S. HRG. 105–113, PART II

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

HEARINGS

BEFORE THE

SUBCOMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE

AND THE

COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

PART I

FEBRUARY 13 AND 26, MARCH 6, 13, AND 19, 1997—WASHINGTON, DC

PART II

MARCH 22, 1997—COEUR D'ALENE, IDAHO
MARCH 26, 1997—KANSAS CITY, MISSOURI
MARCH 28, 1997—LAS VEGAS, NEVADA
APRIL 7, 1997—NEW YORK, NEW YORK
APRIL 21, 1997—WARWICK, RHODE ISLAND
MAY 7 AND JUNE 6, 1997—WASHINGTON, DC

Printed for the use of the Committee on Environment and Public Works

U.S. GOVERNMENT PRINTING OFFICE

54–718 CC WASHINGTON : 1999

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington DC 20402

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED FIFTH CONGRESS

JOHN H. CHAFEE, Rhode Island, *Chairman*

JOHN W. WARNER, Virginia
ROBERT SMITH, New Hampshire
DIRK KEMPTHORNE, Idaho
JAMES M. INHOFE, Oklahoma
CRAIG THOMAS, Wyoming
CHRISTOPHER S. BOND, Missouri
TIM HUTCHINSON, Arkansas
WAYNE ALLARD, Colorado
JEFF SESSIONS, Alabama

MAX BAUCUS, Montana
DANIEL PATRICK MOYNIHAN, New York
FRANK R. LAUTENBERG, New Jersey
HARRY REID, Nevada
BOB GRAHAM, Florida
JOSEPH I. LIEBERMAN, Connecticut
BARBARA BOXER, California
RON WYDEN, Oregon

JIMMIE POWELL, *Staff Director*
J. THOMAS SLITER, *Minority Staff Director*

SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

JOHN W. WARNER, Virginia, *Chairman*

ROBERT SMITH, New Hampshire
DIRK KEMPTHORNE, Idaho
CHRISTOPHER S. BOND, Missouri
JAMES M. INHOFE, Oklahoma
CRAIG THOMAS, Wyoming

MAX BAUCUS, Montana
DANIEL PATRICK MOYNIHAN, New York
HARRY REID, Nevada
BOB GRAHAM, Florida
BARBARA BOXER, California

C O N T E N T S

SATURDAY, MARCH 22, 1997—COEUR D'ALENE, ID

THE WESTERN PERSPECTIVE

OPENING STATEMENTS

Baucus, Hon. Max, U.S. Senator from the State of Montana 5
Kempthorne, Hon. Dirk, U.S. Senator from the State of Idaho 1
Thomas, Hon. Craig, U.S. Senator from the State of Wyoming 23
Warner, Hon. John W., U.S. Senator from the Commonwealth of Virginia 4

WITNESSES

Albert, Steve, Western Transportation Institute, Montana State University 49
Arnold, Tom, Director, Idaho Department of Commerce 46
Barna Basil, manager, INEEL/Lockheed Infrastructure Transportation Department 52
Prepared statement 112
Supplementary remarks 113
Batt, Hon. Philip E., Governor, State of Idaho 7
Letter, ISTEA reauthorization, Governor Philip E. Batt 78
Prepared statement 76
Beadry, John, Planning Director, Stillwater County, Montana 30
Prepared statement 87
Bower, Dwight, Director, Idaho Transportation Department 31
Prepared statement 88, 90
Cook, David, Regional Vice President, Swift Trucking Company 67
Letter 122
Doeringsfeld, Dave, director, Port of Lewiston 64
Prepared statement 118
Dye, Marv, Director, Montana Department of Transportation 33
Prepared statement 99
Ferrell, Yvonne, Director, Idaho Parks and Recreation 43
Prepared statement 105
Responses to additional questions from:
Senator Kempthorne 110
Senator Warner 110
Frasure, Evan, Idaho State Senator and Chairman, Idaho Senate Transportation Committee 24
Prepared statement 83
Garvey, Jane, Acting Administrator, Federal Highway Administration, Department of Transportation 14
Prepared statement 80
Kempton, Jim, Idaho State Representative and Chairman, Idaho House Transportation and Defense Committee 26
Prepared statement 84
King, Jack, Commissioner, Shoshone County, and President, Idaho Association of Counties 28
Prepared statement 86
Kyte, Michael, Director, University of Idaho National Center for Advanced Transportation Technologies (NCATT) 48
Prepared statement 111
Manion, Jim, president, AAA of Idaho, on behalf of Idaho Highway Users 54
Prepared statement 114
McMurray, Ron, Highway 95 Coalition 66

Page

McMurray, Ron, Highway 95 Coalition—Continued
Prepared statement 119
Schweitzer, Carl, executive director, Montana Association of Contractors 62
Prepared statement 117

ADDITIONAL MATERIAL

Letters:
Coeur d'Alene Chamber of Commerce 125
Idaho State Historical Society 124
ISTEA Research, Education and Training Reauthorization Consortium 130
McFarling, Kenneth 125
Winckler, Ann L. 133
Statements:
Albert, Stephen, Montana State University 120
Brown, Kimberly Rice 120
Geringer, Hon. Jim, Governor, State of Wyoming 22
ISTEA Research, Education, and Training Coalition 131
Local Highway Technical Assistance Council, Boise, Idaho 124
Puget Sound Regional Council 129
STARS 2000, Departments of Transporation of Idahoa, Montana, North Dakota, South Dakota, and Wyoming 90
Wood, JoAn, Multi-State Highway Transportation Agreement 126
Wulf, Lloyd 134

WEDNESDAY, MARCH 26, 1997—KANSAS CITY, KS

MIDWESTERN TRANSPORTATION ISSUES

OPENING STATEMENTS

Bond, Hon. Christopher S., U.S. Senator from the State of Missouri 137
Chafee, Hon. John H., U.S. Senator from the State of Rhode Island 138
Warner, Hon. John W., U.S. Senator from the Commonwealth of Virginia 139

WITNESSES

Boland, Tom, Chairman, Missouri Highway and Transportation Commission, Hannibal, Missouri 145
Prepared statement 184
Clarkson, Don, vice president, Clarkson Construction Company, Kansas City, Missouri 159
Prepared statement 188
Evans, Gary, Executive Vice President and Chief Executive Officer, Farmland Industries, and Chairman, Heartland Freight Coalition 167
Prepared statement 190
Fleming, Richard C.D., president and chief executive officer, St. Louis Regional Commerce and Growth Association 157
Prepared statement 186
Herschend, Peter, vice chairman, Silver Dollar City, Inc., Branson, Missouri 161
Prepared statement 189
Lieber, John, Deputy Assistant Secretary for Transportation Policy, Office of the Secretary, Department of Transportation 175
Prepared statement 194
McCance, Malcomb, existing building manager, St. Joseph Chamber of Commerce, St. Joseph, Missouri 169
Prepared statement 191
Mills, Brian, Cass County Commissioner, Northern District, and Co-Chair, Mid-America Regional Council Total Transportation Policy Committee 171
Prepared statement 192
Right, Mike, vice president for public affairs, American Automobile Association, St. Louis, Missouri 142
Prepared statement 181
Seward, Barry, president, Missouri Transportation Development Council, Kansas City, Missouri 143
Prepared statement 182
Wagner, John, Jr., Wagner Industries, Inc., and chairman, Greater Kansas City Chamber of Commerce, Surface Transportation Committee 155

Page

Wagner, John, Jr., Wagner Industries, Inc., and chairman, Greater Kansas City Chamber of Commerce, Surface Transportation Committee—Continued
Prepared statement 185
Winkler, Carolyn, Moberly, Missouri 141
Prepared statement 180
Winkler, Chrissy, Moberly, Missouri 140
Prepared statement 180

ADDITIONAL MATERIAL

Letters:
DePue, Leanna, Central Missouri State University 198
Gaw, Steve, Speaker, Missouri House of Representatives 204
General Railway Corporation 205
Hermann, MO, Chamber of Commerce 206
Leech, Mark 207
Independence, MO, Chamber of Commerce 208
Joplin, MO, Chamber of Commerce 208
Liu, Henry, University of Missouri-Columbia 209, 210
Downey, Mortimer, Department of Transportation 210
North Central Missouri Safety Council 216
Moberly Area Chamber of Commerce 216
Northeast Missouri Regional Planning Commission and Rural Development Corporation 217
Pepsi Cola Bottling Co., New Haven, MO 218
Resolution, Missouri River Bridge, Hermann, MO 207
Statements:
Conner, Mildred, Malta Bend, Missouri 199
Consulting Engineers Council of Missouri 200
Evans, Gary, Farmland Industries 200
Gross, Darrell, Fort Leonard Wood Intermodal Freight/Transit Center 201
Long, Chris, Associated Industries of Missouri 197
McCarthy, Hon. Karen, U.S. Representative from the State of Missouri 212
Missouri Botanical Garden 212
Missouri Highway Patrol 215
Weber, Fred, Inc. 218

FRIDAY, MARCH 28, 1997—LAS VEGAS, NV

RAPID GROWTH AND INTELLIGENT TRANSPORTATION SYSTEMS

OPENING STATEMENTS

Chafee, Hon. John H., U.S. Senator from the State of Rhode Island 221
Reid, Hon. Harry, U.S. Senator from the State of Nevada 222

WITNESSES

Bryan, Hon. Richard, U.S. Senator from the State of Nevada 228
Ensign, Hon. John, U.S. Representative from the State of Nevada 230
Prepared statement 280
Gates, Yvonne Atkinson, County Commissioner, Clark County Commission 266
Hanson, Cathy, on behalf of Hon. Jan Laverty Jones, Mayor, City of Las Vegas 273
Prepared statement .....
Hirschfield, Wendall W., vice president, Hirschfeld Steel Company, Inc., on behalf of Manfred Wackers, President, Transrapid International 243
Prepared statement of Manfred Wackers 285
Howard, Dick, Director, Intergovernmental Relations, South Dakota Department of Transportation 258
Prepared statement 288
Johnson, Christine, Director, Intelligent Transportation Systems, Joint Project Office, Federal Highway Administration 254
List of principles, ITS 288
Kiser, P.D., Traffic Engineering Manager, Parsons Transportation Group 239
Prepared statement 281
Kupermith, Celia G., Executive Director, Reno Regional Transportation Commission, Washoe County, Nevada 271

Page

Kupermith, Celia G., Executive Director, Reno Regional Transportation Commission, Washoe County, Nevada—Continued
Prepared statement 302
Landis, Dick, director, Transportation Programs, Heavy Vehicle Electric License Plate, Inc. 251
Prepared statement 286
MacLennan, Bob, General Manager, Metropolitan Transit Authority, Harris County, Texas 256
Prepared statement 303
Miller, Hon. Robert, Governor, State of Nevada 224
Prepared statement 278
Rahn, Peter, Cabinet Secretary, New Mexico State Highway and Transportation Department 260
Prepared statement 297
Redman, Deborah, senior planner, Southern California Association of Governments 238
Rice, Jean, representing Hon. Jim Gibbons, U.S. Representative from the State of Nevada 232
Schaeffer, Glen, president and chief executive officer, Circus Circus Enterprises 245
Prepared statement 286
Teshara, Steve, executive director, Lake Tahoe Gaming Alliance 241
Prepared statement 283
Woodbury, Bruce, County Commissioner, Clark County Commission 269

ADDITIONAL MATERIAL

Statements:
ACEC's Transportation Committee, Ronald D. Byrd 314
FMC Corporation 310
McNeely, Charles, Reno, NV, City Manager 312
National Association of Railroad Passengers 313
Weinrich, Kurt, Clark County, NV 305

MONDAY, APRIL 7, 1997—NEW YORK, NY

NORTHEASTERN REGIONAL ISSUES

OPENING STATEMENTS

Baucus, Hon. Max, U.S. Senator from the State of Montana 321
Lautenberg, Hon. Frank R., U.S. Senator from the State of New Jersey 322
Lieberman, Hon. Joseph I., U.S. Senator from the State of Connecticut 408
Moynihan, Hon. Daniel Patrick, U.S. Senator from the State of New York 317
Warner, Hon. John W., U.S. Senator from the Commonwealth of Virginia 317

WITNESSES

Bauer, Janine G., Executive Director, Tri-State Transportation Campaign 361
Prepared statement 399
Beachem, Phil, executive director, New Jersey Alliance for Action on ISTEA .. 369
Boyle, Robert E., Executive Director, The Port Authority of New York and New Jersey 355
Prepared statement 392
Cleary, Ed, president, New York State AFL–CIO 370
Prepared statement 406
Conway, E. Virgil, Chairman, Metropolitan Transportation Authority 357
Prepared statement 394
D'Amato, Hon. Alfonse, U.S. Senator from the State of New York 318
Prepared statement 319
Downey, Mortimer L. Downey, Deputy Secretary, Department of Transportation 347
Prepared statement 383
Downs, Thomas M., Chairman, President, and Chief Executive Officer, Amtrak 349
Prepared statement 386
Giuliani, Hon. Rudolph W., Mayor of New York City 329
Prepared statement 378

Page

Kiley, Robert, president, New York City Partnership and Chamber of Commerce, Inc. 365
Prepared statement 401
Pataki, Hon. George E., Governor, State of New York 325
Prepared statement 377
Pocino, Raymond, regional manager, Laborers International Union of North America 373
Prepared statement 404
Rudin, Lew, Rudin Management Corporation, New York, New York 368
Prepared statement 403
Sullivan, James, Acting Commissioner, Connecticut Department of Transportation 351
Prepared statement 389
Van Dyke, J. William, Chairman, North Jersey Transportation Planning Authority, Inc. 359
Prepared statement 397
Whitman, Hon. Christine Todd, Governor, State of New Jersey 333

ADDITIONAL MATERIAL

List, ISTEA Projects in Connecticut 413
Statements:
Bronx Borough President Fernando Ferrer 419
Capitol Region Council of Governments, Richard J. Porth 421
Cheesman, Tom 418
Cheshire, CT, James Sipperly 423
Connecticut Construction Industries Association 420
Connecticut Fund for the Environment, Karyl Lee Hall 416
Corridor H Alternatives, Hugh Rogers 418
Dodd, Hon. Christopher, U.S. Senator from the State of Connecticut 410
General Contractors Association of New York 420
Malloy, Daniel P., Mayor, Stamford, CT 412
Middletown, CT, Area Transit, Tom Cheeseman 418
Rogers, Hugh 418
Rowland, Hon. John G., Governor, State of Connecticut 411

MONDAY, APRIL 21, 1997—WARWICK, RI

INTERMODAL AND ENVIRONMENTAL ISSUES

OPENING STATEMENT

Chafee, Hon. John H., U.S. Senator from the State of Rhode Island 425

WITNESSES

Almond, Hon. Lincoln, Governor, State of Rhode Island 429
Prepared statement 471
Ankner, William, Director, Rhode Island Department of Transportation 446
Prepared statement 480
Baudouin, Dan, Executive Director, The Providence Foundation 462
Prepared statement 492
Bianchi, Kenneth, Town Administrator, North Smithfield, on behalf of DOTWatch 464
Prepared statement 495
Culhane, Colonel Edmond S., Jr., Superintendent, Rhode Island State Police .. 451
Prepared statement 486
Reed, Hon. Jack, U.S. Senator from the State of Rhode Island 426
Prepared statement 427
RePass, James, president and chief executive officer, The Northeast Corridor Initiative, Inc. 468
Letter, National Corridors Initiative 500
Prepared statement 497
Sanderson, Edward F., Executive Director, Rhode Island Preservation and Heritage Commission 455
Prepared statement 488
Schiller, Barry, Sierra Club 460
Letter 490

Page

Schiller, Barry, Sierra Club—Continued
Prepared statement 490
Scott, Beverly, Director, Rhode Island Public Transit Authority 449
Prepared statement 482
Slater, Hon. Rodney, Secretary, Department of Transportation 436
Prepared statement 474
Spalding, Curt, executive director, Save the Bay 466
Prepared statement 496
Weygand, Hon. Robert A., U.S. Representative from the State of Rhode Island 428

ADDITIONAL MATERIAL

Statements:
Blackstone River Valley National Heritage Corridor Commission 501
Woonasquatucket River Greenway, Jane B. Sherman 502

WEDNESDAY, MAY 7, 1997

SAFETY PROGRAMS

OPENING STATEMENTS

Boxer, Hon. Barbara, U.S. Senator from the State of California..... 511, 519
Chafee, Hon. John H., U.S. Senator from the State of Rhode Island 518
Inhofe, Hon. James M., U.S. Senator from the State of Oklahoma 518
Thomas, Hon. Craig, U.S. Senator from the State of Wyoming 512
Warner, Hon. John W., U.S. Senator from the Commonwealth of Virginia 503

WITNESSES

Bartlett, Bob, Mayor, Monrovia, California, representing the Southern California Association of Governments 553
Letter 609
Prepared statement 653
Berry, Brenda, board member, CRASH 551
Prepared statement 624
Crabtree, Richard, president and COO, Nationwide Mutual Insurance Company, representing Advocates for Highway and Auto Safety 535
Prepared statement 591
Report, Harris Poll on Highway Safety Issues 601
DeWine, Hon. MikE, U.S. Senator from the State of Ohio 513
Prepared statement 567
Donohue, Tom, president and CEO, American Trucking Association 543
Prepared statement 610
Resolution, AASHTO 620
Responses to additional questions from:
Senator Boxer 618
Senator Chafee 618
Georgine, Robert, president, Building and Construction Trades Department, AFL–CIO 557
Prepared statement 662
Harsha, Barbara, Executive Director, representing the National Association of Governors' Highway and Safety Representatives 555
Prepared statement of Elizabeth Baker 655
Responses to additional questions from Senator Chafee 660
Kane, Anthony R., Executive Director, Federal Highway Administration, Department of Transporation 523
Prepared statement 584
Responses to additional questions from:
Senator Boxer 586
Senator Chafee 585
Kolstad, James L., Vice President, American Automobile Association 548
Prepared statement 621
Responses to additional questions from Senator Chafee 622
Lautenberg, Hon. Frank R., U.S. Senator from the State of New Jersey 505
Prepared statement 565
Lowey, Hon. Nita, U.S. Representative from the State of New York 507

Page

Lowey, Hon. Nita, U.S. Representative from the State of New York—Continued
Prepared statement 566
Lugar, Hon. Richard G., U.S. Senator from the State of Indiana 503
Prepared statement 563
Prescott, Katherine P., national president, Mothers Against Drunk Driving 540
Prepared statement 606
Responses to additional questions from:
Senator Boxer 608
Senator Chafee 607
Recht, Philip R., Deputy Administrator, National Highway Traffic and Safety Administration 520
Prepared statement 569
Wytkind, Edward, executive director, Transportation Trades Department, AFL–CIO 560
Prepared statement 666

ADDITIONAL MATERIAL

Article, More Trucks Shake Residential America 651
Letters:
Boston University School of Public Health 690
Rohde, Laurence 696
Several Members of Congress, to President Clinton 670
Southern California Association of Governments 609
Statements:
American Insurance Association 673
Claybrook, Joan, Public Citizen 604
General Accounting Office, U.S.-Mexico Commercial Trucking Safety Issues 699
Manocherian, Fraydun 692
National Association of Independent Insurers 691
Survey, Attitudes of American People on Highway Safety, Louis Harris Poll ... 601

FRIDAY, JUNE 6, 1997

WOODROW WILSON MEMORIAL BRIDGE

OPENING STATEMENTS

Reid, Hon. Harry, U.S. Senator from the State of Nevada 772
Warner, Hon. John W., U.S. Senator from the Commonwealth of Virginia 711

WITNESSES

Collins, John J., senior vice president, American Trucking Association 751
Prepared statement 799
Curry, Wayne, County Executive, Prince Georges County, Maryland 749
Prepared statement 796
Davis, Hon. Tom, U.S. Representative from the Commonwealth of Virginia 716
Prepared statement 773
Donley, Hon. Kerry J., Mayor, City of Alexandria, VA 745
Prepared statement 794
Garvey, Hon. Jane, Acting Administrator, Federal Highway Administration, Department of Transportation 721
Prepared statement 777
Hanley, Katherine K., Chairman, Fairfax County Board of Supervisors, Virginia 750
Prepared statement 798
Hoyer, Hon. Steny, U.S. Representative from the state of Maryland 715
Prepared statement 773
Kell, Randal, vice chairman of government affairs, Alexandria Chamber of Commerce 765
Prepared statement 813
Laden, Kenneth, Administrator, Office of Policy and Planning, Department of Public Works, District of Columbia 740
Prepared statement 793

Page

Lewis, Michael J., chief of staff, American Institute of Aeronautics and Astronautics (AIAA), and chairman of legislative affairs, Fairfax County Chamber of Commerce 766
Prepared statement 814
Martinez, Hon. Robert, Secretary of Transportation, Commonwealth of Virginia 736
Prepared statement 790
Mikulski, Hon. Barbara, U.S. Senator from the State of Maryland 714
Prepared statement 772
Montague, Robert, Alexandria Historical Restoration and Preservation Committee 763
Prepared statement 810
Moran, Hon. James, U.S. Representative from the Commonwealth of Virginia 717
Prepared statement 774
Neihardt, Jonas, president, Old Town Civic Association, Alexandria, VA 760
Article:
EPA: Span Air Study Is Flawed 807
Moran Proposes Potomac Span to the South, Washington Post 809
List, Bridge Comparables 808
Prepared statement 803
Robb, Hon. Charles S., U.S. Senator from the Commonwealth of Virginia 723
Sarbanes, Hon. Paul, U.S. Senator from the State of Maryland 713
Williams, Susan, chairman, The Greater Washington Board of Trade 754
Prepared statement 802
Winstead, Hon. David L., Secretary of Transportation, State of Maryland 738
Prepared statement 791
Wolf, Hon. Frank, U.S. Representative from the Commonwealth of Virginia ... 734
Wynn, Hon. Albert, U.S. Representative from the State of Maryland 719
Prepared statement 776

ADDITIONAL MATERIAL

Letter, Sidney R. Steele 816

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION ACT

SATURDAY, MARCH 22, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Coeur d'Alene, Idaho.

THE WESTERN PERSPECTIVE

The subcommittee met, pursuant to notice, at 1 p.m. at Northern Idaho Community College, Coeur d'Alene, Idaho, Hon. Dirk Kempthorne [acting chairman of the subcommittee] presiding.

Present: Senators Kempthorne, Warner, and Baucus.

OPENING STATEMENT OF HON. DIRK KEMPTHORNE, U.S. SENATOR FROM THE STATE OF IDAHO

Senator KEMPTHORNE. Ladies and gentlemen, I will call this hearing of the U.S. Senate Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works to order. And I thank all of you for joining us here this afternoon in beautiful North Idaho where we see the beauty of the State of Idaho and, of course, the weather has cooperated today.

Let me acknowledge the gentlemen seated with me, Senator John Warner of Virginia, who is the Chairman of both the Rules Committee of the Senate, as well as the Subcommittee on Transportation and Infrastructure of the Public Works Committee. And it is through his courtesy, as well as the courtesy of Senator Chafee, who is the Chairman of the full Environment and Public Works Committee that we are having this hearing in Idaho so that we can make part of the record the western perspective of how critical transportation is to the western portion of the United States.

And, again, because of the courtesy of John Warner, he is allowing me to chair this hearing this afternoon.

I also want to acknowledge Senator Baucus from Montana, our friend from Montana, who is the ranking member of the full Environment and Public Works Committee, as well as the ranking member of the Public Works Subcommittee. And 3 years ago Max was the Chairman of the full Environment and Public Works Committee.

It is an honor to have both of these gentleman here, and I know that this is going to be a wonderful opportunity for us to have a number of issues addressed by outstanding panelists. Included, of course, would be the lead-off speaker when we go to our panels,

who will be the Governor of the State of Idaho, Phil Batt. And I also want to acknowledge in the audience is former United States Senator Steve Symms, who was a member of this particular committee and has done so much in the infrastructure of the State of Idaho when he was there in the seat that I now occupy. So, Steve, we thank you for all of the efforts you have done in your service to the State of Idaho and the country.

Today's hearing on the Intermodal Surface Transportation Efficiency Act, or ISTEA, as it is called, allows us to discuss the 21st century, a western perspective. It is an excellent opportunity for Idaho and the West to highlight both the beauty of our area and the challenges we face providing a safe and reliable transportation network in our States.

The reason that I strongly encouraged Senator Warner to schedule a western hearing on ISTEA in Idaho is because we have difficult geographic and demographic challenges facing our region which are unique to the rest of the country. Unfortunately, these factors are not normally a part of discussion when ISTEA is debated in Washington, D.C. Two of the most significant of these factors are, No. 1, large sparsely populated land areas with many miles of highway. Idaho is thirteenth in size among the 50 States with a land area of more than 85,000 square miles but a population of just over 1.1 million people, which ranks us 41st in that category. Large areas of our States are owned by the Federal Government, and they are tax exempt. In Idaho that's almost two-thirds of our State. Today, through the courtesy of Senator Warner, we have brought the debate and members of the U.S. Senate to Idaho.

When Congress authorized the National Highway System Act in 1995, we made a commitment to recognize and support a national system of 160,000 miles of highway in 50 States. We should never lose sight of the intent of the original Federal Interstate Highway System, which was established more than 40 years ago. We are one country with one national system of roadways that people must be able to depend upon. We cannot allow ISTEA to become a program that creates haves or have nots, winners or losers. We should not place a greater significance on any single part of the whole but rather we should strive to support the system as a signal network of safe and efficient transportation infrastructure.

A traveler on the National Highway System should only know when they leave one State and enter another because of a welcome sign, not because of a degradation as to the quality of the roads. During the reauthorization of ISTEA, we must design programs that address the unique needs and challenges of the individual States so that they can fulfill their obligation to develop and maintain their portions of the national system. For Idaho, for Montana, for Washington, these needs and challenges are, as I have mentioned, primarily rural in nature, but to many other States, including Senator Warner's State of Virginia, the issues are often different.

One of these major concerns is the so-called donor versus donee issue, and a fair share returns in the Highway Trust Fund for dollars that States put in. While States like Idaho and Montana, with our sparse population and large areas, are donee States and receive significantly more than a dollar-for-dollar return. Some donor

States receive as little as 80 cents back on the dollar. While I feel strongly that sparsely populated States must receive adequate resources to support their portions of the National Highway System, I also recognize the inequity of the current distribution system and the financial strain that it places on the donor States.

I raise these points to illustrate that while the tremendous diversity of our Nation is certainly one of our great strengths, this diversity is often the basis of our problem in adequately funding our national transportation system.

In an attempt to address these and other important issues, several pieces of legislation have been introduced in the Senate for the reauthorization of ISTEA. Senator Baucus and I, along with Senator Craig Thomas of Wyoming, have been working on draft language of a bill that we will introduce soon. This bill, the Surface Transportation Authorization and Regulatory Streamlining Act, referred to as STARS 2000, significantly streamlines and enhances the current ISTEA.

We propose authorizing highway program funding levels as high as the trust fund will sustain, $26 billion annually, substantially more than the current $18 billion that are being spent. This increased level of funding will enable critical transportation investment to take place and allow States to begin reducing their backlogs of deferred maintenance and construction projects. Under STARS 2000 formulas and funding increases, 47 States would receive higher annual funding than they received on average over the last 6 years of ISTEA. This increased level of funding would enable Congress to address the donor and donee issue by raising the minimum allocation program portion of the distribution formula from 90 to 95 percent, allowing increased funding for other important programs such as the Federal Highway Lands Program.

Our bill would place greater emphasis on rural formula factors, such as low population and density, lane-miles of Federal highway in a State as opposed to miles driven, and consideration for the percentage of tax exempt federally owned lands in a State. These new factors will help establish equity between large urban areas and rural areas, while at the same time protecting the integrity of the National Highway System. In STARS 2000 we also address important Idaho issues, such as contract authority, funding for the National Recreational Trails Act, which Steve Symms was the author of, and increased consideration in transportation research.

I look forward to hearing the testimony of the witnesses that we have invited today. We'll tell you that the record will be kept open so that anyone who wishes to make comments available to us may do so for the next week.

I had mentioned how delighted we were to have Senator Warner here with us. I want to tell you that this is not the first time that Senator Warner has been to the State of Idaho. When he was 15 years old he first came here when he worked in the forests of Idaho. I believe the first city you first were dispatched to was Coeur d'Alene.

Senator WARNER. That's correct.

Senator KEMPTHORNE. So, Senator Warner, you have extended me the gavel today. I want to extend to you a Pulaski.

[Applause.]

Senator KEMPTHORNE. He was instrumental in helping us fight blister rust. So with that, Senator Warner?

OPENING STATEMENT OF HON. JOHN W. WARNER, U.S. SENATOR FROM THE COMMONWEALTH OF VIRGINIA

Senator WARNER. As I walked down main street today, it was a nostalgic trip thinking I was here in 1943 as a 15, almost 16-year-old young man. Why was I here? It was very simple. This is a patriotic community, and almost every able-bodied red-blooded man in those days had long since gone to wear the uniform of our country, and there was a desperate need in the forests for young persons to come out and help contain the ever-present fire situation, refurbish the trails and, indeed, our time off to do a little blister rust to protect the white pine.

Much has changed except one thing, and I detected it this morning in about a 2-hour walk through this city. The people haven't changed. They were as friendly then as they are today. And I wish to extend my profound gratitude to them for providing a safe and secure and a happy summer of 1943, which I remember very vividly.

I'm happy to be here today because my colleague and good friend said through my courtesy. Nonsense. It was through his leadership and really his insistence, together with Senator Baucus, that we take a Senate hearing, that we move to this pivotal area of the great West and get firsthand the views such as we are about to receive from your distinguished Governor.

It is essential that this piece of legislation be shaped to reflect the special needs of the United States of America, not just the northeast corridor which dominated it so much in 1991.

I am a member of a coalition of States, primarily southern States, donor States, and it is my fervent hope that these two Senators and their States and four or five other western States will be the swing balance to bring about the equity and fairness that is needed in the redistribution of the Highway Trust Fund dollars back to the several States from that gas tax that each of us pays when we back up to the tank. I'll be joining Senator Baucus on his legislation to return the 4.3 cents, to distribute it between surface transportation and the AMTRAK. That's an essential piece of legislation if it were to block the efforts indeed of President Clinton to try to divert from your gas tax paid at the tank back to AMTRAK.

This bill will, I'm going to tell you, will be one of the most hard-fought battles in this Congress. I started my career—Actually, when I left here in the summer of 1943, I went into the Navy and became an electronics technician mate. I mention that only because electronics is a very important part of your growing industry. And you go ask that plant manager or that boss or the worker how they are able to compete with the rest of the world. And my guess is they will tell you a part of that competition is predicated upon transportation, turnaround time, to get that product to the user as quickly as possible. And that's what we are here for today, to determine how best to improve your surface transportation so that those workers, be they in the plants or in the fields or in the orchards, can turn those products around and get them to the user so that they are competitive, competitive with the other States, competitive

in the one world market, which is so much the competition that faces all of us today.

So I thank you, Senator, for your leadership in getting this field hearing here and my distinguished colleague from Montana, Senator Baucus.

Senator KEMPTHORNE. Senator Warner, thank you very much. Now, let me call upon my friend and neighbor, Max Baucus, Senator from Montana. I know, Max, that when they filmed the beautiful movie "A River Runs Through It," I believe it was filmed in Montana. And we have many of those beautiful rivers that run through the State of Idaho, so I would like to give you as a little expression of our appreciation of you being here, some flies that have been tied here in Idaho. I know you will enjoy them.

[Applause.]

OPENING STATEMENT OF HON. MAX BAUCUS, U.S. SENATOR FROM THE STATE OF MONTANA

Senator BAUCUS. Thank you, Dirk. I take particular pride in this because not only was "A River Runs Through It" a book that was written by a fellow named Norman MacLean, based upon his experiences in Montana, and the subsequent film by Robert Redford but, actually, that Big Blackfoot River is a part of Montana where I grew up, and our family has a ranch in Montana, and our summer range is right there. So this has special meaning for me. I thank you very much.

I want to tell all of you, too, here in Idaho what an honor it is for me to be here along with John Warner and Dirk Kempthorne. John Warner is a great senator. There are public servants, as we all know, and public servants. John Warner stands out as one of the best. He is very solid. He calls them as he sees them. Very gracious. I am very honored, and I know all of us in the Northwest, particularly here in Coeur d'Alene are honored that he is here with us. And I want to thank you, John, for being here with us.

Senator WARNER. Thank you very much, Senator.

Senator BAUCUS. And the same goes for your Senator Kempthorne. And I say that because I have been working with Dirk quite a bit on a lot of legislation. We are on one of the same committees. One is the Safe Drinking Water Act, which he referred to. Another is the Endangered Species Act, which we are working on together. Dirk is very fair. He is very even-handed and tries to do the right thing. And we are making a lot of progress on that bill as we did the Safe Drinking Water Act. Dirk is the kind of guy that buckles down and gets the work done. Not a big grandstander. I am honored to be here, Dirk, and working with you.

Senator KEMPTHORNE. Thank you.

Senator BAUCUS. For that same reason that we are together on this other bill, GOALS 2000—excuse me. STARS 2000. STARS 2000 is the highway bill that I am going to be introducing after the recess. Dirk is going to be joining me, as well as some other Senators. And it's a bill we think, having worked this out together, is one that is probably the most fair, the most evenly balanced bill among the competing bills now facing the Congress with respect to highway funds. And I say that with very deep respect to Senator Warner, because he has also introduced a bill which is very similar.

It is called STEP 21. But they are actually much more similar and alike than they are dissimilar, and I have a strong feeling that the two bills in many ways are going to merge and become not only one but the major bill.

Just a very brief couple of points here. No. 1 is to recognize and remember the national aspect of our highway program. Back in 1926 a young army officer, Dwight Eisenhower, just for a lark signed on a convoy going across the country from eastern United States to California, he and another officer. And it was during that trip that he realized just what shape our roads were in. I mean, they got stuck in mud. And he felt at that time what this Nation needs is a National Highway System, national highway program.

Then it was during the war, World War II, that his idea got even more defined when he was impressed with the German autobahn system, realizing that we need not just one-lane roads or two-lane, but we need four-lane roads. We needed to expand upon this. That really was the genesis of our Federal highway interstate highway system.

The big question we had back then was how to finance it. He thought that it should be financed locally, that people who use it ought to pay for it. But that didn't make a lot sense here in the West, because we have a lot more space than we do people, and we couldn't finance it. Eventually, agreement was finally reached, as is the case often with legislation, it is a compromise, and the final result was our current highway system where everybody pays gasoline taxes into the trust fund, and then the trust fund then redistributes those dollars back to States on hopefully a very fair balanced basis.

It is a national program. And one main point of the hearing today is to make sure it is indeed a national program. Senator Warner mentioned there are those in the East that would like to tilt it toward the Northeast. We in the West want to make sure that the final result is fair. We don't want more than our fair share. We want to make sure we get our fair share.

And this hearing today will help develop a record of all the unique aspects that we have here in the West, more Federal land, for example, than the East; great distances; lower per capita income; higher State gasoline taxes; freezes and thaws, the pavement freezes and thaws; and our weather conditions; and lots of factors that we have here in the West that most other States don't have that to have a fair, balanced program means that those factors should be recognized in the bill.

I will introduce a bill when I get back, along with Senator Kempthorne, STARS 2000. We have all these crazy names. There is ISTEA, and the Administration's new bill is NEXTEA, and then there is STEP 21. But we are GOALS 2000.

Senator KEMPTHORNE. STARS 2000.

Senator BAUCUS. Excuse me, I keep saying "GOALS." We are STARS 2000.

Senator WARNER. Excuse me, Senator, if you'd yield. When we merge we are taking that name because we want to cap on "Star Wars" and get this thing through.

Senator BAUCUS. Well, by that time I will get the name straight, too, STARS 2000. Thank you.

It is the culmination of effort of Senator Kempthorne's staff and staffs of other Senators in the West. And I think we might as well now, Dirk, get on with the hearing. And thank you again for being part of it.

Senator KEMPTHORNE. I would like to recognize someone else in the audience. You might recognize Steve Symms, an old colleague of ours. In addition, Representative JoAn Wood. She's been a real advocate. Does a great job here in Idaho for transportation programs. She is here too. Good.

Senator BAUCUS. I might while I have the opportunity to put in a plug for my Montanans who are here. Marv Dye, State Highway Department, and there are others here from Montana. Glad you are here.

Senator KEMPTHORNE. Thank you, Max, very much. While we'd all love to take our friends from Virginia and Montana on a quick scenic tour of the State of Idaho, it's just not possible at this time. So we are going to have a 5-minute video, which I think allows all of us to get a flavor of the beauty of Idaho but the challenges that we have in trying to transport ourselves and products in this beautiful State. So with that, we will enjoy this video.

