent in 2008.[38] While it is good news that Americans are driving fewer miles in more fuel-efficient cars, the resulting reduction in revenue from gas taxes mandates the identification of other funding sources. The funding shortfall, of course, comes in the midst of a recession, which has led to large drops in state and local property, sales, and other taxes. As a result, those entities are even more dependent on federal assistance if they are to maintain services or meet their capital needs.

A number of alternate or additional funding mechanisms are being proposed. A brief discussion of each of the major contenders for funding the nation's transportation system follows. Advocates must monitor alternate funding proposals closely to ensure that they are equitably applied and that they meet the needs of all residents in a fair and equitable manner.

- **Mileage-based (VMT) fees are being considered as an alternative financing mechanism.** Automobile use could be taxed based directly on the amount one drives, and as the technology to do so becomes more practical, the interest in so-called "vehicle-miles-traveled" levies is growing. Transportation Secretary Ray LaHood recently suggested that the nation consider using satellite tracking

> **In 2008, more people rode transit than any year since 1956. Americans made 10.7 billion trips on public transit in 2008, a 4% increase over 2007, according to the American Public Transportation Association.**

devices to record how far and when motorists drive, and while the Obama administration quickly put the idea aside, the VMT approach is still present in the longer term debates about potential methods and sources. The information could be used to assess a fee based on those travel habits and pricing would vary depending on factors such as time of day, type of road, and vehicle weight.[39] The benefits of charging for each mile driven include charging people only for what they use and encouraging drivers to limit driving and to drive at off peak times. The negative aspects of this approach include a substantial invasion of privacy of Americans and dependence on a funding source that is projected to generate less revenue over time if riders continue to take transit, walk, or bike more frequently to their destinations. More research to evaluate these implications is essential.

- **Public-Private Partnerships (PPP) allow government to tap into private resources to finance construction, operations, and maintenance of transit lines, but their use must be carefully managed.** Hundreds of billions of dollars of private capital have been invested in infrastructure projects worldwide in return for the authority to capture revenues and make a profit. Each of these investments includes a mechanism for private vendors to recoup their investment over time. As examples, the $3.8 billion Indiana Toll Road PPP and the $1.8 billion Chicago Skyway PPP are both long-term concessions for the operation and maintenance of existing toll road facilities on the Illinois border with Indiana. In 2008, Pennsylvania policymakers debated whether to lease the Pennsylvania Turnpike to a private consortium for 75 years in exchange for an upfront payment of $12.8 billion. The proposal did not move forward in large part because the public was not comfortable with the idea of leasing existing public transportation infrastructure to the highest private bidder. An analysis of Pennsylvania's proposed PPP by The Pew Center on the States found that the plan failed due to a lack of transparency in the deal-making stages, as well as the lack of a clear plan for how upfront payments will be spent and how the public interest will be protected.[40] Pennsylvanians' concerns are valid. A private owner with a need to report a profit to shareholders does not offer the same protections of the public interest that an elected official does. That said, by strictly defining performance standards and outcomes to ensure user safety and mobility and limited fee increases, PPPs may provide an opportunity to fund infrastructure improvements that are currently unaffordable. The recent financial crisis has stalled most of the other imminent PPP deals for transportation infrastructure, but may not have altered the long-term issues surrounding the practice.

- **User fees that historically financed the transportation system must be increased or expanded to include congestion pricing or alternative fees if they are going to continue to be a significant funding source.** From the time that automobiles began to dominate the nation's transportation system, user fees—money collected from those who use the roads—have been a preferred financing method for highways, bridges, and in some states, transit. Tolls and fuel taxes, which are paid roughly in proportion to travelers' use of roads, are the most common user fees. As revenues from user fees have fallen over the last three decades, Congress has been reluctant to raise them to keep pace with inflation. In concert with the authorization, Congress must now address the role of user fees in transportation funding and determine whether to increase them, augment them with additional fees (such as congestion pricing), or dedicate entirely new revenue streams to the financing of transportation infrastructure.

