



Dear Colleague:

Earlier this year, the U.S. House of Representatives Transportation and Infrastructure Committee held a series of field hearings and round table discussions on “improving and reforming our nation’s surface transportation programs;” this was in anticipation of House action to reauthorize the Surface Transportation Act. At the Committee’s request for local community leaders’ input on these hearings, The Leadership Conference on Civil and Human Rights and PolicyLink identified and worked with local leaders and national partners to draft and submit written testimony for each of the official field hearings: Beckley, West Virginia; Columbus, Ohio; Los Angeles, California; and Maitland, Florida. Each testimony emphasized core issues of transportation equity by highlighting areas of local concern, and was signed by a diverse range of organizations representing transportation workers, communities of color, people with disabilities, low-income families, and/or transit riders.

As policymakers discuss such important issues as how best to rebuild and repair our nation’s roads, bridges, railways and ports, and where and how to prioritize investments in public transportation, it is vital that they take into consideration the needs of communities of color, low-income people, people with disabilities, and rural communities -- and that they think in terms of transportation equity.

Transportation equity provides people with multiple transportation options; promotes equal employment opportunities; requires equal decision-making power; promotes health and sustainable communities; and requires meaningful civil rights protections. As advocates, we must mobilize to educate and advocate for a shared vision of transportation equity.

We encourage you to read the attached testimonies and share them with your colleagues. If you have any questions about our transportation equity projects, or would like to further collaborate, please contact Lexer Quamie, counsel at The Leadership Conference at quamie@civilrights.org at 202.466.3311 or Anita Hairston, senior policy analyst at Policy Link anita@policylink.org or 202.906.8034.

Wade Henderson
President and CEO
The Leadership Conference on Civil and Human Rights

Angela Glover Blackwell
Founder and CEO
PolicyLink

Statement for the Record
House Committee on Transportation & Infrastructure
Beckley, West Virginia Field Hearing on
“Improving and Reforming our Nation’s Surface Transportation Programs”
February 14, 2011

Chairman Mica, Ranking Member Rahall, and Members of the Transportation and Infrastructure Committee, the undersigned organizations appreciate the opportunity to submit this statement for the record to express our priorities for the reauthorization of the surface transportation bill.

Transportation provides access to opportunity for millions of people, and thus, the bill has the potential to serve as a key component in addressing poverty, unemployment, and equal opportunity goals. As organizations that represent persons of color, women, children, individuals with disabilities, gays and lesbians, older Americans, labor unions, major religious groups, civil libertarians, and human rights organizations, we are committed to ensuring that transportation investments are equitably targeted to the people and places that need them the most.

Our transportation policy has the potential to expand economic opportunity for low-income Americans by connecting them to jobs and creating, training, and retaining underrepresented workers in highway construction, transit, and rail projects. It also has the potential to exacerbate some communities’ isolation from jobs and resources. At a time of high unemployment and unprecedented income inequality, equity in transportation policy is one of the most pressing civil and human rights issues our nation faces.

We believe that equal access to affordable transportation is a fundamental civil right and that several core principles must be adhered to in federal transportation policy. First, federal policy must create affordable, available, and accessible transportation options for everyone, regardless of income, race, age, disability, background, or ZIP code. Second, transportation policy must create, protect, and ensure equal employment opportunities in the transportation industry. Third, federal transportation investments must promote healthy, safe, and inclusive communities with housing opportunities for families of all incomes. Fourth, equity requires that decisions regarding the public dollars invested in transportation must be made by bodies that represent all constituents equally. Finally, there must be strengthened civil rights enforcement to ensure access to transportation, as well as prevent disproportionate negative impacts on disadvantaged communities.

The unique landscape of West Virginia, with its mountains and valleys, makes safe, affordable, and accessible transportation vital to its communities and the economy. The federal surface transportation program is an important and essential source of funding for providing safe and reliable transit service and improving the Mountain State’s highway and bridge conditions while ensuring fair access to quality jobs and contracting opportunities.

Transportation and West Virginia

In past years, transportation bills provided transit monies to West Virginia’s transit agencies as well as highway enhancement projects, enabling the state to undertake myriad local

improvement projects. Today, the state faces significant gaps in trying to meet infrastructure needs. The West Virginia Department of Transportation projected a transportation-funding shortfall of approximately \$5 billion from 2009 to 2018.¹ Thus, meeting West Virginia's need to develop and maintain its system of roads, highways, bridges, and transit will require a significant, long-term boost in transportation funding at the federal level.

Transportation Equity Fosters Employment Growth and Promotes Equal Job Opportunity

According to the Brookings Institution, by 2006, 45 percent of jobs in our 98 largest metro areas were located more than 10 miles from the urban core.² While jobs are increasingly moving to suburbs and remote exurbs, affordable transportation options to and within these areas have not increased at the same pace. As a result, many lower-income and minority people living in rural communities, small towns and urban areas are often isolated from job opportunities.

Most of the outlying areas where an increasing percentage of American jobs are located are reachable only by car. This disproportionately harms people of color: 19 percent of African Americans and 13.7 percent of Latinos lack access to automobiles, compared with 4.6 percent of Whites.³ Lack of public transportation also impedes efforts to reduce poverty—three out of five jobs that are suitable for welfare-to-work participants are not accessible by public transportation.⁴ These statistics also highlight the need for financial assistance for low-income car ownership in the next transportation bill, which is crucial in many of the rural areas of West Virginia.

Our next major federal investment in transit will create hundreds of thousands of jobs in the transportation sector. To promote equal job opportunity, the federal government should end requirements that most funds be spent on highways. We must invest in transit options that will enable low-income people to reach a greater variety of job opportunities—including transportation projects in outlying areas. Federal law also should create incentives for states and localities to utilize labor from low-income communities, including tying federal funding to compliance with contracting goals for disadvantaged business enterprises.

As West Virginia seeks to rebound from the economic downturn, making needed improvements to the state's surface transportation system will create jobs in the short term and stimulate long-term economic growth as a result of enhanced mobility and access. The state's unemployment rate is 9.5 percent⁵ and the unemployment rate among West Virginia's African-American population is a staggering 19 percent.⁶ According to the U.S. Census Bureau, 17.4 percent of

¹ "Future Mobility in West Virginia: Meeting the State's Need for Safe and Efficient Mobility." July 2009.

² Elizabeth Kneebone, "Job Sprawl Revisited: The Changing Geography of Metropolitan Employment," Metropolitan Policy Program at Brookings, April 2009, at http://www.brookings.edu/~media/Files/rc/reports/2009/0406_job_sprawl_kneebone/20090406_jobsprawl_kneebone.pdf.

³ Brookings Institution and UC-Berkeley. "Socioeconomic Differences in Household Automobile Ownership Rates" at <http://gsppi.berkeley.edu/faculty/sraphael/berubedeakenraphael.pdf>.

⁴ Surface Transportation Policy Project, *Transportation and Poverty Alleviation* at <http://www.transact.org/library/factsheets/poverty.asp> referring to study by the Volpe Institute.

⁵ Bureau of Labor Statistics. Unemployment Rates by County in West Virginia, Dec. 2010.

⁶ Bureau of Labor Statistics. Preliminary 2010 Data on Employment Status by State and Demographic Group at <http://bls.gov/lau/ptable14full2010.pdf>.

West Virginians live below the poverty level, which is higher than the national average.⁷ The poverty level in West Virginia's rural community is a high 20.5 percent.⁸ Nationwide, the unemployment rate of people with disabilities is 13.6 percent.⁹ Given the level of unemployment and high poverty levels, the next transportation bill should ensure fair access to all West Virginians—regardless of race, gender, income, or disability—to quality jobs, workforce development, and contracting opportunities in the transportation industry. West Virginia's economy relies on a healthy manufacturing sector to produce and transport goods, and thus, by improving the state's transportation network, Congress can help create good paying and much needed jobs. The design, construction, and maintenance of transportation infrastructure will provide thousands of full-time jobs in West Virginia.¹⁰ These employees would contribute millions to state and federal payroll tax revenue.¹¹ Additionally, the existence of almost 500,000 full-time jobs in West Virginia in key industries like tourism, retail sales, agriculture, and manufacturing are dependent on the state's transportation infrastructure network.¹²

Transportation Equity Requires Affordable, Available, and Accessible Transportation Options

Our civil rights laws bar employers, federal, state, and local governments, and public accommodations from discriminating in access to health care, employment opportunities, housing, education, and voting (among others). Although our laws promise to open doors to opportunity, this is a hollow promise for people who are physically isolated from jobs, schools, stores that sell healthy food, and health care providers. As our metropolitan areas have expanded and jobs and services have become more diffuse, equal opportunity depends upon equal access to affordable transportation.