[Video, "A Western Perspective," was shown.]

Senator KEMPTHORNE. I want to thank the Idaho Department of Transportation, which helped put together a beautiful video there.

And with that, let me call forward the Governor of the State of Idaho, a gentleman who is regarded by all Idahoans as an outstanding chief executive.

When we recently had the floods that had been hitting us both last year and this year, Phil Batt demonstrates again why we are so fortunate to have him at the helm, because he is a man who is hands-on. When we had communities that were cutoff because of the mud slides, what have you, he mobilized the Guard and the Department of Transportation so that we could get access immediately.

So with that, Governor, we thank you and we look forward to your comments and perspective.

STATEMENT OF HON. PHILIP E. BATT, GOVERNOR, STATE OF IDAHO

Governor BATT. Thank you, Mr. Chairman, Senator Warner, Senator Baucus. I am Phil Batt, Idaho's Governor. I want to thank you for the opportunity to testify on the reauthorization of Intermodal Surface Transportation Efficiency Act.

Before I begin my testimony, I would like first to welcome you to Idaho and to this beautiful city of Coeur d'Alene. I am particularly grateful that you folks from out of state would take your time to come visit with us here. I think it is appropriate that you see some of the difficulties we have in the West with our roads and, of course, you were acquainted with them earlier. I would also like to thank you for giving Idaho State and local officials and citizens this opportunity to testify.

My comments today are based on written testimony which has already been presented to you. The written testimony offers an in-depth and comprehensive analysis of Idaho's positions on reauthor-

ization. Today I would like to highlight four key recommendations from that testimony.

First, Congress should fully fund the next surface transportation act. And, of course, at your news conference I heard you indicate that you feel as if that should be done.

The needs of Idaho's and the Nation's transportation systems far outstrip the funds available. Annual obligational limits set by Congress under ISTEA were far below the apportionment levels set by the act. The $20 billion balance in the highway and mass transit funds will continue to grow and be unavailable for transportation investment unless Congress discontinues that practice.

Second, the 4.3 cents per gallon in Federal users taxes collected from motorists should be spent on maintaining highways, not deposited in the General Fund for deficit reduction. This would provide an additional $6 billion to the Nation to make badly needed repairs to our highways. And, Senator Warner, I was very happy to hear that you are going to agree with Senator Baucus in that particular action.

Third, State and local governments should be given more flexibility in determining how, when, and where Federal transportation money is being spent, to maximize the safety and the mobility of the people.

Fourth, burdensome and often unnecessary sanctions imposed by ISTEA and early laws should be eliminated. Sanctions diminish the flexibility of ISTEA by forcing States to adopt policies or to lose a portion of their Federal construction funds if they do not.

Funding. A comprehensive study of Idaho roads and bridges in 1995 showed a $4.1 billion backlog of needed highway improvements. This figure is daunting and far outstrips Idaho's ability to make these improvements. As I mentioned previously, even though we put as much as 70 percent of our primary funding into Highway 95, you can see the needs we still have. Yet significantly more money is being collected from highway users than is being made available to the States.

Congress should fund highway and transit programs at the highest sustainable levels. The fully authorized funding amounts in ISTEA have not been released to the States, even though its sufficient revenue is available in the Highway Trust Fund. So instead of $26 billion being spent annually, the current level of Federal-related funds is being authorized at around $20 billion.

At the same time, the 4.3 cents per gallon in users taxes currently being spent on nontransportation purposes should be spent exclusively on transportation improvement. From these two actions alone, funding for transportation can be increased by $32 billion without raising anyone's taxes.

One of the promises of ISTEA was to provide increased flexibility in funding transportation programs. Much of this flexibility, in reality, does not exist, because the rules that accompanied ISTEA were overly specific and prescriptive. Many of the major problems associated with the implementation of ISTEA are not caused by the intent and direction of ISTEA, but from the interpretation of Federal agency regulations imposed on the States.

These regulations have constrained Idaho from meeting its specific needs and priorities. Idaho must allocate transportation money

in eligible categories rather than where it needs to be spent the most. Congress should give States greater discretion that allows them to address their unique transportation needs. Decisions on where to spend transportation funds should be made at the State and local levels. Allowed to work unimpeded, Idaho will make sound decisions.

Many Federal transportation programs impose sanctions, usually the loss of Federal construction funds if certain actions aren't taken in order to force States to comply with the goal. The effect of these sanctions is to distort State spending into areas which may not be a priority for the State or best use of those funds. I remember when Steve Symms used to talk about that, about Idaho not making its own priorities, particularly on the interstate when some of the upkeep of that was in question. Sanctions are counter-productive, leading to a reduction in already inadequate funding level and imposing priorities that are not necessarily those of Idaho.

While there are major improvements that can be made, we should be proud of the progress made under ISTEA. Its central elements should serve as a foundation for the next reauthorization. Hearings like this one will allow the committee to learn what aspects of ISTEA are working and what can be improved. The stakes are high. The subcommittee is well aware of the vital role transportation plays in ensuring America's economic prosperity and quality of life.

We need strong Federal programs and leadership in transportation.

As the introductory video showed, Idaho faces many challenges in providing a transportation system for the Nation and for our citizens. Idaho covers more than 83,000 square miles, more than 500 miles long from the Canadian border to Nevada, and 300 miles wide along the southern border. To travel by road from Coeur d'Alene to Boise to Pocatello is a journey of more than 600 miles. The majority of the land you would travel through, about 64 percent, is owned by the Federal Government. Idaho's population of 1.2 million is widely spread across the State.

Throughout Idaho's history and continuing to this day, the diverse and difficult topography of the State presents challenges, most often expensive ones to build and maintain our transportation system. Agricultural, mining, and forest products, industries that rely on good and extensive transportation systems, have been the backbone of Idaho's economy. However, Idaho's growth in population and economy are increasing demands on our highways. As the video illustrated, U.S. 95, Idaho's north and south highway, is a perfect example of these challenges, and its improvement continues to be one of my top priorities.

So in conclusion, we look forward to working with the subcommittee to discuss these and other reauthorization issues and stand ready to provide information which would be of assistance to the subcommittee as it moves forward in the legislative process. We have others from Idaho who will be testifying, including Dwight Bower and our transportation committee chairman out of the House and Senate and also the Chairman of our Transportation Board.

So, Mr. Chairman, that concludes my remarks. Thank you for the invitation to present Idaho's views, and I will be pleased to respond to questions now or in writing later.

Senator KEMPTHORNE. Governor, thank you very much. Governor, I think that you will find in the legislation that Senator Baucus and I are going to be offering, and really I think you see the same principle reflected in Senator Warner's legislation, that we give much greater authority and flexibility to the State. Would you just, perhaps in a philosophical fashion, but could you comment? Because there are different times in Washington, D.C., when we have Federal officials that will testify that they really question if they don't make the decisions, will they be the appropriate decisions throughout the United States. Your thoughts on the expertise and the abilities of State governments to deal with their problems within their own borders.

Governor BATT. Well, without trying to offend my distinguished Washington people, we don't think that wisdom necessarily is created by removal from one's home place. And, therefore, we think that we can make these decisions wisely. We are obligated to, or our citizens would not allow us to serve them. I think as a specific example some of the highway shoulder grades can be designed to fit Idaho's needs better than being prescribed by someone from out of the State. And so we would accept such responsibility very seriously, but we think that it is appropriate to be residing within Idaho's ability to make those decisions.

Senator KEMPTHORNE. Thank you very much.

Senator Warner?

Senator WARNER. I would like to pick up on that very important line of questioning, because I come from a State which is very proud of state's rights. But on the other hand, Governor, it has been my experience that some complimentary features of construction and safety and the like have to be shared by the several States. Because when we drive from your great State into my dear friend Senator Baucus's State, we don't want an abrupt border change in safety and things of this nature.

I would hope that you could provide, for the record, in consultation with your highway secretary, give us a list of five things that you think are sanctions that are not fairly balanced toward the perspective of your State. This is precisely what the three of us, this is the type of fact that we, the three of us, want to take into consideration when we look at this new bill.

And here you are the greatest Governor in the history of the State of Idaho. The next one, whoever that may be, may not be the greatest Governor, may not be interested and may have total other fields of interest and suddenly take such authority as yielded from the central government to the States and use it in a manner consistent with the benefit of the State and the enjoyment of the State. That's the problem.

Governor BATT. That is very well put. And I may not be the greatest. I think I am the shortest.

[Laughter.]

Governor BATT. It is very true that we cannot, when you are granting these large sums of money back to the State from our taxes that we paid in in the first place, you have to have some con-

trol over the quality and, as you say, a continuity from State to State. It has to be a partnership.

I think too many times in the past, however, there's been more of an attitude from some of the Federal folks that we are not capable of making wise decisions in the States. All of you have demonstrated in your actions in Congress you don't think that is necessarily true. And all we ask is an even break on it. And I accepted your challenge to give you five instances in which——

Senator WARNER. Let me make one observation, because I like the profile of this Governor. This is a no nonsense individual. You and I shared a birthday here 3 weeks apart.

Governor BATT. That's correct, sir.

Senator WARNER. And now at a ripe old age, we have seen a lot. But it's been my observation, and you came up through State government. And no one in State government ever got elected through raising the taxes. And this tremendous gas tax that we have here is a direct consequence of the several States failing to have the courage in their legislatures to pass the necessary taxes to raise the money to improve and keep and maintain their highways. So in a sense you are paying a penalty by letting Big Brother back in Washington put in the tax structure that you would not in the several States and therefore, as a consequence, along comes some of big brother's thinking. Now our job is to balance that.

There is one bill floating around that says let's abolish all of this tax and give it all back to the States and let you announce to the legislature of your State that we are going to have an 18-cent gas tax. You will go down in history when that announcement is made.

Governor BATT. You are absolutely correct, and I do not think that would be an equitable arrangement because of the vast amount of Federal land we have here, the bridge we make from one State to another, and the importance of the corridors for foreign trade, particularly now that NAFTA is in place, the big flow of traffic coming down to our State. So I think the Federal Government has some interest in redistributing the money to meet national concerns.

However, in general, I think that it would be better for the State to impose the taxes and spend them ourselves. We raised our gas tax about 4 cents last year under my leadership, because we think we are obligated to that for our own State's well-being.

Senator WARNER. I will conclude with one observation. Through the teachings of these two fine colleagues, this old stuffy Easterner has learned very clearly that these States geographically, demographically, and everything else are not structured to generate within the State the funds necessary even to maintain, much less expand and modernize, your surface transportation. So your State, Montana, and others, are entitled to a proportionately larger share of the Federal distribution. And that is clear in this senator's mind, and I will work with them to preserve that.

[Applause.]

Senator KEMPTHORNE. Senator Warner, good comments. And, too, your assessment and sizing up of Phil Batt is right on target. That's why we want to keep him around for a while.

Senator Baucus?

Senator BAUCUS. All I can say is this hearing is getting off to a good start. Based on the comments of our friend and colleague from Virginia, we are making good progress here, and I thank you very much.

Governor, as you know, a bill was introduced in the Senate. It's called the Turn-Back Bill. Essentially, it would repeal 12 cents out of the current 18.3 cents of the current gasoline tax and say OK, States, you are on your own. But it would keep 2 cents only for interstate maintenance. The remainder would have to be paid up by States in raising funds, however they could do it, to maintain the highway programs.

My question for you is could Idaho do that. I suppose they could in one sense. But if you could just tell us what some of the strains would be and what some of the complications would be if that legislation were to be enacted.

Governor BATT. I am not enough of an engineer to accurately assess that. There would be a point somewhere where Idaho could accept that responsibility. I would say that probably if only a 2-cent tax, it would put us at a distinct disadvantage, one we would find very difficult to cope with.

Senator BAUCUS. In Montana we would have to have a State gasoline tax close to 60 cents. There is no way in the world we in Montana can have a State gasoline tax that is 50 cents a gallon. That would be to maintain the current level of our highway maintenance and construction program.

Governor BATT. I think it is well we have had a Federal gasoline tax. It hasn't been raised much over the years. We did put it to 4.3 cents, as you have been talking about. But, previous to that, I think the States were raising their taxes much more rapidly than was the Federal Government. Probably appropriately so, I would say.

Senator BAUCUS. Could you address the needs of Idaho for highway maintenance construction? We saw the video of 95 which is pretty graphic. As you all know, too, even though our interstate construction has been completed, there is going to be a time when we will have to reconstruct some of the interstate.

Governor BATT. In viewing an interstate map, it looks like to me as if it were designed mainly for east-west passage. And whether that is a factor of geography or a factor of commerce, I don't know. But there are many gaps in interstate from north to south, and that is particularly tough on Idaho here where you are riding down the Rocky Mountain Range. We are in dire need of a better passage north and south. I don't know if that's true of other States or not.

Senator BAUCUS. We have our 95, too, in Montana. It's called 93. It's a north-south, very heavily traveled.

Governor BATT. Ours would be much more heavily traveled, if we had a good road, but it would be tremendously expensive to build it into an interstate. In fact, I don't think it is in the cards.

Senator KEMPTHORNE. Thank you very much.

Senator WARNER. Could I have one more comment?

Senator KEMPTHORNE. Certainly.

Senator WARNER. You know, Governor, it is interesting. We grumbled about the taxes we pay in this country for transportation. I understand your State tax is 25 cents. In my State is 19 plus 1

in certain areas. That is 20 cents. But in Europe it is several dollars tax. In other words, the English tax, it's $4 a gallon or $4.50 a gallon. And it's the same basic petroleum in the one-world market. They are paying $3 and $4 a gallon. So this is another example of where Americans are getting very inexpensive energy from taxation, much in the same way, Governor, you are producing the finest food in the world at the lowest cost to consumer in any industrial Nation, the farming industry of this country.

Governor BATT. Well, you are absolutely correct. We are very fortunate in the tax load that we have on us regarding user taxes. And maybe we can sustain it at that level, or maybe it will have to be increased. But certainly other parts of world are paying a much higher percent.

Senator WARNER. What we have to do, and it was right in this good video here, we are not putting enough in to keep what you have in Idaho in shape, much less expand it and modernize it.

Governor BATT. It is very difficult. I agree.

Senator WARNER. Excellent witness. Thank you.

Senator KEMPTHORNE. Senator Warner, if we could have shown you by air the devastation that has hit so many of our road systems because of the flooding and, unfortunately, we have still 200 percent snowpack in the mountains. Our ground is saturated. We still don't have major mountain areas that are stable yet. We are going to continue to see the loss of roads.

Governor BATT. We should be, and we are, very grateful in the State of Idaho for the assistance we have had from the Federal Government regarding these disasters. They have responded very well. James Lee Witt, who I think is a marvelous man, is running FEMA and we have had a lot of help both on our highways and our parts of our damage also.

Senator KEMPTHORNE. Governor, thank you very much.

Governor BATT. Thank you. Senator Warner, I want to congratulate you on turning the same milestone I did. And I hope you hang in a long time.

Senator WARNER. I wish they would give us a little more respect.

[Applause.]

Senator KEMPTHORNE. Governor Batt and Senator Warner, Strom Thurmond calls you youngsters.

With that, let me call forward Jane Garvey, who is the Acting Administrator of the Federal Highway Administration. She has a great wealth of knowledge on this issue, both at the Federal level in her capacity at the Federal Highway Administration and as a former Director of the Department of Transportation for the Commonwealth of Virginia. Ms. Garvey understands this issue from the States' perspective, and I know that she has worked closely with Dwight Bower, Idaho's director of the Department of Transportation. She is on a first-name basis with Dwight and many other State directors around the country. We are fortunate to have someone of her caliber to be with us today, and I certainly look forward to when it is confirmed that you will no longer be acting but will be the Administrator.

And, too, let me also add my personal thanks to you, Ms. Garvey. Governor Batt mentioned about the efforts of the Federal Government. This is your second trip in about 3 months. You were here

when we had the last rounds of floods and, again, we appreciate that sort of responsiveness. And I appreciate your track record and your abilities.

So with that, we look forward to your comments, and then we will have a few questions.

STATEMENT OF JANE GARVEY, ACTING ADMINISTRATOR, FEDERAL HIGHWAY ADMINISTRATION

Ms. GARVEY. Thank you very much, Mr. Chairman and Senator Warner and Senator Baucus. It is a pleasure to be here. And I thank you very much for the opportunity to testify in behalf of reauthorizing ISTEA. Before I do begin my statement, I would like to thank you, Mr. Chairman, and the Governor for the hospitality I received both on this trip and when I was here in January. And I must say it is wonderful to be back at a more opportune time, or at a better time, and great to see the State doing so well.

This afternoon I am here to speak about NEXTEA, the $175 billion transportation plan announced last week by President Clinton and Secretary Slater. As Senator Baucus rightly commented, we need to have a proposal that addresses national interests and that has national benefits. We believe this proposal does have national benefits.

However, since today's hearing focuses on NEXTEA's implications for rural America, I want to emphasize that aspect. I also have a more detailed statement that, with your permission, I would like to submit for the record.

Senator KEMPTHORNE. Without objection.

Ms. GARVEY. Many of my NEXTEA's initiatives go directly to the heart of rural needs determined by long distances, by rugged conditions, and shipment of agricultural products, and natural resources. Nowhere, as Senator Kempthorne indicated, is the Federal role in transportation more important.

NEXTEA would help to meet those needs by increasing transportation funding to $175 billion, 11 percent over current levels, and by distributing those funds based on formulas, which we believe strike a fair balance among the needs of individual States and regions, a very difficult job. I am anxious to see the formulas that you have come up with as well.

One of the biggest increases in funding, 30 percent over current level, comes in the core program, such as the Interstate Highway Maintenance Program, the Bridge Rehabilitation Program, the National Highway System. Those programs are the backbone of the American transportation system. They are vital to this region. They are vital to this Nation. And NEXTEA reaffirms our commitment to sustaining that.

We have also increased funding for the Federal Lands Highway Program, which builds and maintains roads and national parks and forests, on our Native American reservations and other public lands. And we are creating new programs to fund improvements of border crossings and trade corridors, some of which flow through rural areas. Again, I think of some of the comments earlier. The north-south connections are the connections we really need to focus on. We have done a wonderful job east to west with the interstate. North-south is the area we need to focus on next.

NEXTEA would continue our efforts to protect the environment, increasing funding to help communities clean up the air and continuing investment in recreational trails, bicycle paths, scenic byways and other programs which cost relatively little but which greatly improve our quality of life.

NEXTEA would sustain funding for ITS, Intelligent Transportation System. And although much of the publicity for these technologies has focused on cities, they do have strong benefits for the rural areas as well. In fact, there are 28 federally aided rural ITS operational tests under way, part of the Nation-wide total of about 60 ITS projects in rural areas. Here in Idaho, for example, the Storm Warning Operation Test on I–84 will use sensors to provide accurate information on weather and road conditions.

Among other possibilities for ITS are Mayday services for faster emergency responses on isolated roads, rural transit dispatching using global positioning on satellite systems, and tourist information services as well. NEXTEA would reemphasize or emphasize research and deployment of these applications as well as vehicle center technologies, such as collision avoidance.

NEXTEA is also about making travel safer. A disproportionate share, about 60 percent, of highway fatalities are on rural roads. Everything from higher speeds to longer emergency response time contributes to this. Regardless of the cause, it is unacceptable. NEXTEA does increase highway safety authorizations by more than 25 percent. It would include a 6-year $3.2 billion to improve highway rail grade crossings and eliminate road hazards. It would give States the flexibility to target those funds, as well as other safety programs, if they are more effective.

Finally, NEXTEA would continue to bring common sense to the delivery of the services to our State and local partners. For example, we want to streamline the 23 state-wide and 16 metropolitan planning factors into seven broad goals that States and localities can use to guide their planning. We want to expand our planning inclusiveness by ensuring that concerns of rural communities and trade shippers are heard. We would like to give States and localities greater flexibility so that they are making the decisions on how best to spend their funds.

I appreciate Senator Warner's question to the Governor. I think that is the heart of it, what are some specific suggestions. We think we have gotten at some, but maybe not all of them. We would be interested in seeing that ourselves.

And, finally, to cut back on reporting certifications and other paperwork that especially burdens rural States with smaller transportation agencies.

Let me close by saying that while we were developing our proposals we asked our partners, we asked our constituents, the American people, what it should include. They told us that we should continue as many Federal programs that work, but we should make improvements where necessary, and we should create some new initiatives to meet the challenges of the new century.

At its heart, NEXTEA is about more than roads and bridges. It is about cutting-edge jobs. It's about getting people to work. It's about providing safety on our highways, and it's about the commu-

nities we share and steps we have to take to make those communities both safer and cleaner for our children.

Mr. Chairman, we in the Administration look forward to working with Congress and working with this committee in particular to shape a proposal that can take us into the 21st century.

With that, thank you very much for inviting me here today. I had a wonderful, wonderful visit. Thank you.

Senator KEMPTHORNE. Ms. Garvey, thank you very much. I am going to start our clock under the 5-minute rule. Each of us will have 5 minutes in a round of questions.

Ms. Garvey, at the last full committee hearing where Secretary of Transportation Slater testified, he stated that the Department of Transportation was fully aware of the western perspective and the problems that we have in the West. He said that we would see that reflected in the documents that come forth. I set that up as a preface to referencing then what the Administration ultimately came forward with in NEXTEA. It took ten of the most rural States and cut their funding formula. It cut the State of Washington's formula. And yet there were other States, New York, New Jersey, Pennsylvania, where it actually increased their share.

Now, to put this in perspective again you saw the video of the State of Idaho. If you go from the Canadian border down Highway 95 to the Nevada border, it is about 535 miles, one State, 1 million people. Contrast that from going from Boston, Massachusetts, I am sorry, I stated Virginia, but you are from Boston, Massachusetts, to Washington, D.C., is about the same mileage, 535 miles, and yet you go through nine States with tens of millions of people. Same distance. But you can see that there is a real dilemma in trying to come up with the funds necessary to keep Highway 95 in shape versus the other assets that you have on the eastern seacoast.

So can you tell us, why does that happen, and can we expect that the Administration is going to revise these numbers?

Ms. GARVEY. Well, first of all, let me begin by saying that the issue of formulas is among the most difficult. And what we tried very hard to do is balance out the needs of both the donor States and donee States. We looked at the factors. We tried to update—we in fact did update a number of the factors. I think one of the factors, for example, population, we were using 1980 numbers, and we have updated it. And we have also provided three equity pieces to our formula as well. And we have made some donor States happy, some not so many happy. We have satisfied some of the donee States, and some of the others, as you have indicated, may not be happy. We've tried to strike a balance. I think we'd like to say we have certainly not found the answer. We think this is, the formula that we have come up with, will be part of the debate. And we think it's going to be something that's going to take a great deal of discussion and a great deal of working with Members of Congress. I think we want to be there with you. We want to add those factors to the debate. But, we know we haven't found the silver bullet.

Senator KEMPTHORNE. I haven't found the 5-minute deal either. [Laughter.]

Senator KEMPTHORNE. I say that because 10 of the most rural States, that's 20 votes, and that's just a beginning. And I don't

think the Administration is reflecting that it understands the problems with rural America. Let me ask you, too, we talked about the devastation that all of these roadways are having. And yet the funding for the emergency funds for roads to construct has been flat for a number of years, and it remains flat. Do you anticipate seeing any increases there?

Ms. GARVEY. The proposal that we put before Congress does contain flat funding and in part because it is so hard to predict what is going to happen in the emergency area. And we have had wonderful cooperation from Congress, and when we have gone forward to Congress with specific requests, we have been very successful. And we expect we will be in the future. We have a supplemental budget that is coming forward to Congress very soon to deal with some of last year's issues, and we expect the Congress to be very helpful as they have in the past.

Senator KEMPTHORNE. I will make this my final question in this round, and that is dealing with the National Recreational Trails Act. It really, up until 2 years ago, really never had been funded. So 2 years ago we finally secured funding, $15 million annually. That is based on a trust fund, another one of these dedicated accounts for the off-road vehicles the gas tax has collected. So why is it that the Administration comes forward and now cuts that in half, which is very clear that once again we are violating the word "trust" in trust fund. And, again, I discussed this with Secretary Slater, who said he understood what we were saying, that we would have a discussion. We had no discussion, and I see that it has been cut in half. And I have to say that if we keep making a hoax out of trust funds, then I have to question why we have trust funds.

Ms. GARVEY. The Recreational Trails is one I know is important, not only to this State but also to the region. We had two very important goals when we approached that issue. One was because of the very point you made earlier; it wasn't funded up until 2 years ago. One was to provide contract authority so that States could count on it. So it was a consistent source of funding. We also wanted to increase the flexibility and allow States to match other Federal funds for their local or State match. We were able to do that. We also know that it is eligible under transportation enhancement, as well as some pieces of it under the STP program. But we know that the level of funding is something that Congress will look at, and again we expect that will be part of the debate as we move through the next few months.

Senator KEMPTHORNE. Again, these are not critical statements directed at you. But I think it demonstrates why you will see legislation such as Senator Baucus and I are going to be offering, because the Administration's view of the West doesn't match.

Ms. GARVEY. Senator, with all due respect, I look forward to those discussions. I do think there are a number of elements that support your position and Senator Baucus's position as well. I think some of the ITS and some of the core programs. But, again, we look forward to more discussions with you and ways to make it better.

Senator KEMPTHORNE. You are a good team player.

Senator Warner?

Senator WARNER. I defer to my colleague.

Senator KEMPTHORNE. Senator Baucus?

Senator BAUCUS. Thank you, Mr. Chairman.

Ms. Garvey, I very much appreciate the statement when you particularly indicated efforts to understand and respect the interests of the West. And I know this is not your decision. You are part of the big team. You have the transportation secretary to talk to OMB, there are lots——

Ms. GARVEY. You mentioned the magic words.

Senator BAUCUS. Right. You have got a lot you have to deal with here. But I am just curious, why did the Administration come up with a bill, NEXTEA, which lowers the proportion of highway funds that western States would receive as compared with current law? Are there some reasons behind that that we don't quite fathom here?

Ms. GARVEY. Well, again, with the point I made earlier trying to describe some balances between the donor and the donee, and some States do better when you go west of the Mississippi; some don't do as well as we would like.

Senator BAUCUS. Right. But I was curious if there were any reasons why.

Ms. GARVEY. It really was trying to strike a balance and trying to strike a middle ground between the donor and the donee States.

Senator BAUCUS. Right. But, why a balance tilted more toward them against us?

Ms. GARVEY. I will say some of the southern States have expressed the same thing, depending on where you are, some of the same concerns.

Senator BAUCUS. Let me get at this a little bit differently. The current program is ISTEA and NEXTEA, which really is an extension of ISTEA, to a large degree emphasizes population, State population. Doesn't it make more sense for the formulas to reflect not so much population of the States but rather lane-miles, that is NHS lane-miles and interstate lane-miles, combined with vehicle miles traveled, that is, actual use and needs of highways rather than population of States? Because often the larger States people use other forms of transportation, sometimes trains, mass transit, so forth. Whereas, here in the West we rely much more heavily on highways. Just theoretically, do you think that makes more sense or not, or do you have a particular problem with that concept?

Ms. GARVEY. And for the interstate, lane-miles is one of the factors and is considered. I think that is a good point. The NHS debate, and some of you were even closer to it than I was, there was a great deal of discussion about what should be a factor. And the issue of lane-miles was something that was debated at that time, and we had a lot of concern from individual Senators and Congressmen of not making it the way that we would determine the NHS. We have been trying to respect that point of view as well.

Senator BAUCUS. I mention that point in part because this is a program supported by users, people who pay gasoline taxes. And it seems to me there should be a more direct connection between those who pay gasoline taxes and those who use the highways and, therefore, the dollars are apportioned more directly to NHS and ve-

hicle miles traveled, for example. Do you have a problem with that concept?

Ms. GARVEY. I think we have tried to get at some of those issues through our equity formulas which really does deal with some of the donee concerns. In other words, for example, they have ensured that States receive at least, which is the third equity piece, making sure that States are meant to receive at least 95 percent of their——

Senator BAUCUS. It's averaged percentage—it is averaged during ISTEA, right, which we feel does even out some of those issues.

Senator BAUCUS. What about the number of categories in STARS 2000 versus NEXTEA? We are trying to reduce the total number of categories, give States more flexibility. Your observations about that concept in our bill.

Ms. GARVEY. That is something that I will say is very hotly discussed both within the Administration and also at some of the forums and outreach sessions that we've had. And we've tried to simplify and have simplified some of our programs, particularly within the programs themselves. For example, Transportation Enhancement is much more streamlined. But we still heard, I will say, from mayors, from local communities, from officials who said keep CMAQ, keep transportation enhancement. It needs at least one more reauthorization to really grab hold. We have ended there, we have landed in that place and tried to streamline within those programs.

Senator BAUCUS. But as a general rule, do you have any conceptual problems with our bill reducing the number of total categories and allowing more flexibility?

Ms. GARVEY. I certainly think increased flexibility is very important. I think it is also important to listen to some of the local folks, some of the mayors and so forth.

Senator BAUCUS. I was happy to see and understand greater interest in rural Intelligent Highway System. I think currently it is about 1 percent of the total goes to rural out of $600 million program. You mentioned in your statement that 30 percent of highway fatalities are on rural roads. And I think I saw in your prepared statement about 10 percent would be recommended under ISTEA.

Ms. GARVEY. As a minimum.

Senator BAUCUS. As a minimum. With 60 percent of the deficit, I hope you can raise that 10 percent——

Ms. GARVEY. I think we will be able to. We are just giving a floor and then going from there.

Senator BAUCUS. Thank you very much.

Senator KEMPTHORNE. Thank you.

Senator Warner?

Senator WARNER. We are very pleased and grateful for this key person in this legislation to come out to this beautiful part of our country and visit. Let me have a little fun. You are in the prime of life, but do you recall in your younger days ever playing a game called King for a Day?

Ms. GARVEY. Well, I played Queen for a Day, Senator.

[Laughter.]

Ms. GARVEY. But I think it is the same principle.

Senator WARNER. You just caught me. Let's play Queen and King for a Day. And supposing that the leadership of my two colleagues on the left, together with myself and some others, we get three or four more billion dollars in this bill. And we are pretty well going to write it down to Congress. We've got it, and we are going to write it. But we just might call you up and get a few ideas of how you would like to prioritize the expenditure of another, say, $3 billion over and above what President Clinton instructed you, and you have to follow your orders, we understand, instructed you to put in this bill.

Ms. GARVEY. I think first and foremost I would probably put it into the core program. I think still maintaining the NHS or maintaining the interstate. The NHS with its intermodal connectors, which I think is one of the most powerful aspects of the NHS, the bridges, I think those are very critical needs in this country. Personal preference, I am intrigued by some of the potential with State infrastructure banks, even with some of the lines of credit. I think that offers some opportunities for some large projects. That might be some area that I would take a look at. But I think the core program is the place that I would start first and foremost.

Senator WARNER. Of concern to me has been the present infrastructure and the need to keep it modernized and safe. And again, coming back to State legislators, well, take myself, for example. In ISTEA 1991, Steve Symms, who was my straw boss, then—where is Steve? He is out there somewhere. We, in the final hours of the bill, about four o'clock in the morning, each of the members of conference, and I was a member at that time, we were told you get X millions and you can do what you want with it for your State. And it quickly flashed before my mind that I think I might go build a big interchange and have it named the John Warner Interchange, you know, memorialize myself. So what did I do? I directed it all be given to the Governor with the earmark it had to go into refurbishing the current infrastructure of our interstate system, shoulders, everything else. And guess what I got out of it? They called me "Pothole Johnny." And that was the memorial that I got out of it.

But if I had to do it again, I would do it that way. And there's a tendency among State legislators to say I am not going to get elected, he or she is not going to get elected on filling in the potholes and making a strip of roadway safer. But, boy, if I put a new piece out here and go to cut the ribbon, and everybody is there and says well, look what he or she brought, that's big times. My inclination is to see that considerable portion of this money goes into making what we have safe. Would you join us on that?

Ms. GARVEY. Oh, absolutely. And, in fact, some of the provisions within our interstate maintenance program and the bridge program really emphasize rehabilitation, making it, frankly, almost impossible to flex out because it is so important to maintain the system that we have.

Senator WARNER. Let me go for another, back to the king and Queen for a Day. My good friend here works with me on the Senate Armed Services Committee. We have served together, and how pleased we are to have an Idaho senator on that important committee. And I am chairman the Sea Power Subcommittee, which, of

course, is ship construction. And my State happens to have the largest naval base in the world. And, therefore, I have a little bias in that direction.

We will be building new ships this year, new aircraft, and the modern ship or aircraft takes basically 10 years from concept through operational status in the United States Navy fleet, which means it goes to sea to do its mission, 10 years. I can understand an aircraft carrier. If you haven't been on one, we can arrange that. You go on and look at the electronics, the elevators, the catapults. It is fantastic what takes place. You go look at a modern jet fighter and everything that is built in that. Yet it takes the same amount of time from the concept to the delivery for a new highway. There is something wrong. That highway is not as complicated as an aircraft carrier or modern plane. Now, what are you going to do to help cut down that amount of time and get out Federal interference so that these State highway directors can go ahead and build it?

Ms. GARVEY. I was just speaking with Director Dye a few minutes ago about that very issue. We just finished something in Federal Highway that I think holds a great deal of hope, and that is work over the last 6 months or so to identify how we can streamline the environmental process. We have worked with our sister agencies, and we have worked with some State DOTs. As a matter of fact, I brought a copy. We are going to get copies for all the members of the committee. But, I happened to be reading it on the plane. And I think just the cover of it says something, which is it shows all of the agencies that are involved in any project. And just the number that are suggested on the cover I think really illustrates part of the problem.

Senator WARNER. What is this document?

Ms. GARVEY. We have——

Senator WARNER. Who is we?

Ms. GARVEY. Federal Highway——

Senator WARNER. Just put out?

Ms. GARVEY. Yes, just literally printed. In fact, I think it is the last thing that Rodney Slater put out as Administrator.

Senator WARNER. And it just describes the problem which I have recited, or the solution?

Ms. GARVEY. And makes some recommendations for how we can make it better.

Senator WARNER. Who are you recommending it to, the Congress? Why don't you do it yourself? You are the executive branch.

Ms. GARVEY. Yes, that's it exactly. The recommendation is to us, and we are going to set a time line in place and put them in play. But I thought that some of the members might be interested in what State DOTs and Federal agencies are saying.

Senator WARNER. This is a direct product of the feed-in from State highways——

Ms. GARVEY. Exactly. But there are some very specific recommendations to shorten the process and——

Senator WARNER. That is good. I commend you for that.

MS. GARVEY:—get moving on that.

Senator WARNER. You say you are going to leave us one of these beautiful purple copies?

Ms. GARVEY. The choice of color, it is an interesting one, isn't it?

Senator WARNER. What is purple?

Ms. GARVEY. I don't know. I was actually thinking this is the best indication that I may actually get the job. It looks like my color.

[Laughter.]

Senator WARNER. An older lady one time who said the hallmark of royalty is purple.

Ms. GARVEY. Well, there you go.

Senator KEMPTHORNE. Senator Baucus or Senator Warner, any other questions?

Senator WARNER. No. Excellent testimony.

Senator KEMPTHORNE. Indeed it was. Ms. Garvey, thank you so much. We appreciate you.

Let me then invite the next panel to please come forward. While they are coming forward, I ask unanimous consent that we make part of the record a statement from Governor Jim Geringer of Wyoming and a statement of Senator Craig Thomas of Wyoming, and that we will leave the record open for a period of 10 days so that anyone who wishes to submit to us written comments, those comments will be made part of this record. And I note that Congressman Mike Crapo of the Second District wished to make a statement part of this record. So without objection, that will be our order.

[The prepared statements follow:]

STATEMENT OF GOVERNOR JIM GERINGER, STATE OF WYOMING

Thank you for this opportunity to present Wyoming's views for consideration in shaping the Federal surface transportation program legislation.

The state of Wyoming wholeheartedly supports the proposed Surface Transportation Authorization and Regulation Streamlining Act (STARS 2000) being prepared for introduction by Senators Thomas, Baucus, Kempthorne and others. I commend these senators for their strong leadership in developing this important legislation that addresses both the needs of the Nation and the unique needs of rural western states. I know Senator Thomas has worked very hard on this bill, and we will fully support his efforts in the reauthorization process. You will receive combined testimony today from the Transportation Departments of Idaho, Montana, North Dakota, South Dakota and Wyoming. The state of Wyoming endorses that testimony and urges the Committee to give it full consideration.

I want to extend my appreciation to you, Chairman Warner, for your efforts in advancing the national interest in surface transportation reauthorization legislation. You and Senators Thomas, Kempthorne and Baucus are making great strides to obtain higher levels of Federal highway funding to address the nation's transportation needs. I commend you for conducting this hearing and obtaining firsthand knowledge of Federal highway issues important to western states.