  Congestion pricing is based on the idea that the fairest way to raise funds is to charge users who are causing congestion. It requires drivers to pay tolls to drive at the busiest intervals, such as rush hour, and in the most trafficked locations, such as the central business district. If calibrated correctly, congestion pricing will encourage some motorists to commute via public transit but, like most user fees, it will impact low-income users more than wealthier users because it requires everyone to pay the same amount. Additionally, low-income workers have less flexibility to vary their work schedules to avoid high fees. This disproportionate impact on lower-income workers was one of the arguments against New York City's recent attempt to impose congestion pricing. Nonetheless, congestion pricing is still less regressive than the more commonly-used sales tax, which shifts the tax burden partly to those who do not drive.[41]

- **A proposed Carbon Tax or Cap and Trade Agreement would charge companies for polluting emissions and could dedicate a portion of that funding to transportation.** The most direct carbon pricing strategy that is being considered is a national tax on greenhouse gas emissions. Companies would be taxed on their greenhouse gas emissions and would have a financial incentive to limit emissions.

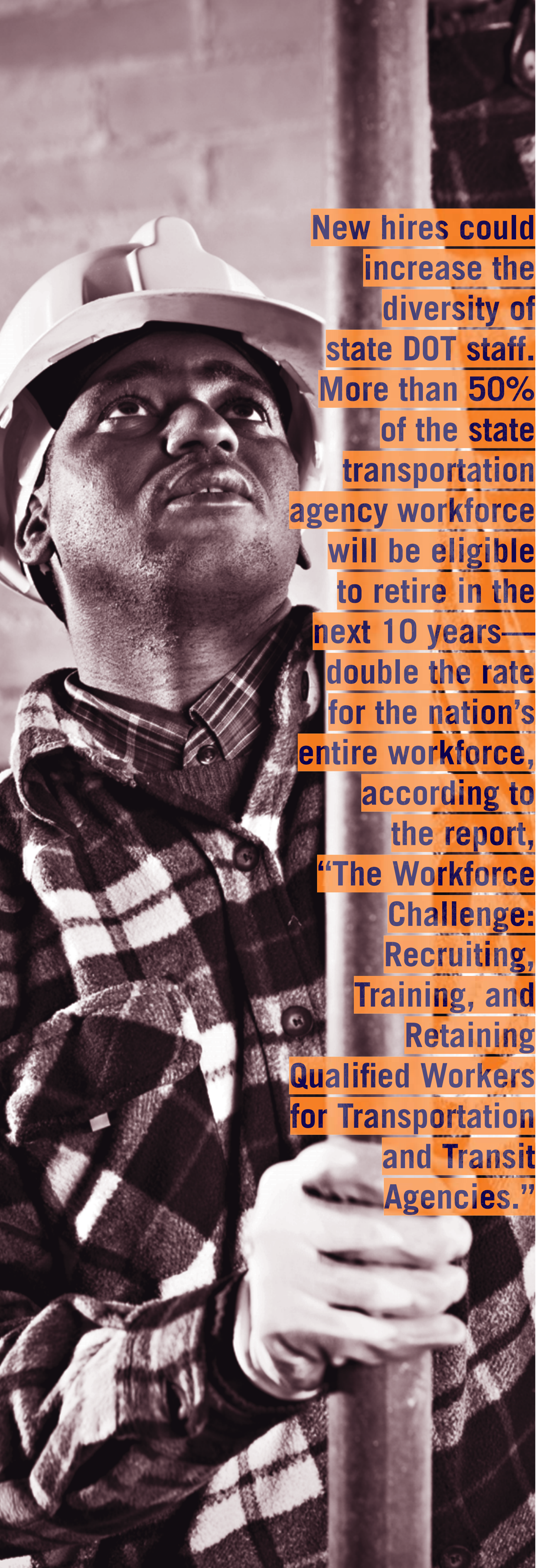
  A cap and trade system, supported by the Obama administration, is another proposal to raise revenue for transportation. Cap and trade is an emission reduction strategy that involves setting a cap on emissions and then distributing, freely or through an auction or purchasing program, the right to emit pollution up to the level of the cap. In a cap and trade system, regulated polluters must either reduce emissions on their own or buy credits from more efficient companies, letting the market set the price for the right to pollute. If a company is using less than its allowance, it has extra credits that may trade with other companies or "bank" for future use.