Transportation investment to date has produced an inhospitable landscape for low-income people, people with disabilities, and the elderly. People of color are disproportionately disadvantaged by the current state of transportation. The cost of car ownership, underinvestment in public transportation, and a paucity of pedestrian—and bicycle-accessible—thoroughfares have isolated low-income people and struggling families from jobs and services.

This is the civil rights dilemma: our laws purport to level the playing field, but our transportation choices have effectively barred millions of people from getting across it. Traditional nondiscrimination protections do not protect the person for whom opportunities are literally out of reach.

For this reason, our transportation policy should expand and improve access to people for whom the cost of car ownership is prohibitive and for those who may depend on public transportation,

⁷ U.S. Census Bureau, State & County QuickFacts, Persons below poverty level as of 2008, *at* <http://quickfacts.census.gov/qfd/states/54000.html>

⁸ U.S. Department of Agriculture, Economic Research Service. West Virginia Fact Sheet, *at* <http://www.ers.usda.gov/statefacts/wv.htm>

⁹ Bureau of Labor Statistics, Employment Status of the Civilian Population by Sex, Age, and Disability Status, *at* <http://www.bls.gov/news.release/empst.t06.htm>

¹⁰ The 2010 U.S. Transportation Construction Industry Profile, Transportation Development Foundation: Transportation Facts: West Virginia.

¹¹ *Id.*

¹² *Id.*

including older adults, people with disabilities, people in rural areas, and low-income people. New highways exacerbate transportation inequities by extending the gaps between housing and jobs. An equity agenda should favor fixing existing infrastructures and incentivizing filling in metro areas.

For many West Virginians in need of transportation, a vehicle is the only practical, workable solution. While access to public transportation is key, major route transportation is impossible for many without access to a vehicle. Lack of access to affordable and reliable transportation has been cited as one of the biggest hurdles to finding and keeping a job, particularly for individuals with limited income, single parents, and others transitioning to work. The Job Access and Reverse Commute (JARC) program addresses this barrier by providing funds to support the development of new transportation services, services that fill gaps in existing services, or the promotion of transportation use to employment and related destinations.¹³ We support the goal of the JARC program of improving access to transportation services to employment and employment-related activities for Temporary Assistance for Needy Families recipients and eligible low-income individuals in rural and urban areas.¹⁴ JARC should be fully funded in the next transportation bill, so that West Virginia can continue to use funds to, among other things, assist low-income individuals to purchase and maintain vehicles.

Public transportation is also an important service for many West Virginia communities, especially for those residents who would otherwise have no way to commute.¹⁵ Where public transportation routes exist, expanding those options could offer some West Virginia residents a good option to commute amidst rising gas and insurance prices and as the cost of car ownership becomes less attainable for low-income communities. West Virginia public transportation plays an essential role in the lives of many of the state's senior citizens, people with disabilities,¹⁶ West Virginians who need to access schools, and those who need access to health care facilities. As with the state's highway system, public transportation also keeps West Virginia's economy moving, providing an affordable, and for many, a necessary alternative to driving. It supports healthy, livable communities; provides environmentally responsible and safe mobility choices that reduce traffic congestion, noise, air pollution, and associated public health risks. It also benefits West Virginia communities through increased business revenues and more tax revenues. In fact, every \$1 invested in public transportation projects generates approximately \$6 in local economic activity.¹⁷

¹³ Community Transportation Association. Employment Transportation Briefs: A Guide to Job Access and Reverse Commute Programs, at http://web1.ctaa.org/webmodules/webarticles/articlefiles/A_Guide_to_JARC.pdf

¹⁴ State of West Virginia, State Management Plan for Section 5316; Federal Transit Administration, Job Access and Reverse Commute Program, March 2010, at <http://www.transportation.wv.gov/publictransit/Documents/1a%20-%205316%20SMP.doc.pdf>

¹⁵ See e.g., "New Routes Will Help Are," Weirton Daily Times, Dec. 16, 2010; Nicky Walters, "Public Transportation Flourishes in Rural West Virginia Counties," Nov. 29, 2010. ("Passengers and those who serve them say public transportation isn't just for people in the big city. . . . But most agree that without it many places would be off limits.")

¹⁶ See Association of Programs for Rural Independent Living: Transportation Act Reauthorization Position Statement: Rural Transportation for People with Disabilities. Jan. 2010. Lack of public transportation is one of the most serious, persistent problems reported by people with disabilities who live in rural America. The next surface transportation authorization bill should require and assist public transportation systems to meet the minimum access requirements stipulated in the Americans with Disabilities Act.

¹⁷ West Virginia Public Transit Association at <http://www.wvtransit.com/about-wvpta.html>

Transportation Equity Promotes Healthy Communities

Transportation decisions contribute to economic and racial segregation in our metro areas. Emphasis on one-use highways (without sidewalks, bicycle access, or rapid bus routes) contributes to this segregation and severely restricts housing choices for people with disabilities, low-income people, and the elderly. When a community is car-dependent, those who cannot afford automobiles or lack the ability to drive cannot live there *even if the rents are within their means*.

Insufficient public transportation also makes transit-accessible housing less accessible to those who do not own their own vehicles. As living in areas like Charleston and Morgantown becomes more appealing to professionals trying to avoid long commutes (often due to sprawl), housing near public transportation in urban cores and older suburbs grows more desirable and prices rise.¹⁸ Lower-income people are priced out, often into suburbs where they have no choice but to bear the expense of cars or to spend hours on multiple buses in order to get to work. Even when rents in the suburbs are lower than in the gentrifying cores, the added expense of a car or the hours lost to commuting lowers quality of life.

Thus, promoting healthy and safe communities should be a priority in the upcoming surface transportation bill. West Virginia, which has the sixth-largest state transportation system in the country, is one of only four states in the nation that has total responsibility for all roads, bridges and highways in the state.¹⁹ According to recent data, 27 percent of West Virginia's roads are in poor or mediocre condition. Nearly 40 percent of its bridges are substandard, 15 percent are structurally deficient, and 22 percent are obsolete. The death rate on West Virginia's roads is more than 50 percent higher than the national average.²⁰ The new transportation bill should provide sufficient funds for West Virginia to repair and improve its aging infrastructure to ensure that it is safe and well maintained.

Transportation Equity Requires Equitable Decision-Making Power

Our transportation policy has been made by bodies that do not represent all constituents equally.²¹ A more equitable transit system is only possible if low-income people, people of color, and people with disabilities have meaningful representation in local decision-making bodies such as metropolitan planning organizations. Everyone should have a seat at the table when transportation policy is developed and funds are spent.

¹⁸ Residences within a walkable distance of transit stations sell for as much as 30% more than comparable properties not located near transit. Gloria Ohland and Nadine Fogarty, "Capturing the Value of Transit," Planetizen May 11, 2009. "All Aboard! Making Equity and Inclusion Central to Federal Transportation Policy." Available at www.policylink.org at 16.

¹⁹ "2011/2016 Statewide Transportation Improvement Program," The West Virginia Department of Transportation, Dec. 2010, at 10.

²⁰ West Virginians for Better Transportation. Frequently Asked Questions at <http://www.keepwvmoving.org/whoweare/faq.aspx>.

²¹ Thomas W. Sanchez "An Inherent Bias? Geographic and Racial-Ethnic Patterns of Metropolitan Planning Organization Boards". Accessed from: http://www.brookings.edu/reports/2006/01transportation_sanchez.aspx

Transportation Equity Requires Meaningful Civil Rights Protections

To combat the structural discrimination in transportation that excludes communities of color and low-income populations from an equitable share of transportation investments, federal statutory reform and vigorous enforcement of existing provisions are needed. Enforcing civil rights protections to ensure fair and equitable access to the benefits of our transportation system, and prevent disproportionate negative impacts on disadvantaged communities are a priority of civil and human rights organizations.

Transportation policy has always played a central role in the struggle for civil and human rights. Practical access to transportation helps ensure access to good schools and housing, basic services like health care, and the acquisition of job skills and employment opportunities. Conversely, the absence of affordable, available, and accessible transit threatens the civil rights of millions of Americans. Past investment has disproportionately benefitted people in outlying areas, leaving many low-income Americans out of reach of jobs, and forcing others to exhaust their budgets on transportation at the expense of other needs such as health care, housing, food, and education.