First, I want to comment on the importance of securing funding at the highest possible level, given the constraints of the Balanced Budget Amendment, the "Byrd Rule" and limits on total discretionary spending. I believe this level could be as high as approximately $26-$27 billion annually and remain within these constraints while being fully supported by revenues in the highway trust fund. This is a dedicated tax, paid by users who expect to see their taxes used for the intended purpose of financing highways. In addition, returning the 4.3 cents currently used for deficit reduction to the highway trust fund would restore the public "trust" in the Federal highway trust fund program and provide revenues needed to meet accelerating highway needs. Let me elaborate on some important funding and related issues.

Reauthorization should reaffirm a strong Federal interest in the nation's transportation system by making the National Highway System the focus for Federal investments. STARS 2000 provides over fifty percent of its funding authorizations for the National Highway System program. This is an appropriate investment of Federal highway funds to ensure the nation's highway system is well connected to efficiently move people and goods. The National Highway System is not intended to be a metropolitan or local transportation system, but rather state and national in scope. The

system requires formula factors that emphasize extent and usage of the NHS and fosters national needs over provincial interests. STARS 2000 provides an equitable distribution formula based on interstate lane miles, interstate vehicle miles of travel, NHS lane miles, NHS vehicle miles of travel, and diesel usage.

Federal surface transportation funding should be distributed in a manner that reflects the national interest in rural and intercity, as well as urban, transportation. A donor-donee relationship will need to continue in order to fairly recognize these interests. Wyoming is a donee state, but it also has the highest per capita contributions to the Federal highway trust fund. This clearly reflects the plight of low population states with large Federal land holdings. These rural states simply cannot support, and should not be expected to support, extensive Federal highway systems without adequate Federal funding.

The national interest in Federal lands and the responsibilities that go with vast Federal land ownership must be recognized in Federal authorizations. The Federal Government owns over 49 percent of the land area in Wyoming, including Yellowstone National Park, Grand Teton National Park, and seven national forests. Twenty-nine percent of the state highway system crosses Federal land. These national treasures are for the benefit of all citizens and require appropriate Federal funding to provide adequate access to them. Improving and maintaining highways across these Federal lands is very expensive. Terrain, environmental issues, Federal regulations, and recreational and wildlife mitigation compound the "normal" highway improvement costs.

Movement of the nation's commerce across "bridge" states is profoundly evident on Interstate 80 through southern Wyoming. A snapshot of the traffic at any time, day or night, reflects the disproportionate amount of heavy truck traffic compared to automobile traffic. The route is truly a bridge between west coast population centers and the Midwest.

New legislation must also reduce Federal regulations, mandates, and set-asides and increase flexibility for state and local governments. We are pleased that the STARS 2000 legislation goes in that direction.

The inclusion of demonstration projects by Congress and discretionary funding for the administration has been discouraging to the state of Wyoming. Federal legislation and subsequent rules and regulations have always dictated certain state and local planning requirements for transportation infrastructure improvements. Setting aside large portions of any funding for demonstration and discretionary projects undermines both the funding available and the planning process for the states. It is very important that any legislation keeps these types of projects at a bare minimum.

During the process of debating transportation reauthorization legislation, many issues will come forward. I urge Congress to remain focused on the national interest in transportation and strongly consider the national benefits of STARS 2000.

Thank you.

STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM THE STATE OF WYOMING

I thank Chairman Warner for holding this field hearing today and for his leadership on this important issue. While I am not able to attend, I am sure it will be a productive session for the subcommittee and will provide an outside-the-Beltway view of our country's transportation needs as well as some ideas about how to best satisfy those requirements.

In my view, the current ISTEA law was a helpful first step toward shaping transportation policy to take this country into the 21st century. It maintained a national commitment to transportation, but made some necessary changes to surface transportation policies. However, it failed to address important issues that will make our transportation program more flexible and efficient in order to respond to changing transportation needs.

It is important that we examine our country's transportation infrastructure funding requirements because they are significant and we should be doing more to meet them In fact, testimony submitted for this hearing by my good friend, Wyoming Governor Jim Geringer, will explain that 44 percent of the roads in my state of Wyoming are in fair to poor condition. In addition, the State's highway repair and maintenance needs total $50 million per year more than the state can address. Those figures do not include Wyoming's infrastructure needs in the Federal lands highway program. The Federal Government owns 5O percent of the land in my state and those roads have substantial funding requirements as well. Wyoming is a "bridge" state; goods are transported from their source, across Wyoming, and to their final destination. A set of efficient and well maintained roads are as important

to the cities that export goods across the country and around the world as they are to the people of Wyoming.

I am also concerned about the infrastructure needs of our national parks. The majority of Yellowstone National Park's roads are structurally deficient. As one of the crown jewels of the national park system and host of more than three million visitors annually, this situation is unacceptable. In fact, the Park's to year plan includes $250 million in road funding requirements. However, Yellowstone only receives roughly $8 million in transportation funding annually to meet these needs.

Unfortunately, the Clinton Administration's bill, the National Economic Crossroads Transportation Efficiency Act (NEXTEA), doesn't meet these challenges. The Administration in testimony this year has indicated that an annual investment of $50 billion is required from all levels of government to maintain current conditions of our highways and bridges. It has also stated that we are currently providing only 70 percent of what is necessary achieve this goal. NEXTEA does little to close this gap.

A more flexible program structure is another important goal I would like to achieve during the reauthorization of ISTEA. We should allocate a greater percentage of overall funding within the discretion of States officials. This will allow them to focus on their priorities, not the Federal Government's.

Congress and the Administration also need to reduce Federal regulation of state and local governments. We took a big step forward a year and a half ago under the National Highway System Designation Act, but more work remains to be done. We need to simplify prescriptive interpretations of Federal regulations by several Federal agencies. We should also consider initiatives that review and reduce obsolete and unnecessary regulations on state and local governments. This will ensure that American taxpayers will get more for their fuel tax dollars.

Finally, Senator Baucus, Kempthorne, and I plan to introduce the Surface Transportation Authorization and Regulation Streamlining Act (STARS 2000) shortly after the Easter recess. It is a comprehensive reauthorization of the highway portion of ISTEA. It will reflect the national interest in transportation investment—in our own states and across the country. STARS 2000 will meet the transportation challenges of our next century by making a strong Federal investment in transportation, streamlining program structure and reducing regulations.

Again, Mr. Chairman, I am pleased you are holding this hearing so the subcommittee can explore these important national issues.

Senator KEMPTHORNE. Please come forward.

With sincere welcome to all of our gentlemen here before us on this panel, not only people with great expertise but great friends as well. With that let me call upon our first witness. And, too, your formal statements will be made part of the record. So what I would ask is to the extent you can, just abide by the 5-minute rule. As you see that we are in the yellow or red, why, if you can, try to begin to conclude your remarks. Then we will open it up for a series of questions.

We will start with Idaho Senator Evan Frasure, who is the Chairman of the Senate Transportation Committee.

Evan, welcome, and we very much look forward to your comments.

STATEMENT OF HON. EVAN FRASURE, A MEMBER OF THE IDAHO STATE SENATE AND CHAIRMAN, SENATE TRANSPORTATION COMMITTEE

Senator FRASURE. Thank you, Mr. Chairman and Senator Warner and Senator Baucus. We appreciate you being here, and welcome to Idaho again. I appreciate the opportunity to speak on the reauthorization of ISTEA.

In 1995 the Idaho legislature created an interim committee and along with the Representative JoAn Wood and myself. We had members from not only the legislature. It was kind of a unique panel. It included members from the Idaho Association of Cities, counties, highway districts, as well as the transportation depart-

ment. And we were charged with the responsibility of going out and analyzing the needs here in Idaho.

We held 13 hearings. And we spent all summer and fall in 1995 going around the State with these hearings and allowing citizens to tell us what they felt was important about Idaho transportation. And it was interesting. In that process the committee spent a great deal of time analyzing the condition of the Idaho roads, and we analyzed the amount of funding that was available and what it would take to correct these deficiencies. And the final report was a good report and justified some adjustments we made here in our Idaho tax structure.

Among the reports that we studied was the assessment study update that the Governor referred to. Governor Batt mentioned the $4.1 billion of backlog needs. The actual study showed through the year 2000 an $8 billion problem just to bring our roads up to standards. By way of example, U.S. 95 in that study was $334 million, and that was simply to create a 34-foot wide road with shoulders. We are not talking interstate quality roads here by any stretch. That was simply to bring that up to a reasonable standard.

In 1996 the Idaho legislature, our recommendation was followed by the legislature, and we increased the fuel tax by 4 cents, as well as an increase in our registration fees. These fuel tax and registration increases were put into what we call a restricted highway account. Those funds could only be used for pavement and for bridge improvements and road and safety crossings. And this new money added about 34 million to the structure. Which as you can see, 34 million staring at an $8 billion backlog certainly didn't address it by any stretch.

Here in Idaho all of our funds that are generated through our user fees are dedicated to roads. Those are supplemented by a great deal of property taxes locally, and here in Idaho we are doing all we can to address those needs.

Now, as you go through the process here, we appreciate Congress designated 2350 miles of Idaho roads as a part of that National Highway System, and those roads are of great significance here in the State. And when you add that as part of our total interstate system, we have a great deal of national responsibility, with the passage of NAFTA, going north and south. We haven't addressed those needs. And 95 is a big point for us.

As I stated, the legislature and the citizens of Idaho are making a strong commitment to good transportation, both for our State as well as the Nation. The Federal Government, in my humble opinion, should increase their efforts to make sure that the Federal dollars are committed to ensure our transportation system is a safe system, very functional.

For a number of years the State and local governments have proven to be a major source of funding. When we take a look at the national funding level and we see the 20 billion that is currently being spent, I would certainly concur and encourage you to increase that by using all the trust funds up to the $26 billion level. And by making that commitment and making sure that the dollars that are used as a user fee on the national level are spent not to the General Fund but to our roads would be a great improvement for us.

And, Mr. Chairman, with that I know that you have a lot of folks to hear from today. I have some examples, in my opinion, of Federal waste that could be redirected. But, I will certainly answer any questions.

Thank you, Mr. Chairman.

Senator KEMPTHORNE. Great. Thank you very much.

Let me now call upon Mr. Jim Kempton, representative of the Idaho State Legislature. Representative Kempton is Chairman of the House Transportation and Defense Committee.

STATEMENT OF HON. JIM KEMPTON, A MEMBER OF THE IDAHO HOUSE OF REPRESENTATIVES, AND CHAIRMAN, HOUSE TRANSPORTATION AND DEFENSE COMMITTEE

Mr. KEMPTON. Thank you, Chairman Kempthorne, Chairman Warner, Senator Baucus. I would like to thank you all very much for coming into Idaho. Senator Warner, I spent 6 years running the highways and byways of the great State of Virginia, and I am glad to have you in the State of Idaho.

Senator Kempthorne, one thing that wasn't shown in the video was the Snake River and the canyons that also divide the State in the south and divide it longitudinally. For a State with a general fund account of 1.4 billion, the estimate to bring Idaho roads to Federal standards by the year 2000 is over 8 billion. That amount does not include money that would be required to fund road and bridge construction for NAFTA traffic diverted over the State highway system as a result of Federal interstate weight limits.

Last session, Senator Warner, in an election year, I carried a 4 cent gas tax bill on gasoline and diesel fuels in response to the Idaho Needs Assessment Study, which indicated a need of the 8 billion. The Idaho Transportation Department had demonstrated an ability to reverse highway deterioration trends by accelerating maintenance and resurfacing. That bill passed narrowly in the House, and with the Governor's help passed by one vote in the Senate. State fuel tax is now 25 cents, and the additional dollars from the 4 cent gas tax are directed totally to roads and bridges, no administration.

This past legislative session I was forced to break a transportation committee tie vote which would have allowed truck weights to increase from 105,500 pounds to 129,000 pounds on State highways. Like the 4 cent gas tax, this was a tough decision. The economy in my area is agricultural based and is beginning to anticipate increased losses resulting from Canadian trucks above 105,500 moving agricultural products from newly established processing plants in Canada to ports and population centers in and near the United States.

So I guess the question is, why didn't we go to 129,000 pounds? There was no increase in truck weight, as far as the imprint, and there was no increase in the length of the vehicles themselves. It is because the government has failed to establish an interstate transportation weight limit policy, which would interconnect with expanded weights on the State highways. This is not a chicken and egg issue. The suggestion the States lead the way in motivating the Federal Government to increase interstate weight limits is a specious argument. States did not negotiate NAFTA, and States can-

not independently establish the national transportation corridors, albeit it will be required to implement the act.

For example, southern Idaho agricultural products transported at 129,000 pounds cannot connect to west coast ports through Oregon or through the Idaho inland Port of Lewiston by Highway 95. North-south NAFTA traffic at 129,000 pounds could take place through Montana, Idaho, or Utah south, but heavy commercial traffic through Idaho would be on roads which were never designed to handle commercial traffic of this volume and weight. The twisting, narrow surface, small-town-connected State highway system is not where heavy-weight mainline commercial traffic of the 21st century should be directed.

On a separate matter, Idaho is a State where 64 percent of the land is federally owned and regulated for the benefit of the Nation as a whole. The increasingly heavy recreational traffic is having a significant impact on State and county roads leading to popular recreational areas. Last Wednesday I read in the paper where fees were going to start being charged in the Sawtooth National Recreation Area and other Forest Service and BLM select areas to help provide money to supplement diminishing Federal funding. It goes without saying that none of that fee money will be directed to the road structures passing in, out, and through these high density recreation areas.

In my county a narrow two-lane paved road to the City of Rocks National Reserve is maintained by an unorganized highway district with no tax base. The road, constructed parallel to part of the California Trail, is rapidly deteriorating, and yet services to both a national and international population of visitors has to be served. Not unlike other State and county roads serving the goals of Federal land use, no funding resolutions are in sight.

Appropriations from the Federal Highway Trust Fund remain a vital issue in adequate funding of the Idaho transportation system. Idaho is a net receiver State under the present ISTEA funding formula, without which funding the State would have moved even further behind the 8 billion shortfall line. This not a supposition. It is a fact.

Hopefully, the reauthorization of a new surface transportation act will give consideration to the uniqueness of the individual States. Certainly, the introduction of STARS 2000 as a successor to ISTEA is a logical and much appreciated step in integrating urban and rural factors affecting all facets of an efficient national transportation system.

I would like to be one of many to thank you, Senator Kempthorne, Senator Baucus, and others who are working for the introduction of STARS 2000.

Finally, use of the Highway Trust Fund to balance the Nation's budget is an unfortunate abuse of tax revenue collected for highway users across the Nation, as are executive branch expenditures for roads and bridges in amounts less than apportioned by Congress for the same purposes. Even more unfortunate would be the expansion of Federal Highway Trust Fund expenditures to include AMTRAK operations and mass transit operations.

Two additional comments concerning the Federal Highway Trust Fund. First, funding for the fund should attain a higher level; $26

or $27 billion would not be excessive. Second, the 4.3 percent Federal gas tax going to the General Fund should be redirected to the trust fund. To do less is to foster the widely held belief that ISTEA has fallen short as an equitable funding process leading to achievement of State and national transportation's goals. Certainly this is no time to suggest the toll taxing the Federal Highway System is the next order of business.

Mr. Chairman, members of the Committee, you have a difficult task ahead. I wish you the best in your deliberations. Economic security of this Nation literally rides on the vision you have for a future transportation system that will fairly and efficiently serve these United States. Thank you again for visiting Idaho.

Senator KEMPTHORNE. Representative Kempton, thank you very much for your comments.

Let me now call upon Commissioner Jack King from Shoshone County, who is president of the Idaho Association of Counties. Commissioner.

STATEMENT OF JACK KING, COMMISSIONER, SHOSHONE COUNTY, AND PRESIDENT, IDAHO ASSOCIATION OF COUNTIES

Mr. KING. Mr. Chairman, Senator Warner, and Senator Baucus, as the Chairman has just stated, I am a commissioner of Shoshone County and president of Idaho Association of Counties. And I would just like to state as not a spokesman of NACO, but the Idaho Association of Counties backed the NACO position for reauthorization. As you might remember here a few weeks ago, we came upon the capital building to petition that you reauthorize ISTEA.

So with that, the Idaho Association of Counties is supportive of the reauthorization of ISTEA. The program allows for improved flexible funding of transportation infrastructure, and there has been improvement in participation by local highway jurisdictions in Idaho in prioritizing projects as well as overall planning on a statewide basis.

A greater percentage of funds should be earmarked for roads, bridges, and railroad crossing improvements. In Idaho there is a need for local bridge replacements and rehabilitation projects which far exceed the available funding for that program. The money for State planning and research exceeds the money available for bridge replacement projects at 2.2 million to 1.3 million. The counties would like to see more money for bridge replacements and rehabilitation.

The counties feel that the Highway Trust Fund should be taken off the budget to protect it from being used to reduce the Federal deficit. The money collected from the sale of fuel should be used for maintaining and operating the road system, not for political purposes. The Idaho Association of Counties supports the ability to use the surface transportation formula funds on both rural and urban road systems. More local input is needed in prioritizing expenditures of these funds, and they should focus on the local road system.

Transportation planning is very important on regional, statewide, and local levels and must take into account all modes of travel to protect the integrity of the roads system, as well as all of the

transportation system to individuals not desiring to use automobiles.

Since the Highway Trust Fund is supported by the user fees, the emphasis of future legislation should be to protect the highway infrastructure within the Nation and States. The counties support giving local highway jurisdiction and ability to set their own priorities on transportation issues and greater voice and flexibility in influencing transportation plans that satisfy local needs. We would like to continue to have Federal policy recognized and require that local officials play a prominent role in local and regional transportation plans.

We believe that the process and the procedures on Congestion Mitigation/Air Quality and enhancement programs should be streamlined to help improve the deliveries of funds. We also hope that the reauthorization of ISTEA would simplify the system of design review, projects approval and regulations that State and local MOPs and citizens have to go through to get projects going. The reauthorization should move the Federal Government away from its role of reviewing projects and setting design standards to have oversight without sacrificing environmental safeguards particularly when multiple reviews substantially increase the cost of particular projects.

The Federal Lands Highway Program. This program works well in Idaho for those local highway jurisdictions who receive significant benefit from the program and the reconstruction and rehabilitation of roads accessing our Federal lands. Over 60 percent of Idaho is owned by the Federal Government, and the access to public lands for recreation and tourism is increasing. The program along with the Public Lands Discretionary Funds is a significant support to the deterioration roadway transportation system in Idaho. We fully support reauthorization.

We feel that the portion of ISTEA dealing with the hold harmless provision is discriminatory. The roads on which these funds are used are for access to public lands owned by the Federal Government. Penalizing Idaho for using these funds on access roads for the overall public of other highway programs under ISTEA is unfair.

We would like to see it eliminated. We would like to see the communication between the Federal Government and the local highway jurisdictions improve. By allowing us to assist in prioritizing our projects could be helpful both to the local jurisdiction and Federal Government. Working together for an overall transportation need for the State will lead toward better relationship between Federal Government and local highway jurisdictions in Idaho.

In Idaho one thing that should be considered in various programs is that by using Federal dollars there is relatively high design standards which do not enable funds to go as far in construction of roads in mountainous territory. Also, once completed, they become the responsibility of local jurisdictions which are truly limited in ways to raise revenue. Some flexibility would be beneficial as well as considering giving assistance to local jurisdiction with maintenance of the system.

And with that, I appreciate the opportunity to be here, Senators.

Senator KEMPTHORNE. Commissioner, thank you very much.

Let me introduce now Mr. John Beaudry, who is the Planning Director of Stillwater County, Montana.

Mr. Beaudry, please proceed.

STATEMENT OF JOHN BEAUDRY, PLANNING DIRECTOR, STILLWATER COUNTY, MONTANA

Mr. BEAUDRY. Thank you, Senator Kempthorne, Senator Warner, and Senator Baucus. I also appreciate this opportunity to comment on the reauthorization of the Federal Highway Program.

I testified 6 years ago when the current program was being considered and at that time gave examples of transportation needs from our community. Since that time, I am pleased to report, 20 miles of highway were realigned, reconstructed, and paved. Another 18 miles of highway received an overlay, and five bridges were replaced. In addition, four enhancement projects have been completed in our community.

Transportation issues are still one of the highest priorities in our community. The Federal Highway Program is critical, not only to the transportation system, but also to the economic well-being of Stillwater County. Interstate 90 bisects the county, and Highway 78 serves as a north-south arterial route. There are five other Federal-aid routes in the county, 14 major bridge structures and numerous smaller bridge structures, eight railroad crossings, and one designated Forest Highway Project.

Federal funding for the National Highway System under the current program has not been adequate to meet all of our transportation needs. For example, reconstruction projects for Highway 78 originally scheduled to begin over 5 years ago are still delayed. The Forest Highway 83 serving southern Stillwater County includes access to Custer National Forest and the Stillwater platinum/palladium mine. Fourteen miles of the total 20-mile reconstruction project have been completed. However, the remainder of this project has not been funded at this time.

The Stillwater mine produces platinum group metals and currently employs over 600 people and has an annual payroll around $25 million. This is the only platinum/palladium mine in the United States and competes in international markets with mines in Russia and South Africa. Platinum group metals are used for automotive pollution control, medical applications, in electronics, industrial processes and a variety of other applications, including national defense.

There are two other Federal-aid projects in our county which began over 2 years ago and still are not completed at this time. The Stillwater Road also serves southern Stillwater County and is an alternate route to the mining region. The first six miles of this route were paved in the 1970's. The remaining 14 miles are still gravel with no prospect of completion in the foreseeable future. The Joliet Road 421 was also started over 20 years ago as a Federal aid secondary project, but is still unfinished due to the lack of funding.

Bridges are also a significant problem in Stillwater County. We have had off-system bridges collapse in the past and have several bridges that are substandard. I brought a photo with me of one of the bridges that collapsed to document the problem. And this is clearly not the bridge to the 21st century that we envision.

Please accept this written testimony in support of the proposal for Surface Transportation Authorization and Regulatory Streamlining Act. We believe that the reauthorization of the Federal Highway Program should address following issues:

Authorize program funding to the maximum level the Highway Account can sustain; achieve funding distribution that is fair and based on truly national interest, taking into account rural areas with large Federal land holdings and low population densities; emphasize investment in the National Highway System with continued Federal commitment for our highways; retain appropriate program emphasis areas, including enhancements and Federal lands program; reduce regulation to the greatest extent possible and eliminate unnecessary requirements; and finally, provide States flexibility and a role for local governments in transportation planning.

Thank you again, Senators, for this opportunity to comment on the reauthorization of the Federal Highway Program. We support the proposal for a Surface Transportation Authorization and Regulatory Streamlining to meet the transportation needs of Stillwater County into the next century. Thank you.

Senator KEMPTHORNE. Mr. Beaudry, thank you very much.

Mr. Bower, before I call on you I would just like to acknowledge your Idaho Department of Transportation was extremely helpful in allowing us to organize for this and providing us a lot of the material. I appreciate that, the help that you and your staff provided. Also I want to acknowledge that four of the seven Idaho Transportation board members are here with us today, Chuck Winder, who is the Chairman; Mike Mitchell, who is the Vice Chairman; Monte McClure; Jack Combo. We appreciate all of your assistance as well.

With that, let me introduce Dwight Bower.

STATEMENT OF DWIGHT BOWER, DIRECTOR, IDAHO TRANSPORTATION DEPARTMENT

Mr. BOWER. Thank you, Senator. I would like to comment that my staff has thoroughly enjoyed working with your staff in preparing for this hearing today.

On behalf of the Idaho Transportation Department, I would like to thank Senator Warner, Senator Kempthorne, Senator Baucus for giving us the opportunity to present our thoughts concerning the upcoming reauthorization of the Surface Transportation Program. I appreciate the great effort that you and your staffs have made in setting up and attending this hearing.

The Idaho Transportation Department has been working with the States of Montana, North Dakota, South Dakota and Wyoming to develop positions on reauthorization. Marv Dye, the Director of the Montana Department of Transportation, has joined me here today. Together we represent reauthorization positions on behalf of all five States. I will present our views on all three elements, and Mr. Dye will follow with our views on three additional elements.

I want to begin by expressing our support for the Surface Transportation Authorization and Regulatory and Streamlining Act, or STARS 2000, which will soon be introduced by Senators Kempthorne, Baucus, Thomas and others. Senator Kempthorne, we at the Idaho Transportation Department feel that this bill will im-

prove transportation in Idaho. Senator Baucus, Senator Thomas, and you have done this in a way which is broad in focus and is nationally responsible. You are to be commended for your work in developing this thoughtful initiative.

Let me address the three key elements which this legislation will achieve, or three of the key elements that it will achieve. One, it will increase Federal aid program funding levels. America's economic well-being is critically dependent on an efficient transportation system, but critical needs are not being met, and the condition of our country's infrastructure is continuing to deteriorate. High level of Federal funding investment is absolutely necessary to help resolve this deficiency, both nationally and in Idaho.

We strongly urge your support for a new surface transportation act which will authorize spending from the Highway Trust Fund at the highest possible level, which we feel is approximately in the $26- to $27 billion annually. We also support transferring the 4.3 cents in Federal gas tax now going to the General Fund for deficit reduction to the Highway Trust Fund.

Two, it will emphasize funding for the National Highway System. We support adoption of a Federal aid highway program with two core funding programs, the National Highway System program and a surface transportation program. The Federal Government must increase its investment in the NHS. An efficient and well-maintained National Highway System is crucial to Idaho and to the Nation.

Three, it will implement fair formulas for distribution of Federal-aid funding. The formulas chosen should fairly reflect the extent, usage, and other specific characteristics of the Nation's transportation system, both urban and rural.

For the formulas to serve national, State, and local government interest, there must continue to be a donor/donee relationship among the States.

Rural western States and some small States with low populations are often donees. These States do not have a population base which is sufficient to generate tax revenues which will support an adequate transportation system. You have already heard the statistics about Idaho. I would like to mention that Idahoans pay $316 per capita in fuel taxes annually, compared to the national average of $220 per year annually. This is nearly $100 more per person than the national average.

In the western States the inability to raise sufficient tax revenues is compounded by the fact that a large percentage of their lands are on Federal ownership and cannot be taxed by the States. In Idaho, Federal lands, as you have heard, make up 64 percent of the total land area. And if you look at the map to your right here where it shows ownership, anything in color belongs to the Federal Government. That portion in white is private.

Many western States also serve as bridge States and provide a vital link for commerce. And we have talked about U.S. 95 and I–84 and those types of bridge State activities and the impacts on those States.

I would like to turn to five points concerning distribution formulas for Federal highway programs.

One, 62 percent of the funds for the two core highway programs should be provided for the National Highway System. It should be the primarily funded program.

States with a significant percentage of Federal lands should be compensated for their inability to tax those lands. The funding for the Federal lands program should be increased, and Federal lands should be a part of formulas for distribution.

The formula should reflect the actual extent and usage of the Nation's transportation system, both urban and rural. The National Highway System factors should include lane-miles, vehicle miles of travel, and a special fuels tax. The STP formula should include Federal aid system lane-miles and VMT, bridge surface area, percent of Federal lands, air quality, freeze/thaw, and population per lane mile.

We believe that smaller, low density population States should receive a minimum percentage of program funding approximately equal to the percentage specified in the hold harmless provisions of Section 1015.

If the four points I have just stated are included in the reauthorization legislation, then in the context of proposals such as STARS 2000, increasing the minimum allocation percentage from 90 percent to 95 percent and applying it to a larger percentage of the overall program is possible.

In closing I would like to commend the efforts of Senator Kempthorne, Senator Baucus and Senator Thomas to introduce the STARS 2000 Act, which will ensure that our Nation's transportation program will be strong and efficient into the next century. STARS 2000 represents the principles I have presented to you here today.

Senator KEMPTHORNE. Mr. Bower, thank you very much.

Now let me call on Mr. Marv Dye, who is the Director of Montana Department of Transportation.

Mr. Dye?

STATEMENT OF MARV DYE, DIRECTOR, MONTANA DEPARTMENT OF TRANSPORTATION

Mr. DYE. Senator Warner, welcome to the West, and Senator Kempthorne and Senator Baucus, welcome home.

Because of the importance of Federal Highway Program reauthorization to our States and the future of the Nation, we are extremely pleased you have been able to travel from Washington to conduct a hearing in our region. In this part of the country, Senator Warner, when you are talking about surface transportation, you are principally talking about our highways. In the West the future vision of our economy, the welfare of our citizens, and our quality of life is linked to the mobility and access provided by our highways. And, it is the very same highways serving us that serve the Nation.

For example, the wheat that leaves Montana on our highways through a port at Lewiston, Idaho, is headed for international markets and contributes to our national economic goals. The commercial carriers that cross Montana, the Dakotas, Wyoming and Idaho on the National Highway System support the Nation's just-in-time industries and markets by allowing capital be to invested that oth-

erwise would have to be stockpiled at points of assembly or sale. But beyond the economics, our highways tie us together as a Nation and as a people.

Senator Warner, Montana had 8 million out-of-state visitors this year, and approximately 80,000 of these folks traveled to visit us from Virginia.

Senator WARNER. I was one of them.

Mr. DYE. Were you? Great.

Senator WARNER. And with a little luck I will be back there tomorrow.

Mr. DYE. And when they cross the country, they had to cover a lot of distance outside of big cities where there weren't many people on either side of the road. But, even in the Nation's rural areas, the highways are there to connect the Nation and serve its economy.

As Dwight Bower has already mentioned, we are here today on behalf of the Idaho and Montana Transportation Departments and also on the behalf of the transportation departments of North Dakota, South Dakota, and Wyoming. While the combined testimony of these five States is Director Bower's and my spoken remarks, our basic position, Senator Warner, is simple. We strongly support the proposed Surface Transportation Authorization and Regulatory Streamlining Act, STARS 2000, which, incidentally, is our goal. Further, we look forward to its introduction by Senator Baucus, Kempthorne, Thomas and others. While we thank all the Senators who are working for the proposal, we want to particularly commend Senators Baucus, Kempthorne, and Thomas for their tremendous leadership in developing it. For the reasons already cited by Director Bower as well as others, and I'll discuss shortly, STARS 2000 is an excellent bill which addresses the needs of our Nation and our States in a thoughtful, balanced way.

We also commend you, Senator Warner, for the work you have done to advance surface transportation reauthorization legislation that is in the national interest. You are making a strong effort to obtain increased levels from the Highway Trust Fund expenditures for highway expenditures and very importantly, you have demonstrated an understanding that there is a national interest in Federal highway program investments in and across States like ours.

Dwight has already mentioned three key objectives that we feel highway program reauthorization must achieve. In my remaining time I'll touch briefly on the other key elements we feel should be included or excluded from reauthorization legislation and why STARS 2000 is the best proposal to achieve these goals.

Besides increasing overall highway funding levels, achieving a fair distribution among States and emphasizing the National Highway System, the next highway program should also provide greater flexibility to determine how to invest transportation funds, streamline and reduce regulations and continue many of the aspects of present law that are just good practices, such as planning and the public's involvement in planning.

As regards flexibility, we strongly recommend that, compared to today the legislation should allow a greater percentage of the overall funding to be prioritized through the existing transportation

planning processes. We ask that you remember the existing planning and public involvement processes began with the current program. After 6 years and hundreds of millions of dollars which have been invested in these extensive processes, we support them as the best approach to prioritizing Federal-aid highway funds.

This is not to say that the entirety of the future highway program needs to be totally discretionary. It is appropriate that Congress continue to require States to emphasize certain types of investments. We believe STARS 2000 strikes the appropriate balance. It continues emphasis areas for bridges, safety, enhancements and air quality guarantees in those areas with both ozone and carbon monoxide non-attainment, and it continues the suballocation of highway program funds to large urban areas in a way that provides for these population centers to share in program growth.

In short, STARS 2000 maintains a balance and walks the middle of the road between those who are advocating total turn-back of the transportation program and those who would increase the amount mandated to be set aside for specific purposes which come at the expense of core highway program needs.

STARS 2000 preserves the existing transportation planning process, including its extensive public involvement. Under this bill's approach a greater percentage of overall funding would be prioritized through planning, technical assistance and public involvement. We feel this is the appropriate direction and applaud the sponsors of STARS 2000 for providing this leadership.

Before closing I also offer some brief comments on elements of other reauthorization proposals which are before your committee. First, expansion of certain programs designed to move funds from a majority of States to very few States significantly hurts our region and the Nation. For example, of the billion dollars currently distributed to States under the Congestion Mitigation and Air Quality Improvement Program, Montana receives only about $5 million per year. While we strongly support continued funding eligibility for these activities, expansion of this program or continuation of the current distribution formula hurts our States and makes it significantly more difficult to address transportation needs overall.

I also note that we see little benefit in the continuation of the existing bridge program which has a built-in disincentive for timely maintenance of structures or for the continuation of the Interstate Reimbursement Program that is distributing hundreds of millions of dollars to States that built interstates more than 40 years ago and in many cases have been receiving tolls on these roads for decades. These programs put our States at a significant disadvantage and really have one thing in common, they move a significant percentage of highway program funding to a very few States.

We note that STARS 2000 deals appropriately with these program issues and strikes a balance between streamlining the program and the continuation of the Federal role in the Nation's surface transportation programs, and it considers equity issues with an increase in minimum allocation which is a topic of significant interest of your home State of Virginia.

Last, STARS 2000 meets the national interest in providing an increased share for the western region; it is simply the best proposal for Montana, Idaho, the West, and the Nation overall.

Senator Baucus and Kempthorne, we applaud the truly national scope of your proposal, and we are looking forward to its early introduction. Nationwide STARS 2000 will increase annual highway program funding for 47 States and increase the overall percentage share of highway program funding for 33 States.

If I can take a minute to share a couple of maps. The first one is available for you there. These maps compare the proposed STARS 2000 distribution to other authorized proposals introduced to date. The first map shows the 33 States where STARS 2000 proposal would increase their overall percentage of the current program.

The second map, which is perhaps the most interesting, compares the percentage of each State's program share under STARS 2000 against other current reauthorization proposals. Clearly, this proposal, which is shown in red, compares very favorably. In fact, all of the proposals now on the table, STARS 2000 provides the greatest percentage of program share for more States than any other. This is even true, Senator, for your home State of Virginia.

In conclusion, Senator Warner, Senator Baucus, Senator Kempthorne, between Dwight Bower and myself, and on behalf of our five-State group, we have covered many topics today of this important piece of legislation. Fortunately, I can sum up our position of these issues very simply. We urge everyone concerned with the future highway program to follow the stars. The STARS 2000 bill sets forth a very balanced, thoughtful approach to these complicated issues, and we look forward to throwing our full support behind it.

Last, Mr. Chairman, I ask that the written comments that I'm carrying on behalf of the Wyoming's Governor, Jim Geringer, also be included in today's testimony.

Thank you.

Senator KEMPTHORNE. Mr. Dye, thank you very much. And we have included Mr. Geringer's comments, from the Governor. Also, I would image Senator Baucus would like to have these to take to D.C.

Senator BAUCUS. I have got them right here. They are in my book. We all have them, I think.

Senator KEMPTHORNE. That will be very helpful.

Let me ask a few questions here. Senator Frasure, you referenced the Idaho Needs Assessment Study Update. Did the report identify one particular area of needs? Roads? Railroad crossings? Bridges? Was there anything specifically it zeroed in on?

Senator FRASURE. Actually, it talked about all three of them, Mr. Chairman. The pavement cost of just maintaining our current structure, the backlog just to bring us up to the standards of 4.1 million, and then to bring the basic pavement structure up to a reasonable standard was the other $4 billions. It identified a number of bridges as around 1400 bridges included in that study. It identified how many bridges it would take in order to be replaced in order to bring it up to a good standard. And as we address the whole issue of increased weight limits on our roads, bridge struc-

tures is a critical area. If we are going to be able to move more freight across Idaho roads, we have to make sure that bridges are able to handle that added stress. The study is very comprehensive, and we would be more happy to provide a copy of that to you.

Senator KEMPTHORNE. Good. Thanks, Evan.

Representative Kempton, Jim, you are regarded for your keen analytical ability. From this hearing and from your perspective of transportation and your role as chairman, what is one of the key things we should take out of this hearing and incorporate in what we ultimately come forward with for the reauthorization of our surface transportation program?

Mr. KEMPTON. Chairman Kempthorne, I think you have already concentrated on the funding distribution, and so I am going to treat that as a given. I think to me the thing that is beginning to cause the most problem and, of course, I have all of 3 months now as the chairman in transportation and defense. It's not like it has been a lifetime. But, the problem that I'm seeing is the interconnection, a policy, if you will, relating to the connection for the surface transportation in the United States and connecting Canada and Mexico, utilizing the interstate system more and assigning funds for that but also funding the States in a proportion significant enough for them to enhance their own State symptoms to act as arterials into that major system.

