

*Where We Need to Go:
A Civil Rights Roadmap
for Transportation
Equity*

March 2011

I. Introduction

Transportation is back as a major civil rights issue. Today's focus is not on getting a seat at the front of the bus but on making sure the bus takes us where we need to go.

—Angela Glover Blackwell, Founder and CEO, PolicyLink

This year, Congress will consider the surface transportation reauthorization bill, allocating a significant investment of federal dollars to repair our aging infrastructure and expand it to meet the needs of our 21st-century economy. Budget limitations will mean intense competition among projects—and the next investment in transportation will have a profound impact on every American.

Our transportation policy has the potential to expand economic opportunity for low-income Americans and underrepresented workers by connecting them to highway, transit, and rail construction jobs. Transportation spending generates jobs for workers in the construction industry and also has indirect effects on job creation by increasing the efficiency of the transportation system and improving business productivity. On the other hand, our transportation policy has the potential to exacerbate many Americans' 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.

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, seniors, and poor rural communities.

Transportation and mobility play key roles in the struggle for civil rights and equal opportunity. Historically, issues related to transportation were integral to the civil rights movement—embodied in the Montgomery Bus Boycott and the Freedom Rides—yet, the civil rights implications of transportation policies have been largely ignored until recent years. Civil and

human rights concerns must inform current decisions about where to build highways, the right way to expand transit, and how to connect people with jobs and community resources. The purpose of this paper is to highlight an important opportunity for all segments of society to participate fully in the debates around our nation's transportation policy to ensure no community is left behind.

By the numbers:

\$9,498: average annual cost of owning a car.¹

33 percent: portion of low-income African Americans without access to automobiles.²

25 percent: portion of low-income Latinos without automobile access.³

12.1 percent: portion of low-income Whites without automobile access.⁴

80 percent: portion of federal transportation funding dedicated to highways.⁵

II. Transportation in America: A Landscape of Inequality

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. 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.

By the numbers:

Americans in the lowest 20 percent income bracket, many of whom live in rural settings, spend about 42 percent of their total annual incomes on transportation, compared to 22 percent among middle-income Americans.⁶

Transportation investment to date has produced an inhospitable landscape for low-income people, people with disabilities, seniors, and many people in rural areas. 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 urban and low-income people from jobs and services. Because many people with disabilities do not have the option to drive cars, lack of access to other modes of transportation disproportionately harms them. Similarly, seniors and people in rural areas often have limited transportation choices.

“Imagine being an 80 year-old dialysis patient waiting for the bus for three hours—this happens in today’s America, and it hurts people.”

-National Association of County and City Health Officials

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 accessing it. Traditional nondiscrimination protections cannot protect people for whom opportunities are literally out of reach.

a. Transportation policy affects access to health care

Low-income people and people of color disproportionately lose out on educational and work opportunities due to health problems. Inadequate access to transportation has exacerbated health disparities, forcing many low-income patients to miss appointments—often worsening their medical problems. Lack of transit options also wastes resources by forcing some patients and providers to pay for taxis and other expensive services.⁷ The high cost of transportation also forces low-income families to limit spending for other basic needs, including out-of-pocket health care expenses and nutritious food.

Access to nutritious food is a particularly important issue in rural areas, where commerce and services are spread over large distances. It is important to address this now: our obesity epidemic is particularly grave in the rural south, home to many of the so-called “fattest states” in America.⁸

For many people with disabilities, traveling by car (or transporting their children by car) is not an option, regardless of whether they can afford it. Because many individuals with disabilities have increased health care needs—such as physical therapy, medication monitoring, and other medical services—isolation from providers can have a profound impact on quality of life, health, and safety. Accessible transportation options—such as plentiful sidewalks with crosswalk modifications for the visually impaired, buses, and rail—can make the difference between health care access or isolation both for adults and for the children in their care.

Isolation from health care providers has serious consequences for education and future opportunity: A child who enters school with an undiagnosed vision or

One survey found that four percent of U.S. children (3.2 million in total) either missed a scheduled healthcare visit or did not schedule a visit during the preceding year because of transportation restrictions.⁹

hearing problem could fall far behind unnecessarily. Children who miss school because of illness or go to school sick also learn less. This disadvantage carries over to adulthood, limiting access to job opportunities.

Disproportionate spending on highways designed to facilitate rapid commutes from urban work centers to distant suburbs has additional public health consequences. Without sufficient sidewalk space and bicycle-friendly streets, those in urban areas without cars are at increased risk of pedestrian accidents. Although they make up about 12 percent of the U.S. population, African Americans account for 20 percent of pedestrian fatalities.¹⁰ Research in at least one metro area has also shown that Latinos are also more likely to be involved in fatal pedestrian accidents than Whites.¹¹ Vehicle smog due to congestion causes asthma among urban youth. Finally, lack of investment in walkable communities has contributed to obesity, a public health problem that has reached epidemic proportions.