We urge you to support transportation investments that focus on equity. We look forward to working with you and your staff in crafting a bill that addresses the needs of all communities.

Community Living Initiatives Corporation (CLIC)
Regina A. Mayolo, Executive Director
Morgantown, West Virginia

Eastlake, Derry & Associates
Mark Derry, President/CEO
Morgantown, WV

Jefferson County, WV Branch of the NAACP
George Rutherford, President and Harold E. Stewart, Secretary
Jefferson County, WV

Jefferson County African-American Community Association
James Tolbert, Chair, Board of Directors
Charles Town, WV

Jefferson County Black History Preservation Society
James A. Tolbert, Secretary
Ranson, WV

Juante Gebape, Inc.
Ann Nawaz, President
Ranson, WV

NAACP West Virginia
Coston Davis, Jr., State President and James A. Tolbert, Sr., President Emeritus

Northern West Virginia Center for Independent Living
Jan Derry, Executive Director

Professor Philip W. Carter
Marshall University College of Health Professions

Star Lodge #1 Free and Accepted Masons- Prince Hall Affiliated
George Rutherford, Secretary
Charles Town, WV

Center for Rural Strategies
Dee Davis, President

PolicyLink
Angela Glover Blackwell, Founder and CEO

The Leadership Conference on Civil and Human Rights
Wade Henderson, President and CEO

Statement for the Record
House Committee on Transportation & Infrastructure
Columbus, Ohio Field Hearing
“Improving and Reforming our Nation’s Surface Transportation Programs”
February 19, 2011

The undersigned organizations appreciate the opportunity to submit this statement for the record to express our priorities for the reauthorization of the surface transportation bill.

Transportation provides access to opportunity for millions of people, and thus, the bill has the potential to serve as a key component in addressing poverty, unemployment, and equal opportunity goals. As organizations that represent persons of color, women, children, individuals with disabilities, gays and lesbians, older adults, labor unions, major religious groups, civil libertarians, and human rights organizations, we are committed to ensuring that transportation investments are equitably targeted to the people and places that need them the most.

Our transportation policy has the potential to expand economic opportunity for low-income individuals by connecting them to jobs and creating, training, and retaining underrepresented workers in highway construction, transit, and rail projects. It also has the potential to exacerbate some communities’ isolation from jobs and resources. At a time of high unemployment and unprecedented income inequality, equity in transportation policy is one of the most pressing civil and human rights issues our nation faces.

We believe that equal access to affordable transportation is a fundamental civil right and that several core principles must be adhered to in federal transportation policy. First, federal policy must create affordable, available, and accessible transportation options for everyone, regardless of income, race, age, disability, background, or ZIP code. Second, transportation policy must create, protect, and ensure equal employment opportunities in the transportation industry. Third, federal transportation investments must promote healthy, safe, and inclusive communities with housing opportunities for families of all incomes. Fourth, equity requires that decisions regarding the public dollars invested in transportation must be made by bodies that represent all constituents equally. Finally, there must be strengthened civil rights enforcement to ensure access to transportation, as well as prevent disproportionate negative impacts on disadvantaged communities.

The federal surface transportation program is an important and essential source of funding for providing safe and reliable transportation service and improving the Buckeye State’s highway and bridge conditions while ensuring fair access to quality jobs and contracting opportunities.

Transportation and Ohio

Transportation has been a key driver of Ohio’s economic growth—whether it was the state’s canal system, highways, airports, or freight railroads. Ohio, only the 35th in the nation in terms of land size, has the second largest inventory of bridges, the fourth highest number of operating

rail routes, the fourth largest interstate system, and the seventh largest state highway network.¹ Columbus, like Ohio's other major metropolitan areas (including Cleveland, Cincinnati, Dayton, Akron, Youngstown, and Toledo) has unique transportation challenges that can be improved with targeted transportation investments.²

Today, the state faces significant gaps in trying to meet infrastructure needs. Ohio soon will face a two-year budget shortfall of about \$8 billion, the state's worst fiscal crisis since the early 1980s.³

Transportation Equity Fosters Employment Growth and Promotes Equal Job Opportunity

According to the Brookings Institution, by 2006, 45 percent of jobs in our 98 largest metro areas were located more than 10 miles from the urban core.⁴ While jobs are increasingly moving to suburbs and remote exurbs, affordable transportation options to and within these areas have not increased at the same pace. As a result, many lower-income and minority people living in rural communities, small towns and urban areas are often isolated from job opportunities.

Most of the outlying areas where an increasing percentage of American jobs are located are reachable only by car. This disproportionately harms people of color: 19 percent of African Americans and 13.7 percent of Latinos lack access to automobiles, compared with 4.6 percent of Whites.⁵ Lack of public transportation also impedes efforts to reduce poverty—three out of five jobs that are suitable for welfare-to-work participants are not accessible by public transportation.⁶

Our next major federal investment in surface transportation will create hundreds of thousands of jobs in the transportation sector. States with diverse public transportation options have better job growth and economic development—something that Ohio desperately needs. By improving the state's transportation network, Congress can help create good paying and much needed jobs. Investments in transportation can and will create jobs and stimulate the economy. A strong and efficient multi-modal transportation system in Ohio would retain and attract the jobs and businesses the state needs.⁷ Business owners also have expressed the need to connect workforce

¹ Testimony of Jolene Molitoris, Assistant Director, Ohio Department of Transportation to the U.S. House of Representatives Subcommittee on Highways and Transit, "Transportation Challenges of Metropolitan Areas in Ohio." April 9, 2008, at 2.

² *Id.*

³ Steve Hoffman, "Ohio Hangs in Balance" Akron Beacon Journal, at http://www.ohio.com/news/top_stories/112755134.html.

⁴ Elizabeth Kneebone, "Job Sprawl Revisited: The Changing Geography of Metropolitan Employment," Metropolitan Policy Program at Brookings, April 2009, at http://www.brookings.edu/~media/Files/rc/reports/2009/0406_job_sprawl_kneebone/20090406_jobsprawl_kneebone.pdf.

⁵ Brookings Institution and UC-Berkeley. "Socioeconomic Differences in Household Automobile Ownership Rates" at <http://gsppi.berkeley.edu/faculty/sraphael/berubedeakenraphael.pdf>.

⁶ Surface Transportation Policy Project, "Transportation and Poverty Alleviation" at <http://www.transact.org/library/factsheets/poverty.asp> referring to study by the Volpe Institute.

⁷ The State of Poverty in Ohio: Building a Foundation for Prosperity," at 2.

to workplace, reporting that jobs frequently go unfilled due to the lack of connection between those who need the jobs and the businesses that have them.⁸

As Ohio seeks to rebound from the economic downturn, making needed improvements to the state's surface transportation system will create jobs in the short term and stimulate long-term economic growth as a result of enhanced mobility and access. Ohioans know firsthand that rising unemployment and sinking wages have pushed record numbers of Ohioans into poverty. Since 2002, the state's population has increased by 1.2 percent while the number of persons living in poverty has grown by 41.7 percent.⁹ As of December 2010, the state's overall unemployment rate was 10.1 percent, while the African-American unemployment rate was a staggering 16.9 percent and the Hispanic unemployment rate was 11.6 percent.¹⁰ The employment rate for people with disabilities in Ohio, compared to people without disabilities, reflects an equally abysmal status. While 80 percent of non-institutionalized working-age adults (ages 21 to 64) are employed, the employment rate is only 38 percent for people with disabilities.¹¹ Given the level of unemployment and high poverty levels, the next transportation bill should ensure fair access to all Ohioans— regardless of race, gender, income, disability—to quality jobs, workforce development, and contracting opportunities in the transportation industry. We support initiatives that will bring jobs and economic recovery to the Columbus region and the state of Ohio.

The next surface transportation bill should also strengthen, enforce, and tie federal funding to compliance with contracting goals for disadvantaged business enterprises. As Ohio's lead facilitator of minority business growth, the Minority Business Enterprise Division develops new initiatives targeting urban entrepreneurship to provide business assistance to minority-owned businesses. The services provided by the Minority Business Enterprise Division are creating wealth and expanding economic opportunities for Ohio's minority business community.¹²

Transportation Equity Requires Affordable, Available, and Accessible Transportation Options

Our civil rights laws bar employers, federal, state, and local governments and public accommodations from discriminating in access to health care, employment opportunities, housing, education, and voting (among others). Although our laws promise to open doors to

⁸ Ohio's 21st Century Transportation Priorities Task Force: Moving Ohio into a Prosperous New World, Jan. 2009, at 23.