I guess what I'm trying to say is the same issue as the 129,000 pounds. Industry, at least the agriculture industry and timber, sees one of the ingredients to be increased truck weights, not necessarily increasing size, not necessarily increasing the foot print, but increasing the weight. Canada is operating at about 132,000, I think, right now and—or 137- to 138,000. And I believe Mexico is about 142,000. Canada is the one that is having the most impact, because they run horizontally the length of the United States and with their rail system can move tremendous amounts. They can move them from new processing plants. I have a letter from Simplot that indicates about a 10 percent profit advantage if they can move to 129,000 pounds on the interstate. 129,000 is not a magic number, but it is an increased weight number above 105,500 that they are stuck with now.

So I think that the corridor system and, of course, Idaho and the 14 western States are trying to work on a corridor system now. But I think that it behooves the Congress and the Administration to work with the States in trying to establish those corridors and allow the increased weights, and to do it in a safe fashion and to get these products in the move. Because if we have to continue to work at 129,000 pounds, like I mentioned, off the interstate system, trying to work them onto State highways that are narrow, that are congested that go through small towns, that is just simply not the way to move commerce in these United States. I think that, to me, is one of the biggest problems, in conjunction with funding is to establish the policy in which you want to move things.

Senator KEMPTHORNE. Thank you.

I want to jump to Mr. Bower. Dwight, let's talk about CMAQ, Congestion Mitigation Air Quality. Now, in STARS 2000 we still have the CMAQ program. We reduce it by one-third. And that's for the very largest cities to still utilize those funds. Then in the STP,

Surface Transportation Program, we still make CMAQ an eligible activity, but we have more than doubled the STP account, which is the most flexible, successful program we've had so that those who wish to still utilize CMAQ activities now have more funds at their disposal. Does our legislation help those communities that wish to pursue CMAQ? Are they better off——

Mr. BOWER. In our view, particularly in Idaho, if you look at the track records that our board has on the utilization of CMAQ funds which currently under ISTEA are not mandated that they be used in communities, because we have no designated nonattainment areas in this State. But yet I think you see a very thoughtful approach to that that our State has taken in recognizing that air quality is important in communities and having put together a program that includes the distribution of funding from the CMAQ program to five different areas within Idaho, none of which, as I said earlier, are mandated by ISTEA.

Senator KEMPTHORNE. Thank you very much. Senator Warner.

Senator WARNER. You are aware of the politics, particularly distinguished members of your legislature. I have put in legislation reflecting the interests of the southern coalition and dominated by the donor States. And the northeast corridor is hanging tough. They, primarily through one of our distinguished colleagues, dictated much of ISTEA one. And along you come, and I think it is timely that you do, as a coalition of western States. And as I said earlier today, you are going to be the swing group. I think you are going to have tremendous impact on the final draft of this legislation. Because, I need you. The Northeast needs you. And, frankly, you can sit there and pretty well arbitrate. I am optimistic that you will come more the way that the donor States are now asking. But, so much for that.

These two gentleman will be key on this piece of legislation, because they represent your western swing block. I would hope the chairman—I really will ask the chairman formally to put in the record the fascinating statistic in all the years I have been in this, I did not realize you are 3 dollars per citizen—320? What was it?

Mr. BOWER. $316. That is total State and Federal.

Senator WARNER. Total State and Federal Mr. Baucus, I would hope Montana—do we have Montana's figure, anybody? Well, we need to put those figures in today's record.

Senator BAUCUS. Do you have Montana's easily?

Mr. BOWER. Yes, I do. Montana's is 360.

Senator BAUCUS. National average.

Mr. BOWER. 220.

Senator WARNER. That is an astonishing fact. That is a very, very strong sword in your arsenal when you go to the floor in presenting this inequity.

Gentlemen, I think what would help me the most, we have in any of these hearings an enormous amount of material brought to us. In the minute or so I have remaining, put aside money now. I realize we are all concerned with money. I love this king for a day. What is the one thing about this Federal program today you would change, sack it? Why don't we just start with our distinguished senator down here and then go right up the chain.

Senator FRASURE. Thank you, Senator Warner. The one thing I would change is more flexibility. And I take a look in my own community of an enhancement project where they went in and basically torn out a whole lot of gravel and put in a nice sprinkler system, a nice park that nobody can use up on an interstate exchange. They spent about $350,000 and that money was designated for that purpose and could not be used for anything else. So, more flexibility. We would have taken that same $350,000——

Senator WARNER. How did it get away from you? I thought we built in some control.

Senator FRASURE. Senator Warner, there are certain ties still in there. And these were enhancement funds that could not be used. So, your enhancement account. Just more flexibility. We would like to build more roads and less unusable parks.

Senator WARNER. You might tell me why you left Virginia to come out here and take on all these responsibilities.

Mr. KEMPTON. I won't do it privately, but I was involved in the research and development on the F–16, and I just thought there was too much Navy work there.

Senator WARNER. You got me on that one.

Mr. KEMPTON. Sir, I think I would agree with Senator Frasure that freeing the States up more to use funds at their discretion. But, I think that it also needs to be integrated in guidance from a national level about how the Congress and the Administration can work with coalitions of States like has been addressed here in establishing a policy on where we want to specifically place that money as a priority in the movement of commerce on into the 21st century. I mean, that is essentially the issue.

Mr. KING. Senator Warner, one thing that comes to mind to me is the problems we have to go to for so many small details to get environmental approval. It becomes very extensive, and then we have to go to several agencies, and we get conflicting answers and such from those people. I would think a one-stop clearinghouse for environmental process—

Senator WARNER. We heard from Mrs. Garvey. I'm sure you were pleased. I hope she sends you one of those purple books. Give us a little practical comment on that book. That point is well taken.

Mr. Beaudry?

Mr. BEAUDRY. Senator Warner, at the local level we agree with the flexibility issue. I would like to emphasize the point, in areas where there is very significant economic development activity, that there be a connection. They need the infrastructure to serve it. In our case we have a project that has made it through environmental clearance. We have acquired all the right-of-way necessary for the project, and the preliminary engineering is finished, and there are no funds to build the project. And it's serving very significant development activity, not only for our local community but State and national interests as well.

Mr. BOWER. Senator, the one thing that I would do is focus the program and the funding on the National Highway System. I believe that's where our Nation's future lies.

Mr. DYE. Senator Warner, at the expense of cheating a little here, I would like to maybe slip in two.

Senator WARNER. Every one of them get another one. You can submit one orally and one for the record. Or, do it the way we do in the Senate. The Chairman will say each senator has one question. And I get up and I say I will ask one question in two parts. Go ahead.

[Laughter.]

Mr. DYE. Senator, I have a two-part answer.

[Laughter.]

Mr. DYE. Unreasonable mandates that come with sanctions should be totally eliminated. And the other thing that I would change, if I could, would be the way we handle transportation enhancement. In Montana we put those funds out for use by communities. It's called our Community Transportation Enhancement Program. The sums of money get quite small by the time they are allocated out there, and to have to administer that program as a Federal-aid program is extremely difficult. Now, that's our fault because we have handled it this way. But, I would think at a Federal level, and we have mentioned this numerous times to FHWA, that we believe those program funds should be able to be handled more like Federal grant programs. And our cities and counties understand those, and they know how to manage those programs.

Senator WARNER. Thank you very much. That is good advice.

Senator KEMPTHORNE. Senator Warner, thank you.

Senator Baucus?

Senator BAUCUS. Mr. Chairman, I would like to ask John Beaudry to sort of give Senator Warner and Senator Kempthorne a flavor of what is happening in Stillwater County. I might say it is an area just west of Billings, Montana, largest city, next to the mountains there, and the growth is just explosive. It's partly because of that mine, which John referred to. As John said, it is the only mine in the country platinum/palladium metals. If you could give us a little flavor, therefore, the needs for this highway program.

Mr. BEAUDRY. We are rural in nature. We have 1,700 square miles in area. The county is responsible for over 900 miles of road. We have less than 8,000 residents. There is more people than that traveling the interstate and the State primaries daily than our entire county population. Our entire road budget at the county level to maintain and operate that system is in the neighborhood of $500,000, less than half a million dollars per year. The construction projects that have been going on to reconstruct one mile of road has been ranging in the $7- to $800,000 per mile. As you can see, our county road budget would not even build one mile of road per year, and we have over 900 miles of road total.

Our population right now is actually at an all-time high from the 1920's and the homestead days. We have just recently exceeded that. And that's basically where we stand right now. The growth rate has grown in the neighborhood of 2 to 3 percent per year in our county.

Senator WARNER. That is occasioned by what, just the magnificence of the countryside, the people coming for that?

Mr. BEAUDRY. The main influx of people, Senator Warner, is due to the mineral development at the Stillwater Mine. They opened up in 1985 and now employ over 600 people. Also the marketing of

real estate nationally that occurs there and the influence of the interstate.

Senator BAUCUS. I might say, too, I have to be there Tuesday, because the company is thinking of opening a mine on the other side of the mountain range, too.

Senator WARNER. Really?

Senator BAUCUS. Oh, yes. It is a huge operation.

Senator WARNER. What are the products?

Senator BAUCUS. Platinum and palladium.

Senator WARNER. Which are essential to our country.

Senator BAUCUS. Yes. We are the only mine in the country.

I would like to compliment you, Mr. Bower and Mr. Dye, on your joint statement. I think it is the best summary of western State perspective I have ever seen. I read it on the plane coming out here, both of your statements, and it is very good. And I might say, Mr. Chairman, all members on the committee, our staffs at least should have that statement and encourage them to read it, because it's terrific. It is one of the most thoughtful statements and comprehensive joint statements put together that I have ever seen on this subject, and I compliment you on it.

One question we may face, though, in the Senate is this: The STARS 2000 bill eliminates the interstate maintenance program. Instead, we put a lot more money in the NHS and STP. The potential objection might be, well, gee, those western States, or any State, for that matter, might not maintain the interstate highway system as much. They may spend those dollars on NHS highways, that is noninterstate highways. And your response to that.

Mr. BOWER. If I might, Senator, very quickly, I think that at least in Idaho we can look at the record, and I can show you that we are not only spending our interstate maintenance funds on the interstate, but are spending part of our National Highway System funds on the interstate to actually meet the kind of performance that I believe people would expect. And even in addition to that, we are expending State of Idaho State funds on the interstate, and beyond maintenance, just on pavement. So I think what we are going to see, and I think what you will probably find in most western States is they are doing more on the interstate than the interstate maintenance funds currently allow them to do.

Senator BAUCUS. Marv, your answer to that, please.

Mr. DYE. Senator Baucus, we likewise kind of in Montana we have kind of worked on these roads and then this class of roads and then this class of roads, and so we have not had kind of a balanced approach in dealing with all of our highways. But, I can quite honestly tell you that we have a significantly State-funded program, and a lot of that is going to be spent on maintaining our interstates.

This last legislature we asked the Governor's office and the budget office for more dollars for maintenance. A great deal of that will be going on our interstate system. And, as a matter of fact, when you look at our overall program out through the year 2001, our expected revenue stream of $484 million, with that being totally committed, we still have $381 million worth of needs on our interstates and our primary system that are unmet. And as a result our legislature has a bill working its way through the system to create an

interim study committee to look at those issues and decide truly what are our problems and how are we going to fund them. So there will be no letting go of our needs on your interstate. Quite frankly, some of our most important routes are interstates.

Senator BAUCUS. I see my time has expired. I would like you all to address one other question. Senator Warner a couple of times has asked what is the one change you would like to see. I would like to ask that same question but a little bit different twist. Sit back for a second and just dream. What would you like to see in Idaho or Montana, western State surface transportation for the future as we think in the next century or more? Is there something kind of in the back of your minds as you think of all these subjects when you get up in the morning shaving and you just would like to see happen or just dream about? It may not be attainable this year or next, in five or perhaps in 10 years. But if there is something that kind of flashes, sort of a light bulb goes on, and you sit back and dream a little bit. There may not be anything at the moment, but I am just giving you an opportunity, any of you, if something does come to behind.

Senator FRASURE. Senator Baucus, just real briefly, would to be actually see all the dollars that are put in the user fund be used for roads and that includes that 4.3 cents that is going to the General Fund now. So all the money the public is told they are being taxed for the roads actually is going on the roads.

Senator BAUCUS. Anybody else? Marv?

Mr. DYE. Senator, one of the things I lose a lot of sleep over is the seemingly inability to deliver projects. It seems like it takes so long from the beginning until you can actually construct them. And I think Jane Garvey touched on it earlier with some of the environmental issues. We in Montana are looking at moving processes like environmental up much earlier. But it just seems like there are so many regulations and so many hoops to jump through, and then, of course, the funding is always a question.

Senator BAUCUS. Will STARS 2000 help?

Mr. DYE. I think STARS 2000 will help some, but I think most of it has to come from our own ingenuity from within. As we are doing in Montana, we have a new way that we are going to attack this problem, at least hopefully, with a program called Customer Focus Process Improvement. We may have to color outside of the lines of the box here a little bit sometimes, but I think that's the secret to our success.

Senator BAUCUS. Thank you.

Senator WARNER. Could I say something important?

Senator KEMPTHORNE. Yes.

Senator WARNER. This is a most distinguished panel, and it's been very helpful to me, the framework of ideas and concepts that you have put forward. And, Mr. Chairman, I am anxious that this record be made available as soon as possible to our other colleagues so they can think about this. But, as I look at the grandeur of this country, and I was privileged to say earlier, I have been exposed to it a good deal of my life, in my State we have the second worst gridlock next to New York City. The average commuter is spending an hour a day locked up in that car wasting time. So things may look a little bad out here, but I will send you a video of ours, I am

sure Mr. Kempton remembers it, the gridlock problems and collision problems that we have back there. So we are all in this together, all 50, with our own sets of ideas and problems. And we have got to work it out in an equitable way. Thank you.

Senator KEMPTHORNE. I appreciate all of you. I had questions for each of every one of you that I would have liked to directed to you. I want to ask Dwight Bower just one. And that deals with the north-south connector, Highway 95. Evan Frasure I know is up here touring that and was talking about that. Jim Kempton articulated the need for this with NAFTA, et cetera. Jack King has talked to me a lot about this. But, I know there are many safety problems with the highway. The question is what do you think Congress can do to help the State of Idaho address these problems?

Mr. BOWER. Senator, I believe that in the context that we've talked today on the National Highway System funding levels, distribution formulas, that's one step in the right direction for dealing with many of those issues, safety, and the ability to move commerce up and down the spine of Idaho.

I think, second, it would be very, very important, if not critical, that you think in terms of designating U.S. 95 and a priority corridor. Priority corridors were in fact designated, I believe, through the ISTEA process or other parts of authorization or appropriation. And I believe as you begin to look at the whole corridor on U.S. 95, it in fact meets and probably exceeds the criteria for priority corridor.

Senator KEMPTHORNE. Well, as Senator Warner and Senator Baucus have stated, this has been an outstanding panel. We appreciate the input from each and every one of you, and we would look to you in the future as a resource also, and we thank you for your testimony.

With that let me please call the next panel forward.

We will break for just a minute.

[Recess.]

Senator KEMPTHORNE. I will continue this hearing. The first individual that I'd like to welcome and call upon is Yvonne Ferrell, the Director of Idaho Parks and Recreation program. Yvonne has a flight she is going to have to catch, as does Tom Arnold. So I am going to move Tom up so we can get their testimony. We'll hear their testimony, and then there may be a question.

Ms. Ferrell?

STATEMENT OF YVONNE FERRELL, DIRECTOR, IDAHO PARKS AND RECREATION

Ms. FERRELL. As you may assume, today my comments will address the enhancement programs and the National Recreation Trails Fund, because of my responsible to recreation in the State. Today I represent not only State parks and recreation interests, but also city and county park and recreation concerns.

ISTEA projects throughout Idaho since the program's inception have met many critical needs, which I just want to highlight four of them for you, perhaps kind of give you orally a little bit of a visual picture of what some of these enhancements programs have done. The first one that I would bring to your attention is the Coeur d'Alene Lake Drive Bike Path. In fact, it exists right outside

this building, starts in the State of Washington and has its terminus out at Higgins Point.

Senator BAUCUS. I saw it. I saw it today and was very impressed.

Ms. FERRELL. Oh, you did. Wonderful. I hope some of the broken storm-damaged tree limbs have been cleaned up by the time you saw it, because that was a big problem. The Coeur d'Alene Lake Drive Bike Path Trail Project, what a mouthful was sponsored by the Idaho Transportation Department and was obligated in fiscal year 1994. The 5-mile long 10-foot wide pathway was created using the right-of-way section of old I–90. And this road went from four lanes down to two, and the remaining space has been used to create a separated bike and walking trail. Enhancement funds built the trail, exercise stations, public restrooms, picnic and parking facilities. The pathway is extremely popular, with 14- to 20,000 people using the path each month during the summer months. They also use it in the winter, but ice and snow have some impact on that.

The second project I would bring to your attention is a little unique. It's the Diversion Dam Bicycle Rest Area. Most bicyclists don't think of needing a rest area, as do people who use vehicles, but they really do when they have 42 miles of trail stretching from nearly one end of the county to the other. And this project was sponsored by our agency and was obligated in 1994. The project provides a much needed all-season rest area for recreational and commuter bicyclists, wheelchair people, joggers, rollerbladers, anybody that wants to use this on a heavily traveled section of the Boise River Greenbelt. The Boise River Greenbelt extends through downtown Boise to Lucky Peak Dam, and it provides nearly 42 miles of continuous pathway. This particular stretch where this rest area was built with enhancement funds totally lacked any kind of restroom facility or shade or water for people once they left the city of Boise. The total cost of the project was approximately $120,000 with enhancement funds paying 80 percent. I realize that enhancement is minuscule when we look at highway needs and highway dollars and building bridges and highways. But, they do provide an enhancement to the quality of life for not only residents of a community but to the many visitors that come to our respective States. It is kind of like man does not live by bread alone; nor does man live by highways alone. There needs to be some other enhancements along the way.

One other project that is worth mention is the Oregon Trail Center, located in the town of Montpelier in southeastern Idaho. This project was sponsored by the city of Montpelier and obligated in fiscal year 1996. The center which is nearing completion is a 30,000-square-foot facility housing a museum, interpretive and visitor center, rest stop, and office space. The museum will contain displays depicting the struggles of Oregon Trail travelers and early Mormon pioneers who came to the Bear Lake Valley in 1863. It will exhibit western art and firearms and contain a gift shop. The U.S. Forest Service will rent office space in the building. The proceeds from the rental pay for the utilities, security and janitorial service. Construction on the building began in the summer of 1996.

As you well know, thousands of lives are lost on your Nation's highways each year. We need facilities such as this that will en-

courage people to take that needed break from driving in order to refresh their reaction times and to drive more safely.

The last of these projects that I would like you to visualize is the Driggs to Victor Bike Path. This was obligated in fiscal year 1996 and will be completed this summer and ready for use in August. The bike path will be a seven-and-a-half-mile long trail and parallels State Highway 33. Culverts, bridge substructures, and the clearing and grubbing on the path was completed last summer. Approximately two miles of this pathway will be bike lane on State Highway 33 with the remainder running parallel but separated from the roadway. Located in southeastern Idaho, Driggs and Victor, although extremely rural, are recreation destination sites and provide access to the famous and beautiful Teton Mountains. The project will cost approximately $680,000 with enhancement funds paying 80 percent. And this project was sponsored by the Idaho Transportation Department.

We must continue to encourage Idahoans to use alternative transportation in our urban areas in order to avoid the grid lock and vehicle congestion so many people have moved to Idaho to escape. For instance, in Boise on Park Center Boulevard, a recent consultant's report commissioned by the County highway authority indicates that on an A to F scale the best traffic flow is projected to be a D in 10 years. And that will entail building at least two more four-lane bridges across the Boise River, impacting aesthetics and natural values, not to mention the millions and millions of transportation dollars that it will take to build this.

Meanwhile, the greenbelt, which has significantly expanded thanks to ISTEA, and which was a project of Senator Kempthorne's when he was mayor of Boise, offers an alternative for more and more Boisians to commute to work by walking, bicycling or even in wheelchairs. We are seeing an increasing number of wheelchair commuters on this important pathway.

ISTEA funds are needed in order to continue to expand the greenbelt system, to encourage support and the construction of bike lanes on our roads and other pathways which allow children to commute safely to schools, playgrounds and parks in our busy urban areas.

My remaining time will be devoted to the National Recreation Trails Fund. Every survey that our agency conducts with Idaho citizens and with visitors shows that access to our numerous public lands, trail heads and usable trails is a highest priority for their recreation needs. These trails don't just serve Idahoans. They are travelled to and used by people from all over the Nation and often people from other parts of the world as well. Idaho has 18,700 miles of summer use trails and 6400 of winter use trails, which is one of the largest trail systems in the Nation. The United States Forest Service manages 96 percent of the trails, as they lay on their lands. Most of the trails are managed as multiple-use trails, whether they are motorized, nonmotorized or a combination of both. Idaho has very few single-use trails. Most single-use trails in Idaho are either interpretive trails, cross-country ski trails, or snowmobile trials or are to be found in our wilderness areas. The National Recreational Trails Fund is critical to keeping Idaho's trails open.

Along with this huge trail inventory, as you might guess, we have one of the largest backlogs of trail maintenance and reconstruction needs in the country. In 1995 Idaho's trail managing agencies spent $7.5 million on trail maintenance and reconstruction. The Forest Service indicates that it would take $20 million per year to just keep pace with Idaho's trail maintenance needs. This limited amount of funds means that many trails in Idaho can wait up to 3 years to receive basic removal of the blow-down. A lack of trail maintenance and reconstruction funds is the primary reason for the disappearance of Idaho's trails. We have crews of trail rangers in our agency which, using the registration funds from trail machines, go out and try to open up trails throughout the State every year on public lands. But, we are only able to do 1500 to 1800 miles a year under the best of conditions. This year with the tremendous storm damage that we've anticipated, we think that we are going to have a difficult time getting our trails open.

I will conclude with that. Thank you for honoring us in Idaho with this hearing.

Senator KEMPTHORNE. Thank you very much.

Mr. Tom Arnold, who is the director of the Idaho Department of Commerce.

STATEMENT OF TOM ARNOLD, DIRECTOR, IDAHO DEPARTMENT OF COMMERCE

Mr. ARNOLD. Thank you, Senator, and thank you for coming out West, coming home for you, but coming out West to visit with us and discuss this very important subject for the State of Idaho.

I have been Director of the Department of Commerce for almost 5 months now and a resident of the State for about 7 years. The Idaho Department of Commerce is responsible for promoting and sustaining the economic vitality of the State of Idaho in four specific areas: Economic development, community development, international business, and travel and tourism.

From a commerce standpoint, the department firmly supports and affirms the testimony given here today for the reauthorization on the Intermodal Surface Transportation Efficiency Act and for the introduction of the Surface Transportation Authorization and Regulatory Streamlining Act and for increased funding and flexibility and for emphasis on the National Highway System and for fair formulas for the States.

My comments will be brief. There are three areas I would like to address of importance to the State in the matter of commercial aspects and in equality and equity.

The first is the growth of the State in the past decade. The State of Idaho is consistently ranked among the top five States in the increase in the rate of growth. We have also grown four times in the last 10 years in the amount of non-ag exports from this State. The number of exporters has grown tenfold, and in the travel and tourism business, as measured by lodging and hotel tax receipts, those have doubled in the last 10 years. This indicates the economic vitality of the State. And we expect this to continue.

The second item I would like to mention is it's been well documented together with this growth within the State that the bridge

traffic in the State across our highways is also growing a great deal and that ag and manufacturing are growing at increased rates due to NAFTA. And we had some figures that were quoted before about the amount of traffic, particularly coming across the boarder at Bonners Ferry.

Last, I would like to emphasize that the State has been very thoughtful and diligent in pursuing remedies for its transportation problems, not relying on Washington, but the State has increased its fuel tax and its registration fees to the point that Idaho residents are paying 50 percent more than the national average in such fees and in the total amount of taxes for the use of the roads in the State of Idaho.

And, last, where appropriate we have dealt with the private sector in partnering on transportation issues. However, that gets to be a burden on Idaho business, and we want to be sure that the State of Idaho remains fair and competitive with other States for the businesses that we are trying to attract.

I ask last that the panel consider the fact that we want as much flexibility as we can with the ISTEA funds. Intermodal traffic from the standpoint of highway to rail is a very important fact in this State. It has a great deal of potential. In eastern Idaho where I have been for the last 6 years if someone wanted to load a container or highway trailer on a flatcar, they would have to come 250 miles to Nampa or close to 200 miles to Salt Lake City. I ask that where possible consideration be given to the use of funds that will take some trucks off the highway where it can be fair in the free enterprise system. But, we see that as a way of mitigating some of the damage to the highways.

I would like to thank the panel for coming to Idaho and thank you for asking for my comments.

Senator KEMPTHORNE. Mr. Arnold, thank you very much. And, Tom, congratulations on your appointment as the Director. Ms. Ferrell and Mr. Arnold, what I am going to do is I am going to ask you the questions, but I am going to ask if you would then submit your answers so they will be part of this record. So perhaps, if next week you can submit them, that will allow you to facilitate your schedule.

Yvonne, you mentioned how popular the National Recreational Trails program is and how extensive they are in the State of Idaho but also the damage they have sustained because of the flooding. I would like your perspective as to how do we go about restoring those trails and how does that fit with the existing funding stream? And if you cut that in half, as the Administration is proposing, what happens? Also currently the Recreational Trails Program has a 50 percent non-Federal match requirement. Is this ratio reasonable or does it need to be adjusted? So if you could respond to those two.

And Mr. Arnold, picking up on your last statement there in the commerce, we are going to have a gentleman who will testify that his trucking firm, they simply do not allow their trucks to run on major portions of Highway 95 because of safety consideration. We have the Port of Lewiston, which is a tremendous asset for Idaho, and I don't know that we are fully being able to utilize that because of the transportation system in getting to the port. So if you

would address that aspect of what impact this transportation is having on that type of commerce and also the safety aspect and if that is having a dampening effect on tourism in the State of Idaho.

Mr. ARNOLD. I would be glad to do that.

Senator KEMPTHORNE. Senator Baucus, any questions that you have?

Senator BAUCUS. Not really. In fact, you asked one of the questions I was going to focus on, and that's the match. I am sure you are going to say we need the match.

Senator WARNER. Whenever I retire I want to go out and go to work for you. I don't need a big job. But having done a few trails in this beautiful State myself many years ago, by the way, with cross-cut saws, not by hand saw, I think we want in this record from an expert like yourself the benefit to the State in terms of sure, some people get to enjoy the grandeur and the nature and the environment, but also by maintaining that trail, it is integral to any firefighting policy, it is integral to maintenance. In other words, what little money the Feds put in helps to leverage those funds that you would have to find anyway, whether you let anybody in there for the sake of enjoying nature at all; you just need them. Isn't that correct? I am sure you can rephrase this better than I do. But I think that's important that we get that in the record. Do you follow me on that?

Ms. FERRELL. I understand.

Senator KEMPTHORNE. Well, I thank both of you very much for being here. And I note that Governor Batt is still with us. And, Governor, we appreciate the fact that you have stayed with us through this hearing. I know, too, you have another commitment down in the southern part of the State. So whenever it is necessary for you to leave to make that, we understand. But, I think it is just great that you have stayed with us this long.

Governor BATT. Thank you, Senators. We love you a lot.

Senator WARNER. I'll wish you happy birthday next year. You do the same for me.

Senator KEMPTHORNE. With that we will continue this discussion, and I would like to introduce Michael Kyte, who is a Director, University of Idaho National Center for Advanced Transportation Technologies, or NCATT, as it is referred to. And I also mention that the University of Idaho's electric vehicle is outside for public viewing. It arrived while we have been here. So if you would like to take a look at that, we would invite you to do so. Michael?

STATEMENT OF MICHAEL KYTE, DIRECTOR, UNIVERSITY OF IDAHO NATIONAL CENTER FOR ADVANCED TRANSPORTATION TECHNOLOGIES (NCATT)

Mr. KYTE. It is my great pleasure today to talk to you about the University of Idaho's National Center for Advanced Transportation Technology, or NCATT. Your decision to hold this hearing in Idaho is important because it allows you to learn about three important issues that affect this region. The importance of using advanced technologies to solve rural transportation problems, the importance of developing regional partnerships that include the science and engineering base at our universities and our national labs, and the importance of continuing to invest in our future transportation en-

gineers to the strengthening of the University Transportation Centers Program.

I would like to make three points to you today. There won't be an exam at the end, as is part of my normal business. First, the Congress made a key investment in the University of Idaho when it established NCATT in 1991 through that year's ISTEA legislation. We have used this investment to create a transportation center that brings together the skills of faculty and students, from engineering, human factors, geography, geology, and agriculture to develop advanced technology applications. I will show you some examples of the substantial return on this investment in just a few minutes. We are asking that NCATT be designated as a center in this year's authorization bill and that our particular expertise, advanced transportation technology, be recognized.

Second, we are part of a larger community of transportation centers and institutes. The university centers and institutes are producing a new generation of engineers that are needed to design, build, operate and maintain the transportation system for the 21st century. Each center and institute has a unique theme and mission; each continues to make an important contribution; and each needs to be supported as a part of the University Transportation Centers Program.

Third, we are also a part of a regional community. We established the Idaho Transportation Consortium in 1993 to bring together the University of Idaho, the National Engineering and Environmental Laboratory, the Idaho Transportation Department, and the Federal Highway Administration to combine our talents to solve regional and national problems.

I'd now like to show you a few of the things that we have accomplished during the past 5 years as a result of the investment that was made in the University of Idaho as a part of ISTEA.

[Video of the University of Idaho National Center for Advanced Technology was shown.]

Senator KEMPTHORNE. I love the timing. It is very good. Michael, thank you very much. Is that yellow car the one that is out here?

Mr. KYTE. It is actually a newer car, an older car but newer model.

Senator KEMPTHORNE. And also the pickup is out here.

Mr. KYTE. The biodiesel pickup is out there as well.

Senator KEMPTHORNE. That film helped us see the real value of NCATT and the issues that you are dealing with. All right.

With that, Steve Albert, who is the Western Transportation Institute, Montana State University. Welcome.

STATEMENT OF STEVE ALBERT, WESTERN TRANSPORTATION INSTITUTE, MONTANA STATE UNIVERSITY

Mr. ALBERT. Thank you for the opportunity to talk about our national rural transportation challenges. I would also like to take a moment to share how the Western Transportation Institute at Montana State University-Bozeman, is meeting those challenges as it relates to Intelligent Transportation Systems. And, finally, I would like to make highlight on ISTEA reauthorization improvements that WTI support.

Under ISTEA, the US DOT allocated over $660 million for ITS research development and deployment. Less than 1 percent of those funds were made available for rural ITS, and that is clearly not adequate. Rural America is currently challenged from six perspectives. No. 1 is safety, as rural America has 80 percent of our Nation's road miles but 58 percent of the traffic related fatalities. Furthermore, there is a 2 to 1 greater emergency response time when compared to the urban setting. Also, 78 percent of rural travelers are tourists who are unfamiliar with the roads and travel over 150 miles per trip;

Two, efficiency as commercial vehicles move the majority of goods and services and the majority of these miles are through vast rural settings;

Three, economic productivity as tourism areas are dependent on visitor experiences, information and access;

Four, mobility and convenience since 66 of our communities have little or no transit even though they have older, more transit-dependent populations;

Five, sustainability and funding as rural communities have limited resources and more natural disasters; and

Six, the greying of America. As our Nation's population is getting older, driving capabilities diminish and they need better traveler information to feel safe and secure.

While our rural communities are not the economic engines of the United States as their urban counterparts, they provide the connectivity to move people and goods and services between urban centers. Therefore, these parts of the highway systems in rural areas must continue to be maintained and improved. As such, the issues and applications of ITS are not congestion mitigation like in urban cities, but safety, efficiency, economic factors, and information for travelers, fleets, and infrastructure.

The American West offers a unique opportunity for research, demonstration, and deployment of Advanced Rural Transportation Systems that cannot be surpassed in the United States. Unlike other areas of the United States that emphasize congestion relief, ITS applications for the Rocky Mountain Region and the Pacific Northwest are predominantly rural outside of a handful of urban centers and thus face different issues and objectives.

WTI was established in 1994 by the Montana and California Departments of Transportation in cooperation with MSU-Bozeman as a national and international center for rural ITS transportation research and education. Since the inception of WTI, we have accomplished much in raising the awareness of rural challenges including the following activities: Providing stakeholder outreach to over 20 States on rural ITS benefits; developing a rural ITS strategic plan in California and Montana; providing leadership for rural ITS research through the Intelligent Transportation Society of America Rural Committees; providing ISTEA testimonial to Secretary Pena; providing guidance and serving on US DOT Rural Action Teams to develop an ITS strategic plan; evaluating rural highway system applications; evaluating commercial vehicle operations and automatic border crossings; and providing over 25 presentations and publications on rural issues and applications; and, finally, hosting the

1997 International and National Rural ITS Conference in Montana in cooperation with Montana Department of Transportation.

And, Senator Baucus, you have been invited as a speaker to that.

Senator BAUCUS. Thank you.

Mr. ALBERT. The Western Transportation Institute has been in the forefront of Advanced Rural Transportation issues and would like to make the following ISTEA reauthorization recommendations in order to meet rural needs: provide funding that will allow development and formation of a rural constituency, or partners; provide for early deployment of planning funds for rural settings, not just major urban areas; research realistic ITS benefits based on deployment experience, not theory; and provide for prioritized deployment based on needs; and, finally, reduce the local match funding requirements.

In the last few years WTI has recognized that one critical element missing from rural ITS planning and deployment. The missing element is the designation of a rural corridor that would serve as a national and international testbed. Of the four National Priority ITS Corridors designated by U.S. DOT, not one included two-lane rural highways. States with large urban transportation centers have made significant progress in establishing and deploying ITS programs. Most rural States have not felt the expediency to develop ITS programs. Idaho, Montana, and Wyoming, however, do realize that ITS has applications to their transportation problems and have initiated an action to explore ITS in rural settings. With the assistance of Senator Baucus and Senator Burns, a limited testbed for rural ITS applications has been created and is called the Greater Yellowstone Rural ITS Priority Corridor. It is the first two-lane rural ITS corridor project. The project has taken initial steps to make rural travel more safe, dependable and convenient. What is needed now is full-scale deployment and evaluation.

In summary, when you compare urban versus rural issues, the rural environment has fewer congestion and mobility issues but greater number of fatalities, more road miles, longer trip lengths, dramatic weather changes, more aged population, and a greater need for economic viability. Unfortunately, these issues have not received adequate attention or appropriate funding. There are 64 persons killed every day on rural roads. With additional funding, ITS can undoubtedly help to reduce that number.

I would like to emphasize that WTI has been working with regional partners, such as INEEL on development of a vision for the Greater Yellowstone area and the Yellowstone National Park, as well as working with partners such as Mr. Kyte here in developing what we would propose as ISTEA reauthorization language, and those documents are available today.

And I am also aware that Senator Baucus, Kempthorne and Thomas intend to introduce STARS 2000 as has been discussed in these presentations, and I highly support that.

Senator KEMPTHORNE. Good. Mr. Albert, thank you very much. I appreciate that.

Now we have Mr. Basil Barna, Manager, INEEL Lockheed, Infrastructure and Transportation Department.

STATEMENT OF BASIL BARNA, MANAGER, INEEL/LOCKHEED INFRASTRUCTURE TRANSPORTATION DEPARTMENT

Mr. BARNA. Thank you very much, Senators. I very much appreciate this opportunity to be part of this dialog. It is very important to me. I am really here for three simple reasons today. The first reason is that transportation is a critical part of our Nation's infrastructure. In the deliberations of this subcommittee and all of us here involved, it is going to have a far-reaching effect on our national security, our economic competitiveness, and our environmental future.

The second reason that I am here is that the national labs since the 1940's have been a critical part of our Nation's future in terms of determining what are the solutions to "Grand Challenge" types of problems. A grand challenge type of problem is a problem that is so complex and has such far-reaching impacts that we have to mobilize our national resources in terms of Federal laboratories and universities to work on the public good. And a sustainable transportation system for the 21st century is such a grand challenge.

Finally, I am here today because the Pacific Northwest has the ability to mobilize its technical resources in a way and in a partnership that can have real national and global impact. With its unique mix of rural and urban infrastructures, the technical resources of two national laboratories, excellent universities, and world-class technology industries, we have the potential to fundamentally change how this Nation moves its freight, people, and information.