Our investments to date have also affected rural populations. Native Americans on reservations are among the most affected by crumbling and inadequate rural infrastructure. They have the highest rates of pedestrian injury and death per capita of any racial or ethnic group in the United States.¹² And although fatal motor vehicle crashes in the United States have been on the decline, vehicle fatalities on reservations are on the rise.¹³

b. Transportation policy affects access to economic opportunity

i. Current transportation policy fails to bridge the growing divide between many Americans and job opportunities

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.¹⁴ While jobs are increasingly moving to suburbs and remote exurbs, transportation options to and within these areas have not increased. As a result, low-income and minority populations, who disproportionately live in urban cores,¹⁵ face disproportionate barriers to securing and remaining in these jobs.

Most of the outlying areas where an increasing percentage of American jobs are located are accessible

By the numbers:

Racial minorities are four times more likely than Whites to rely on public transportation for their work commute.¹⁶

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 only 4.6 percent of Whites.¹⁷ Lack of public transportation options 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. In the suburbs, where poverty is on the rise, health care providers, social services, educational institutions and jobs are dispersed over a larger area with few public transportation options or walking routes. With car ownership costing upwards of \$9,000 per year, the suburban poor face untenable options: isolation from work and services or spending nearly half their income on transportation.¹⁸

By the numbers:

New York City residents earning less than \$35,000 per year are eleven times more likely to have commutes over an hour each way than are those earning more than \$75,000.

Black New York City residents' commute times are 25 percent longer than their White counterparts, and Hispanics' commute times are 12 percent longer.¹⁹

People with disabilities in car-dependent areas have little or no accessible, affordable transportation options. Those in metropolitan cores, though more likely to have access to sidewalks, rail, and bus service, have limited access to growing job markets in outlying areas.

ii. Transportation has the potential to create jobs that benefit low-income people and minorities

Our investments in transportation generate hundreds of thousands of well-paying jobs each year. But jobs in the transportation construction workforce have disproportionately been occupied by White males, with women occupying only 2.5 percent of these jobs and African Americans occupying only 6 percent of the eight million people employed in the transportation construction industry in 2008.²⁰

By prioritizing construction far from urban centers in areas not accessible by transit, our current policy injures urban dwellers twice over. Because of earlier transit policy decisions, low-income people don't have access to construction jobs in outlying areas. And once

construction is complete, low-income people don't have access to the new transportation routes. When we continue to prioritize investment in outlying areas, we increase the number of jobs that are out of reach for low-income people.

At the same time, investment leaves rural Americans behind. According to the 2000 census, close to 80 percent of Americans live in metropolitan areas.²¹ Those in rural areas often face challenges accessing jobs in rural areas or traveling to jobs in the urban core.

“The lack of a personal vehicle and limited access to efficient public transportation is a significant barrier to employment for poor people in many suburban communities. Low-income families also need transportation to access supportive services, which are typically dispersed throughout a wide area.”

-Alexandra Cawthorne, Center for American Progress²²

c. Transit affects access to affordable housing

Transit decisions often contribute to economic and racial segregation in our metro areas. Emphasis on one-use highways (*i.e.* multi-lane roads 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 segment of a metro area 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*.

Because public transportation covers limited areas, housing with easy access to transportation is at a premium. As urban living becomes more appealing to professionals trying to avoid long commutes (often due to sprawl), housing near public transit in urban cores and older suburbs grows more desirable and prices rise.²³ Low-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 lower quality of life.

III. How We Got Here: The Infrastructure of Transportation Inequality

The inequitable transit landscape in which we find ourselves today did not sprout up organically or overnight. Several factors have contributed, but the most significant has been suburbanization and its attendant growth of car-based lifestyles.

By investing disproportionately in highways that expand metropolitan areas, funding construction far from urban centers, and tipping decision-making power away from urban and inner suburban constituencies, our transit planning has placed inequitable burdens on low-income people, people with disabilities, and people of color by entrenching the segregation of racial minorities and increasing the concentration of poverty.

Post-WWII highway projects plowed through minority urban neighborhoods to shuttle commuters to and from the suburbs. Transportation planning has historically prioritized suburban development over strengthening cities and incentivized geographic expansion rather than improving infrastructure to accommodate larger, more densely populated areas. The result: Geographic segregation, along with unequal investment in transit options for urban, low-income people.

Today, we still invest disproportionately in new highways, allowing public transit systems to age and leaving metropolitan cores more difficult to navigate. Metropolitan areas are actually subsidizing this policy: Federal highway funding comes largely from gas taxes, and metropolitan areas contribute the most per capita. Still, outlying areas benefit most.²⁴ Suburban and rural areas receive more federal and state spending per capita than metropolitan areas, where most people live.