⁹ "The State of Poverty in Ohio: Building a Foundation for Prosperity," Prepared for the Ohio Association of Community Action Agencies by Community Research Partners. Jan. 2010, at 6.

¹⁰ U.S. Bureau of Labor Statistics, Ohio Employment Status by Race, <http://www.bls.gov/lau/ptable14full2010.pdf>, at 38.

¹¹ Erickson, W. Lee, C., & von Schrader, S. (2010). 2008 Disability Status Report: Ohio. Ithaca, NY: Cornell University Rehabilitation Research and Training Center on Disability Demographics and Statistics. At <http://www.ilr.cornell.edu/edi/disabilitystatistics/reports/report.cfm?fips=2039000&subButton=Get+HTML#emp-state>.

¹² Ohio Department of Development, "Welcome to the Minority Business Enterprise Division," at <http://www.development.ohio.gov/Minority/>. For example: The Jumpstart Launch 100 initiative provides intensive business assistance and access to growth capital to selected minority owned firms with high growth potential; and two regional Minority Business Development Organizations which facilitate training, strategic management, networking, and mentoring opportunities with major corporations to ensure minority owned businesses in Ohio have access to the assistance needed to become productive and profitable.

opportunity, this is a hollow promise for people who are physically isolated from jobs, schools, stores that sell healthy food, and health care providers. As our metropolitan areas have expanded and jobs and services have become more diffuse, equal opportunity depends upon equal access to affordable transportation.

Transportation investment to date has produced an inhospitable landscape for low-income people, people with disabilities, and the elderly. People of color are disproportionately disadvantaged by the current state of transportation. The cost of car ownership, underinvestment in public transportation, and a paucity of pedestrian-friendly and bicycle-accessible thoroughfares have isolated low-income people and struggling families from jobs and services.

This is the civil rights dilemma: our laws purport to level the playing field, but our transportation choices have effectively barred millions of people from getting across it. Traditional nondiscrimination protections do not protect the person for whom opportunities are literally out of reach.

For this reason, our transportation policy should expand and improve access to people for whom the cost of car ownership is prohibitive and for those who may depend on public transportation, including older adults, people with disabilities, people in rural areas, and low-income people. New highways exacerbate transportation inequities by extending the gaps between housing and jobs. An equity agenda should favor fixing existing infrastructures and incentivizing fill-in development in metro areas.

For Ohioans in areas far from an urban core, a vehicle is the only practical, workable solution. Jobs, housing, services, and health care facilities in outlying areas are seldom centralized. Lack of access to affordable and reliable transportation has been cited as one of the biggest hurdles to finding and keeping a job, particularly for individuals with limited income, single parents, and others transitioning to work.¹³ Because of the cost of car ownership, some Ohioans cannot afford to purchase or maintain a car. The Job Access and Reverse Commute (JARC) program addresses this barrier by providing funds to support the development of new transportation services that fill gaps in existing services, or the promotion of transportation use to employment and related destinations.¹⁴ The JARC program seeks “to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities.”¹⁵

The New Freedom program was designed “to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society.”¹⁶ We support the goal of the JARC and New Freedom programs of

¹³ Community Transportation Association. Employment Transportation Briefs: A Guide to Job Access and Reverse Commute Programs, http://web1.ctaa.org/webmodules/webarticles/articlefiles/A_Guide_to_JARC.pdf

¹⁴ *Id.*

¹⁵ U.S. Department of Transportation, Federal Transit Administration, FTA Circular 9050.1: The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions, May 1, 2007, II-1.

¹⁶ U.S. Department of Transportation, Federal Transit Administration, FTA Circular 9045.1: The New Freedom Program Guidance and Application Instructions, May 1, 2007, II-1.

improving access to transportation services to employment and employment-related activities for Temporary Assistance for Needy Families recipients and eligible low-income individuals in rural and urban areas. JARC and the New Freedom programs should be fully funded in the next transportation bill, so that Ohio can continue to use funds to, among other things, assist low-income individuals to gain access to employment opportunities through such solutions as car loan and purchase programs.

Ohio invests 99 percent of its transportation resources on highways, leaving less than one percent for public transportation, putting it 40th in the nation. All the states in the nation that spend less on transit than Ohio are more rural states, with an average population of only 20 percent of the population of Ohio.¹⁷ Nearly 9 percent of Ohio households have no vehicle.¹⁸ Despite the need for public transportation, Ohio transit agencies have been forced to slash transit services and raise fares. A decade ago, elimination of federal operating funding for public transportation systems serving communities of more than 200,000 people forced states and local governments to make up for the federal cut.¹⁹ While most states dramatically increased support for public transportation, the state of Ohio has cut funding by 75 percent since 2002.²⁰

Ohio's transportation policy needs to support a wide range of choices and users, not just car travel on highways and roads.²¹ Studies show that 60 percent of bus trips in Ohio are work related, and that people under the age of forty are less likely to own cars.²² Ohio's younger adults need access to education, jobs, and entertainment without needing a car. Seniors or persons with disabilities may not be able to use or may not want to drive. Innovative transportation solutions are needed in Ohio's suburban and some rural areas as a means for people in need of access to employment and services.²³

Where public transportation exists, it does not always take people where they need to go. For example, several Ohio communities report that many public assistance offices are not near bus lines, making lack of transportation a barrier to receiving available services.²⁴ More creative solutions are needed in rural areas as well,²⁵ where more than half of all bus riders located in rural parts of the state are people with disabilities,²⁶ or senior citizens who need access to

¹⁷ Greater Cleveland Regional Transit Authority, Budget Challenges, <http://www.riderta.com/budgetchallenges/>

¹⁸ <http://www.dot.state.oh.us/Divisions/TransSys/Dev/Transit/Documents/Programs/Publication/StatusOfPublicTransitInOhio2010.pdf>

¹⁹ Community Transportation Association
<http://web1.ctaa.org/webmodules/webarticles/anmviewer.asp?a=2149&z=5>

²⁰ Policy Matters Ohio, Press Release dated Dec. 30, 2010, at
<http://www.policymattersohio.org/pdf/SaveTransitNowPR2009.pdf>.

²¹ *Id.*

²² <http://ohiosierraclub.org/wp-content/uploads/2009/09/jan-feb-newsletter.pdf>

²³ The State of Poverty in Ohio: Building a Foundation for Prosperity," Prepared for the Ohio Association of Community Action Agencies by Community Research Partners. Jan. 2010, at 42. "The State of Poverty in Ohio: Building a Foundation for Prosperity," at 34.

²⁴ The State of Poverty in Ohio: Building a Foundation for Prosperity," at 42.

²⁵ *Id.* at 34.

²⁶ See Association of Programs for Rural Independent Living: Transportation Act Reauthorization Position Statement: Rural Transportation for People with Disabilities. Jan. 2010. Lack of public transportation is one of the most serious, persistent problems reported by people with disabilities who live in rural America. The next surface

education, employment, and healthcare.²⁷ Ohio should strengthen its public transportation system, maximize the use of grant-funded transportation programs, and improve accessibility and availability in public transportation.

Transportation Equity Promotes Healthy Communities

Transportation decisions contribute to economic and racial segregation in our metro areas. Emphasis on one-use highways (without sidewalks, bicycle access, or rapid bus routes) contributes to this segregation and severely restricts housing choices for people with disabilities, low-income people, and the elderly. When a community is car-dependent, those who cannot afford automobiles or lack the ability to drive cannot live there even if housing is affordable.

Public transportation creates healthier communities, ultimately reducing air pollution, which disproportionately affects low-income neighborhoods and communities of color, encouraging people to walk more, and increasing access to jobs. Ohio is the fourth largest emitter of greenhouse gases, and the transportation sector produces about one third of this pollution.²⁸ Many Ohio counties fail to meet federal air quality standards for ozone and particulate matter, creating health problems such as asthma and other respiratory illnesses.²⁹ Promoting healthy and safe communities should be a priority in the upcoming surface transportation bill.