Now, the seeds of this greater cooperation throughout this region have already been sown through formal and informal collaborations that exist right now. Michael Kyte just mentioned the Idaho consortium, which is very beneficial to us, a great deal of value. But, the principles of that consortium have led to greater cooperation and have been extended to other regional universities, such as Montana State, and other State transportation departments that include not only Idaho, but Montana, Wyoming, North and South Dakota, Utah, Oregon, and Washington. Many great informal collaborations going on.

As great as these collaborations have been and is beneficial, we need to do more. In order to get some scale as to why this is such a problem, why this is a grand challenge, consider the following. We have already heard about the 60 percent fatality figure. Perhaps even more significant is in a rural State like Idaho or Montana that fatality figure is over 80 percent.

From another perspective, in a typical year, 1993 is the year I have the figures for, the Federal highway user tax distribution to the States ranged from $600 per lane-mile to $21,000 per lane-mile. Now, rural States generally receive less, urban States receive more. Is that fair? This very well may or may not be fair, but without scientific tools, without research to clearly trace the effects on society, our policymakers have little basis from which seek real national benefit. We need better information, better tools. And these facts point to some of the fundamental differences between urban and rural transportation systems. Our Nation's commerce couldn't survive without a vital network of rural highways linking our

urban centers and also linking our agricultural products to seaports. Public policy has to strike a balance between the benefits of a coordinated national system and ensuring the local decisionmakers, many of which were here today, have the resources to solve the problems that they know best. Now, the right kind of research can help assist this process.

There are also some significant issues from an energy, environment, and national security viewpoint. Transportation is an industry that consumes 27 percent of our Nation's energy budget. That's a big chunk. More than that, our transportation system is 97 percent dependent on oil as a fuel for its vehicles. Two-thirds of that oil is imported from foreign sources, and this obviously creates a significant cost in terms of exposure in national security. It costs a lot of money to maintain a carrier in the Persian Gulf. These types of issues demand that we treat our Nation's transportation system as a critical resource. To continue the efforts begun by the landmark ISTEA legislation in 1991, we must ensure that reauthorization includes a serious effort to mobilize our Nation's science base to revitalize the whole system.

INEEL is deeply involved, can and should be part of this solution. It is a little-known fact that the INEEL site and its bus fleet is serving as a testbed for commercial vehicle safety equipment that will be installed at the East Boise Port of Entry later this year. Together with our State partners, who have been mentioned before, we are deploying advanced technology to keep unsafe trucks off the highway there. A similar partnership will also be field testing a composite bridge on the INEEL site this year in an effort to show how advanced materials can help renew the Nation's aging infrastructure. I can't remember how many times I heard "bridge" today, but it was many times.

The synergy demonstrated in these new projects compliments long-standing INEEL role in electric and hybrid vehicle development, aviation safety, waste and hazardous material transportation, and alternative fuels development. For the future we are convinced that the major areas of progress will be in joint research programs that will take a systems engineering approach to how we design, build, and maintain our nation's transportation system. In one such effort we are teamed with Sandia National Laboratory in proposing a new program to prove the principle of Simultaneous Vehicle/Infrastructure Design, SVID. The first focus of this program will be on extending the lifetime of our pavements and bridges through improved materials and vehicle designs that minimize their impact on the infrastructure. If properly executed, and we will ensure that this is the case, this system's approach would vastly improve the way we integrate infrastructure, vehicles, and users.

As a final point, I would like to emphasize that if we are to take this grand challenge seriously, we must be bold and innovative in forming new partnerships. Reauthorization should support this process and provide a basis for building these partnerships. Perhaps more than any other industry, transportation is a balancing act between diverse and sometimes opposing forces. The national laboratories can serve an integral role in helping bring these forces together to work on national issues.

Senator KEMPTHORNE. Mr. Barna, thank you very much. We appreciate that.

Now, Mr. Jim Manion, who is the President of AAA of Idaho, Idaho Highway Users.

STATEMENT OF JIM MANION, PRESIDENT, AAA OF IDAHO/ IDAHO HIGHWAY USERS

Mr. MANION. Thank you, Mr. Chairman, Senator Warner, Senator Baucus. I also appreciate the opportunity to be here today. I had the wonderful opportunity to grow up in the State of Montana, and now I am going to be in Idaho, so I truly have enjoyed the best of all worlds here.

And I do represent AAA Idaho, who serves 58,000 motorists in 34 Idaho counties. I think we represent a real cross-section of Idaho citizens and motorists. I also represent a second group called the Idaho Highway Users, and that's an organization that for decades has supported critical investments to our roads and bridges. The Idaho Highway Users record, I think, has demonstrated a strong and realistic advocacy regarding the critical role of strong roads and a good bridge network. Both AAA and the Highway Users group have demonstrated an unwavering tenacity to protect the appropriate use of taxes and fees that all motorists pay. I have also been able to lately do some work with the Idaho Transportation Coalition, which is spearheading an effort to finance improvements for Idaho's main north-south route, which is U.S. 95.

Last June AAA and its affiliated clubs throughout the United States launched a campaign called Crisis Ahead, America's aging highways and airways. Its purpose was to show policymakers and opinion leaders that unless urgent steps are taken to maintain and improve our highways and airways, Idaho and the rest of this country will face a certain transportation crisis.

At the core of this problem is an unsettling prognosis that our roads and bridges are beginning to crumble. In Idaho 83 percent of the State's major roads are in poor, mediocre or fair condition, according to the Federal Highway Administration. Idaho does fare better than other States in the condition of its bridges, but nonetheless the Highway Administration says 376 of our 4,000 bridges are structurally deficient and 414 are functionally obsolete. These catagories represent 20 percent of bridges on the State system. Despite notions to the contrary, the total mileage of all roads and streets in the U.S. has only grown 3 percent, according to officials from AASHTO. Our real problems are compounded by the 79 percent increase in vehicle miles traveled during that same period, coupled with highway capital investment decrease of 29 percent from 1985 to 1995. That's not a good formula. Some areas of Idaho where populations have risen dramatically are essentially faced with a shrinking infrastructure. What are the consequences of all this?

Without adequate and sustained funding sources, each Idaho motorist can expect to pay $225 a year for extra vehicle maintenance and operating costs. That amounts to $181 million in Idaho alone. Without adequate and sustained funding sources, we will see more congestion. Motorist delays, wasted energy, and lost productivity are the result. Without adequate and sustained funding sources our

ability to get where we are going is impeded by safety defects and stretches of road now identified by the State as deficient for passing. Without adequate and sustained funding sources, we are fearful there will be more road tragedies. Between 1992 and 1995, 981 people died on our State's highways. At the national level, nearly 42,000 people died in traffic accidents in 1995, which was up for the third year in a row, following a 2-year decline. Without adequate and sustained funding sources, these road deficiencies will continue to take more motorists lives. A safety report released just 2 weeks ago concluded that poor road conditions and designs contributed to more than one-third of all traffic fatalities in the United States last year.

But in identifying these problems we face in Idaho, I would be remiss in not saying that the Idaho Transportation Department has performed admirably. They have been faced with limited program dollars and tough challenges to downsize, work smarter, privatize, and out source its work loads, and the Department's efforts have been stellar in those areas. A Legislative Interim Study group charged the department with the task of working smarter and reducing expenses, and this department, under Director Bower, has done just that. It has shown its commitment to the issues of safety, mobility and working smarter to accomplish more.

We would like to leave the panel with six recommendations today. We support Senator Warner's proposal to increase highway spending to $26 million Last year motorists paid 18.3 cents Federal tax——

Senator WARNER. That is Senator Baucus'.

Senator BAUCUS. It is all three.

Mr. MANION. Heavens sake, can't be leaving anybody out here. We support everyone's effort to increase that highway spending to $26 million.

Senator KEMPTHORNE. Jim, it's billion.

Mr. MANION. Yes, it is, $26 billion. Last year motorists paid 18.3 cents Federal tax for every gallon of gasoline they purchased. Those who use diesel paid 24.2 cents a gallon. Together with other assorted fees we paid 31.5 billion. Did all these highway user fees go to roads? Unfortunately not. In fact, nearly one-third went elsewhere. 6.5 went to the General Fund for non-highway programs, and 2.6 billion went to the mass transit account. Deposit 4.3 cents per gallon, 4.3 cents per gallon fuel tax in the Highway Trust Fund and increase highway funding to invest the additional revenues in road and bridge improvements.

We would hope we could resist the notion that ISTEA enhancement moneys provide a one size fits all solution to transportation problems. Flexible spending, as we've heard a lot about today, was designed to give locals the opportunity to make better decisions. But the restrictions on enhancement moneys and CMAQ funds have had exactly the opposite effect. By writing specific instructions for enhancement funds, we have been unable to make the wisest possible use of those funds.

We oppose the Administration's transportation vision that would divert more than 4 billion from the Federal Highway Trust Fund to heavily subsidize an ailing AMTRAK. We oppose using the dedicated user fees for welfare recipients who work, and adamantly op-

pose tolls on roads already paid for by highway users. We support the Federal legislation that would take Federal Trust Funds off budget, and we would like to target highway expenditures to the National Highway System which interlinks and serves motorists, tourism, and business interests.

In summary, both AAA Idaho, and the Idaho Highway Users point to three priorities in your considerations of ISTEA reauthorization. One, provide adequate funding for highway and bridge maintenance; two, increase investments in highway safety; and three, continue a strong, responsible, yet flexible Federal role.

We appreciate again the opportunity to share our positions on these issues surrounding the reauthorization of the Federal aid program. Thank you.

Senator KEMPTHORNE. Mr. Manion, thank you very much.

Senator Warner, would you like to lead off?

Senator WARNER. Thank you. All right. I will be brief because we are anxious to hear from that next panel.

Let's talk about safety. Your organization has a good record for that. Is there an aspect to safety that is unique to the western States that we should be addressing in this bill?

Mr. MANION. Well, I think there may be several. I think we've made reference to the large number of miles of roads that need to be traveled and, I think, through a lot of rather difficult conditions, mountain passes, those sorts of things. And I think that there are some aspects of roadwork, better engineering, if more funds were to permit, shoulder work and so forth, guard rails and such, that's simply been inadequate that may be a little unique to the conditions in the West.

Senator WARNER. Much of that is in the discretion of your local highway administrators or secretaries or whatever title you apply. I am talking about do you want anything in this bill directed toward safety in the West? Think about it, and give me a note on it.

Mr. MANION. I will.

Senator WARNER. Now, Mr. Kyte, I am fascinated. I went out and looked at those cars. Canola oil, I told you, I cook with. Don't use it all.

Mr. KYTE. There is plenty for salad dressing.

Senator WARNER. It is good for frying too. Anyway, I was on the Energy Committee years ago. If I had stayed on there I would be chairman today, but like with everything else, you move around. The point is that I remember 10 or 15 years ago, windmills, they were going to save America in terms of power supply. I traveled around and looked at the windmills. And indeed there are certain limited geographic areas if where there is a prevailing wind to support them, they can work. But I am concerned. Are we raising the hopes and aspirations of our people, all of whom want clean air, all of whom want a beautiful environment, thinking that some day we can have a fleet of vehicles operating on canola oil and biodiesel oil? I am sure you can make a couple of these projects work in a laboratory, but when you look at extrapolating that into the mass growing transportation needs of America, frankly is it realistic?

Mr. KYTE. It's not an easy question to address or answer but I think if I can provide you with a couple of example perspectives it

will help. Currently the cost of production for a gallon of biodiesel fuel is about $3 a gallon. But that clearly is not competitive today. But, that's based on our production on a very small scale at the university. I think there are certain key segment markets that you would want to look at as test cases, more agricultural uses, also in areas that are environmentally sensitive. There is a project going on right now in Yellowstone Park. Yellowstone is experiencing a lot of——

Senator WARNER. I'll agree with you 100 percent on that. Gentlemen, we want to make sure we have encouragements in our bill for that. Yes, go ahead.

Mr. KYTE. And the issue there, I think, it's not just at Yellowstone but at other national parks, that we are concerned about the sensitivity of our environment. If we have buses or fleet vehicles that are operating with these special fuels in those places that are more sensitive, I think it will allow more people——

Senator WARNER. You are going to help me put that in the record. I want to yield to my colleagues but, quickly, here. I am envious of what you have with this university. And good old Steve Symms, he got her there. How much money do you get a year? What do you average, and how is it that your research isn't redundant with the research at another university or college somewhere? Who is keeping the watchful eye on this very important program, which I support?

Mr. KYTE. Two parts to your one-part question. First, we receive funds to build a building. And we received through the DOT programs no ongoing, regular——

Senator WARNER. This is a one-shot building?

Mr. KYTE. It was a one-shot building.

Senator WARNER. And then the whole burden is financially shifted to the educational institution?

Mr. KYTE. That's right, and to other competitive grants. So unlike the other 20 centers or institutes that are a part of DOT University Transportation Centers program, we receive no annual operation or research——

Senator WARNER. The others do, though.

Mr. KYTE. The others do, right.

Senator WARNER. That is very interesting. Thank you very much.

Senator KEMPTHORNE. Senator Baucus?

Senator BAUCUS. I guess all of you, basically, here you are. Jane Garvey was here, I think still in the audience, Acting Administrator, and Senator Warner is here asking some very insightful questions with respect to the rural nature of our research dollars.

Here is your chance. Here is your shot. We listened to prepared testimony. Give a little more flavor to and kind of explain maybe a different angle or different way the special rural character of our States and therefore the needs for tailored research and tailored to rural areas.

One thing that comes to my mind, we all remember watching on television a couple of months ago that lady in North Dakota or South Dakota and she was stuck in the snow and, fortunately, she had a cell phone, and the people out rescuing her were able to triangulate where she was. Not everybody can have a cell phone with her. If she was in trouble or unconscious, for example, in a car acci-

dent. It seems to me one real problem we have in the West is just the time it takes to get to a doctor or a hospital. And we all know that fatalities are directly correlated to the time in which you can get assistance. But, what thoughts come to mind here? Kind of give Senator Warner here and Administrator Garvey kind of something to think about.

Mr. ALBERT. I would like to see most of prioritization from a transportation perspective has been on congestion relief, and some portion of that is safety, obviously. But when you look at rural America and you look at 60 percent of the fatalities are in rural areas——

Senator BAUCUS. Could you speak up, please?

Mr. ALBERT. Sixty percent of those fatalities are in rural areas. And a very important fact, to get back to Senator Warner's question about safety, is what you don't realize is 70 percent of those fatalities are people running off the road hitting a fixed object. We should have some type of improved design, whether it be electrical in vehicles or infrastructure based, that would reduce the number of people who are leaving the roadway and being killed. Any type of improvement in doing that would add a significant benefit to rural America.

Senator BAUCUS. What comes to mind is how do we deal with that.

Senator WARNER. That is fascinating. You really asked a key question. Ask your man on the right, why isn't he doing research on that?

Mr. ALBERT. Right now WTI has a contract with the Federal Government and the National Automated Highway Systems Consortium to look at what we can do to keep the vehicles on the road in rural areas to preclude people from being killed. And that solution has not been defined yet, but we hope to take some of the lessons learned from urban areas and figure out how do you apply that in a rural setting.

Senator BAUCUS. Is it speed?

Mr. ALBERT. It's speed, it's driver inattention. Most of the drivers leaving the road are due to inattention. If you can give them some technology that will basically help them with about 2 seconds of time, you can keep them on the road.

Senator WARNER. If you do what?

Senator BAUCUS. Keep them attentive.

Senator WARNER. Two seconds. That is a fascinating, all the years I have been on the subject. We have to do something about that.

Mr. MANION. I will add quickly, and it might also, Senator Warner, go to your earlier question to about safety and these things that may be unique to the West, but I'm not entirely certain. Some very practical things that may occur in some studies that may answer that, and they are logical, obviously, if you think about them. But, by increasing lane width to 12 feet, you can expect, the studies have shown, a reduction in accidents from 12 to 40 percent. By increasing shoulder widths by 2 to 8 feet, and I think it is obvious that people would stay on the road longer, you get an accident reduction of 7 to 28 percent. By removing roadside hazards from with 5 to 20 feet of the roadway, you get 13 to 44 percent reduction in

accidents. And by reducing the degree of curvature in the road by 5 to 20 degrees, you get nearly a 25 to 30 percent decrease in accidents.

Senator BAUCUS. So you can drive right across the farmer's wheat field.

Mr. BARNA. If I may, Senators, I would like to add that these statistics and these choices really support, if I were king for a day, what we would do to address rural transportation. And that is to take this stand-back look and say here are all our choices. If the subcommittee could plan in this science base to start addressing these problems scientifically and from a systems viewpoint that allows us to trade these off and give you the tools as decisionmakers to say what should be done, that would be a tremendous accomplishment for the reauthorization.

If we don't do that, it's like 100 years ago we were getting farmers out of mud with our transportation issues.

Senator WARNER. We were doing what?

Mr. BARNA. We were getting farmers out of mud. That was the goal of our transportation system, was to get those products to market, to pave the roads so we weren't in the mud. Right now we are in a philosophical and scientific mud. There are too many choices and there are too many competing interests. Start a program that allows us to pull this together scientifically and policywise that makes sense for the Nation.

Senator WARNER. Another good panel. Keep it up.

Senator KEMPTHORNE. Mike?

Mr. KYTE. If I can add another twist to that. I think besides this area of research and technology development, I think hand in hand we have to have education and training. And I want to emphasize two parts of that. One is for engineers that are in school that are getting their training, and the other is for engineers already in the field getting retraining. As we spend a lot of money on ITS applications, whether it's rural or urban ITS, folks in the field who are engineers who are planning and designing and operating our roadways today need to understand how these new technologies work, and that is a big job, and that needs to be considered as a part of ISTEA reauthorization.

Senator KEMPTHORNE. Thank you.

Mr. Barna, you have discussed a great deal this aspect of rural transportation. What is the key? What's the difference between rural and urban?

Mr. BARNA. Well, Senator, we feel that there are four characteristics that really, from a basic viewpoint, define what a rural transportation system faces. Unique hazards, distances, dispersion, and—my god, I forgot the fourth one, because I am nervous. Unique hazards, dispersion, distance and——

Senator KEMPTHORNE. And that other thing.

Mr. BARNA. And that other thing, which I will find as we talk about it. But those characteristics, if we go back to real basics of the issue, and when we say as a Nation we need to look at what's good for our economy, what's good for our population, how do we translate that into policy action and science action. From the rural perspective, we need to organize this around those issues. And the reason I did this is was because I thought our timer was really at

5 minutes, and it turned out it was at six, and I crossed out most of my words. I will come up with that fourth characteristic.

Senator KEMPTHORNE. If you will just provide that for the record.

Senator BAUCUS. That's a good point, Mr. Chairman. One thing that has always interested me is generally a national legislation or policy, people talk about rural this or rural that, rural health care. And it's—I chuckle, frankly, because rural here in our part of the country is totally different. It's not the same as rural in the eastern United States. I recall when Mrs. Clinton came to Montana a couple of years ago. She got off the plane and looked around and said this isn't rural, this is mega rural, this is hyper rural. She immediately saw the huge difference between east and west. Frankly, it's a function of rainfall. You look at the States west of the hundredth meridian where it doesn't rain. The characteristic of "rural" changes dramatically compared with eastern United States where it does rain.

Mr. BARNA. Remoteness, that's the fourth characteristic. It really gets to the golden hour.

Senator KEMPTHORNE. That's right. We probably ought to denote that. It is frontier. It is not rural as we know back East. Rural back there can still be hundreds of miles straight line, and every so often you have a crossroad. Not the winding—and sometimes there's gravel roads. So.

Mr. Manion, your statement referred to a recently released study, and you have talked about it a little bit, identified the poor road conditions and the design problems that contributed to one-third of all traffic fatalities last year. What were the most common types of road conditions and design faults that were cited that contributed to this?

Mr. MANION. Senator Kempthorne, I did actually refer to some of those, and I think they are things like areas where we can reduce the degree of curvature in the roads. I think the areas where we are able to simply widen roads, not only the width of the lanes but the shoulder widths and well. It's those type of things. And I think some of the other individuals referred to some of those things too. It's the inattentiveness. Those types of issues.

Senator KEMPTHORNE. So, Mr. Kyte or Mr. Albert, based on that, as you come up through some of our canyons, there is no space for additional shoulder width. There is no way to straighten some of those roads. So what do you do?

Mr. KYTE. You are asking a hard question. You can take it first.

Mr. ALBERT. The fatalities that happen on those roadways, I think if you look at the statistics, some are due to unsafe driving conditions and driving too fast for conditions. There are technologies that are out there that would remind the motorist of the speed which they are traveling and, hopefully, they will slow down. The other reason there are fatalities in those places, people leave the road and get killed, like I mentioned earlier. There are elements that you can put in the road that would help detect them as they cross over that lane line that alert the driver that he is about to leave the roadway, get back on the road.

Mr. KYTE. I would like to offer maybe another view. Instead of always looking at high tech results, there are some other lower tech solutions. One of the things that a group of our researchers

is looking at is the way that we stripe our roads. If you are driving down a roadway you have a certain expectation of distance between each stripe along the centerline and the length of what those stripes are. By changing those distances what it sometimes does, and there has been some research on this in terms of looking at aircraft operations as well, you can fool the driver into thinking that he or she is really traveling faster than they really are.

One way of trying to deal with this issue of driving too fast is by changing the striping. It seems like kind of a weird idea, but it does work. People respond to changes and the cues that you normally get when you see striping or signage placement along the roadside.

Senator BAUCUS. You mean if the stripes are shorter they tend to slow down?

Mr. KYTE. Shorter or closer together, drivers tend to slow down. That's not a high tech but a more practical solution of how do you get folks to respond when you can't do magic things like move rivers or move canyons.

Senator KEMPTHORNE. You know, too, I am literally lucky to be here because, as a student at the University of Idaho, making that trek back from Boise, why, we hit something and we started rolling and had it not been for the snow bank, we would have gone right into the river and that would have been it. That was when I was a student.

Mr. KYTE. Well, the invitation is open to return to Moscow at any time. We would love to give you a tour of our center as well.

Senator KEMPTHORNE. This car that is out there, how many does that hold?

Mr. KYTE. The electric vehicle, actually, the current model holds one. And we would like to invite each to you have a chance to come out and drive it. The interesting thing though, you have to watch out, because it is completely quite, so you can't turn your back when Senator Baucus is driving then.

Senator KEMPTHORNE. One final question, Mr. Kyte. Can you clarify the role that NCATT plays as a member of the University Transportation Centers program and how important to your future success is your redesignation?

Mr. KYTE. We think that the redesignation is very important. We are one of 21 national centers and institutes. Ten were regional centers that were created as a part of the Surface Transportation Act back in the late 1980's. There is one center in each of the ten Federal regions. Also 11 centers and institutes that were created as a part of ISTEA.

As I mentioned before, we do not receive any money through DOT University Transportation Centers program right now. As a part of that program we think it is very important for us to continue to do some of the things that I was attempting to highlight today to allow us really to serve Idaho and the region a lot more effectively.

Senator WARNER. Do you get together with other counterparts, the other 20 from time to time?

Mr. KYTE. You bet.

Senator WARNER. And you share and read through what they are doing?

Mr. KYTE. We are on line, we meet together regularly. I think one of the nice things about that program that has been very effective is to allow us to exchange information, not just on research and technology development, but also on education as well.

Senator WARNER. Gentlemen of the panel, I think we ought to make sure that this institution gets more recognition for some of the work they are doing to solve these problems.

Senator KEMPTHORNE. I agree. These are real issues that they are dealing with and coming up with some great suggestions. But, too, I can see that a panel or a hearing just dedicated to safety and the technology would be very beneficial and also fascinating.

Steve, final word.

Mr. ALBERT. You are more than welcome to come to our conference in Big Sky, Montana, and hear about those issues.

Senator BAUCUS. When is it?

Mr. ALBERT. August 24th through 27th.

Senator KEMPTHORNE. Thank you. Another tremendous panel.

I would ask the remaining panel to please come forward.

Ladies and gentlemen, let us continue. And, Mr. Schweitzer, I am going to call on you first, if you don't mind. Are you ready?

This is Carl Schweitzer. You see, I got this tip from Mr. Kyte and if we can vary the things, it keeps the interest up.

Now the Executive Director, Montana Association of Contractors.

Mr. Schweitzer?

STATEMENT OF CARL SCHWEITZER, EXECUTIVE DIRECTOR, MONTANA ASSOCIATION OF CONTRACTORS

Mr. SCHWEITZER. Thank you, Mr. Chairman. Senator Warner, Senator Kempthorne, and Senator Baucus, it is a pleasure to be here today. I am Carl Schweitzer, Director of Governmental Affairs for the Montana Contractors Association. The Montana Contractors Association is a highway, general building, municipal/utility and concrete producers group that represents over 100 of Montana's largest construction companies. A large majority of our folks are in the highway construction business.

I am here today to state very clearly my membership support for STARS 2000 which Senator Baucus and Senator Kempthorne and others are about to introduce. First, we have roads that need to be fixed, and STARS 2000 goes a long way toward addressing Montana's and the Nation's road needs. The bill starts to address funding crisis facing our highways and bridges. In Montana we have had an especially hard winter, and our highway system is showing the results of this hard winter. Extreme cold temperatures and above average snowfall are contributing to the breakup of our highway system. And it was kind of interesting coming over yesterday on I–90. The pictures that you have up there is exactly what I–90 looks like coming over the pass, only they have it a little bit wider. The snow is well above the level of the cars. It is almost like you are driving through a tunnel. So we can expect some real flooding problems coming up.

If you have traveled recently on I–90 as I did, you will find that in the Missoula area there are some potholes there that can almost eat your car. In fact, as I came over yesterday, part of I–90 is actually closed off. The passing lane has been shut down because of the

weather problems, potholes and moisture coming up through the system.

STARS 2000 addresses the highway maintenance problems by directing a much larger proportion of the highway user dollars to the highways, where they belong. During the Congressional debates I hope that you can keep your colleagues focused on one primary fact. Highway users want the highway taxes put back into the highways. STARS 2000 is founded on this premise, and I hope you can keep that fact in the forefront during the upcoming debate.

In Montana we have a $0.27 per gallon fuel tax and one of the highest in the Nation. The citizens of Montana realize how essential our highways are and are willing via the fuel tax to pay for the cost of highway construction and maintenance. And given the fact that we heard on an average per citizen we pay $360 compared to a national average of $220, maybe in some ways we really are a donor State, because we are willing to pay for our highway systems in Montana and Idaho, and I think all of the western States are, because I think we realize the importance. The citizens redirect a substantially large portion of the Federal fuel tax dollars to highway construction and maintenance.

The second reason we are excited about STARS 2000 is the economic impact the bill will have in Montana. From my association's standpoint, highway job opportunities are significant, highway construction jobs that impact every Montana community. And each community wins about four times when there is a construction activity. First, it receives an improved and safer road. Second, local citizens are employed. Third, construction workers spend dollars in the local economy. And fourth, the community has an infrastructure asset that makes it more attractive to tourism, industry looking to locate and most importantly, businesses that want to remain in that community. It's a win, win, win, win, situation. And STARS 2000 is a winning solution for the Montana construction economy.

One thing that is kind of not in my prepared text but after listening to the educators up here of a concern to us in the construction industry is that we hope that whatever STARS 2000 or STEP 21, that comes out, a real concern to us is a trained work force. A lot of investment is made into yellow or whatever color equipment, and it is becoming much more sophisticated. And the need for a trained work force continues. So, however STARS 2000 or whatever vehicle is finally achieved, we hope that you will look at educating or providing funds for an educated work force.

Senators the Nation is a winner with STARS 2000, and I ask that you introduce the bill immediately and work diligently to get it through Congress. The Montana Contractors Association and the citizens of Montana will work with you to see that STARS 2000 becomes the highway funding formula for the Nation.

Thank you both for listening, and Senator Warner for coming.

Senator KEMPTHORNE. Mr. Schweitzer, thank you very much. I am going to call on Senator Baucus, who I think has some questions for you. Senator Baucus has to catch a plane back to Montana very shortly, so I want to go to him now.

Senator BAUCUS. Thank you, Dirk. Carl, first I want to compliment you and Montana Highway Contractors. I have worked with Carl for a long time, and his people are just really straight

and direct and very, very helpful and lots of information to help us over the years. I want to publicly thank you.

Two questions, really, two points. If you could expand a little bit on the freeze/thaw problem as it contributes to breaking up the highways. That is, what the percentage additional costs, if you can average at all, to maintain highways because of freezing and thawing. And second, if you want to take that second question first, because it's one of the points you made in your testimony, that is, the need for a more educated work force as this equipment gets more complicated.

Mr. SCHWEITZER. I need to maybe do a little research on your first question.

Senator BAUCUS. Could you, Carl? Just give us the information.

Mr. SCHWEITZER. I don't have any facts or figures on that with me. But as far as a more educated work force, one of the most challenging aspects of construction any more is finding a work force and an educated work force. As it goes along, it becomes more of a greying industry as we get an older group, and we are not replacing them with young folks that are as dedicated and as trained to work in the construction field. That is a real challenge. I think as an owner, the government would be very interested in seeing that they do have a very good work force out there, providing the public with a product.

Senator BAUCUS. Did you mention that the equipment is getting more complicated or what? Or did I misunderstand you?

Mr. SCHWEITZER. Well, it is becoming a lot more expensive and there is a lot more electronics to understand. And it's just that we have an older, aging work force. We don't see the young people come up with the math and communication skills that perhaps they ought to have.

Senator KEMPTHORNE. Thank you very much.

Senator BAUCUS. Thank you. See you at home.

Senator KEMPTHORNE. All right. We will continue.

Mr. Doeringsfeld—Dave Doeringsfeld is the director of the Port of Lewiston. Would you all join me in thanking Senator Baucus?

[Applause.]

STATEMENT OF DAVE DOERINGSFELD, DIRECTOR, PORT OF LEWISTON

Mr. DOERINGSFELD. Senator Kempthorne, on behalf of the Port of Lewiston, we would like to thank you for holding these hearings in Idaho and providing a western perspective on the reauthorization of ISTEA.

As the manager of Idaho's only seaport and the furthest inland port on the West Coast, I have been asked to address you concerning the intermodal aspects of ISTEA. In a global market, the United States must be competitive in two areas, a well-educated work force and an efficient transportation system. As education concentrates on the three Rs, a port focuses on the four Rs of transportation, river, rail, roads, and runways. We would like to suggest changes to the existing act to improve its effectiveness in each of the four Rs for an intermodal port facility.

First the river. A series of eight dams and locks on the Columbia and Snake River system provide a 465 mile water highway from

Idaho to world markets. The beauty of this waterway is that it moves vast amounts of cargo but does not require overlays or potholes to be filled. Barge shipments of grain can be moved for one-half the cost of rail or one-fifth the cost of trucking. However, ISTEA is silent or ambiguous concerning the utilization of funds for port-related projects.

Recently, a port in Washington used $400,000 in ISTEA funds to complete a much-needed barge dock expansion project. The Port of Lewiston is also in need of a similar project. However, in Idaho we cannot even apply to the Idaho Department of Transportation for ISTEA funds for port-related projects. It is simply interpreted differently.

Last year the volume of barge and rail cargo leaving the Port of Lewiston took 57,000 trucks off the National Highway System. We believe that ISTEA should provide the flexibility for States to provide funding for port intermodal projects which reduce congestion or maintenance costs to our highways.

Rural States such as Idaho have seen the abandonment of hundreds of miles of rail lines in the closure of short line railroads. In specific cases where the public would be better served by maintaining a rail line versus the increased construction or maintenance costs associated with additional highway traffic, a program providing low interest loans to private railroad companies for repair of a line would offer a better solution than abandonment of the rail line.

Similarly, the ability to provide ISTEA funds to ports for rail improvements is a gray area and is implemented differently than State transportation departments across the United States. The Port of Lewiston has seen a 2800 percent increase in container by rail service in the last 5 years. For a small port it is difficult, if not impossible, to upgrade our rail facilities to accommodate this demand. $200,000 in ISTEA funds would improve the port's rail to meet current demand. But, in Idaho ISTEA is not interpreted to allow for funds to be used for rail improvement projects. $200,000 would not construct one quarter mile of highway, but it would improve the port's rail to allow efficient movement of freight through the Port of Lewiston.

When considering roads for the Port of Lewiston, it all comes down to one road, U.S. Highway 95. Highway 95, or more affectionately referred to as Idaho's goat trail, is the biggest obstacle facing the port and the State for efficient movement of people and commerce. Two other members of this panel will address the importance of this highway as the only land connection between north and south Idaho. I cannot think of another State in the country which relies on a single highway, no rail, no waterway, as its only north-south connector. We implore you to explore possible avenues in ISTEA to provide funding for improvements to Highway 95.

The last area I will discuss is runways. ISTEA provides for improving connectivity of airports to the National Highway System. Arterials can be improved to enhance traffic flow to airports. However, in Idaho only one airport, Boise, qualifies. Airports must have a base traffic utilization before they qualify for this type of ISTEA funding. In principle this works in urban States, but in airports and rural areas who do not qualify under air traffic requirements, still have ground problems in just getting people and freight to

their airports. I would suggest that for rural areas the standard set for air utilization be lowered or dropped altogether and give States' transportation departments the flexibility to decide how to best connect the highway system to our airports.

In summary, connectivity is paramount to the success of port facilities. The four modes of the transportation which I have discussed, the river, the rail, roads, and runways form a stool to support our Nation's transportation needs. The efficiency of our seaports, both inland and coastal, provide the gateway to U.S. exports and improvement of our balance of trade. Thank you very much.

Senator KEMPTHORNE. Dave, thank you. I appreciate that.

Now, Mr. Ron McMurray, who is here on behalf of the Highway 95 Coalition. Ron, welcome.

STATEMENT OF RON McMURRAY, HIGHWAY 95 COALITION

Mr. MCMURRAY. Thank you, very much, Senator. It is really nice to have you here back home in Idaho, and we want to thank you very much for giving us the opportunity to have this hearing in Idaho as we get a chance to hear this western perspective. Thank you.

Senator KEMPTHORNE. Thank you.

Mr. MCMURRAY. I'm also a member on the board of directors on the Idaho Transportation Coalition, and we are actively involved with a consortium of people who work and live and are very concerned about Highway 95, so I want to direct my remarks specifically to Highway 95.

As you know, U. S. Highway 95 runs from the Mexican border to the Canadian border, and it enters Idaho in the southern part at the Oregon border, 538 miles it goes north through by the Port of Lewiston and exits at the Canadian border. It almost runs the entire length of Idaho, and is the only, and I mean the only, ground transportation link between north and south.

But not only that, it is also a main street for a number of our towns, especially in North Idaho. And so because of that, because Canada is our largest trade partner, because it connects our only seaport, the Port of Lewiston, and also connects our capital in Boise, you can see this highway is more than just asphalt to us. It is life itself to us here in Idaho.

We are a large State in land mass, but a small State in population. Over 85 percent of Idaho's land is in the public domain. Our small population has fought hard to support an infrastructure which is vastly out of proportion to the acres of privately owned land in this economy. With Idaho's dedicated funds and with the $90 million from the last ISTEA authorization for U.S. Highway 95, it just becomes a battle that we are losing.

A March 1996 study by the State of Idaho Department of Transportation indicates that it would take over $335 million just to bring this one highway up to a 34-foot minimum standard. Now, this, mind you, is not a four-lane highway. What we are talking about are two lanes that has safe curves and bridges, and it has proper passing lanes. The sum of $335 million is almost 25 percent of the total budget for the State of Idaho.

Being our only north-south highway usage continues to grow, and one of the biggest factors attributed to that growth has been

the passing of the NAFTA agreement by the Federal Government. Eastport's custom station located on the Canadian border is experiencing a traffic growth of 1 percent per month. Today one semi-truck clears the border every 7 minutes, where just a few years ago it was one every hour. Idaho's non-agricultural exports to Canada have more than doubled in 2 years to over $245 million in 1995, creating more pressure on Idaho's only north-south highway.

Idaho's seaport, the Port of Lewiston, located 465 river miles from the Pacific Ocean, is on Highway 95, and it has been discovered. You can move a barge load of product from the Port of Lewiston, Lewiston, Idaho, to Tokyo, Japan, for less cost than you can move that same product from Lewiston to Chicago. The Port of Lewiston has seen a 150 percent increase in volume moved through that port over the past 5 years. That's over a 20 percent increase each year. Presently there are 1185 trucks going in and out of Lewiston, Idaho, each and every day of the year. That's over 430,000 trucks a year.

Now, we welcome the commerce. We welcome the challenge that comes with change and growth, but we just can't do it alone. We need your help. If we can't do something soon, we will lose this commerce due to failed infrastructure or worse yet, we will lose precious lives.