  The success of both of these systems is dependent on increasing the cost of greenhouse gas emissions to the point where it becomes more affordable to adopt technology and practices that do not contribute to climate change. As such, each of these systems would raise the cost of energy and energy-dependent products as companies pass their costs on to consumers. This would add to the cost of driving a car, heating or cooling a home, or purchasing the most basic necessities. Not surprisingly, these cost increases would be felt most by low-income households who have fewer resources to meet their needs. In June 2009, the Congressional Budget Office found that increases in out-of-pocket expenditures as a result of the cap and trade program being considered by Congress would account for 2.5 percent of after-tax income for the average household in the lowest income quintile, compared with 0.7 percent of after-tax income for the average household in the highest quintile.[42]

  Trading programs pose potential additional burdens on low-income people and communities of color communities. Because trading systems depend on the market, they do not directly regulate which companies should clean up. As such, they can lead to the creation of pollution hot spots—areas with high levels of pollution—which most commonly occur in low-income neighborhoods and communities of color. As a result, there is significant concern that trading programs might exacerbate existing environmental injustices and public health challenges faced by these communities.

  Both of these systems have the potential to generate revenues that could support investments in a variety of program areas, including transportation. However, a cap and trade system can only generate revenues if the government charges for the initial emissions allowances. There is great disagreement as to how proceeds from a tax or trading system should be used. Some argue that they should be given directly back to consumers to help offset price increases, while others argue that they should go back into the general fund and still others contend that they should support any number of programs or social objectives, including upgrading our transportation system.

The fiscal environment for transportation will be very challenging in the coming years. Whatever sources are eventually tapped or devised, adding additional taxes, fees, fines, or credits to shore up the nation's transportation finances should not place a disproportionate burden on those who can least afford to pay.



Who Decides?

State departments of transportation (DOTs) and regional metropolitan planning organizations (MPOs) decide which transportation projects will be funded.[43] State DOTs and MPOs choose priority projects within their jurisdictions and place them on the Transportation Improvement Program (TIP) for review by the relevant federal agencies. Their decisions are, of course, influenced by what federal funding is available under each program. Project selection processes differ across jurisdictions but many state DOTs and MPOs make decisions with limited public involvement. In addition, state and regional decision makers rarely use formal cost-benefit analysis in deciding among alternative projects. Project selections are often made behind closed doors without a detailed set of evaluation criteria to guide decisions. The resulting limited accountability, and the lack of diversity as to race, ethnicity, gender, and geography of the decision makers, pose a substantial roadblock to the creation of an equitable transportation system.

The process in which MPOs and state DOTs identify and prioritize potential projects often lacks transparency and accountability and decision makers are overwhelmingly unrepresentative of the populations that they serve with respect to race, ethnicity, gender, and geography.

A survey of decision makers at the state and regional level finds white males and suburban interests are overrepresented. A 2008 survey of the 50 largest MPOs showed that they are less representative of the public than they were in 2000. In 2008, the voting members of the MPO boards were 88 percent white, with about seven percent African American, three percent Hispanic, and one percent Asian/Pacific Islander. Thirteen of the 50 MPOs in the study had all white members and only 10 had a membership of more than 20 percent nonwhite members. Within state DOT staffs across the country, minorities and women are underrepresented in virtually all workforce categories, in particular among the officials and administrators who lead the organization and make hiring decisions.[44] In addition, on the majority of MPO boards, suburban interests are overrepresented as a result of a "one-area, one-vote" system. Central cities that have denser populations than suburbs are often underrepresented because they have the same number of votes as sparsely populated communities in the region. Low-income residents and persons of color are afforded the least power because they largely reside in underrepresented urban core areas. In addition, the dominance of suburban interests has a significant effect on the outcomes of transportation investment decisions, especially those related to public transit. In fact, for each additional suburban voter on an MPO board, one percent to seven percent fewer funds were allocated to public transit in MPO budgets.[45] In 1997, the U.S. Advisory Commission on Intergovernmental Relations (ACIR) urged MPOs to move to weighted voting.[46] Finding that the one vote per government structure disproportionally represents some jurisdictions, the commission urged weights for each board member's vote that are set in proportion to the population being represented by the board member. The new authorization has the power to restructure MPO board decision making and the manner in which board membership is selected to ensure that all stakeholders, including low-income communities and communities of color, truly have an effective vote.