Transportation Equity Requires Equitable Decision-Making Power

Our transportation policy has been made by bodies that do not represent all constituents equally.³⁰ A more equitable transit system is only possible if low-income people, people of color, and people with disabilities have meaningful representation in local decision-making bodies such as metropolitan planning organizations. Everyone should have a seat at the table when transportation policy is developed and funds are spent.

Transportation Equity Requires Meaningful Civil Rights Protections

To combat the structural discrimination in transportation that excludes communities of color, people with disabilities,³¹ and low-income populations from an equitable share of transportation investments, federal statutory reform and vigorous enforcement of existing provisions are needed. Enforcing civil rights protections to ensure fair and equitable access to the benefits of our transportation system and prevent disproportionate negative impacts on disadvantaged communities is a priority for civil and human rights organizations.

transportation authorization bill should require and assist public transportation systems to meet the minimum access requirements stipulated in the Americans with Disabilities Act.

²⁷ *Id.*

²⁸ <http://www.ecowatch.org/pubs/may10/savetransit.htm>.

²⁹ *Id.*

³⁰ Thomas W. Sanchez "An Inherent Bias? Geographic and Racial-Ethnic Patterns of Metropolitan Planning Organization Boards". Accessed from: http://www.brookings.edu/reports/2006/01transportation_sanchez.aspx

³¹ The Central Ohio Transit Authority (COTA) is being sued over compliance issues with the Americans with Disabilities Act (ADA). The lawsuit alleges that COTA drivers do not stop in front of people with disabilities and do not announce routes. This is the third time in ten years COTA is defending itself from complaints that it ignores key provisions of the ADA. Robert Vitale, "Federal Lawsuit, Bus-Stop Blues," The Columbus Dispatch, Jan. 10, 2011.

Transportation policy has always played a central role in the struggle for civil and human rights. Practical access to transportation helps ensure access to good schools and housing, basic services like health care, and the acquisition of job skills and employment opportunities. Conversely, the absence of affordable, available, and accessible transit threatens the civil rights of millions of Americans. Past investment has disproportionately benefitted people in outlying areas, leaving many low-income Americans out of reach of jobs, and forcing others to exhaust their budgets on transportation at the expense of other needs such as health care, housing, food, and education.

We urge you to support transportation investments that focus on equity. We look forward to working with you and your staff in crafting a bill that addresses the needs of all communities.

The Ability Center of Greater Toledo
Timothy Harrington, Executive Director
Sylvania, Ohio

The AMOS Project
Paul Graham, Executive Director
Cincinnati, Ohio

The Arc of Greater Cleveland
Cindy Norwood, Executive Director
Cleveland, Ohio

Autism Society of Ohio
Barbara C. Yavorcik, Executive Director

AXIS Center for Public Awareness
Sue Willis, Director
Columbus, Ohio

The Kirwan Institute for Race and Ethnicity, The Ohio State University
Andrew Grant-Thomas, Deputy Director
Columbus, Ohio

Mid Ohio Board for an Independent Living Environment (MOBILE)
Bev Rackett, Executive Director
Columbus, Ohio

The Ohio Higher Education Rail Network (OHERN)
Roger Shope, State Campaign Director
Bowling Green, Ohio

The Ohio Olmstead Taskforce
Shelley Papenfuse, Chair

Ohio Statewide Independent Living Council
Kay L. Grier, Executive Director

Policy Matters Ohio
Amanda Woodrum, Researcher
Cleveland, Ohio

SEIU Local 1
Tom Balanoff, President

Southeastern Ohio Center for Independent Living
Pam Patula, Executive Director
Lancaster, Ohio

Tri-County Independent Living Center, Inc.
Rose Juriga, Executive Director
Akron, Ohio

Western Reserve Independent Living Center
Pam Davies, Executive Director
Warren, Ohio

The Leadership Conference on Civil and Human Rights
Wade Henderson, President and CEO

PolicyLink
Angela Glover Blackwell, Founder and CEO

Transport Workers Union of America, AFL-CIO
James C. Little, President

Statement for the Record
Senate Committee on Environmental and Public Works and
House Committee on Transportation & Infrastructure
Los Angeles, California Field Hearing
“Improving and Reforming our Nation’s Surface Transportation Programs to Support Job
Creation and the Economy”
February 23, 2011

The undersigned organizations appreciate the opportunity to submit this statement for the record to express our priorities for the reauthorization of the surface transportation bill.

Transportation provides access to opportunity for millions of people, and thus, the bill has the potential to serve as a key component in addressing poverty, unemployment, and equal opportunity goals. As organizations that represent persons of color, women, children, individuals with disabilities, gays and lesbians, older adults, labor unions, major religious groups, civil libertarians, and human rights organizations, we are committed to ensuring that transportation investments are equitably targeted to the people and places that need them the most.

Our transportation policy has the potential to expand economic opportunity for low-income individuals by connecting them to jobs and creating, training, and retaining underrepresented workers in highway construction, transit, and rail projects. It also has the potential to exacerbate some communities’ isolation from jobs and resources. At a time of high unemployment and unprecedented income inequality, equity in transportation policy is one of the most pressing civil and human rights issues our nation faces.

We believe that equal access to affordable transportation is a fundamental civil right and that several core principles must be adhered to in federal transportation policy. First, federal policy must create affordable, available, and accessible transportation options for everyone, regardless of income, race, age, disability, background, or ZIP code. Second, transportation policy must create, protect, and ensure equal employment opportunities in the transportation industry. Third, federal transportation investments must promote healthy, safe, and inclusive communities with housing opportunities for families of all incomes. Fourth, equity requires that decisions regarding the public dollars invested in transportation must be made by bodies that represent all constituents equally. Finally, there must be strengthened civil rights enforcement to ensure access to transportation, as well as prevent disproportionate negative impacts on disadvantaged communities.

The federal surface transportation program is an important and essential source of funding for providing safe and reliable transportation service and improving the Los Angeles region’s highways, roads, and public transportation conditions while ensuring fair access to quality jobs and contracting opportunities.

Transportation and the Los Angeles Region

With over 12 million people, the Los Angeles metropolitan area is the second largest urban area in the nation. However, the region’s current transportation infrastructure does not meet the needs

of its residents. The average Los Angeles commuter spends 72 hours stuck in traffic every year, the worst in the country.¹ The consequences of a lack of transportation options reach far beyond commute time—47 percent of Los Angeles commuters report that traffic has negatively affected their health.²

Far too many Angelenos do not have access to reliable, affordable transportation, leaving them isolated in neighborhoods located far from jobs, grocery, stores, quality schools and health care clinics, with no way to connect to these vital opportunities and services. This is particularly the case for low-income people and communities of color in Los Angeles, where almost 85 percent of public transportation users in Los Angeles are people of color and 65 percent have family incomes under \$15,000.³

Transportation Equity Fosters Employment Growth and Promotes Equal Job Opportunity

According to the Brookings Institution, by 2006, 45 percent of jobs in our 98 largest metro areas were located more than 10 miles from the urban core.⁴ While jobs are increasingly moving to suburbs and remote exurbs, affordable transportation options to and within these areas have not increased at the same pace. As a result, many lower-income and minority people living in rural communities, small towns and urban areas are often isolated from job opportunities.

Most of the outlying areas where an increasing percentage of American jobs are located are reachable only by car. This disproportionately harms people of color: 19 percent of African Americans and 13.7 percent of Latinos lack access to automobiles, compared with 4.6 percent of Whites.⁵ Lack of public transportation also impedes efforts to reduce poverty—three out of five jobs that are suitable for welfare-to-work participants are not accessible by public transportation.⁶

Our next major federal investment in surface transportation will create hundreds of thousands of jobs in the transportation sector. States and regions with diverse public transportation options have better job growth and economic development. By improving the Los Angeles region's transportation network, Congress can help create good paying and much needed jobs. Investments in transportation can and will create jobs and stimulate the economy. Given the level of unemployment and high poverty levels, the next transportation bill should ensure fair access

¹ "In Depth: 10 Worst Cities For Commuters." *Forbes, Inc.* Retrieved from: http://www.forbes.com/2008/04/24/cities-commute-fuel-forbeslife-cx_mw_0424realestate3_slide_3.html?thisSpeed=undefined

² "Los Angeles ranks high in 'commuter pain' study, but things could be worse." *Los Angeles Times*. 30 June 2010. Retrieved from: <http://latimesblogs.latimes.com/lanow/2010/06/los-angeles-ranks-high-in-commuter-pain-study-but-things-could-still-be-worse.html>

³ Geoff Ray. "LA Bus Riders' Union Rolls Over Transit Racism." *Race, Poverty & the environment*. Winter 2005/2006.