The conditions of U.S. Highway 95 and increased traffic created a safety issue. Over the last five reportable years fatalities on U. S. Highway 95 accounted for 10 percent of the total fatalities of the State while U.S. Highway 95 represents only 1 percent of the total road miles in the State of Idaho.

Some insurance companies are recommending that their commercially insured not use Highway 95. Some commercial carriers actually entirely discontinued all operations on all or part of U.S. Highway 95. U.S. Highway 95 may be just part of this vast National Highway System, but here in Idaho it is our lifeline and it is our future. We need your help, and we need it now.

Thank you, again, Senator Kempthorne, and thank Senator Warner and Senator Baucus for this opportunity.

Senator KEMPTHORNE. Ron, I appreciate that very much.

Now let me call on David Cook, who is the vice president of Swift Trucking Company.

STATEMENT OF DAVID COOK, REGIONAL VICE PRESIDENT, SWIFT TRUCKING COMPANY

Mr. COOK. Senator Kempthorne, thank you. I am the regional vice president.

Senator KEMPTHORNE. Did I promote you?

Mr. COOK. Good job, thank you. And I didn't copy his notes, either.

I thank you for the opportunity which you have given me to address you, Senator. It's a real privilege to be here.

The reauthorization of the Intermodal Surface Transportation Act of 1991 is a vital interest to us truckers. As the regional vice president of transportation, I manage the day-to-day affairs of Swift's Lewiston, Idaho, facility. Currently there are trucks that are based in Lewiston that I am directly responsible for. I am accountable for the safety and well-being of 240 drivers. I am in-

volved daily with the dispatch of 80 trucks into Lewiston's coverage area. I know what is going on, and that's why I give you that information. I am not trying to brag, but give a little credibility to my testimony.

U.S. 95 in Idaho is a prime example of deteriorating highway that we feel is becoming hazardous and unsafe for our drivers. More specifically, as Mr. Doeringsfeld mentioned, it has been dubbed Idaho's goat trail, and yet it is the only north-south highway within Idaho's borders that connects Idaho's panhandle with the southern counterparts. It is a vital link for commerce between the two ends of the State.

Now, I do not advocate a four-lane superhighway between north and south Idaho. We enjoy that Salmon River Country. But approved wide two-lane highway with passing lanes is perfectly acceptable. They are safest when they are constructed with median barriers to replace double yellow lines. This keeps traffic from crossing over the center, avoiding head-on collisions.

The decision that we made to not allow our drivers to run U. S. Highway 95 between I–84 and U.S. 12 except for local delivery, and we do have drivers who live there, we allow them to go home, of course, but we based that on our accident frequency, totally. That was the only decision.

From June 1 of 1993 to May 31 of 1994 we had eight Department of Transportation reportable accidents in the State of Idaho. In the same period of time from June 1994 to May 31 of 1995, we had 13. We obviously had a problem. We isolated it basically to a certain stretch of highway, and it was focused on the southern part of Highway 95, just north of Fruitland, Idaho. That decision to remove our trucks from that part of the highway was a good solid decision. For 1995 and 1996 Swift Transportation was awarded first place carrier for traveling without a DOT reportable accident. It was a good decision.

The down side to it, though, is the additional miles that are traveled by our trucks with no additional revenue and the additional time the drivers must work to reach destination, and the loss of revenue to the State. And that revenue to the State now exceeds $300,000 each year. Swift Transportation uses the latest technology available to make our trucks more efficient, more productive and more driver-friendly, which in turn reduces our costs. We have satellite communication technology in each truck. Our trucks' specifications give them optimum fuel efficiency at highway speeds. Our company speed limit of 57 miles per hour reduces potential accident and hazard reaction time. The cab interiors are designed and equipped with optimum driver comforts. All of this is designed to move America's goods safely, on time and damage-free, and at the highest revenue that our service will allow.

Inefficiencies in our highways cause us to reroute trucks in the interest of safety. The lack of funding to repair, maintain, and upgrade our highways diminishes the effects of the cost-saving measures that we have implemented.

In the last 10 years the miles driven by our trucks has gone up 41 percent, but truck-involved fatalities have gone down 37 percent. And that's an interesting statistic, because we feel as a carrier that we are doing our part. Our drivers are consistently ex-

pressing their concern with us about our rapidly deteriorating highways, and they are becoming alarmed. Some bridge decks are broken up to the point where the rebar is showing through the concrete decks. And it's not heart-warming for me when they come and say Dave, what are we going to do with this. We have a situation here. And it's truly alarming. My comment to them is please, be extra cautious. There is only a $300 million backlog to get our highways up to the specs they need to be.

I am grateful to this committee for the leadership it has given in this most important endeavor. I recognize Senator Kempthorne for your hard work, and we appreciate that. Idaho needs the ISTEA funds. What America most of all needs is ISTEA to be well funded. Thank you.

Senator KEMPTHORNE. Mr. Cook, thank you. I really appreciate your comments.

Let me ask you this, Mr. Cook. At Swift Trucking you have 5,000 trucks?

Mr. COOK. Yes. And as of April 2, we will have a little over 6,000. We just purchased DTI.

Senator KEMPTHORNE. And you operate in dozens of States?

Mr. COOK. All 48 and all provinces in Canada.

Senator KEMPTHORNE. So you have now identified the restrictions that you've had to put on your trucks here on Highway 95 in Idaho?

Mr. COOK. Yes, just one State.

Senator KEMPTHORNE. And that's the only State where you have had to put that type of restriction?

Mr. COOK. That's correct. That's the only State.

Senator KEMPTHORNE. Is there any way to estimate, you mentioned, I think it was $300,000 loss to you.

Mr. COOK. Yes.

Senator KEMPTHORNE. But what loss is it to Idaho?

Mr. COOK. No, excuse me. It is $300,000 loss to the State of Idaho. In other words, our trucks that are circumventing are going around, they are avoiding U.S. 95 at a loss of $300,000 a year to the State of Idaho.

Senator KEMPTHORNE. And that's based on what?

Mr. COOK. The reason we have the terminal in Lewiston, Idaho, is strictly one reason. That's a customer of ours, and that is moving goods to and from Lewiston. And those trucks coming into that area, it averages out 7000 miles a day. In 364 days a year, it is a little over 2.5 million miles at roughly 12 cents a mile. There you go.

Senator KEMPTHORNE. Mr. Doeringsfeld, I would imagine that's just a slight recognition as to the lost revenue. The product that is not brought to the Port of Lewiston, I don't know how you can quantify this, but——

Mr. DOERINGSFELD. You wish those statistics were available. Swift is the largest in Lewiston, but there are 14 trucking companies in Lewiston with a lot of interstate carriers and likely most of those are doing the same thing. It is no doubt that highway is the biggest deterrent to the north-south movement of freight in the State.

Senator KEMPTHORNE. You referenced it was 57,000.

Mr. DOERINGSFELD. Trucks per year. If you take the amount of cargo on water-based and rail and convert that over to trucking, we are taking that much off of the National Highway System.

Senator KEMPTHORNE. Which, again, you could put that in the category of avoided cost, could you not? Because that's 57,000 trips that's not beating up the infrastructure.

Mr. DOERINGSFELD. Our highways or putting tires in our landfills. More efficient.

Senator KEMPTHORNE. How large a region do you currently serve?

Mr. DOERINGSFELD. Grain shipments out of the Port of Lewiston move grain all the way from the Dakotas, Nebraska, Wyoming. Montana is a major shipper through the Port of Lewiston.

Senator KEMPTHORNE. And how much did you say that you needed to improve the facility?

Mr. DOERINGSFELD. If we were to have $200,000, we would be able to take the rail system within the port district we are responsible for and just simply bring it up to standards. Right now we are faced with ongoing derailments and such, just because of increased demand that we are dealing with right now. And I think the comparison is well taken that $200,000 in a like project in a highway project, what are you really looking at? And that's our concern with ISTEA, is to be able to allow the State some flexibility to be able to have a grant type project that may be awarded on a state-wide basis but at least allow different entities to be able to compete for those funds to be used on other than road projects.

Senator KEMPTHORNE. You referenced the facility in Portland that had improvements, and they used ISTEA funds?

Mr. DOERINGSFELD. Well, actually it was one of our sister ports right in the area.

Senator KEMPTHORNE. You said based on an interpretation. Who made the interpretation?

Mr. DOERINGSFELD. I would say the Department of Transportation.

Senator KEMPTHORNE. Federal?

Mr. DOERINGSFELD. On the State level, that $400,000 in ISTEA funds used on a dock expansion project interpreted in Washington. That means those funds could be applied for that. However, in Idaho, their interpretation of ISTEA, there are no moneys allocated in that area.

Senator KEMPTHORNE. And, Mr. McMurray, you talked about the dramatic growth that the Idaho Port of Entry has experienced at Eastport. I have been told that a large number of these trucks go through customs there at Eastport, but then they return to Canada, they go west and then reenter the USA in the State of Washington to avoid Highway 95. Do you know if this is accurate?

Mr. MCMURRAY. It is correct. Union Pacific has a reload center there. We will bring lumber from Canada to our facilities, store it or put them in ocean-going containers and send them on other places. And it is definitely true. They would just do whatever they can to avoid it. And it really creates more cost in order to move those goods in order to do that. But they feel it is better to do that, as Mr. Cook has pointed out, from a safety standpoint.

Senator KEMPTHORNE. Also, Ron, answer this, if you would. I know there's the Highway 95 Coalition. Whenever you are in North Idaho this is one of the top-of-mind issues that they want to discuss. The coalition, you have southern Idaho that is part of this coalition. So do you have the same sense of urgency and desire regardless of what part of the State you are in that Highway 95 needs to be corrected?

Mr. MCMURRAY. No. No, you really don't. And it's understandable. If you lived in southeastern Idaho, you'd have a good north-south highway, a four-lane interstate that runs from Salt Lake City to Butte, Montana. So if we were living there and paying taxes and doing the things we are doing, we don't have that fever to upgrade that north-south highway that runs to the Panhandle. So there isn't the interest now. What has happened, since the Port of Lewiston has been discovered, you see people who have potato flakes that they want to export to Russia, or lactose out of Twin Falls or various things, and they say how can we get to that port, because it is less expensive. And, so, they are trying to look at it and saying maybe we do need to upgrade that highway. Because it would be economically beneficial.

Senator KEMPTHORNE. Mr. Doeringsfeld, what percent of capacity are you currently operating?

Mr. MCMURRAY. With an 81-year-old crane, I guess that is a subjective question. But you really can't define it as far as a term of capacity right now. Is it just a factor of how many barge calls a week and such that you can bring up there. So I guess all we can say is bring it on. We have a lot more capacity or utilization of the port available.

Senator KEMPTHORNE. Mr. Schweitzer, from your perspective and the organization which you represent, you feel that the elements in STARS 2000 represent the needs from the western perspective?

Mr. SCHWEITZER. Very much so. I commend you and the other Senators in this region for developing this idea and proposal. We do think it heads in the right direction.

Senator KEMPTHORNE. Good. All right. I want to thank all of you. Because, again, you have helped us establish a very meaningful public document. Senator Warner, it has been enjoyable to hear his enthusiasm from what information has come from this hearing. And all of this information then will be utilized in Washington, D.C., as we proceed with this process. You have given us some great information. Thank you.

Let me ask, if I could, those of you who are with us, if just by a show of hands is Lloyd Wolff here? Patrick McGoy. Kim Brown. Deanna Goodlander. For those whose names I call, if you would please come up and take a seat at the table. I am going to have to adjourn this hearing at approximately 5:30. But what we have done is those of you who have come to this hearing and have filled out a form indicating that if there is an opportunity you would like to make some comments, they have been randomly drawn. And, so, I am calling those individuals forward so that you have a chance to say something. Mark Soderling. And JoAn Wood.

Yes, sir?

Mr. HOWELL. Senator Kempthorne, I flew in today from the city of Seattle with the understanding that I was going to be given an

opportunity to give public comment. When I got here I was told that it wasn't guaranteed, that it was only probable. Now I find that I won't be able to. I am here representing the largest coalition of transportation interests in terms of public community and the environmental community within the State of Washington. And I think it would be very much a missed opportunity to round out the perspective of the western perspective if we weren't given the opportunity to say a very short piece, if possible.

Senator KEMPTHORNE. There was one individual whose name I called and if you would like to substitute for him, that would be fine. Why don't you all come forward then.

Again, I will tell you that this is not a normal procedure. I do it when I go on these field hearings, because I like to give anybody a shot to say their piece. Those of you who perhaps filled out a form and wanted to be called but you have not been called, I would just ask that you submit your thoughts, your statements, in writing. They will be made part of this record and have as much weight as anything else that has been discussed here today.

It is a 3-minute rule that is in effect, and I am going to go down the line and ask you just to give us the key points, and, too, give us the key points, but then we will make part of the record additional information you'd like to submit. So I'd like to just start right here, and if you would give us your name, your address, and we'll just move right along. And we will keep in touch with the lights here.

Mr. WOLF. Thank you, Mr. Chairman. I'm Lloyd Wolf, president of Wyoming Contractors Association, and I speak for my company, Risler McMurray Company of Casper, Wyoming, and for the Associated General Contractors of America's statewide highway chapter in Wyoming.

We have been working closely with our DOT to pass a State fuel bill which we were unsuccessful in the normal legislative process. There will be a special session in June that we are going to work on raising our fuel taxes. I want to remind this committee that Wyoming, though it's the 49th State in population, we have contributed approximately $1.77 billion in royalties through oil, gas and other minerals. We truly are a bridge State in the fact that back in the 1860's, President Lincoln signed the Pacific Railroad Act to connect the East with the West, and our I–80 follows that railroad, parallels it across the State.

We also feel that because we have Yellowstone Park within the boundaries of our State, the vast majority of it, I recognize there is a portion in Montana and Idaho, but the vast majority is in Wyoming that we need the additional funds to provide good roads so that the citizens of the United States can visit.

One of our major challenges is that I–80 across the southern tier of Wyoming utilizes 28 percent of the total highway budget to maintain it. And that is a major, major problem. We have the people, the skill and commitment to maintain and expand the road systems for our State and the Nation and though we are a donee State, we feel we utilize those funds in a prudent manner.

I also want to remind the committee that Wyoming's I–80, I–25 and I–90 has a total of 906 miles and makes up approximately 4 percent of American roads called the National Highway Systems.

Senator Warner addressed our national convention in Washington, D.C. earlier this month and he gave us an example of the Levi Company moving goods across the country in a speedily manner. And we feel that the interstate system allows that. We would ask that the enhancement programs be changed in the fact that we feel that the American public is paying the gas tax with the understanding that it is going for highways, not for bike paths, canoe paths or greenbelts. We felt that the local citizenry, if they feel strongly about those, they should fund them themselves. And that is my testimony to this committee.

Senator KEMPTHORNE. Mr. Wolf, I appreciate very much your comments. And we look forward to having your full statement as part of the record. And, too, we are delighted that Senator Thomas is one of the original sponsors of STARS 2000.

Mr. WOLF. And we support you in the STARS 2000 funding. Thank you for this opportunity.

Senator KEMPTHORNE. Thank you very much.

Yes, ma'am?

Ms. GOODLANDER. Senator Kempthorne, My name is Anna Goodlander, and I live in Coeur d'Alene, Idaho. I am with the transportation committee of the Coeur d'Alene Area Chamber of Commerce. And that was my reason for being here, and I don't have written testimony to submit.

But Mr. McMurray very ably presented our feelings on the importance of the port and the Highway 95 to the port. But one of the things that I would like to address is the safety issue on Highway 95. And the reason I am addressing Highway 95 is because it's my area of expertise. However, I understand many of the other States have many of the same problems we do.

But we have had incidents in northern Idaho up by Bonners Ferry where a truck traveling on a highway that was designed in 1936 and more or less as a graveled road and was simply paved over and had no road base, actually came close enough to a school bus to take the mirrors off the side of school bus. This is a bus full of children going to school.

We have a member of our committee who has a tractor dealership in Bonners Ferry, and he says you can stand in front of the dealership and you can watch as the trucks roll down Highway 95, you can literally watch the pavement, the asphalt pavement roll.

This road has been, in many places in North Idaho, up in the Bonners Ferry area and between here and the Canadian border, was really designed strictly as a wagon road. It was just paved over. It has no road base. We need to start over from the ground and build a base and then built a road.

We have Canadian affiliations in Coeur d'Alene that are very strong. We have even at times used the coinage of Canada and the United States intermix in Coeur d'Alene. We have a convenience store, and I count our moneys, and frequently we have Canadian pennies, and for many, many years we accepted them at face. Now the penny is the only one that we do accept at face. But, we are so closely involved with Canada in this area with the people who have come down from Canada and visitors over the years. I was raised here, and I can remember as a kid the Canadians coming down. We need to provide a safer route for those people to come

down. We need to offer Canada the opportunity to visit the United States, to have commerce with the United States, with our NAFTA. We need to provide safe, efficient roads in order to make that a viable part of the NAFTA effects. I thank you.

Senator KEMPTHORNE. Again, I thank you, too, for your comments. When I was mayor of Boise I know that there were different occasions when we would affirm from the Boise perspective how critical Highway 95 was to Boise and to the rest of the State of Idaho. Because until we get this dilemma worked out, we don't have the strength of our State that we can have and utilize all the assets that are here. So I appreciate your efforts.

Welcome.

Mr. HOWELL. Senator Kempthorne, thank you very much. That was very nice of you to let me, well, almost impose myself on this, coming all the way from Seattle and representing the public interest.

Senator KEMPTHORNE. We are glad you are here. Thanks for coming.

Mr. HOWELL. My name is Doug Howell. I am here representing the largest coalition within the State of Washington of the environmental community alternative transportation providers and interests in the public interest community. And to round out the western perspective, we wanted to share some of our perspectives, mostly on the CMAQ program today.

But before I start, one thing we would like to submit for the record, while our State hasn't formally taken a position on the ISTEA bill with the new Administration we have, the Puget Sound Regional Council, which represents about 60 percent of our population, has. And they have taken a very strong stand for CMAQ increased funding by 30 percent as a dedicated stand-alone program. They find that is vital to address their concerns.

And, of course, ISTEA is a very important bill for the environment. The President said, as you know, when he introduced his NEXTEA bill, that as far as he is concerned, this is one of the most important environmental bills before Congress today. Very good reasons. It impacts land, it impacts water and, of course, it impacts air. And as highway users, and that includes me, my wife and I own a Saturn wagon, and we love it, and we use it all the time, and we are going to pay for the roads. But we have to pay for the air, and that's a very important natural resource which mostly goes ignored. And that's why we created the CMAQ program.

When you asked the Director of your Transportation Department today what would the impact be if you were to reduce the CMAQ program or the STARS 2000 program, well, for a State like Idaho that doesn't have very many air quality programs, they don't have to. There are no restrictions imposed upon how they use that CMAQ money. So they have a free hand. It actually provides maximum flexibility. But what in fact would happen with STARS 2000?

I am very sorry to say that those people that live with bad air quality, and that includes some of us in western Washington and eastern Washington, it is going to affect us very seriously.

The U.S. Conference of Mayors and the Association of Metropolitan Planning Organizations, which are the lead national organizations in the country that are the local governments that have to

live with the polluted air, what do they say? They say please increase CMAQ and make sure it is a dedicated program and not just blend it in as a flexible program. Their concern is if you meld it into the Surface Transportation Program, they will have an inability to get access to that money. That's why they called for separate designated money.

Now, that does not have to affect the ability of Idaho and Montana to get sufficient money to represent your interests. Policy and money are separate issues. And to the extent that you get CMAQ money because you don't have major air quality problems, you have maximum flexibility.

One last point. When we created ISTEA in 1991, we thought that the Surface Transportation Program was going to be the most flexible program. Well, in fact, when you review all of the Federal Highway Administration fiscal year reports, the program that has been the most flexible program is CMAQ. If flexibility is the goal, CMAQ is the means.

Senator KEMPTHORNE. All right. Doug, thank you. I appreciate your perspective. That is helpful.

Mr. HOWELL. We have a letter from the Puget Sound Regional Council we would like to introduce for the record, and also a prepared statement as well, if possible.

Senator KEMPTHORNE. Sure. Appreciate it.

JoAn Wood?

Ms. WOOD. I am JoAn Wood. I am Chairman of the Multi-state Transportation Association. We do have our remarks prepared written to be presented to you, and I will be very brief in saying to you, Senator, we are grateful for the opportunity to come and speak for the 11 western States, who are members of the Multi-State Transportation Association Agreement.

We want to say to you that these States have worked very cohesively together for 2 years in trying to bring together what we would recommend in the reauthorization of the ISTEA and how important it is to the western States. What we have heard a lot of you say here today that has been very uplifting to us in our intent to be helpful to you and to the Congress in drafting the new ISTEA reauthorization legislation.

We will say to you that we are intending to back you up. We are liking what we are hearing with the STARS 2000. And if there is anything we can do in coming further for testimony to support that to Washington, D.C., our group is prepared and willing to do that. That's all.

Senator KEMPTHORNE. JoAn, I really appreciate it. Thank you very much.

I want to thank all of you who have joined us today and for your interests. Again, I not only invite but encourage you, if you have thoughts, please submit them, because we are in this stage of developing the legislation. And you can have a positive impact on this.

I want to also thank our host here today, which was North Idaho College, and the President of NIC, which is Dr. Bob Bennett, and Justin Van Eaton, who is the facilities manager, and I think they have done a tremendous job for us here in providing this outstanding facility, and it speaks well for North Idaho College.

I also wanted to thank Senator Warner, who as the Chairman of this subcommittee allowed us to be here. That was underscored by Senator John Chafee, who is the Chairman of the Full Environment and Public Works Committee. Senator Chafee was out here in 1995 for an ESA hearing, and we are hoping to get Senator Chafee back here later this year. But, again, it is so helpful to have chairmen like that who are willing to allow these hearings to leave Washington, D.C. and come out where we get the good insight.

There are individuals who are up here with me that I would like to acknowledge and thank Dan Corbitt, who is lead staff member for the full committee and works for Senator Chafee, who will be playing a key part in this whole thing.

Ann Loomis, whom you saw with Senator Warner.

Kathy Ruffalo is the staff member for Senator Baucus who could not be with us today. But she has been extremely helpful and very knowledgeable in this entire area. Gary Smith of my staff who is the lead person who is someone I took with me from Idaho when I went back to Washington, D.C.

And, again, we will keep the record open. I thank all of you. I thank my staff for what you have done to make this possible. And the court reporter. Boy, you have done a yeoman's job today. We appreciate you.

With that, this hearing is adjourned.

[Applause.]

[Whereupon, at 5:32 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

[Additional statements submitted for the record follow:]

STATEMENT OF GOVERNOR PHILIP E. BATT, STATE OF IDAHO

Senator Kempthorne, Senator Warner, Senator Baucus and distinguished guests: On behalf of the citizens and the State of Idaho it is my privilege to welcome you to Coeur d'Alene. We are honored that you have taken time out of your busy schedules to come here and listen to the concerns of Idaho and other Western States about reauthorization of the Intermodal Surface Transportation Efficiency Act or "ISTEA."

Federal Transportation Funding

In February of this year I, along with 34 other Governors, signed a letter urging Congress to address the critical need for a higher level of Federal funding for transportation. There are two key actions that the Congress can take to make this happen.

First, fully fund the next national surface transportation act. At the current level of user taxes, approximately $26 billion could be spent annually from the Highway Trust Fund without exceeding the limits set by the Byrd Amendment. The current level of Federal-aid funds being authorized for funding to the States is only $20 billion per year. Annual obligational limits set by Congress under ISTEA have been far below the apportionment levels set by the Act. The large balance in the highway and mass transit funds will continue to grow and be unavailable for transportation investment unless Congress discontinues this practice.

A second step would be to end the diversion of the 4.3 cents in Federal fuel taxes now going to the General Fund for deficit reduction. Highway user revenues should be dedicated to transportation purposes. This action would result in the addition of over $6 billion annually to the Highway Trust Fund each year.

Just these two actions alone would result in an additional $12 billion a year and a total annual Federal-aid highway program of $32 billion. All without having to raise any additional highway user taxes.

Lack of Adequate Funding.—Not surprisingly, the primary problem which faces Idaho in respect to its transportation system is a lack of adequate funding. A 1995 Highway Needs Assessment Study reported that there were over $4.1 billion in total highway and bridge needs for the 7-year period from 1994 through 2000. The needs are there, but the funding is not.

Under ISTEA, Federal funding for highways has been about $20 billion per year with another $25 billion being spent by State and local governments. Obviously, this amount of funding will not meet our needs, and unless the level of funding is increased, the condition of our highways and bridges will continue to deteriorate. Unfortunately, the percentage of total highway funding being provided by the Federal Government has declined over the last 10 years. State and local governments have assumed the majority share of the transportation financing burden. If we are to begin to address the problems which face us, then the Federal Government must strengthen its role in the partnership by reversing the decline in its share of transportation funding.

Program Flexibility and Streamlining

A second area that I feel is important to discuss with you is the relationship between the Federal, State and local levels of government. Congress should streamline and simplify the programs and processes through which Federal funds flow to the States. Much of the flexibility promised by ISTEA does not exist because the Federal agency regulations that followed were overly prescriptive and specific.

Each State has unique characteristics, circumstances and problems which cannot be dealt with by a "one-size-fits-all" solution from the Federal level. Congress should provide the States with the flexibility needed to address their own priority transportation needs. State planning systems should determine where best to spend funds and which projects to choose in order to meet the transportation needs of the entire State. Idaho and other States have and will continue to promote cooperative, joint decisionmaking between Federal, State, and local jurisdictions in order to provide the best transportation system possible. Rigid funding and planning requirements, set-asides and suballocation of funds serve to limit flexibility, distort State priorities and result in a less effective and efficient transportation system.

Mandates and Sanctions

A final area I would like to address briefly on the reauthorization process is unfunded mandates and sanctions. Legislation introduced by Senator Kempthorne and passed into law by Congress has been of great benefit. There will continue to be efforts, however, to force unfunded mandates upon the States. Mandates imposed upon the States should be fully funded or else be rejected by the Congress. In addition, there is an ever increasing use by the Federal Government to use sanctions rather than incentives to achieve national goals. Many Federal-aid transportation programs impose sanctions, usually the loss of Federal funds, in order to get the States to comply with the Stated goal. The effect of these sanctions is to distort State spending into areas which may not be a priority for the State or the best use of those funds. I believe that the use of incentives is a more effective and productive way to encourage States to achieve national goals. Congress should avoid the use of sanctions, particularly when they are not directly related to the goal sought.

ISTEA Reauthorization

To begin, I will say that from my perspective as the Governor of Idaho, there are many things about ISTEA which have been good for our State, including the development of a better working relationship between the Federal, State and local governments. Though it still needs to be improved, the increased level of responsibility and flexibility given to State and local governments for the funding and management of their transportation systems has also been positive. Most importantly, ISTEA gave recognition to the value of transportation in and through rural States like Idaho by apportioning a reasonable amount of funding to those States. Any new bill enacted by Congress should not only continue these positive aspects of ISTEA, but should strengthen them as well.

IDAHO CHARACTERISTICS

Idaho is unique in many ways and presents a number of challenges to providing a transportation system which efficiently connects the diverse regions of our State. Idaho covers more than 83,000 square miles and is more than 500 miles long from the Canadian border to Nevada and 300 miles wide along the southern border. To travel from Coeur d'Alene through Boise to Pocatello, the State's second largest city, is a journey of more than 600 miles. Over 40 percent of the State is forested and 64 percent, or nearly two-thirds of our land area is under Federal ownership.

Our population is only 1.2 million, making Idaho one of the most sparsely populated States in the nation. But our population growth has been very high in the 1990's, ranking second in the Nation for the years 1990—1994. Idaho's economy has also been growing at a rate far above the national average. Our traditional economic base of agriculture, mining and forestry products has been joined by tourism, manu-

facturing and high-tech industries as part of this economic growth. From 1987—1994 high-tech employment grew by 62 percent and non-agricultural exports by over two hundred percent. Our growing population and economy are both highly dependent on providing and maintaining a well-connected intermodal transportation system.

Idaho's Highways

As a final topic I would like to talk to you about Idaho highways. The 5,000 miles of our State highway system cover large distances and many extremes in geography and terrain. High mountain ranges, steep, narrow river canyons, lava beds, and thousands of rivers and lakes all present formidable, and very costly, obstacles to highway construction.

To illustrate the challenges and opportunities we face in Idaho, I have chosen to specifically discuss our major north—south route, US–95. I chose this route because I believe that over its 540 mile length it is a good representative of all highways in Idaho.

Characteristics.—US–95 runs down the length of the State from the Canadian border at Eastport to the border between southwestern Idaho and Oregon. Much of the route remains as a two-lane highway, often narrow and winding. As was shown in our opening video, the route passes through every type of terrain from the mountain valleys and rolling hills of the Palouse in the north to the sagebrush deserts and farmlands of southwest Idaho. In between, it passes through the steep and narrow canyons of the Salmon and Little Salmon Rivers. US–95 provides tourist access to resort cities and to the wilderness areas of central Idaho. In southern Idaho it provides the rich farmlands, orchards and vineyards of the Snake River plain with access to markets and processing plants. It is also unique in that it is the only in-state route connecting the northern and southern parts of Idaho. In a State which is cut virtually in half by mountain ranges, the maintenance of this single link through the Salmon River canyon is critically important.

Needs.—In 1996 the Idaho Transportation Department completed a needs analysis of US–95 which estimated that it would require a $335 million investment over a 10-year period to widen narrow sections of the highway to a minimum width of 34 feet and to correct existing bridge, pavement and safety deficiencies. An annual investment of almost $35 million would be required to bring this route up to the standards where it should be. That amount is larger than the current annual Federal-aid apportionment of National Highway System funds being received by Idaho. Without a significant increase in Federal funding, the prospects for completing these needed improvements to US–95 are not good. These same arguments for funding could be applied to many of the other major highway routes in Idaho.

NAFTA.—Passage by Congress of the North American Free Trade Agreement (NAFTA) has greatly increased the economic opportunities for trade between Canada, the United States and Mexico. These new opportunities have increased the importance of fast and efficient ways to move goods north and south across our country. The entrance of US–95 from Canada into Idaho at Eastport has become a critical freight transportation route. Since 1987, the volume of commercial truck traffic entering Idaho at this port has more than doubled, from 22,000–46,000 trucks a year. Much of this traffic is Canadian wheat and other products destined for Idaho's seaport at Lewiston, where it will be barged down the Snake and Columbia Rivers to Portland. US–95 also serves as a connecting link to the east-west routes of I–90 to Seattle in Coeur d'Alene and to I–84 near Payette. It continues south to meet I–80 at Winnemucca, Nevada, which provides access to California. US–95 also serves the Intermodal rail facility at Nampa, Idaho.

High Priority Corridor—Section 1105 of ISTEA recognized and allocated Federal-aid funding for high priority corridors throughout the United States in recognition of their importance to the national highway system. I would urge the Subcommittee members to give the same designation and consideration to US–95 within Idaho during the reauthorization of ISTEA.

OFFICE OF THE GOVERNOR,
Boise, ID, April 14, 1997.

SENATOR DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC 20510.

DEAR SENATOR KEMPTHORNE: As requested at the U. S. Senate Committee on Environment and Public Works, Subcommittee on Transportation and Infrastructure, hearing in Coeur d'Alene on March 27, 1997, enclosed are examples of situations

relating to Federal mandates/sanctions/administrative procedures that limit Idaho's ability to best meet our transportation needs.

We appreciate the fact that Congress has been very responsive in eliminating previous sanctions for non-compliance in such areas as management systems, use of seat belts and motorcycle helmets, use of crumb rubber in asphalt and the national maximum speed limit. Your efforts have taken a great regulatory burden off the State.

The following are examples in priority order of current situations we are experiencing along with recommendations for your consideration:

1) federally imposed design and administrative requirements.

Sanctions: Cessation of Federal-aid funding for transportation.

Current Situation: Federal regulations require us to build to federally recognized design standards for all projects on the National Highway System even when we are not using Federal-aid funds. For example, a simple pavement overlay often cannot be done without also having to widen the shoulders, add guardrails, etc., greatly increasing project cost.

Recommendation: Provide flexibility of design standards to allow design exceptions which take into account the economic situation, topography, average daily traffic and type of project being done.

2) Enforcement of vehicle size and weight.

Sanction: Withhold 10 percent of IM, NHS, STP and CMAQ funds.

Current Situation: We are currently certified on an annual basis but there are no performance standards by which enforcement is evaluated. The number of citations issued may not necessarily translate into fewer overweight vehicles.

Recommendation: Institute a standard performance measure nationwide and discontinue the current practice of "conditionally certified".

3) Vehicle weight limitations on the Interstate System.

Sanction: Withhold 100 percent of NHS funding.

Current Situation: Idaho has the Federal maximum standard of 80,000 pounds gross vehicle weight (GVW) on its Interstate System, and 105,500 pounds GVW on other state highways. The weight limits on Interstate highways cannot be increased by any State (weights are currently frozen). However, Idaho was granted "grandfather" rights in ISTEA for a GVW of 105,500 pounds for Long Combination Vehicles (LCV) on Interstate highways.

Recommendation: Allow individual States to set the weight limits on Interstate highways to be consistent with weight limits on their State Highway System.

4) Fiscally constrained Statewide Transportation Improvement Program (STIP).

Sanction: Cessation of Federal-aid project approvals.

Current Situation: ITD cannot ensure the STIP is "fiscally constrained" by the October 1 due date because final apportionments and obligational limitations are not known at that time. This results in the STIP being amended during the fiscal year resulting in extra workloads.

Recommendation: Redefine the term "fiscally constrained" to mean a program level within 15–20 percent of the State's annual apportioned funds. Make apportionment and obligational authority figures available or relax requirements on being fiscally constrained.

5) Clean Air Act Compliance.

Sanction: Cessation of Federal-aid project approvals.

Current Situation: Environmental Protection Agency (EPA) requires "unclassified non-attainment" areas such as Ada County, which has not had a carbon monoxide violation for several years, to continue air quality monitoring programs without a designated source of funding for those programs.

Recommendation: Additional funding should be provided by EPA for mandated activities in "unclassified non-attainment" areas which are required to maintain monitoring programs and with the flexibility to use those funds for maintenance programs. In addition, air quality monitoring activities should also be eligible for funding under the STP. The funding levels should be consistent with the transportation component impacts.

6) Highway Safety Grants.

Sanction: None.

Current Situation: The National Highway Traffic Safety Administration (NHTSA) is "earmarking" Highway Safety Grant funds in the allocation process. They dictate which programs we must spend certain funds on and this defeats the purpose of their requirement that ITD identify and address our own traffic safety problems. This reduces efficiency and effectiveness of ITD programs.

Recommendation: Have NHTSA discontinue the practice of "earmarking" Highway Safety funds.

7) Coordination and Communication difficulties between the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Idaho Transportation Department (ITD), and the States' three Metropolitan Planning Organizations.

Sanctions: None.

Current Situation: FHWA and FTA have separate offices and processes for STIP and other transportation-related program approval and coordination is difficult at times. Delays often occur because of this lack of coordination.

Recommendation: Create a one-stop-shop single point of contact where State agencies and MPOs can work with Federal agencies on highway, bicycle/pedestrian and public transportation matters, as well as other transportation-related issues (air and water quality, etc.). Also, require all Federal transportation modes to be on a common funding cycle.

8) Enhancement, Scenic Byway, CMAQ funding.

Sanctions: None.

Current Situation: Programs have been difficult to administer and implement on an annual basis due to inability of some local officials to develop projects in a timely manner because of lack of funds or staff resources.

Recommendation: Funds should be administered as a grant program and made available for 3 years. Streamline the process and make the programs time certain.

I am hopeful this information will be helpful in your deliberations of national legislation for the reauthorization of ISTEA. I appreciated the opportunity to meet with you, Senator Warner and Senator Baucus and provide testimony. The hearing provided a good forum for the exchange of ideas regarding transportation issues which I am confident will be to our mutual interest and benefit.

Very truly yours,

PHILIP E. BATT, *Governor.*

STATEMENT OF JANE F. GARVEY, ACTING ADMINISTRATOR, FEDERAL HIGHWAY ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION

Mr. Chairman, members of the committee, it is a pleasure to escape the confines of Washington, DC, and come West to discuss reauthorization of the Intermodal Surface Transportation Efficiency Act from a fresh perspective—that of the Western States and rural areas. Since Governor Batt is here, I particularly want to thank him for the hospitality I have received in Idaho, both on this trip and 3 months ago, when I was here to witness the impacts of the January floods and ensure that FHWA expedited the delivery of $13.7 million in Emergency Relief funding for flood damage in Idaho.

