
February 2, 2023

The Honorable Kumar P. Barve
Chair, House Environment and Transportation Committee
Room 251, House Office Building
Annapolis MD 21401

RE: Letter of Information – House Bill 9 – Equity in Transportation Sector – Guidelines and Analyses

Dear Chair Barve and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 9 but offers the following information for the Committee’s consideration.

House Bill 9 would task the MDOT with considering ways to achieve equity in the transportation sector when developing the State Transportation Goals as part of the Maryland Transportation Plan (MTP). Achieving equity in transportation is inherent to MDOT’s mission statement and our long-range goals and objectives, which require a collaborative and comprehensive outreach process to State, regional, and local stakeholders.

As drafted, House Bill 9 requires that, beginning with the 2045 MTP, the MDOT must consider ways to achieve equity in the transportation sector when developing the State transportation goals. The advisory committee that provides feedback to MDOT on the State transportation goals, benchmarks, and indicators is expanded to include a representative of (1) the Maryland State conference of the National Association for the Advancement of Colored People and (2) a transportation labor organization, designated by the Maryland State and District of Columbia AFL-CIO. The responsibilities of the committee are expanded to include the consideration of the impact of transportation investment on racial equity and, to the extent data is available, persons with disabilities, including service accessibility.

Additionally, beginning with the 2024 Attainment Report on Transportation System Performance, the committee must recommend measurable transportation indicators that can be evaluated for racial and ethnic disparities and, to the extent data is available, impacts on persons with disabilities. The MDOT must evaluate these indicators to identify any racial and ethnic disparities and, to the extent data is available, impacts on persons with disabilities.

The performance measures are selected through the state and federally mandated long-range plan every 4-5 years, in consultation with the Governor’s Attainment Report Advisory Committee. If the newly required data is available, the MDOT could assess these indicators and consider metrics that align with the goals and objectives developed in the long-range plan, ensuring that all performance measures are SMART measures, meaning they are specific, measurable, achievable, realistic, and timely.

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Prior to each transit major service change, House Bill 9 would require the MDOT MTA to conduct a transit equity analysis, perform a cost benefit analysis of impacts on economic development, employment, education, and health, and consult with members of affected communities. If the studies determine there is a disparate impact, House Bill 9 would require MDOT MTA to develop alternatives, conduct equity analyses on those alternatives, then compare the impacts of those alternatives and select the alternative that causes the least disparate impact. Additionally, the bill requires that MDOT MTA publish an evaluation on the demographics of the service area and affected routes before the public hearings on the proposed changes and then after the hearings, publish the equity and cost benefit analysis and complete a report after the hearings, adding a community outreach report and additional components.

The MDOT MTA currently conducts Title VI equity analyses for service changes and consults with the public as specified in its Title VI Program, which is updated every three years through a process that involves public comment. Under the current service change process, demographic factors for transit riders and areas served by routes are considered in the development of service proposals to consider equity early in the service proposal process. Comments received during a public comment period include comments made in public hearings, which are then incorporated into final service proposals. The completed Title VI equity analyses are posted on MDOT MTA's website once finalized, reviewed, and approved.

Additionally, House Bill 9 would require Title VI equity analysis and cost-benefit analysis for cancellation or reduction of a capital expansion project in the construction program of the Consolidated Transportation Program (CTP). Title VI and Federal Transit Administration guidance does not have a process for when facilities or expansion projects are canceled or for investments not occurring.

The Maryland Department of Transportation respectfully requests that the Committee consider this information when deliberating House Bill 9.

Respectfully submitted,

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