⁴ Elizabeth Kneebone, "Job Sprawl Revisited: The Changing Geography of Metropolitan Employment," Metropolitan Policy Program at Brookings, April 2009, *at* http://www.brookings.edu/~media/Files/rc/reports/2009/0406_job_sprawl_kneebone/20090406_jobsprawl_kneebone.pdf.

⁵ Brookings Institution and UC-Berkeley. "Socioeconomic Differences in Household Automobile Ownership Rates" *at* <http://gsppi.berkeley.edu/faculty/sraphael/berubedeakenraphael.pdf>

⁶ Surface Transportation Policy Project, "Transportation and Poverty Alleviation" *at* <http://www.transact.org/library/factsheets/poverty.asp> referring to study by the Volpe Institute.

to all Angelenos—regardless of race, gender, income, disability, and ZIP code—to quality jobs, workforce development, and contracting opportunities in the transportation industry.

The Los Angeles region needs an enhanced transportation network that improves mobility of both people and goods. Los Angeles, like many of our nation’s port communities is facing a dire situation. The U.S. Environmental Protection Agency estimates that 87 million Americans live and work in regions near major port facilities that violate federal air quality standards. Each day they are exposed to toxic diesel exhaust from polluting port trucks, which are contributing to deadly diseases like asthma, heart disease, and cancer. Over 100,000 U.S. port truck drivers toil everyday in dirty diesel rigs, without adequate safety protections.

The Port of Los Angeles’ Clean Truck Program put 8,500 new clean diesel and alternative fuel vehicles into service, and emissions were reduced by 80 percent in the surrounding communities. It is important that our federal surface transportation program support innovative approaches that alleviate freight chokepoints, put the Los Angeles region on a path to economic prosperity, all while cleaning the air, improving public health and ensuring that port workers and drivers have quality, high-road jobs.⁷

Transportation Equity Means Affordable, Available, and Accessible Transportation Options

Our civil rights laws bar employers, federal, state, and local governments and public accommodations from discriminating in access to health care, employment opportunities, housing, education, and voting (among others). Although our laws promise to open doors to opportunity, this is a hollow promise for people who are physically isolated from jobs, schools, stores that sell healthy food, and health care providers. As our metropolitan areas have expanded and jobs and services have become more diffuse, equal opportunity depends upon equal access to affordable transportation.

Transportation investment to date has produced an inhospitable landscape for low-income people, people with disabilities, and the elderly. People of color are disproportionately disadvantaged by the current state of transportation. The cost of car ownership, underinvestment in public transportation, and a paucity of pedestrian-friendly—and bicycle-accessible—thoroughfares have isolated low-income people and struggling families from jobs and services.

This is the civil rights dilemma: Our laws purport to level the playing field, but our transportation choices have effectively barred millions of people from getting across it. Traditional nondiscrimination protections do not protect the person for whom opportunities are literally out of reach.

For this reason, our transportation policy should expand and improve access to people for whom the cost of car ownership is prohibitive and for those who may depend on public transportation, including older adults, people with disabilities, people in rural areas, and low-income people. The Los Angeles region’s transportation policy needs to support a wide range of choices and

⁷ Rebecca Smith, Dr. David Bensman, and Paul Alexander Marvy, “The Big Rig: Poverty, Pollution, and the Misclassification of Truck Drivers at America’s Ports: A Survey and Research Report,” *at* <http://www.nelp.org/page/-/Justice/PovertyPollutionandMisclassification.pdf?nocdn=1>

users, not just car travel on highways and roads.⁸ Seniors or persons with disabilities may not be able to use or may not want to drive. New highways exacerbate transportation inequities by extending the gaps between housing and jobs. An equity agenda should favor fixing existing infrastructures and incentivizing fill-in development in metro areas.

In Los Angeles, quality jobs, affordable housing, grocery stores and other retail, critical supportive services, quality education, and health care facilities are very decentralized. Lack of access to affordable and reliable transportation has been cited as one of the biggest hurdles to finding and keeping a job, particularly for individuals with limited income, single parents, and others transitioning to work.⁹ Because of the cost of car ownership, which averages \$9,500 per year¹⁰, some Angelenos cannot afford to purchase or maintain a car. The Job Access and Reverse Commute (JARC) program addresses this barrier by providing funds to support the development of new transportation services, services that fill gaps in existing services, or the promotion of transportation use to employment and related destinations.¹¹ The JARC program seeks “to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities.”¹²

The New Freedom program was designed “to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society.”¹³ We support the goal of the JARC and New Freedom programs of improving access to transportation services to employment and employment-related activities for Temporary Assistance for Needy Families recipients and eligible low-income individuals in rural and urban areas. JARC and the New Freedom programs should be fully funded in the next transportation bill, so that the Los Angeles region can continue to use funds to, among other things, assist low-income individuals to gain access to employment opportunities through such solutions as car loan and purchase programs.

A decade ago, elimination of federal operating funding for public transportation systems serving communities of more than 200,000 people forced states and regions to make up for the federal cut. The result has been that many states and regions struggle to provide adequate public transportation service. Even more, the federal support for building of new transit facilities (i.e. new light and heavy rail lines) and the lack of commensurate support for maintaining and/or expanding existing public transportation service incentivizes regions to spend money on new

⁸ Surface Transportation Policy Project, *Transportation and Poverty Alleviation*

<http://www.transact.org/library/factsheets/poverty.asp> referring to study by the Volpe Institute.

⁹ Community Transportation Association. Employment Transportation Briefs: A Guide to Job Access and Reverse Commute Programs, http://web1.ctaa.org/webmodules/webarticles/articlefiles/A_Guide_to_JARC.pdf

¹⁰ Your Driving Costs. AAA. Retrieved from:

<http://www.aaaexchange.com/main/Default.asp?CategoryID=16&SubCategoryID=76&ContentID=353>

¹¹ Community Transportation Association. Employment Transportation Briefs: A Guide to Job Access and Reverse Commute Programs, http://web1.ctaa.org/webmodules/webarticles/articlefiles/A_Guide_to_JARC.pdf

¹² U.S. Department of Transportation, Federal Transit Administration, FTA Circular 9050.1: The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions, May 1, 2007, II-1.

¹³ U.S. Department of Transportation, Federal Transit Administration, FTA Circular 9045.1: The New Freedom Program Guidance and Application Instructions, May 1, 2007, II-1.

infrastructure even as they cut existing public transportation service. This is a threat to mobility and economic prosperity in the Los Angeles region.

Transportation Equity Promotes Healthy Communities

Transportation decisions contribute to economic and racial segregation in our metro areas. Emphasis on one-use highways (without sidewalks, bicycle access, or rapid bus routes) contributes to this segregation and severely restricts housing choices for people with disabilities, low-income people, and seniors. When a community is car-dependent, those who cannot afford automobiles or lack the ability to drive cannot live there even if housing is affordable.

With respect to community health, emissions from traffic congestion and heavily used transportation facilities (i.e, bus depots and seaports) increase the rates of asthma for nearby residents. Chronic diseases create significant financial and social burdens for communities. Public transportation creates healthier communities, ultimately reducing air pollution, which disproportionately affects low-income neighborhoods and communities of color, encouraging people to walk more, and increasing access to jobs. Thoughtfully crafted federal infrastructure investments can help remedy disparities among low-income people and communities of color that are a result of poor air quality, unsafe roads, missing sidewalks and bike paths. Promoting healthy and safe communities should be a priority in the upcoming surface transportation bill.

Transportation Equity Requires Equitable Decision-Making Power

Our transportation policy has been made by bodies that do not represent all constituents equally.¹⁴ A more equitable transit system is only possible if low-income people, people of color, and people with disabilities have meaningful representation in local decision-making bodies such as metropolitan planning organizations. Everyone should have a seat at the table when transportation policy is developed and funds are spent.

Transportation Equity Requires Meaningful Civil Rights Protections

Transportation policy has always played a central role in the struggle for civil and human rights. Practical access to transportation helps ensure access to good schools and housing, basic services like health care, and the acquisition of job skills and employment opportunities. Conversely, the absence of affordable, available, and accessible transit threatens the civil rights of millions of Americans. Past investment has disproportionately benefitted people in outlying areas, leaving many low-income Americans out of reach of jobs, and forcing others to exhaust their budgets on transportation at the expense of other needs such as health care, housing, food, and education. Enforcing civil rights protections to ensure fair and equitable access to the benefits of our transportation system, and prevent disproportionate negative impacts on disadvantaged communities are a priority of civil and human rights organizations.