Turning now to NEXTEA, I believe that many elements of the Administration's reauthorization proposal will help Western States and rural areas meet the transportation challenges they face, and I will briefly highlight them today.

Last week, President Clinton, Vice President Gore, and Secretary Slater proposed a 6-year, $175 billion National Economic Crossroads Efficiency Act (NEXTEA). NEXTEA, like transportation itself, serves many goals, but I would like to concentrate on three of them today, because Secretary Slater emphasized these three priorities in his confirmation statement to your Committee just one short month ago, and also because I think they are particularly relevant to Western and rural States: I. Strategic investment in infrastructure; II. A commitment to safety as a moral commitment and a policy imperative; and III. A commitment to common sense government and innovation.

I. Strategic investment in infrastructure

All of us who work in transportation, whether in Congress or State government or local government or at US DOT, are well aware of the magnitude of the transportation infrastructure needs in this country. The needs in the West are different from the needs in the East. And the needs in rural areas are different from the needs in urban areas. Western States and rural States need to meet the challenge of long distance travel; sparse population and limited transportation resources; "spikes" of intense growth in some areas; declining population and economic activity in other areas; growing transportation demands associated with NAFTA, border crossings with Canada, and West-East continental traffic by railroads and trucks; and substantial, growing freight transportation needs, both by truck and rail. To help States and local governments in the West meet these challenges, NEXTEA provides a variety of tools to invest strategically in infrastructure:

• Money: NEXTEA would authorize $175 billion over 6 years, an 11 percent increase over ISTEA. And the highway apportionment formulas that we have proposed to distribute the highway funds among the States attempt to strike a fair balance between the many diverse States of this nation, including the large, sparsely populated Western Mountain States.

• Core infrastructure programs: All States, and particularly the Western States, have benefited from ISTEA's core infrastructure programs—Interstate Maintenance, the National Highway System, the Surface Transportation Program, the Bridge Program, and the Federal Lands Highway Program. All of these core programs are not only retained in NEXTEA, but authorizations would increase by an aggregate of 33 percent compared to ISTEA.

• Greater program flexibility: NEXTEA would provide States and local governments with expanded eligibilities in the core programs, better enabling them to target NEXTEA funds to the types of infrastructure investments that will work best for them—whether traditional highway investments, safety improvements, new intermodal facilities to handle growing intermodal demands, rural ITS applications, or rural transit services. We in Washington, DC, cannot tell Idaho, or Montana, or North Dakota, or Wyoming, or any State what the most strategic and important investment is in any given situation. We need to expand, not reduce, the menu of transportation choices from which States and local governments can make investment decisions.

• Continuation of the transportation planning process: A sound transportation planning process is essential to making wise transportation investments and to managing and maintaining those investments—a planning process that unites State and local governments in partnership, and encompasses environmental and safety goals along with economic and mobility goals. NEXTEA would preserve ISTEA's Statewide and Metropolitan Planning Processes, with some streamlining and some fine tuning.

• Intelligent Transportation Systems (ITS): As we enter the 21st century, one of the most strategic investments we can make is to equip our highways and transit systems with Intelligent Transportation System technologies. ITS is not just for urban areas in the East. Rural ITS applications that could be helpful to Western States include:

(a) Mayday services, to respond more quickly and accurately when crashes occur or when vehicles are stranded on rural roads;

(b) rural transit dispatching, using computer-aided smart cards and Global Positioning Systems (GPS);

(c) road weather information services to provide more accurate and more timely weather information via multiple communication channels;

(d) rural tourism information services, particularly at our national parks; and

(e) roadway and vehicle applications to help prevent run-off-the-road crashes, a common cause of crashes in rural areas. FHWA has worked hard to develop ITS applications that help improve safety and efficiency in rural areas.

There are currently 28 rural ITS operational tests underway. On I–84 in southeastern Idaho, an Idaho Storm Warning Operation Test will use various sensor systems to provide accurate, reliable data on visibility and weather, as well as road closure information. Sweetwater County, Wyoming, has used computer aided dispatch for transit, to better-integrate various health and human services and extend service to twice the number of clients without increasing dispatching staff. Just this week we published for comment in the Federal Register a formal 5-year rural ITS research and testing strategy. And we recently published a compendium of descriptions of nearly 60 rural ITS deployments that we are aware of across the country. In NEXTEA, we propose to emphasize rural ITS applications research, even as we begin to emphasize widespread deployment of those technologies we have developed through our research efforts of the past 6 years. We propose to clarify that States and localities can use funding from all the core programs for ITS capital investment, and from all the core programs except Interstate Maintenance for ITS operations and ITS maintenance as well. And we are proposing a new ITS Deployment Incentives Program, as a transitional program to help areas establish integrated ITS services, with a minimum of at least 10 percent reserved for rural (nonmetropolitan) ITS services.

• Border Crossing and Trade Corridors Program: We were cautious about proposing new programs in NEXTEA, so there are only a handful. One that would be of particular interest to Western States is the new Border Crossing and Trade Corridors Program. This program would provide $270 million over 6 years in funding to assist States in meeting the needs at border crossings and along trade corridors.

We have included provisions to ensure that Northern border States benefit from this new program as well as the States along the U.S.-Mexico border.

II. Safety as a moral commitment and a policy imperative

For Secretary Slater and the Department of Transportation, safety is our No. 1 priority. Every day over 100 Americans lose their lives on the highways in this country, and thousands are maimed and injured. It is the equivalent of a major airline crash every single day of the year; this would be unacceptable as an air safety scenario, and yet this reality continues on our highways. Each of us here probably knows someone—a member of our family, a friend, a coworker, a neighbor—who has been killed or injured in a highway crash. We can and must make a greater effort to save lives through safer highways, safer drivers, and safer vehicles.

As we developed NEXTEA, we looked long and hard at our safety programs. On the one hand, we believe Federal safety programs have contributed to real progress in highway safety—the latest motor vehicle fatality rate (per 100 million vehicle miles travelled—VMT) stands at 1.7, down from 5.5 in 1966. On the other hand, the number of fatalities and injuries has been increasing in recent years. And a disproportionate share of these fatalities occur in rural areas (areas of less than 50,000 population). In 1995, close to 60 percent of all fatalities occurred in rural areas. But rural roads carry less than 40 percent of all VMT. Even when you focus on the higher level systems with better safety features, like the Interstate, rural areas have higher fatality rates than their urban counterparts.

The reasons for the difference are varied. Crashes in rural areas tend to be more severe, due to higher speeds, dangerous terrain, more fixed object collisions, and more run-off-the-road crashes. And crash response times for rural motorists tend to be about twice that experienced by urban motorists.

The Administration's NEXTEA proposal would significantly increase the emphasis on safety, with programs that will help all kinds of States, including Western States and rural States. It includes significantly increased safety funding, better targeted safety programs, greater emphasis on safety results, and greater flexibility for States to tailor safety programs to their needs.

We propose to eliminate the current STP 10 percent safety set-aside and replace it with two new programs:

1. A new Highway Infrastructure Safety Program would be established and authorized at $3.25 billion over the 6 years. These funds would be apportioned among the States for use in improving rail grade crossings and eliminating highway safety hazards.

2. An Integrated Safety Fund would also be established, with $300 million over 6 years, as an incentive program for safety agencies to work closer together in dealing with their safety problems.

The National Highway Traffic Safety Administration's (NHTSA) programs targeted at driver behavior would also be funded at significantly higher levels—with increased and new authorizations for State and local programs that encourage increased safety belt use, reduce drinking and driving, and improve State highway safety data. Furthermore, safety would be emphasized in DOT's research programs. For example, in the ITS research program, we are launching the development of a fully integrated "intelligent vehicle," which would incorporate collision avoidance and other advanced safety features.

Finally, we have increased the coordination and communication among the DOT agencies which work on surface transportation safety—FHWA, NHTSA, and the Federal Railroad Administration (FRA), so that we can better serve and support our State partners. NHTSA, FRA, and FHWA managers and staff have worked very closely this last year. We are striving for safety program delivery that is coordinated, complementary, and builds upon the skills and strengths of each organization.

III. A commitment to common sense government and innovation

Secretary Slater has emphasized common sense government and innovation as being among his top three priorities. And since that philosophy agrees with the outlook in the Western States, it is particularly relevant at today's hearing.

Let me provide some specific examples of this philosophy in our NEXTEA proposal:

- In the Planning section of ISTEA, we propose to simplify the planning factors, in order to focus States and MPOs on 7 broad goals rather than the 16–23 that are included in the statewide and metropolitan planning in ISTEA.
- In the STP, we propose eliminating the quarterly project-by-project certification of each State's STP projects and instead establishing an annual, program-wide approval for each State's STP program.

- Also for all projects off the NHS, we would reduce DOT oversight, replacing it with State oversight (except for environmental and other non-Title 23 laws which must remain a Federal responsibility).
- For Transportation Enhancements, we retain the simplification provisions in the NHS Act—and we commit emphatically to doing everything we can administratively to carrying out the letter and spirit of these provisions. In response to the NHS Act, we have already put in place provisions to allow for the use of donated funds, materials and services as match; allowed for advance payment options for cash-pressed localities; streamlined environmental documentation through the use of categorical exclusions; made changes in response to Uniform Relocation Act concerns; and are completing procedures to trim review time where historic preservation issues are involved.
- Across our entire program, we propose removing a variety of restrictions on reimbursement of State and local government costs, and eliminating requirements that State and local governments "turn in" to the Federal Government revenues that they gain from Federal-aid projects, permitting States and local governments to retain those revenues as long as they use them for Title 23 purposes.

Many of these changes move us as an agency from a traditional Federal oversight role to one of leadership and technical assistance—technical assistance in the broadest definition. We have evolved from solely an engineering management and oversight organization to one that is highly focused on customer service and technical assistance, and dedicated to strengthening partnerships with those served by agency programs.

Before I close, I would like to recognize Senator Kempthorne's particular interest in the Recreational Trails program, and his strong support for that program. Idaho has made good use of ISTEA funding for trails, using ISTEA funds to make trail improvements here in the Coeur d'Alene Ranger District, in the Salmon/Challis National Forest, and in the Sandpoint Ranger District. Although recreational trails may not be part of the "core" transportation infrastructure, we in FHWA believe it is a valuable program. In our NEXTEA proposal, we support the use of the Highway Trust Fund on recreational trails, both in the Recreational Trails Program and also as an eligible use of the STP Transportation Enhancements Program.

Closing

The President speaks about the need to build a bridge to the 21st century. And when he does he often speaks in metaphorical terms that involve balancing the budget, improving education for our children, and preserving the environment as we grow the economy. This bill speaks about building roads and bridges and transit systems in more literal terms.

At its heart ISTEA reauthorization is about more than roads and bridges, it's about cutting-edge jobs in commerce, it's about getting people to work, it's about providing safety on highways, and it's about the communities we share and the steps we have to take to make those communities both safer and cleaner for our children.

The chance to reshape America's infrastructure comes along once every 6 years. That means this transportation bill literally will be our bridge to the 21st century. I look forward to working with this committee and joining a long tradition of bipartisan cooperation as we shape transportation policy that moves this nation forward.

STATEMENT OF EVAN FRASURE, CHAIRMAN, SENATE TRANSPORTATION COMMITTEE, IDAHO STATE SENATE

Senator Warner, Senator Kempthorne and Senator Baucus; I am Evan Frasure, Chairman of the Idaho State Senate Transportation Committee. Thank you for coming to Coeur d'Alene and giving me the opportunity to speak to you about the concerns of the State and the citizens of Idaho for the reauthorization of ISTEA, the Intermodal Surface Transportation Efficiency Act.

In 1995 the Idaho Legislature, by House Concurrent Resolution 21, authorized creation of the Legislative Council Interim Committee on Transportation Resources Management. The Committee was directed to undertake and complete a study of the issues affecting management of the transportation resources of Idaho and to report its findings and recommendations, including proposed legislation, back to the Legislature. The Committee was made up of six senators and six representatives and was co-chaired by Representative JoAnn Wood and myself. The Committee also included a representative from the Idaho Transportation Department, the Idaho Association of Counties, the Association of Idaho Cities and the Idaho Association of Highway Districts. The Committee held 13 meetings throughout the State from June to No-

vember 1995. These hearings allowed the input of citizens and transportation interest groups in all parts of the State to tell the Committee members how they felt about Idaho's current transportation system and what the future of that system should be. The Committee also spent a great deal of time studying the condition of Idaho's highways and analyzing the amount of funds it would take to correct the deficiencies in those highways. In its final report the consensus of the Committee was that the preservation of the transportation infrastructure of the State is crucial to the health of Idaho's economy and that additional funding for highways was justified.

Among the reports studied by the Committee was the "Idaho Highway Needs Assessment Study Update" completed in 1995. This study estimated that there were over $8 billion in total needs on our State and local highways for the period 1994–2000. About half this amount was just to correct current deficiencies which resulted from past funding inadequacies.

In 1996 the Idaho Legislature responded to the Committee's recommendations by increasing the State fuel tax by 4 cents per gallon and also raised motor vehicle registration fees. These fuel tax and registration fee increases were dedicated to a "Restricted Highway Fund" which can only be spent for highway construction and maintenance. With this four-cent increase, Idahoans are now paying a motor fuel tax of 25 cents per gallon, one of the highest in the nation. Idaho ranks fourth in the Nation in per capita fuel taxes paid. The State of Idaho and its people are doing their share to fund transportation in our State.

Last year the Congress designated the National Highway System (NHS) which was mandated under ISTEA. Idaho is an integral and important part of the NHS, with 2,350 miles of our highways being approved by Congress as having national significance. The NHS carries a majority of the commercial traffic across our nation and is critically important to our economy. There is a strong Federal interest in having an efficient and well-maintained transportation system in Idaho across the nation. The Federal Government should significantly increase the amount of funding it is spending on the NHS.

As I stated before, the Legislature and the citizens of Idaho have made a strong commitment to a good transportation system, both for our State and for the nation. The Federal Government should make the same commitment be increasing the level of Federal spending for surface transportation. For a number of years, States and local governments have provided a majority of the finding for transportation nationwide while the percentage supplied by Federal-aid has steadily declined. The Congress can reverse this decline by fully funding Federal-aid highway programs. The $20 billion in Federal-aid being spent annually on highways could be increased to $26 billion by stopping the current practice of allowing large surpluses to buildup in the Highway Trust Fund in order to offset the national deficit. The 4.3 cents in Federal gas taxes which is now going to the General Fund for deficit reduction should be transferred to the Highway Trust Fund where it can be used for the purpose that our taxpayers want and expect it to be used for.

STATEMENT OF JIM KEMPTON, CHAIRMAN, TRANSPORTATION COMMITTEE, IDAHO STATE SENATE

Mr. Chairman and members of the committee: Thank you for taking time to visit Idaho to hear testimony on the Idaho transportation system and requirements facing that system into the next century.

Idaho is a diverse State in terms of population, geography, topography, economic base, politics and transportation infrastructure. Historically, early explorers and pioneers followed the water ways into north Idaho and the California and Oregon trail systems into southern Idaho. In my county, five trails segments crisscrossed between the Oregon and California trails; all integrating as part of a primitive transportation system that later complemented the continental railroad "golden spike" connection just 35 miles south.

Transportation north and south was generally nonexistent until the gold fields in rugged central Idaho became an economic engine that drove construction of turn-of-the-century wagon trails and narrow gauge rail lines. The timber industry began to grow in the north and agriculture in the south began to prosper from the irrigation resources of the Snake River.

Today, despite a history replete in pride, tradition and an uncompromising work ethic, Idaho continues to be challenged in effecting an efficient transportation system.

An elongated State, Idaho is divided horizontally in the south by the Snake River, and again horizontally through north-central Idaho by numerous mountain ranges.

On the east, there is the Teton Mountain Range and to the west, once again, the Snake River progressing to the Columbia River drainage. The State highway system is confined by bridge requirements over canyons in the south and to the north by twisting two-lane roads that cross pristine rivers and lakes from Boise to the Canadian boarder. Rail lines are no less constrained.

For a State with a general and account of $1.4 billion, the estimate to bring Idaho roads to Federal standards is over $8 billion. That amount does not include money that would be required to fund road and bridge construction for NAFTA traffic diverted over the State highway system as a result of retaining 80,000 pound truck limits on the Federal interstate system.

Last session, in an election year, I carried a 4 cent gas tax bill on gasoline and diesel fuels. In response to the "needs assessment study" which had indicated a $8 billion backlog on Idaho's highways, the Idaho Transportation Department had demonstrated an ability to reverse highway deterioration trends by accelerating maintenance and resurfacing, That bill passed narrowly in the House and, with the Governor's help, passed by one vote in the Senate. The State fuel tax is now 25 cents and the additional dollars from the 4 cent tax are directed totally to roads and bridges, no administration.

This put legislative session I was forced to break a transportation committee tie vote which would have allowed truck weights to increase from 103,300 pounds to 129,000 pound trucks on State highways. Like the 4 cent gas tax, this was a tough decision. The economy in my area is agricultural based and is beginning to anticipate increased losses resulting from Canadian trucks above 105,500 pounds moving agricultural products from newly established processing plants in Canada to ports and population centers in, or near, the United States. Why isn't the answer as simple as raising truck weights to 129,000 pounds on Idaho roads.

Because the Federal Government has failed to establish an interstate transportation weight limit policy which would interconnect with expanded weight limits on State highways. This is not a "chicken and egg" issue. The suggestion that States lead the way in motivating the Federal Government to increase interstate weight limits is a specious argument. The States did not negotiate NAFTA and the States cannot independently establish the national transportation corridors that will be required to implement the Act.

For example, southern Idaho agricultural products transported at 129,000 pounds cannot connect to west coast ports through Oregon or to the Idaho inland port of Lewiston by Highway 95. North-South NAFTA traffic at 129,000 pounds could take place through Montana, Idaho, and Utah south, but heavy commercial traffic through Idaho would be on roads which were never designed to handle commercial traffic of this volume and weight. The twisting, narrow surface, small town connected, State highway system is not where heavy weight mainline commercial traffic of the 21st century should be directed.

On a separate matter, Idaho is a State where 64 percent of the land is federally owned and regulated for the benefit of the Nation as a whole. The increasingly heavy recreational traffic is having a significant impact on the State and county roads leading to popular recreational areas.

Last Wednesday I read in the paper where fees were going to start being charged in the Sawtooth National Recreation Area and other Forest Service and BLM select areas to help provide money to supplement diminishing Federal funding. It goes without saying that none of that fee money will be directed to road structures passing in, out and through these high density recreation areas.

In my county, a narrow two-laned road to the City of Rocks National Reserve is maintained by an unorganized highway district with no tax base. The road, constructed parallel to part of the California Trail, is rapidly deteriorating and yet serves both a national and international population of visitors. Not unlike other State and county roads serving the goals of Federal land use, no funding resolutions are in sight.

Finally, appropriations from the Federal Highway Trust Fund remains a vital issue in adequate fending of the Idaho transportation system. Idaho is a net receiver State under the present ISTEA funding formula; without which funding the State would have moved even farther behind the $8 billion shortfall line. This is not a supposition, it is a fact.

Hopefully the reauthorization of a new surface transportation act will give consideration to the uniqueness of the individual States. Certainly the introduction of "STARS 2000" as a successor to ISTEA is a logical and much appreciated step in integrating urban and rural factors affecting all facets of an efficient national transportation system. I would like to be one of many to thank you, Senator Kempthorne, Senator Baucus, and others, who are working for the introduction of STARS 2000.

Finally, use of the Highway Trust Fund to balance the nation's budget is an unfortunate abuse of tax revenue collected from highway users across the nation; as are executive branch expenditures for roads and bridges in amounts less than appropriated by Congress for the same purposes. Even more unfortunate would be the expansion of Federal Highway Trust Fund expenditures to include AMTRAK operations and mass transit operations.

Two additional comments concerning the Federal Highway Trust Fund: First, funding from the Fund should attain a higher level; $26–27 billion would not be excessive; and Second, the 4.3 cent Federal gas tax going to the general fund should be redirected to the Trust Fund. To do less is to foster the widely held belief that ISTEA has fallen short as an equitable funding process leading to achievement of State and national transportation goals. Certainly this is no time to suggest that toll taxing the Federal highway system is the next order of business.

Mr. Chairman, members of the committee, you have a difficult task ahead. I wish you the best in your deliberations. The economic security of this nation literally rides on the vision you have for a future transportation system that will fairly and efficiently serve these United States.

STATEMENT OF JACK KING, SHOSHONE COUNTY COMMISSIONER AND PRESIDENT OF THE IDAHO ASSOCIATION OF COUNTIES

The Idaho Association of Counties is supportive of the reauthorization of ISTEA. The program allows for improved flexible funding of transportation infrastructure, and there has been improvement in participation by local highway jurisdictions in Idaho in prioritizing projects as well as overall planning on a state-wide basis.

A greater percentage of funds should be earmarked for roads, bridges, and railroad crossing improvements. In Idaho there is a need for local bridge replacements and rehabilitation projects which far exceed the available funding for that program. The money for State planning and research exceeds the money available for bridge replacement projects at $2.2 million to $1.3 million. The counties would like to see more money for bridge replacements and rehabilitation.

The counties feel that the Highway Trust Fund should be taken off the budget to protect it from being used to reduce the Federal deficit. The money collected from the sale of fuel should be used for maintaining and operating the road system, not for political purposes. The Idaho Association of Counties supports the ability to use the surface transportation formula funds on both rural and urban road systems. More local input is needed in prioritizing expenditures of these funds, and they should focus on the local road system.

Transportation planning is very important on regional, statewide, and local levels and must take into account all modes of travel to protect the integrity of the roads system, as well as all of the transportation system to individuals not desiring to use automobiles.

Since the Highway Trust Fund is supported by the user fees, the emphasis of future legislation should be to protect the highway infrastructure within the Nation and States. The counties support giving local highway jurisdiction and ability to set their own priorities on transportation issues and greater voice and flexibility in influencing transportation plans that satisfy local needs. We would like to continue to have Federal policy recognized and require that local officials play a prominent role in local and regional transportation plans.

We believe that the process and the procedures on Congestion Mitigation/Air Quality and enhancement programs should be streamlined to help improve the deliveries of funds. We also hope that the reauthorization of ISTEA would simplify the system of design review, projects approval and regulations that State and local MOPs and citizens have to go through to get projects going. The reauthorization should move the Federal Government away from its role of reviewing projects and setting design standards to have oversight without sacrificing environmental safeguards particularly when multiple reviews substantially increase the cost of particular projects.

The Federal Lands Highway Program

This program works well in Idaho for those local highway jurisdictions who receive significant benefit from the program and the reconstruction and rehabilitation of roads accessing our Federal lands. Over 60 percent of Idaho is owned by the Federal Government, and the access to public lands for recreation and tourism is increasing. The program along with the Public Lands Discretionary Funds is a significant support to the deterioration roadway transportation system in Idaho. We fully support reauthorization.

We feel that the portion of ISTEA dealing with the hold harmless provision is discriminatory. The roads on which these funds are used are for access to public lands owned by the Federal Government. Penalizing Idaho for using these funds on access roads for the overall public of other highway programs under ISTEA is unfair.

We would like to see it eliminated. We would like to see the communication between the Federal Government and the local highway jurisdictions improve. By allowing us to assist in prioritizing our projects could be helpful both to the local jurisdiction and Federal Government. Working together for an overall transportation need for the State will lead toward better relationship between Federal Government and local highway jurisdictions in Idaho.

In Idaho one thing that should be considered in various programs is that by using Federal dollars there is relatively high design standards which do not enable funds to go as far in construction of roads in mountainous territory. Also, once completed, they become the responsibility of local jurisdictions which are truly limited in ways to raise revenue. Some flexibility would be beneficial as well as considering giving assistance to local jurisdiction with maintenance of the system.

STATEMENT OF JOHN J. BEAUDRY, PLANNING DIRECTOR, COUNTY OF STILLWATER, COLUMBUS, MONTANA

I appreciate this opportunity to comment on the reauthorization of the Federal Highway Program. I testified 6 years ago when the current program was being considered and at that time gave examples of transportation needs from our community. Since that time, I am pleased to report, 20 miles of highway were realigned, reconstructed, and paved. Another 18 miles of highway received an overlay, and five bridges were replaced. In addition, four enhancement projects have been completed in our community.

Transportation issues are still one of the highest priorities in our community. The Federal Highway Program is critical, not only to the transportation system, but also to the economic well-being of Stillwater County. Interstate 90 bisects the county, and Highway 78 serves as a north-south arterial route. There are five other Federal-aid routes in the county, 14 major bridge structures and numerous smaller bridge structures, eight railroad crossings, and one designated Forest Highway Project.

Federal funding for the National Highway System under the current program has not been adequate to meet all of our transportation needs. For example, reconstruction projects for Highway 78 originally scheduled to begin over 5 years ago are still delayed. The Forest Highway 83 serving southern Stillwater County includes access to Custer National Forest and the Stillwater platinum/palladium mine. Fourteen miles of the total 20-mile reconstruction project have been completed. However, the remainder of this project has not been funded at this time.

The Stillwater mine produces platinum group metals and currently employs over 600 people and has an annual payroll around $25 million. This is the only platinum/palladium mine in the United States and competes in international markets with mines in Russia and South Africa. Platinum group metals are used for automotive pollution control, medical applications, in electronics, industrial processes and a variety of other applications, including national defense.

There are two other Federal-aid projects in our county which began over 2 years ago and still are not completed at this time. The Stillwater Road also serves southern Stillwater County and is an alternate route to the mining region. The first six miles of this route were paved in the 1970's. The remaining 14 miles are still gravel with no prospect of completion in the foreseeable future. The Joliet Road 421 was also started over 20 years ago as a Federal-aid secondary project, but is still unfinished due to the lack of funding.

Bridges are also a significant problem in Stillwater County. We have had off-system bridges collapse in the past and have several bridges that are substandard. I brought a photo with me of one of the bridges that collapsed to document the problem. And this is clearly not the bridge to the 21st century that we envision.

Please accept this written testimony in support of the proposal for Surface Transportation Authorization and Regulatory Streamlining Act. We believe that the reauthorization of the Federal Highway Program should address following issues:

- Authorize program funding to the maximum level the Highway Account can sustain;
- achieve funding distribution that is fair and based on truly national interest, taking into account rural areas with large Federal land holdings and low population densities;
- emphasize investment in the National Highway System with continued Federal commitment for our highways;

- retain appropriate program emphasis areas, including enhancements and Federal lands program;
- reduce regulation to the greatest extent possible and eliminate unnecessary requirements; and finally,
- provide States flexibility and a role for local governments in transportation planning.

Thank you again, Senators, for this opportunity to comment on the reauthorization of the Federal Highway Program. We support the proposal for a Surface Transportation Authorization and Regulatory Streamlining to meet the transportation needs of Stillwater County into the next century. Thank you.

STATEMENT OF DWIGHT BOWER, DIRECTOR, IDAHO TRANSPORTATION DEPARTMENT

On behalf of the Idaho Transportation Department, I would first like to thank Senator Warner, Senator Kempthorne and Senator Baucus for holding this hearing in Idaho and for giving us the opportunity to personally present our positions concerning the upcoming reauthorization of the surface transportation program. I know how busy your schedules all are and I sincerely appreciate the great efforts that you and your staffs have made in setting up and attending this hearing. I would also like to acknowledge the members of the Idaho Transportation Board whose attendance here today emphasizes their commitment to improving transportation in Idaho.

As most of you are aware, the Idaho Transportation Department has for the last few years been working with the transportation departments of Montana, North Dakota, South Dakota and Wyoming to develop positions and advance the interests of our citizens in legislation to reauthorize Federal surface transportation programs. Marv Dye, Director of the Montana Department of Transportation has joined me here today. Together we will present reauthorization positions on behalf of all five States in our coalition. The full written statement of the 5 States has been provided to the Subcommittee and we understand it will be included in the record of this hearing. In our remarks today I will present our views on three key elements and Mr. Dye will follow with our views on three additional elements.

Before turning to specifics, I want to first begin by expressing our support for the "Surface Transportation Authorization and Regulatory Streamlining Act" or "STARS 2000" which will soon be introduced by Senators Kempthorne, Baucus, Thomas and others.

Senator Kempthorne, we at the Idaho Transportation Department feel that this bill will do more to improve transportation in Idaho than other Federal reauthorization legislation that has been proposed. It will allow us to deliver more transportation improvements to our citizens, including those in our cities. Senator Baucus, Senator Thomas and you have done this in a way which is broad in focus and is nationally responsible. You are to be commended for your work in developing this thoughtful initiative.

With our support for "STARS 2000" in mind, let me address the three key elements which this legislation will achieve:

1. Increase Federal-aid Program Funding Levels: Highways are the primary way in which people and goods are transported from one part of our nation to another. Investment in surface transportation creates jobs and increases our competitiveness in international markets. America's economic well-being is critically dependent on an efficient transportation system. AASHTO's "Bottom Line" report of April, 1996, shows that current and future highway needs far exceed the amount of money now being invested in highways. Even with the additional high level of transportation funding now being supplied by State and local governments, critical needs are not being met and the condition of our country's infrastructure is continuing to deteriorate. At the current Federal funding level for highways of approximately $20 billion per year, an additional $10.7 billion is needed annually just to maintain the existing system at its present condition and an additional $18.8 billion per year to upgrade the system's capacity and physical condition. Obviously, a higher level of Federal investment is absolutely necessary to help resolve this deficiency, both nationally and in Idaho.

We strongly urge your support for a new surface transportation act which will authorize spending from the Highway Trust Fund at the highest level sustainable under the "Byrd Amendment." Given current levels of user taxes, that would be a level of approximately $26 to $27 billion annually. Let me add, Senator Warner, that we appreciate that your proposal, as well as STARS 2000, also calls for a $26 to $27 billion level of investment. We appreciate your leadership, as well as that of Senators Baucus and Kempthorne on this issue. In addition, we also support transferring the 4.3 cents in Federal gas tax now going to the General Fund for defi-

cit reduction to the Highway Trust Fund where those revenues can be used for transportation purposes. This transfer would allow an additional $6 billion investment to be made in transportation.

2. Emphasize Funding for the National Highway System: We support adoption of a Federal-aid highway program with two "core" funding programs—a National Highway System program and a Surface Transportation Program. We believe that 60 percent of the core program funds should be directed to the NHS program.

The National Highway System (NHS) consists of the Interstate System and those other principal arterials that were approved by Congress as having national significance. The Federal Government must increase its investment in the NHS. There is a strong Federal interest in providing and maintaining a national transportation network which binds our nation together and which provides for economic growth and competitiveness, national defense and personal mobility. If we are to continue to prosper as a nation we must have a surface transportation system which connects regional, national and international production areas and markets together. We must be able to get agricultural products and raw materials to our metropolitan centers and manufactured goods to rural areas. An efficient and well-maintained National Highway System is crucial to Idaho and the nation.

Federal funding for the National Highway System should be increased. State and local governments already provide a majority of the total funding for transportation. It would cause serious problems for us in the West if Congress were to choose not to significantly increase funding for the NHS. Many States are unable to raise State fuel taxes sufficiently to provide the money necessary to support highways which are national in character and usage.

3. Implement Fair Formulas for Distribution of Federal-aid Funds: One of the most significant issues which the Congress will have to consider during the reauthorization of ISTEA is how to implement distribution formulas which apportion Federal-aid funds to the States. The formulas chosen should fairly reflect the extent, usage and other specific characteristics of the nation's transportation system, both urban and rural. We are committed to work with the Congress and local governments to establish a fair and equitable distribution of Federal-aid funding. A continuing partnership between Federal, State and local governments is essential for achieving our common goals.

I want to make it clear that, for the formulas to serve national interests and the interest of our States and local governments, there must continue to be a "donor/donee" relationship among the States. There are at least three compelling reasons why we believe that States like ours should continue to receive a higher percentage of highway funds from the Highway Trust Fund than they contribute: a) Low population density, b) Federal lands and c) "Bridge" State status.

Low Population Density.—Because of their inability to generate sufficient tax revenues, rural Western States and some small States with low populations are often "donees." These States do not have a population base which is sufficient to generate tax revenues which will support an adequate transportation system. Idaho, for example, has a land area of over 83,000 square miles, but a population of just over one million. The result of this low population density is an inordinate tax burden on our citizens. Idaho ranks fourth in the Nation in total State and Federal fuel taxes paid per capita. Our State fuel tax is 25 cents per gallon, one of the highest in the nation. As a result, Idahoans pay $316 per capita in fuel taxes annually, compared to the national average of $220 per year. This is nearly $100 more per person than the national average that our citizens must pay per year.

Federal Lands.—In the Western States the inability to raise sufficient tax revenues is compounded by the fact that a large percentage of their lands are under Federal ownership and cannot be taxed by the States. In Idaho, Federal lands make up 64 percent, or nearly two-thirds of the total land area. In spite of the Western States inability to receive tax revenues from Federal lands, our State and local governments are responsible for maintaining many thousands of miles of highways which pass through and provide access to these public lands and their resources.

"Bridge" States.—Many of the Western States also serve as "bridge" States, providing a vital link for commerce and travel between the East and West coasts and also as north-south trade corridors between Canada and Mexico. In Idaho, US–95 has become a major route for the transportation of Canadian goods into the United States. In 1987 approximately 22,000 trucks were crossing the Canadian border into Idaho annually at Eastport. By 1995 that figure had almost doubled to 40,000 a year and rose to nearly 46,000 in 1996, an increase of 6,000 in just 1 year. Nearly two-thirds of the truck traffic traveling across southern Idaho on Interstate–84 is cross State traffic. Under Federal law, the cost of maintaining these and other Idaho routes which serve both national and international interests, must be borne by the citizens of Idaho, but the Nation benefits.

Distribution Formulas and Policies

I will now turn to the five points we feel should be made concerning distribution formulas for Federal highway program funds:

1)NHS: 60 percent of the funds for the two core highway programs should be provided for the National Highway System. This system carries a majority of the nation's commerce and traffic and is critical to our economy, national defense and mobility.

2) Federal Lands: States with a significant percentage of Federal lands should be compensated for their inability to tax those lands by using that percentage as a factor in determining the distribution of Federal funds. Also, funding for the Federal Lands programs should be increased and the use of program funds should be more flexible.

3) NHS and STP formulas: These formulas should reflect the actual extent and useage of the nations transportation system, both urban and rural. NHS factors should include (1) lane-miles, (2) vehicle miles of travel (VMT) and (3) a special fuels factor. The STP formula should include (1) Federal-aid system lane-miles and VMT, (2) bridge surface area, (3) percent of Federal lands, and factors such as (4) air quality, (5) freeze/thaw conditions and (6) population/lane mile.

4) Apportionment Adjustments: We believe that it is also fair and equitable that small and low-population density States receive a minimum percentage of program funding approximately equal to the percentage specified in the "hold harmless" provisions of Section 1015 of ISTEA.

5) Minimum Allocation: If the four points I have just stated are included in the reauthorization legislation, then in the context of proposals such as "STARS 2000", increasing the minimum allocation percentage from 90 percent to 95 percent and applying it to a larger percentage of the overall program is possible.

In reference to the proposed "STARS 2000" legislation, we believe that all five of these key points concerning Federal-aid distribution formulas and policies have been fairly and adequately included.

In closing, I would like to comment again on the efforts of Senator Kempthorne, Senator Baucus and Senator Thomas to introduce into Congress the "STARS 2000" act which would reauthorize ISTEA in a manner that will ensure that our nation's surface transportation program will be strong and efficient into the next century. "STARS 2000" fully represents the principles I have presented to you today such as increased Federal funding to the States, consideration for the special circumstances of small and low-population density States by guaranteeing them a minimum percentage of program funds and a fair share of the national surface transportation program funds for our States. The legislation which has been introduced by Senator Warner has many of the same principles and program improvements which are contained in "STARS 2000" and we appreciate the willingness of the Chairman and the others who sponsored and worked on his legislation to work with our coalition and to listen to our concerns. We hope to continue this cooperation and willingness to work together throughout the Congressional reauthorization process.

Again, I want to reemphasize our support for the "Surface Transportation Authorization and Regulatory Streamlining Act" or "STARS 2000" which will soon be introduced by Senator Kempthorne, Senator Baucus, Senator Thomas and others. I congratulate the Senators and their staffs on the thought and preparation that went into producing this legislation. The Idaho Transportation Department and the other members of the 5-State Coalition fully support this legislation and would urge everyone here to give this bill their support also.

In conclusion, I thank you once again for giving me this opportunity to present our testimony to the Subcommittee. Marv Dye, Director of the Montana Department of Transportation, will present the 5-State Coalition's remaining three key positions on reauthorization.