Transparency and accountability are currently lacking in many project selection processes. Accountability, transparency, and performance are key commitments made by the Obama administration. To apply this promise to the transportation system will require significant changes in how the public is informed and encouraged to participate in transportation decisions. Currently, many MPOs and state transportation departments do not provide the public with accessible, detailed information about investment decisions, making it all but impossible for taxpayers to find out how their money is spent in their communities, how projects are chosen, and what impact the projects have had on the community. In a 2008 resolution, the U.S. Conference of Mayors noted that the Federal Highway Administration failed to comply with 2005 SAFETEA-LU provisions requiring the agency to provide more transparency to the public.[47] By requiring state and regional decision makers to utilize a performance measurement system to evaluate transportation investment decisions, the authorization can create greater accountability and meet the call of the National Surface Transportation Policy and Revenue Study Commission for "federal funding that is performance-based and focused on cost-beneficial outcomes with accountability for the full range of economic, environmental, and social costs and benefits of investments."[48] By creating a mandatory performance measurement system that sets guidelines, measures, and evaluative criteria for project selections, accountability will be much improved.

The first step in creating a performance measurement system will be for the authorization to set out a series of overarching goals and principles for the nation's transportation system. These goals will differ from the grand goal of the mid-20th century to build an interstate highway system; rather two key goals for the 21st century are to use transportation as the fulcrum for building a 21st century workforce and healthy livable communities. These goals must include general principles such as equity, as well as more specific goals such as connecting low-income communities to employment centers. State and regional decision makers will have the responsibility to meet these goals and they will be held accountable by specific performance measures that evaluate input (e.g., dollars invested in bike trails in low-income communities), output (e.g., number of new bike trails constructed in low-income communities), and outcome (e.g., improved bicycle mobility in disadvantaged communities). Performance measures should include factors for which readily available data exists but should also include harder-to-measure factors such as quality of life and equity, two key goals for transportation funding. It is inevitable that related performance measures will conflict at times, so it is essential that a set of priorities be created to guide state DOTs and MPOs in resolving these conflicts. Thus, for instance, when a road expansion will serve the goal of reducing congestion but will reduce pedestrian safety and increase speeds on a main street, effectively lowering the customer base for the retail shops that line the road, the priorities should help a community to balance the relative importance of the outcomes and to compare different solutions to the congestion problem.

To increase meaningful engagement of residents and community leaders in transportation planning, more effective actions must be taken to involve the public in decision making and allow them to contribute their opinions and concerns. Given the significant size of transportation infrastructure investment, it is essential that the public have the ability to impact how dollars are spent. A public participation plan is mandated by SAFETEA-LU but often state DOTs and MPOs restrict their outreach efforts to a few poorly publicized meetings and the posting of information on their websites. Given the well documented digital divide, it is incumbent on MPOs and state DOTs to reach out to lower-income households through other means than the internet and to engage as many citizens as possible in the decision-making process. Through a constructive dialogue, decision makers, planners, and the public can share their opinions and mutually shape a vision for a community, county, or region. The authorization should provide a clear mandate to state DOTs and MPOs to employ a series of different methods to reach out to residents in every community and give them opportunities to communicate their needs and shape decisions. Outreach should include the use of minority and mainstream radio stations; fliers and posters printed in English, Spanish, and other languages posted prominently in key community destinations, such as churches, community centers, and senior centers, and workshops to which organizations that represent different populations are invited.

5 Conclusion

Advocates have made social and economic equity the focus of an unprecedented and robust campaign to shape the next transportation authorization bill. A federal authorization grounded in equity principles will not only be more just and democratic, it will make great strides toward creating a transportation system that enhances regional and national economic competitiveness. PolicyLink is working in partnership with supporters of quality transit, equitable access to jobs, smart growth, sustainable development, affordable housing, and healthy communities to push for progressive reform and create transportation investment priorities that take into account the needs of all Americans in the 21st century. At the same time, PolicyLink will work to build the capacity of local, regional, and statewide transportation equity leaders and help them to partner effectively with a broad coalition of stakeholders in transportation policy to achieve the inclusion of equity as a major outcome. This dual approach to building local capacity and advocating directly for federal policy change is necessary if the transportation system is to be truly restructured to serve the needs of all communities. The transportation authorization bill represents a rich opportunity to create fairer, more equitable communities.

PolicyLink is working in partnership with supporters of quality transit, equitable access to jobs, smart growth, sustainable development, affordable housing, and healthy communities to push for progressive reform and create transportation investment priorities that take into account the needs of all Americans in the 21st century.

6 Notes

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