We urge you to support transportation investments that focus on equity. We look forward to working with you and your staff in crafting a bill that addresses the needs of all communities.

¹⁴ Thomas W. Sanchez “An Inherent Bias? Geographic and Racial-Ethnic Patterns of Metropolitan Planning Organization Boards.” Accessed from: http://www.brookings.edu/reports/2006/01transportation_sanchez.aspx

Asian Pacific American Legal Center, a member of Asian American Center for Advancing Justice

Karin Wang, Vice President of Programs & Communications
Los Angeles, CA

Labor/Community Strategy Center and Bus Riders Union

Francisca Porchas, Lead Organizer
Los Angeles, CA

Mexican American Legal Defense and Educational Fund (MALDEF)

Thomas A. Saenz, President and General Counsel
Los Angeles, CA

Strategic Concepts in Organizing & Policy Education (S.C.O.P.E.)

Gloria Walton, Executive Director
Los Angeles, CA

The Leadership Conference on Civil and Human Rights

Wade Henderson, President and CEO

PolicyLink

Angela Glover Blackwell, Founder and CEO

Statement for the Record
House Committee on Transportation & Infrastructure
“Improving and Reforming our Nation’s Surface Transportation Programs:
Central Florida Hearing”
March 14, 2011

The undersigned organizations appreciate the opportunity to submit this statement for the record to express our priorities for the reauthorization of the surface transportation bill.

Transportation provides access to opportunity for millions of people, and thus, the bill has the potential to serve as a key component in addressing poverty, unemployment, and equal opportunity goals. As organizations that represent persons of color, women, children, individuals with disabilities, gays and lesbians, older adults, labor unions, major religious groups, civil libertarians, and human rights organizations, we are committed to ensuring that transportation investments are equitably targeted to the people and places that need them the most.

Our transportation policy has the potential to expand economic opportunity for low-income individuals by connecting them to jobs and providing job training to underrepresented workers in highway construction, transit, and rail projects. It also has the potential to exacerbate some communities’ isolation from jobs and resources. At a time of high unemployment and unprecedented income inequality, equity in transportation policy is one of the most pressing civil and human rights issues our nation faces.

We believe that equal access to affordable transportation is a fundamental civil right and that several core principles must be adhered to in federal transportation policy. First, federal policy must create affordable, available, and accessible transportation options for everyone, regardless of income, race, age, disability, background, or ZIP code. Second, transportation policy must create, protect, and ensure equal employment opportunities in the transportation industry. Third, federal transportation investments must promote healthy, safe, and inclusive communities with housing opportunities for families of all incomes. Fourth, equity requires that decisions regarding the public dollars invested in transportation must be made by bodies that represent all constituents equally. Finally, there must be strengthened civil rights enforcement to ensure access to transportation, as well as prevent disproportionate negative impacts on disadvantaged communities.

The federal surface transportation program is an important and essential source of funding for providing safe and reliable transportation service and improving the Sunshine State’s highway and bridge conditions while ensuring fair access to quality jobs and contracting opportunities.

Transportation and Florida

Florida is the fourth largest state, with a population of almost 19 million people, and it has one of the largest transportation systems to manage in the nation. Florida’s transportation relies on several modal options. The state’s first commuter rail system has operated in Southeast Florida for more than two decades, and 28 agencies operate urban fixed route transit systems. The 2003 creation of Florida’s Strategic Intermodal System, brought together the state’s most significant

airports, spaceports, seaports, waterways, railways, passenger and freight terminals, and highways into an integrated system.¹ Today, as Florida struggles to emerge from the most severe economic recession in decades, the role of transportation in shaping Florida's economic future is more significant than ever. Florida's transportation system should adapt once again to keep pace with its changing communities and economy. The transportation system should support the development of livable communities by enhancing connectivity and accessibility among the places people live, work, and spend their free time. An equitable transportation system should meet rising household expectations for accessibility, affordability, safety, security, efficiency, and reliability in a way that preserves Florida's rich environment.

Transportation Equity Fosters Employment Growth and Promotes Equal Job Opportunity

According to the Brookings Institution, by 2006, 45 percent of jobs in our 98 largest metro areas were located more than 10 miles from the urban core.² While jobs are increasingly moving to suburbs and remote exurbs, affordable transportation options to and within these areas have not increased at the same pace. As a result, many lower-income and minority people living in rural communities, small towns and urban areas are often isolated from job opportunities.

Most of the outlying areas where an increasing percentage of American jobs are located are reachable only by car. This disproportionately harms people of color: 19 percent of African Americans and 13.7 percent of Latinos lack access to automobiles, compared with 4.6 percent of Whites.³ Lack of public transportation also impedes efforts to reduce poverty—three out of five jobs that are suitable for welfare-to-work participants are not accessible by public transportation.⁴

Our next major federal investment in surface transportation will create hundreds of thousands of jobs in the transportation sector. States with diverse public transportation options have better job growth and economic development. By improving the state's transportation network, Congress can help create good paying and much needed jobs. Investments in transportation can and will create jobs and stimulate the economy. Improving upon the multi-modal transportation system in Florida would retain and attract the jobs and businesses the state needs. The Florida Department of Transportation has expressed the need to develop Florida's Intermodal System to focus on enhancing the mobility of people instead of focusing on developing specific modes of transportation, such as highways, railroads, airports, seaports, and mass transit.⁵

As Florida seeks to rebound from the economic downturn, making needed improvements to the

¹ 2060 Florida Transportation Plan, Horizon 2060, at <http://2060ftp.org>.

² Elizabeth Kneebone, "Job Sprawl Revisited: The Changing Geography of Metropolitan Employment," Metropolitan Policy Program at Brookings, April 2009, at http://www.brookings.edu/~media/Files/rc/reports/2009/0406_job_sprawl_kneebone/20090406_jobsprawl_kneebone.pdf.

³ Brookings Institution and UC-Berkeley. "Socioeconomic Differences in Household Automobile Ownership Rates" at <http://gsppi.berkeley.edu/faculty/sraphael/berubedeakenraphael.pdf>.

⁴ Surface Transportation Policy Project, "Transportation and Poverty Alleviation" at <http://www.transact.org/library/factsheets/poverty.asp> referring to study by the Volpe Institute.

⁵ The Florida Legislature's Office of Program Policy Analysis and Government Accountability, last updated 5/4/10 at <http://www.opaga.state.fl.us/profiles/6045>.

state's surface transportation system will create jobs in the short term and stimulate long-term economic growth as a result of enhanced mobility and access. As of December 2010, the state's overall unemployment rate was 11.1 percent, while the African-American unemployment rate was a staggering 16.7 percent and the Hispanic unemployment rate was 13.6 percent.⁶ The employment rate for people with disabilities in Florida, compared to people without disabilities, reflects an equally abysmal status. While 80 percent of non-institutionalized working-age adults (ages 21 to 64) are employed, the employment rate is only 36.6 percent for people with disabilities.⁷ Job losses in the construction industry, which would include construction in the transportation sector, have accounted for over a third of the overall unemployment in Florida. This continues to be an impediment to Florida's economic recovery.⁸ Given the level of unemployment and high poverty levels, the next transportation bill should ensure fair access to all Floridians—regardless of race, gender, income, disability—to quality jobs, workforce development, and contracting opportunities in the transportation industry. The public transportation industry in Florida employs tens of thousands of Floridians, transports about 262 million riders a year, and creates billions of dollars per year in annual economic activity.⁹ We support initiatives that will bring jobs and economic recovery to Central Florida region and the entire state of Florida.

Transportation Equity Requires Affordable, Available, and Accessible Transportation Options

Our civil rights laws bar employers, federal, state, and local governments and public accommodations from discriminating in access to health care, employment opportunities, housing, education, and voting (among others). Although our laws promise to open doors to opportunity, this is a hollow promise for people who are physically isolated from jobs, schools, stores that sell healthy food, and health care providers. As our metropolitan areas have expanded and jobs and services have become more diffuse, equal opportunity depends upon equal access to affordable transportation.