Unequal power in the decision-making process explains at least some of the disparities. State departments of transportation and local groups called Metropolitan Planning Organizations (MPO) play a large role in determining how to allocate transit funding. Unfortunately, MPOs disproportionately represent suburban interests (because a less dense county has an equal vote with a highly populous urban jurisdiction in a metro area), and their memberships are not representative of metro area demographics. Eighty-eight percent of voting members of the 50 largest MPOs are White.²⁵ Not surprisingly, this underrepresentation of urban interests affects MPOs' decisions about transportation investment.²⁶

IV. The Road (or Bus or Bike) to Take: Transportation Policy Priorities for Civil and Human Rights Organizations

Today’s transportation infrastructure perpetuates public health problems, environmental damage, and unequal opportunity. Although our nation will continue to be primarily dependent on automobiles for the foreseeable future, we also must invest in equitable alternatives that will benefit our economy, environment, and underserved communities. As we consider how to rebuild and rethink our transportation policies, we must make decisions with civil and human rights considerations in mind. This means that advocates must mobilize to educate and advocate for a shared vision of transportation equity.

“When decisions are made about transportation resources and funding, those decisions are rarely made in consultation with or in consideration of low-income people who tend to rely heavily on public transportation as their main access to services.”

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

a. Transportation equity provides people with multiple transportation options

Creating and maintaining affordable and accessible transportation options are priorities. Ending the disproportionate investment in car-based transit must be a centerpiece of the transportation equity agenda. Highways and streets without space for non-motorized traffic isolate those without access to cars and people with disabilities, force low-income people to overspend on transportation and forego other necessities, and contribute to pedestrian fatalities. Civil and human rights advocates should encourage investments in “multi-modal” forms of transit, including sidewalks, bike lanes, and dedicated street and highway lanes for rapid bus transit that can connect urban and low-income people to jobs.

In addition, our transportation policy should expand and improve service for people who depend on public transportation, including older adults, people with disabilities, people in rural areas, and low-income

people. New highways exacerbate transportation inequities by increasing transportation costs for these communities and potentially putting jobs and affordable housing out of reach. An equity agenda should favor incentives to fix existing infrastructure and develop vacant or underutilized property within metro areas.

Although investment in non-automobile transportation options will undoubtedly benefit people with disabilities, policy makers must nonetheless seek guidance from accessibility experts when selecting projects in which to invest. People with disabilities live in every community, and the growing elderly population shares many of their concerns. Transportation planning must therefore concern more than geography; it must also be about

By the numbers:

People in neighborhoods with plentiful transit options spend just nine percent of their incomes on transportation, compared to the average American family’s expenditure of 19 percent. In car-dependent outer suburbs, families spend 25 percent of their incomes on transportation.²⁷

accessibility and maximizing usability.

b. Transportation equity projects promote equal employment opportunities

Our next major federal investment in transportation 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 should create incentives for states and localities to provide jobs to people from low-income communities, including: dedicating transportation funds toward the recruitment, training, and retention of underrepresented workers of local residents, the chronically unemployed, lower-income people, women, and minorities; and tying

federal funding to compliance with contracting goals for disadvantaged business enterprises.

c. Transportation equity requires equal decision-making power

Our transportation policy has been made by bodies that do not represent all constituents equally. A more equitable transportation 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. We should reform the transportation planning process to be more outcome-oriented, using measures that promote equity, including mobility, job access, health, safety, and making investments in local communities.

d. Transportation equity promotes healthy and sustainable communities

Effective coordination of transportation and housing policy is essential for achieving transportation equity. Our transportation policy should reward and promote affordable housing near public transportation by reforming funding programs and providing station area planning grants to local communities. We should work to reduce transportation costs in places where housing costs are low by strengthening reverse-commute systems or expanding public transit service to low-income neighborhoods or communities, people with disabilities, and the elderly.

e. Transportation equity requires meaningful civil rights protections

In addition to investing in transportation equity, we must ensure vigorous enforcement of existing civil rights legislation and pursue improved civil rights protections in federal statutes covering recipients of public funds. Ensuring fair and equitable access to the benefits of our transportation system and preventing disproportionate negative impacts on disadvantaged communities should remain a priority.

Conclusion

The absence of affordable, accessible transportation options threatens the civil rights of millions of Americans. Past investment has disproportionately benefitted people in outlying areas, leaving many jobs out of reach for low-income Americans, and forcing others to exhaust their budgets on transportation at the expense of other needs such as health care, housing, food, and education. Our transportation policy has also undermined the Americans with Disabilities Act's promise of equal opportunity in transportation for people with disabilities, resulting in isolation from jobs, housing, health care, and education.

Constituencies that are directly harmed by inequitable transportation policy have a stake in federal transportation policy decisions. Future transportation policy must promote accessible and equitable transit options, shift funds to communities that have been overlooked, end the cycle of sprawl that perpetuates poverty and inequality, ensure that job creation benefits all communities equally, promote affordable housing, and protect the civil rights of all.

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Notes



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