Transportation investment to date has produced an inhospitable landscape for low-income people, people with disabilities, and the elderly. People of color are disproportionately disadvantaged by the current state of transportation. The cost of car ownership, underinvestment in public transportation, and a paucity of pedestrian-friendly and bicycle-accessible thoroughfares have isolated low-income people and struggling families from jobs and services. Programs like Florida's transportation disadvantaged program, which aims to ensure the availability of safe, efficient, cost-effective, and quality transportation services for those who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation are dependent upon others to obtain access to health care,

⁶ U.S. Bureau of Labor Statistics, Florida Employment Status by Race, <http://www.bls.gov/lau/ptable14full2010.pdf>, at 38.

⁷ Erickson, W. Lee, C., & von Schrader, S. (2010). 2008 Disability Status Report: Florida. Ithaca, NY: Cornell University Rehabilitation Research and Training Center on Disability Demographics and Statistics. At <http://www.ilr.cornell.edu/edi/disabilitystatistics/reports/report.cfm?fips=2039000&subButton=Get+HTML#emp-state>.

⁸ Florida Transportation Commission Review Framework <http://www.bettertransportation.org/DOTReview/ReviewTemplate.pdf>.

⁹ <http://floridatransit.org/docs/FPTANewsRelease-GasPrices.pdf>.

employment, education, shopping, social activities, or other life-sustaining activities should continue to provide services to Florida residents.¹⁰ Public transportation provides a sound return on investment by spurring economic activity, enhancing nearby real estate values, by creating jobs for Floridians and getting them to and from work.

For this reason, our transportation policy should expand and improve access to people for whom the cost of car ownership is prohibitive and for those who may depend on public transportation, including older adults, people with disabilities, people in rural areas, and low-income people. New highways exacerbate transportation inequities by extending the gaps between housing and jobs. An equity agenda should favor fixing existing infrastructures and incentivizing fill-in development in metro areas.

For Floridians in areas far from an urban core, a vehicle is the only practical, workable solution. Jobs, housing, services, and health care facilities in outlying areas are seldom centralized. Lack of access to affordable and reliable transportation has been cited as one of the biggest hurdles to finding and keeping a job, particularly for individuals with limited income, single parents, and others transitioning to work.¹¹ Because of the cost of car ownership, some Floridians cannot afford to purchase or maintain a car. The Job Access and Reverse Commute (JARC) program addresses this barrier by providing funds to support the development of new transportation services that fill gaps in existing services, or the promotion of transportation use to employment and related destinations.¹² The JARC program seeks “to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities.”¹³

The New Freedom program was designed “to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society.”¹⁴ We support the goal of the JARC and New Freedom programs of improving access to transportation services to employment and employment-related activities for Temporary Assistance for Needy Families recipients and eligible low-income individuals in rural and urban areas. JARC and the New Freedom programs should be fully funded in the next transportation bill, so that Florida can continue to use funds to, among other things, assist low-income individuals to gain access to employment opportunities through such solutions as car loan and purchase programs.

Providing more choices for where Floridians can live requires more effective transportation options. In many urban areas, residents have few choices for traveling to jobs, schools, shopping, or community resources. Many rural areas may not be sustainable in their current form

¹⁰ Florida Commission for the Transportation Disadvantaged. <http://www.dot.state.fl.us/ctd/>

¹¹ Community Transportation Association. Employment Transportation Briefs: A Guide to Job Access and Reverse Commute Programs, http://web1.ctaa.org/webmodules/webarticles/articlefiles/A_Guide_to_JARC.pdf

¹² *Id.*

¹³ U.S. Department of Transportation, Federal Transit Administration, FTA Circular 9050.1: The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions, May 1, 2007, II-1.

¹⁴ U.S. Department of Transportation, Federal Transit Administration, FTA Circular 9045.1: The New Freedom Program Guidance and Application Instructions, May 1, 2007, II-1.

due to limited economic opportunities and poor connectivity to employment centers or markets in surrounding regions. Transportation investments should support sustainable development patterns as envisioned by the residents of each state.¹⁵

Where public transportation exists, it does not always take people where they need to go. More creative solutions are needed in rural areas as well, where more than half of all bus riders located in rural parts of the state are people with disabilities,¹⁶ or senior citizens who need access to education, employment, and healthcare.¹⁷ Florida should strengthen its public transportation system, maximize the use of grant-funded transportation programs, and improve accessibility and availability in public transportation.

Transportation Equity Promotes Healthy Communities

Transportation decisions contribute to economic and racial segregation in our metro areas. Emphasis on one-use highways (without sidewalks, bicycle access, or rapid bus routes) contributes to this segregation and severely restricts housing choices for people with disabilities, low-income people, and the elderly. When a community is car-dependent, those who cannot afford automobiles or lack the ability to drive cannot live there even if housing is affordable.

Public transportation creates healthier communities, ultimately reducing air pollution, which disproportionately affects low-income neighborhoods and communities of color, encouraging people to walk more, and increasing access to jobs. Several parts of Florida are at risk of not meeting changing federal air quality standards, partly the result of mobile emissions from transportation sources. Transportation accounted for about 36 percent of greenhouse gas emissions statewide based on recent estimates, second only to the energy sector.¹⁸ Automobile travel is one of Florida's most expensive public health issues.¹⁹ Traffic accidents are the leading cause of fatalities and expensive emergency health costs among many groups of Floridians. Promoting healthy and safe communities should be a priority in the upcoming surface transportation bill.

Transportation Equity Requires Equitable Decision-Making Power

Our transportation policy has been made by bodies that do not represent all constituents equally.²⁰ A more equitable transit system is only possible if low-income people, people of color, and people with disabilities have meaningful representation in local decision-making bodies such as metropolitan planning organizations. Everyone should have a seat at the table when transportation policy is developed and funds are spent.

¹⁵ 2060 Florida Transportation Plan

¹⁶ See Association of Programs for Rural Independent Living: Transportation Act Reauthorization Position Statement: Rural Transportation for People with Disabilities. Jan. 2010. Lack of public transportation is one of the most serious, persistent problems reported by people with disabilities who live in rural America. The next surface transportation authorization bill should require and assist public transportation systems to meet the minimum access requirements stipulated in the Americans with Disabilities Act.

¹⁷ *Id.*

¹⁸ 2060 Florida Transportation Plan, Horizon 2060, <http://2060ftp.org>

¹⁹ http://www.floridatransit.org/docs/FPTA%20Fact%20Sheets_Quality%20of%20Life.pdf

²⁰ Thomas W. Sanchez "An Inherent Bias? Geographic and Racial-Ethnic Patterns of Metropolitan Planning Organization Boards". Accessed from: http://www.brookings.edu/reports/2006/01transportation_sanchez.aspx

Transportation Equity Requires Meaningful Civil Rights Protections

Our laws purport to level the playing field, but our transportation choices have effectively barred millions of people from getting across it. Traditional nondiscrimination protections do not protect the person for whom opportunities are literally out of reach.

To combat the structural discrimination in transportation that excludes communities of color, people with disabilities, and low-income populations from an equitable share of transportation investments, federal statutory reform and vigorous enforcement of existing provisions are needed. Enforcing civil rights protections to ensure fair and equitable access to the benefits of our transportation system and prevent disproportionate negative impacts on disadvantaged communities is a priority for civil and human rights organizations.

Transportation policy has always played a central role in the struggle for civil and human rights. Practical access to transportation helps ensure access to good schools and housing, basic services like health care, and the acquisition of job skills and employment opportunities. Conversely, the absence of affordable, available, and accessible transit threatens the civil rights of millions of Americans. Past investment has disproportionately benefitted people in outlying areas, leaving many low-income Americans out of reach of jobs, and forcing others to exhaust their budgets on transportation at the expense of other needs such as health care, housing, food, and education.

We urge you to support transportation investments that focus on equity. We look forward to working with you and your staff in crafting a bill that addresses the needs of all communities.

Amalgamated Transit Union Local 1596
Normand Audet, President/BA
Orlando, Florida

Central Florida Jobs with Justice
Denise Diaz, Director
Orlando, Florida

Central Florida Urban League
Allie Braswell, President & CEO
Orlando, Florida

Miami Workers Center
Gihan Perera, Executive Director
Miami, Florida

PolicyLink
Angela Glover Blackwell, Founder and CEO

The Leadership Conference on Civil and Human Rights
Wade Henderson, President and CEO

Transport Workers Union of America, AFL-CIO
Portia Reddick White, Director of Legislative and Political Affairs