STATEMENT OF TRANSPORTATION DEPARTMENTS OF IDAHO, MONTANA, NORTH DAKOTA, SOUTH DAKOTA, WYOMING, SUPPORTING THE SURFACE TRANSPORTATION AUTHORIZATION AND REGULATORY STREAMLINING ACT (STARS 2000)

Chairman Warner, Senator Kempthorne, Senator Baucus: Good afternoon. I am Dwight Bower, Director of the Idaho Transportation Department. With me is Marv Dye, Director of the Montana Department of Transportation. We are here today on behalf of our own States and also on behalf of the Transportation Departments of North Dakota, South Dakota, and Wyoming.

Legislation establishing the future size and shape of the Federal highway program is of critical importance to the Nation and to this region of the country in par-

ticular. So, we are very pleased to have this opportunity to present our views on how the forthcoming legislation can meet the needs of both the Nation and of our States.

Overview

Our basic position, Mr. Chairman, is that we support strongly the Surface Transportation Authorization and Regulatory Streamlining Act (STARS 2000) proposal being prepared for introduction by Senators Baucus, Kempthorne, and Thomas. We commend Senators Kempthorne, Baucus, and Thomas for their tremendous leadership in developing it. STARS 2000 is an excellent proposal which will address the needs of the Nation and of our States in a thoughtful way.

We also want to commend you, Chairman Warner, for the work you have done to advance surface transportation reauthorization legislation in the national interest. You are making a strong effort to obtain a much higher level of Federal funding for highway investments. In addition, you have demonstrated awareness that there is a national interest in transportation in and across States like ours. We hope, today, to increase that awareness—and explain why the national interest in transportation in and across States like ours should be given considerable weight in this legislation.

Legislation reauthorizing the Federal highway program should achieve several key results.

I. It should increase funding levels to as high as the Highway Account of the Highway Trust Fund can sustain.

II. It should emphasize investment in the National Highway System.

III. It should achieve a distribution of funds among the States that is fair and based on the national interest. Such a distribution absolutely must reflect the national interest in the ability of people and goods to move across the rural areas of this nation, between our population centers. It must also reflect that, in States like ours, with relatively few people and large Federal land holdings, substantial Federal investment is required in order to support the long stretches of national interest highways within our borders. In short, States like ours should receive an enhanced share of the Federal highway program.

The legislation should also——

IV. Provide States greater flexibility to determine how to invest transportation funds, while retaining some Federal program emphasis areas;

V. Reduce regulation of States by the Federal Government; and

VI. Continue many aspects of present law, such as provisions requiring planning and public involvement in planning.

In the balance of our testimony we will explain those and our positions on some additional issues in further detail.

I. INCREASE FEDERAL HIGHWAY PROGRAM LEVELS

On overall highway program funding levels, we are pleased, Mr. Chairman, that you and Senators Baucus and Kempthorne are already working to advance the position we support. Namely, that the law must allow States to invest the full level of funding which the Highway Account of the Highway Trust Fund can sustain.

There are a host of reasons why this is the right policy, including that——

Highway and transportation investments are investments; they help facilitate economic growth and help keep American business internationally competitive.

The program is supported by user taxes. Highway users have paid these taxes with a reasonable expectation that the money will be put to work promptly for transportation purposes. A substantial increase over current investment levels is necessary to meet those reasonable expectations, and to "put trust back into the Trust Fund."

Good transportation improves the personal mobility and quality of life of our citizens.

The needs of our transportation network are vast and are not being met within current program levels. At present levels of Federal investment we are not able to maintain, much less improve, the current condition of our NHS and Federal-aid highway systems.

Our understanding is that, considering current income into the Account, interest on the balance in the Account, and a gradual draw down of that balance, the Highway Account can sustain investments of $26–27 billion annually. If the 4.3 cents of motor vehicle fuel taxes currently dedicated to the General Fund of the Treasury were to be redirected—as it should—to the Highway Trust Fund, an even higher program level could be sustained.

We are also pleased to note that support for this basic position is not limited to our transportation departments. It receives strong support from all over the nation.

We were particularly pleased when, earlier this year, the National Governors' Association adopted a Surface Transportation financing resolution, urging that:

the 4.3 cents per gallon of fuel tax currently being used for General Fund purposes be deposited in the Highway Trust Fund and used for transportation purposes; and all dedicated user fees and the interest accrued on Trust Fund balances be promptly distributed.

We are very pleased that the STARS 2000 proposal would set program levels as high as the Highway Account can sustain (assuming no reduction in the taxes dedicated to the Account). Your bill, Senator Warner, also takes that position. The STARS 2000 proposal, however, commendably takes one further step. As we understand it, an additional feature of that proposal would authorize apportionment of additional funds if it should turn out that current estimates of Highway Account revenues are too low, such as if some or all of the 4.3 cents is directed into the Account.

We are, of course, very disappointed with the low funding levels proposed by the Administration. We urge the Congress to, instead, adopt the much higher funding levels which we and so many others recommend.

II. EMPHASIZE INVESTMENT IN THE NATIONAL HIGHWAY SYSTEM (NHS)

We would give greatest program emphasis to the NHS, allocating 50–60 percent of total apportionments to the NHS program category. This is not as high a percentage of the program as it might seem when the NHS program is defined as including Interstate maintenance and bridges on Interstate and other NHS routes.

The NHS, Mr. Chairman, represents the extremely strong Federal interest in ensuring that the entire nation is well connected. It is the principal grid upon which people and goods move safely and efficiently across the country. These routes make up only 4 percent of the nation's roads, but carry 40 percent of all traffic and 75 percent of commercial truck traffic.

Not only are these roads clearly important, studies show that a great deal of money is needed to maintain them, perhaps $18 billion annually, which translates to $14–15 billion a year for a Federal NHS program. More would be needed to improve the NHS. So we strongly recommend that program emphasis be given to these important roads.

III. THE DISTRIBUTION OF FUNDS MUST REFLECT THE NATIONAL INTEREST IN HIGHWAYS IN THIS REGION

While there are significant transportation needs across the nation, there are a number of reasons why the Nation will be well served if States like ours receive a significant net influx of Federal highway funds under the forthcoming legislation.

First, the entire nation benefits from the fact that there is a national network of first-class highways, enabling people and goods to move, for example, between Chicago and the West Coast, over the plains and mountains. Major Interstate and National Highway System routes in this region were not built principally to connect places such as Twin Falls, Idaho and Bozeman, Montana, and Gillette, Wyoming. While those roads do connect those towns, they also meet NATIONAL needs. They benefit the great population centers of our nation; they allow people and goods to move from Chicago and points east across the country to Seattle, Portland, and California.

We want to emphasize that the national need for investment in this region, to achieve these benefits, continues even though the Interstate highways have been built. We are now entering a period where major reconstruction of the Interstates is upon us. In addition, we note that maintenance of those routes is solely a State responsibility, and an expensive one for lightly populated States like ours.

Highways in States like ours also enable agricultural products and natural resources to get from source to metropolitan markets, and enable manufactured goods to move from metro areas to rural consumers. They also provide the nation's citizens with access to the country's national parks and the great outdoors.

In short, it is clear that investments of Federal highway funds in this region help the nation, not just the States in which the investments are made. The funding formula must reflect this.

Second, rural States are not able to pay for the Federal-aid system of roads without a significant net influx of Federal funds. We have very few people to support each lane mile of highway. For example, in Idaho we have approximately 51 people per lane of Federal-aid highway; Montana, 27, New York, 278. Virginia is about at the national average of 126 people per lane mile of Federal-aid highway.

Also, while per capita income in this region is below the national average, our citizens pay considerably more per person into the Highway Trust Fund than the national average.

Thus, while there is sometimes a clamor in Washington because some States are "donors" under the Federal highway program (putting relatively more into the Highway Account than they get out) and others, including our States, are "donees", our citizens, per person, are putting more of their income into the Highway Trust Fund than the national average. Our citizens are definitely carrying a heavy load, Mr. Chairman.

Another consideration is the high percentage of land in this region which is either owned by the Federal Government or held by it in trust. States with a very high percentage of their land under such Federal control face a number of difficulties. In particular, Federal lands are generally not open for commercial or residential use, depriving a State of part of its tax base.

In States with large Federal land holdings, like Idaho, this is a significant impediment to the State's ability to raise revenue. Yet, those States still maintain significant Federal highway systems, which serve national interests, and which lead to, cross, or are adjacent to these Federal land holdings.

We want to emphasize that this is a problem distinct from those addressed by the Federal Lands Highway Program. That program principally serves to develop roads within Federal Lands, such as highways within National Forests or on Indian Reservations, or on adjacent roads. Those are direct Federal expenditures for Federal purposes. Our point here, is that, in addition to the national need to continue and improve a Federal Lands Highway Program, the general apportionment formula should reflect the special burden faced by States which must ensure transportation across or adjacent to Federal Lands.

For reasons such as these, we believe that States like ours should receive both more dollars and a higher share of the program than under current law.

Approaches to Distributing Funds

Clearly, the kind of overall result which we support could be achieved through a variety of formulas. We do suggest, however, that the national interest would be well served by a funding distribution formula which takes the following approach to providing an increased program share for our States.

Emphasize extent and use of the Federal-aid highway system particularly the extent of Interstate and NHS routes. One of the provisions of ISTEA required the Secretary of Transportation to undertake a functional classification of our nation's roads, to determine which were important enough to be "Federal-aid highways," those eligible for Federal assistance. Congress also directed the Secretary to propose routes for inclusion in the National Highway System and that system has now been designated.

We think it is clear that there is a higher Federal interest in the Interstates, NHS routes, and other Federal-aid highways than in other roads. These are the roads which do the most to serve national interest needs. Thus, we believe that the extent and usage of these routes, as opposed to all roads, deserve recognition in a funding formula. Particular emphasis should be given to the extent of our premier systems, the Interstate and the NHS. If the extent of those systems is not given weight in the distribution and allocation of funds, a risk is created that the resources won't be there to maintain those key roads.

Take Low Density and Ability to Pay Into Account. We also believe that the overall formula should provide increased funds to States with low population densities and/or few people per lane mile of Federal-aid highway, and with a high percentage of land subject to Federal ownership or trusteeship. All of these factors tend to reflect the inability of rural States to pay for the national interest routes which are within their borders—routes which provide tremendous benefits to the Nation generally, not just to the residents of the States where they are located.

Achieving Balance. Certainly, the overall scheme for distributing highway funds must make sense for the Nation as a whole. It must take into account the concerns of other areas and provide an appropriate minimum allocation. However, we are confident that this can be done while meeting the national interest in providing an increased share for this region.

STARS 2000 Strikes a Good Balance. Our confidence that this can be done is validated by the formula information that Senators Kempthorne, Baucus, and Thomas have circulated describing the distribution of highway funds under the STARS 2000 proposal. Under their proposal, with both its increased funding and its formula:

- 47 States would receive higher annual funding than today, and
- 33 States would receive a higher percentage of funding than under present law (and another one the same percentage).

We also believe that, head-to-head, against other new proposals which have been revealed—namely the ISTEA Integrity Restoration Act and the Administration's bill—STARS 2000 compares favorably. In short, while no one proposal could be the best for all States, STARS

2000 is the proposal that does the most for the most. It is balanced. It treats both our region and the Nation fairly.

Concerns With Other Funding Distribution Proposals and Factors.

Before leaving the topic of funding formulas, we offer a few more points regarding funding formulas and factors proposed by others.

We were disappointed with the Administration's funding distribution proposal. It is the only one that has been offered which would reduce the share of funding provided to our States. We don't think that there is anything more to say about it. That says it all.

Let us also note our position on some specific aspects of formulas. We have trouble with proposals to continue the so-called "reimbursement program." This category of funding distributes funds based on the presence of the Interstate routes in a State prior to 1956. We all know there were few or no such routes in this part of the country in 1956. We believe that any overall proposal which continues that program category, and apportions those funds on the basis of activity over 40 years ago, has a big strike against it, a strike which could be overcome in our eyes only if other factors in the overall proposal would help our region a very great deal.

The present CMAQ (Congestion Mitigation and Air Quality) Program is another one which distributes a very low percentage of its funds to our States. We believe that program should be de-emphasized. Any overall proposal which includes substantial CMAQ funds, again, would have to have other extremely attractive features before it could be attractive to our States. We also note that the current formula for allocating bridge program funds is not a helpful one for our States. The current formula for allocation of these funds does not include an incentive to maintain bridges. Under it, the worse a State's bridges get, the more bridge funds it receives. All our States have a higher percentage of the nation's square footage of bridge deck surface area than we receive of today's bridge program funds.

IV. ACHIEVING A MORE FLEXIBLE PROGRAM STRUCTURE

We turn now from funding allocation to the issue of program structure. Here, we see the task in front of the Congress as one of striking a balance between letting States decide how to spend the money apportioned to them and telling them exactly how to spend it.

We strongly recommend that, compared to today, the legislation place allocation of a greater percentage of overall funding within the discretion of State officials, so that they can better implement the priorities identified through their planning process, which involves receipt of comments from the public. This is not to say that the legislation need be totally deferential to States. We think that legislation can continue to require States to emphasize certain types of investments. In general, however we strongly recommend that the overall result leave more of the funding open to dedication in accordance with the priorities identified in the planning process. Thus, transportation officials could emphasize urban or rural investments, safety investments, capacity investments, transit investments, transportation enhancements, bridges, or whatever else the planning process prioritizes.

As to how, specifically, we would strike the balance, it would be to have two basic categories of funds, an NHS Program, and a Surface Transportation Program, with several program emphasis areas worked into that structure.

National Highway System (NHS). For the reasons noted earlier, we would give greatest program emphasis to the NHS, allocating 50–60 percent of total apportionments to the NHS program category. We recognize, however, that some States would prefer to not give so much emphasis to the NHS. Thus, we also support continuation of the ability in law today for a State to transfer a portion of its NHS funds to other program categories.

Safety. We think it appropriate for the program to continue to set aside funds for railroad highway crossings and hazard elimination—in amounts similar to under today's program. We suggest some greater program flexibility in this area, however, such as allowing some transfers between the two and eliminating restrictions within each of those programs.

Transportation Enhancements. We support continuation of some set aside for transportation enhancements. However, we cannot subscribe to any view that the Federal Government should require States to give them increased dollars or emphasis. As a time when total Federal investment levels in highways and transit fall far short of what is needed to maintain the condition of our roads and transit systems,

and further short of what is needed to improve them, we suggest that the dollar guarantee for transportation enhancements out of the highway program be slightly reduced. Transportation enhancements have a role but, beyond a modest point of guaranteed funding, they should have to compete in the planning process with other demands for transportation dollars.

Set Asides for Metropolitan Areas. We support continuing a set aside of funds, within the "surface transportation program" category of the highway program, for metropolitan areas of over 200,000. We would not reduce the dollar in that set aside. To the contrary, we would allow the dollar value of that set aside to grow with the program.

We would oppose, however, proposals to provide specific set asides of funds for smaller metro areas. In taking this position we note that, today, every metro area in each of our five States has a population of less than 200,000. We certainly spend funds in and around the largest cities in our States. We always will. What is at issue is flexibility within the State to address varying needs and the ability of the State to effect an overall statewide plan. For that reason, on this issue we would maintain the balance in present law, which provides funding set asides only for metro areas of over 200,000.

Congestion Mitigation and Air Quality (CMAQ) Funds. We want to make clear that we view issues regarding funding of CMAQ activities not as raising any question of whether officials should try to meet transportation needs in a manner which is sensitive to air quality—they should. We see issues as to the future size of the CMAQ program principally as a funding formula issue. This is because the present formula for distribution of CMAQ funds favors only a few States.

We would prefer to reduce the CMAQ program because we believe that its main impact is to shift funds from most States, including our States, to a very few States. In short, our recommendation that funding for the CMAQ program be Reemphasized stems from our desire to increase overall funding for the citizens of our States, even for CMAQ activities, whether they live in our cities or smaller towns.

Bridges. We believe it is reasonable to set aside some funds for bridges, both on and off the Federal-aid system. However, we stress that this can be done in a way which decouples a requirement that each State spend some funds on bridges from today's bridge program funding formula, a formula which is not helpful to us.

Obligation Ceiling Rules Should Maintain Program Balance. While not always thought of as a program structure issue, we want to note our view that rules for any "obligation ceilings" should help maintain the program balance which appears on the face of an authorization bill. Frankly, this doesn't usually happen, but it should.

As a preliminary point, let us be clear that we hope that the Congress will allow the investment of the full amount of funds which the legislation authorizes. However, in the past, there has almost always been an "obligation ceiling," which limits the extent to which authorized funds can be spent.

We want to make two specific points about rules for obligation ceilings. First, we object to any rules under which the type of apportionments which go to our States receive second class treatment under an obligation ceiling. Under today's system, obligation ceilings give a financial preference to minimum allocations and special projects. Compared to States as a whole, we receive relatively little money in those categories. On that basis alone, we would not give preference to them under a scheme for parcelling out funds in the event that not all funds can be distributed. However, our general point is that all funds apportioned to States should be treated equally under obligation ceilings.

Second, the rules should maintain balance in the program structure. This does not happen when set asides are expressed in terms of apportionments, but obligation authority—real cash—is less than apportionments. For example, if a set aside is worded as constituting 10 percent of apportionments and obligation ceilings are regularly less than apportionments, the real effect is that the set aside will become more than 10 percent of the actual program. This distorts the program and a mechanism should be developed so that, when obligation ceilings are imposed, set asides are reduced pro-rata, and program balance is maintained.

STARS 2000 Strikes the Balance. Again, Mr. Chairman, we believe that the STARS 2000 proposal does an excellent job of striking the balance between reducing program categories and maintaining reasonable Federal program emphasis areas. STARS 2000 emphasizes the NHS and maintains reasonable requirements for expenditures on bridges, safety, and enhancements, and in large metro areas. This is a good balance.

V. REDUCE REGULATION OF STATES

In general we urge Congress to take appropriate steps to reduce Federal regulation of States. Congress took many excellent steps in that regard in 1995's National Highway System Designation Act. Elimination of many "management system" requirements, of "crumb" rubber utilization requirements, and other rules were welcome. Mr. Chairman, you, Senator Baucus, and Senator Kempthorne were very effective in reducing regulations as that bill developed. We thank you for those efforts.

We look forward to working with the Congress so that this year's legislation will further reduce Federal regulation of State governments—and also preclude increases in regulation.

At this point, we have some concern that there may be proposals to establish, or allow the executive branch to establish, "performance standards". We are concerned that these proposals could turn into an effort to have Washington tell States how to set their priorities, regardless of what our citizens tell us in comments during our planning processes.

We also note that the American Association of State Highway and Transportation Officials (AASHTO) has developed a series of recommendations on how to streamline and ease regulatory requirements. We support the thrust of those suggestions and urge the Committee to include provisions in the legislation which respond to those concerns.

In taking this general position, we want to emphasize our view that Federal regulation of States should be disfavored. We consider ourselves to be full partners in our Nation's Federal system of government. We already strive to determine the public interest and to serve it. So, we think there should be stronger direction from Congress to Federal agencies to simplify and reduce rules and other requirements imposed on States.

VI. CONTINUE PLANNING AND PUBLIC INVOLVEMENT REQUIREMENTS

We support continuation of State and metropolitan area planning requirements and the decisionmaking and consultation roles currently provided to local governments. We support continuation of public comment rights. Basically, we would not try to change the balance between States and other governmental units in the current planning and project selection process.

VII. ADDITIONAL ISSUES

Federal Lands Highway Programs Should Grow With the Program and Be Improved

Under present law, approximately $450 million annually is authorized for investments in Federal lands highways. This includes investments in Indian Reservation Roads, roads within parks, forest highways, and a discretionary public lands highway program.

Roads in and adjacent to Federal enclaves are a unique Federal responsibility and the Federal highway program should continue to provide funding for them. We recommend that, overall, highway investments concerning Federal lands grow at the same rate as the overall program. We also urge some reform of these programs, to ensure that Federal lands highway funding is more likely to go into areas where there are substantial Federal lands.

We particularly object to that aspect of section 1015(a) of ISTEA which penalizes States which apply for and receive Public Lands Discretionary funds. Under that provision, a State which receives a discretionary grant has its surface transportation program funding reduced in the following fiscal year. This provision punishes States with public lands and serves as a disincentive for them to apply for those funds. The provision also hurts Native Americans by penalizing States which attempt to improve BIA and Tribal roads by using public lands highway funds. Such "penalties" upon States should not be a feature of the Federal lands highway programs as the entire Nation, not just the residents of the State in which particular projects are located, benefits from Federal lands highway program investments.

We also recommend creation of a new category of Federal lands highway investments (to fit within the overall level of funds for all of Federal lands highway programs). The purpose of such a program would be to provide greater likelihood that the Federal Government will choose to invest Federal lands funds in those States with the greatest percentage of Federal lands. Mr. Chairman, in recent years, we have seen States like Idaho and Nevada, with massive Federal lands holdings, be denied Federal lands discretionary funding. Other western States have not even bothered to apply, due to the hold harmless provision we mentioned. This is not good policy. Most of the nation's Federal lands are in this region, and new legisla-

tion needs to better ensure that the Federal lands highway program directs funding where the Federal lands are.

Given these positions, we are enthusiastic about the Federal lands highway provisions included in the STARS 2000 proposal. The STARS 2000 proposal would increase the overall level of Federal lands highway investments by the same rate of growth as the overall program, and make needed reforms to help direct the funding where the Federal lands are.

In addition, we would object to proposals which would dilute the effectiveness of the Federal lands program by having part of the Federal lands program funding be switched to support of roads that are currently financed out of the General Fund of the Treasury.

"Turnback" Proposals Represent A Wrong Turn on the Path to Good Policy

Mr. Chairman, one further point on the overall funding level. In supporting a program level as high as the Highway Account can sustain, it is implicit that we strongly oppose so-called "turnback" or "devolution" proposals. These proposals would repeal or reduce Federal fuel taxes and leave it to State and local governments to finance highway and transit programs either on their own or with much less Federal money than today. Enacting "turnback" would be a catastrophic mistake.

State and local governments already provide the bulk of transportation funding in this country. So, Mr. Chairman, most transportation funding in this country already is "turned back." And, on a national basis, as important as transportation is, hard pressed State and local governments are not going to be eager to increase State fuel taxes by 10 or 15 cents per gallon, or even 5 cents, to replace Federal fuel taxes that would be repealed or turned back under these proposals.

So, turnback creates a serious risk of national disinvestment in transportation at a time when, instead, that investment should be increased.

We know, Mr. Chairman, that you and our Senators have determined to oppose turnback—and we are glad. But, we just wanted to make clear today our very strong opposition to those types of proposals.

Transit Program Funding

While we understand that this Committee does not have jurisdiction over the transit program, transit will certainly be included in the overall surface transportation program legislation Congress is now beginning to develop. Let us make a few points regarding transit.

First, we support continuation of a transit program.

Second, we believe the ratio between the size of the highway and transit programs, based on recent appropriations levels, is about right.

Third, to the extent that the ratio between the two programs should be changed at all, we favor a relative gain for the highway program. There are two reasons for this. The highway program is a modern, multimodal transportation program. It provides for and has effectuated billions of dollars in transfers to transit purposes. (We support continued eligibility for transfer of highway funds to transit; we know it can make sense in many States). The transit program, by contrast, supports only transit. Transfers of transit funds to highway projects simply have not happened.

In addition, distribution of funds among the States is far more equitable under the highway program than under the transit program. As you know, Mr. Chairman, under the highway program there is a substantial minimum guarantee to each State. There is no such guarantee under the transit program. Under the transit program there are a handful of States which are substantial donees, a few which are near break even, and the majority are big donors. Our States are about the biggest transit donors on a percentage basis. Our States' citizens get back, on average, roughly a quarter or less on a dollar of attributable user taxes paid into the Transit Account. So, while we support a substantial transit program, the relative weight between the two programs should give more emphasis to the more equitable, more flexible highway program.

Fourth, we want to note that we are potentially interested in the formula for allocation of transit funds. As a policy matter, we view the allocation of funds on a combined program basis, taking into account both highway and transit programs. In the context of a satisfactory allocation of highway program funds, we may not press hard for change in the allocation of transit funds. However, in the context of an unsatisfactory highway funding formula, such as the Administration's proposal, we may well support a substantial minimum allocation under the transit program as a means of recovering some overall funding for the citizens of our States.

Don't Make Mistakes In Amtrak Financing

We know that one issue under considerable discussion in Washington is whether Amtrak should have access to money from the Highway Trust Fund and, if so, how. Because there could be a lot of money at stake, we want to share our views on this topic.

We prefer continuation of present law, under which Amtrak receives financing out of the General Fund of the Treasury. There is no shortage of projects nationally which are already eligible for Highway Trust Fund moneys. Addition of eligibility for any costly item weakens the ability of States to advance what our citizens have already put on the lengthy "to do" list.

Going beyond our preference, however, we want to be clear that we do not have equal views on other ways of financing Amtrak. The Administration's proposal, in particular, is highly objectionable to us. It would fund Amtrak out of the current stream of Highway Account revenues—to the tune of approximately $4.7 billion over 6 years. Assuming the State program shares called for by STARS 2000, displacing $4.7 billion for highways with $4.7 billion for Amtrak would reduce our ability to serve our 5 States by roughly $215 million over the 6 years. That is a non-starter, Mr. Chairman.

Financing Amtrak with a small amount of funds out of the 4.3 cents of fuel tax currently going into the General Fund is a little different, however, as Amtrak already receives General Fund revenues. So, as a Federal bookkeeping matter, this approach is more in the nature of changing account labels.

But, even that approach raises the question of possible unfairness to highway users, who are paying these taxes, but generally not riding Amtrak. So, we suggest that, to be fair to highway users, Congress consider financing Amtrak with fuel tax revenues only in the context of a larger approach under which the remaining 3.8 cents of the 4.3 cents would go to the Highway Account of the Highway Trust Fund.

The Highway Account Should Be the Destination of the 4.3 Cents

Apart from any deduction that might be made for Amtrak, we feel strongly that the 4.3 cents of fuel taxes paid by highway users and currently going to the General Fund should be directed to the Highway Account of the Highway Trust Fund. There are several reasons why this should be done.

First, as noted earlier, the highway program is a modern, multimodal transportation program. The transit program is a single purpose program that essentially does not allow consideration of highway uses. So, putting the money in the Highway Account is the way to advance flexibility, multimodalism, and allowing States to choose the projects that show highest in their plans, be they highway or transit projects.

Second, the Highway Account is financially fairer to States as a whole, with a far more even distribution of funds between the States. Third, the balance in the Transit Account of the Highway Trust Fund is much higher, in relation to the size of the transit program, than is the size of the balance in the Highway Account, compared to the Federal highway program. So, the Highway Account needs the infusion more.

Recreational Trails

We support funding out of the Highway Account for the Recreational Trails program, at the $30 million annual level proposed by Senator Kempthorne.

Demonstration Projects/Discretionary Grants

We will not dwell on it today, but want to note our opposition to Congressional earmarking of highway project selection, sometimes called the funding of "demonstration projects." In general, we believe that the vast majority, if not all highway funds, should be distributed on a formula basis. Certainly, demonstration projects and discretionary grants should receive less emphasis in the new legislation than they do today.

Infrastructure Banks

Related to the question of discretionary grants are proposals to fund various types of infrastructure banks. We have no problem with efforts to increase use of "innovative financing" techniques, like infrastructure banks. What we are concerned about is the source of the Federal seed capital for them. We believe that States should finance these banks out of their own apportionments. This would enable the use of these banks as an innovative financing technique.

We oppose, however, proposals which would have USDOT reserve funds "off the top" of the Highway Account for credit programs, and distribute the funds at USDOT's discretion. This approach creates winners and losers among the States.

We urge that the Congress choose ways of promoting innovative financing and financial leveraging other than through "off the top" discretionary credit programs.

Intelligent Transportation Systems

Expenditures for so-called ITS technology are growing and little of this money has found its way to rural America. This needs to change.

CONCLUSION

Mr. Chairman, Senator Kempthorne, Senator Baucus, we have covered quite a few points here today but this legislation is truly important and addresses many issues. Fortunately, we can sum up our position very simply—"follow the STARS." The STARS 2000 proposal sets forth a very balanced and thoughtful approach to the highway program issues. It is a proposal that we very strongly support.

Among its key provisions are those:

- increasing the level of Federal investment in the highway program; providing an appropriate increase in program share to our States while providing a fair distribution of funds nationwide; and
- streamlining the program structure. We urge the Congress to follow that approach as the legislative process advances.

That concludes our statement. At this time, we'd be pleased to respond to any questions the committee may have.

STATEMENT OF MARV DYE, MONTANA DEPARTMENT OF TRANSPORTATION

Senator Warner, welcome to the West, and Senator Kempthorne and Senator Baucus, welcome home.

Because of the importance of Federal Highway Program reauthorization to our States and the future of the Nation, we are extremely pleased you have been able to travel from Washington to conduct a hearing in our region. In this part of the country, Senator Warner, when you are talking about surface transportation, you are principally talking about our highways. In the West the future vision of our economy, the welfare of our citizens, and our quality of life is linked to the mobility and access provided by our highways. And, it is the very same highways serving us that serve the Nation.

For example, the wheat that leaves Montana on our highways through a port at Lewiston, Idaho, is headed for international markets and contributes to our national economic goals. The commercial carriers that cross Montana, the Dakotas, Wyoming and Idaho on the National Highway System support the Nation's just-in-time industries and markets by allowing capital be to invested that otherwise would have to be stockpiled at points of assembly or sale. But beyond the economics, our highways tie us together as a Nation and as a people.

Montana had 8 million out-of-state visitors this year, and approximately 80,000 of these folks traveled to visit us from Virginia. And when they cross the country, they had to cover a lot of distance outside of big cities where there weren't many people on either side of the road. But, even in the Nation's rural areas, the highways are there to connect the Nation and serve its economy.

As Dwight Bower has already mentioned, we are here today on behalf of the Idaho and Montana Transportation Departments and also on the behalf of the transportation departments of North Dakota, South Dakota, and Wyoming. While the combined testimony of these five States is Director Bower's and my spoken remarks, our basic position, Senator Warner, is simple. We strongly support the proposed Surface Transportation Authorization and Regulatory Streamlining Act, STARS 2000, which, incidentally, is our goal. Further, we look forward to its introduction by Senator Baucus, Kempthorne, Thomas and others. While we thank all the Senators who are working for the proposal, we want to particularly commend Senators Baucus, Kempthorne, and Thomas for their tremendous leadership in developing it. For the reasons already cited by Director Bower as well as others, and I'll discuss shortly, STARS 2000 is an excellent bill which addresses the needs of our Nation and our States in a thoughtful, balanced way.

We also commend you, Senator Warner, for the work you have done to advance surface transportation reauthorization legislation that is in the national interest. You are making a strong effort to obtain increased levels from the Highway Trust Fund expenditures for highway expenditures and very importantly, you have demonstrated an understanding that there is a national interest in Federal highway program investments in and across States like ours.

Dwight has already mentioned three key objectives that we feel highway program reauthorization must achieve. In my remaining time I'll touch briefly on the other

key elements we feel should be included or excluded from reauthorization legislation and why STARS 2000 is the best proposal to achieve these goals.

Besides increasing overall highway funding levels, achieving a fair distribution among States and emphasizing the National Highway System, the next highway program should also provide greater flexibility to determine how to invest transportation funds, streamline and reduce regulations and continue many of the aspects of present law that are just good practices, such as planning and the public's involvement in planning.

As regards flexibility, we strongly recommend that, compared to today the legislation should allow a greater percentage of the overall funding to be prioritized through the existing transportation planning processes. We ask that you remember the existing planning and public involvement processes began with the current program. After 6 years and hundreds of millions of dollars which have been invested in these extensive processes, we support them as the best approach to prioritizing Federal-aid highway funds.

This is not to say that the entirety of the future highway program needs to be totally discretionary. It is appropriate that Congress continue to require States to emphasize certain types of investments. We believe STARS 2000 strikes the appropriate balance. It continues emphasis areas for bridges, safety, enhancements and air quality guarantees in those areas with both ozone and carbon monoxide non-attainment, and it continues the suballocation of highway program funds to large urban areas in a way that provides for these population centers to share in program growth.

In short, STARS 2000 maintains a balance and walks the middle of the road between those who are advocating total turn-back of the transportation program and those who would increase the amount mandated to be set aside for specific purposes which come at the expense of core highway program needs.

STARS 2000 preserves the existing transportation planning process, including its extensive public involvement. Under this bill's approach a greater percentage of overall funding would be prioritized through planning, technical assistance and public involvement. We feel this is the appropriate direction and applaud the sponsors of STARS 2000 for providing this leadership.

Before closing I also offer some brief comments on elements of other reauthorization proposals which are before your committee. First, expansion of certain programs designed to move funds from a majority of States to very few States significantly hurts our region and the Nation. For example, of the billion dollars currently distributed to States under the Congestion Mitigation and Air Quality Improvement Program, Montana receives only about $5 million per year. While we strongly support continued funding eligibility for these activities, expansion of this program or continuation of the current distribution formula hurts our States and makes it significantly more difficult to address transportation needs overall.

I also note that we see little benefit in the continuation of the existing bridge program which has a built-in disincentive for timely maintenance of structures or for the continuation of the Interstate Reimbursement Program that is distributing hundreds of millions of dollars to States that built interstates more than 40 years ago and in many cases have been receiving tolls on these roads for decades. These programs put our States at a significant disadvantage and really have one thing in common, they move a significant percentage of highway program funding to a very few States.

We note that STARS 2000 deals appropriately with these program issues and strikes a balance between streamlining the program and the continuation of the Federal role in the Nation's surface transportation programs, and it considers equity issues with an increase in minimum allocation which is a topic of significant interest of your home State of Virginia.

Lastly, STARS 2000 meets the national interest in providing an increased share for the western region; it is simply the best proposal for Montana, Idaho, the West, and the Nation overall.

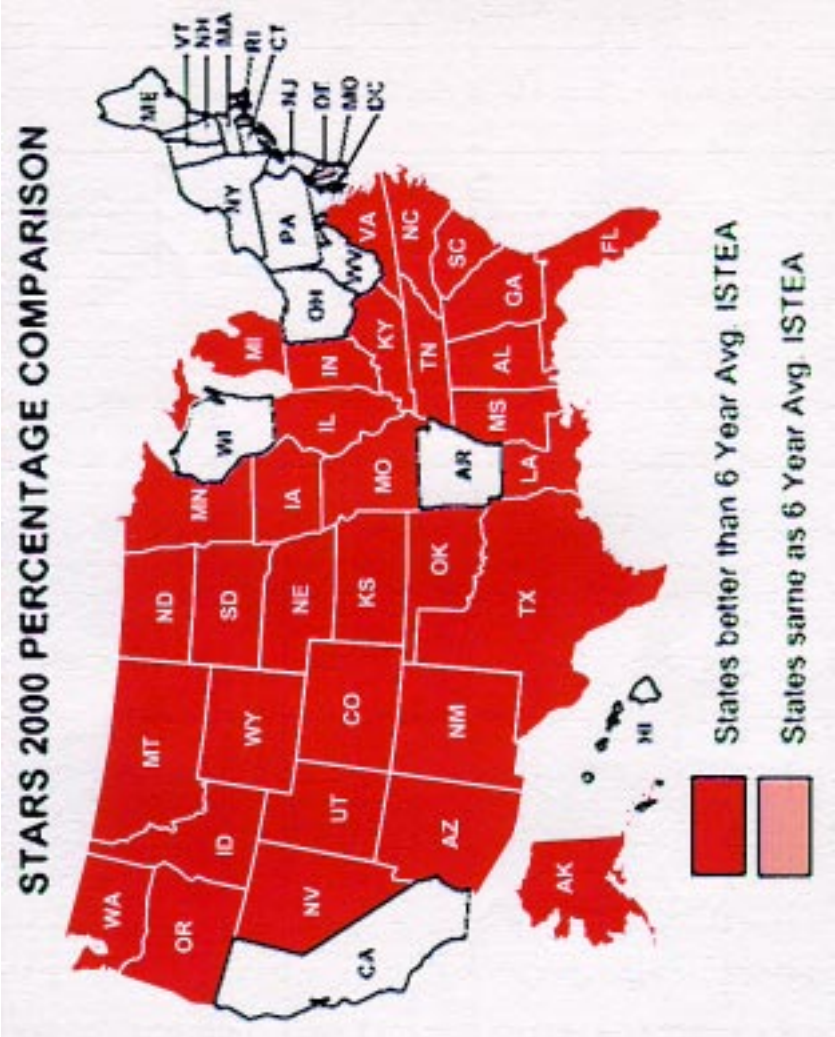
Senator Baucus and Kempthorne, we applaud the truly national scope of your proposal, and we are looking forward to its early introduction. Nationwide STARS 2000 will increase annual highway program funding for 47 States and increase the overall percentage share of highway program funding for 33 States.

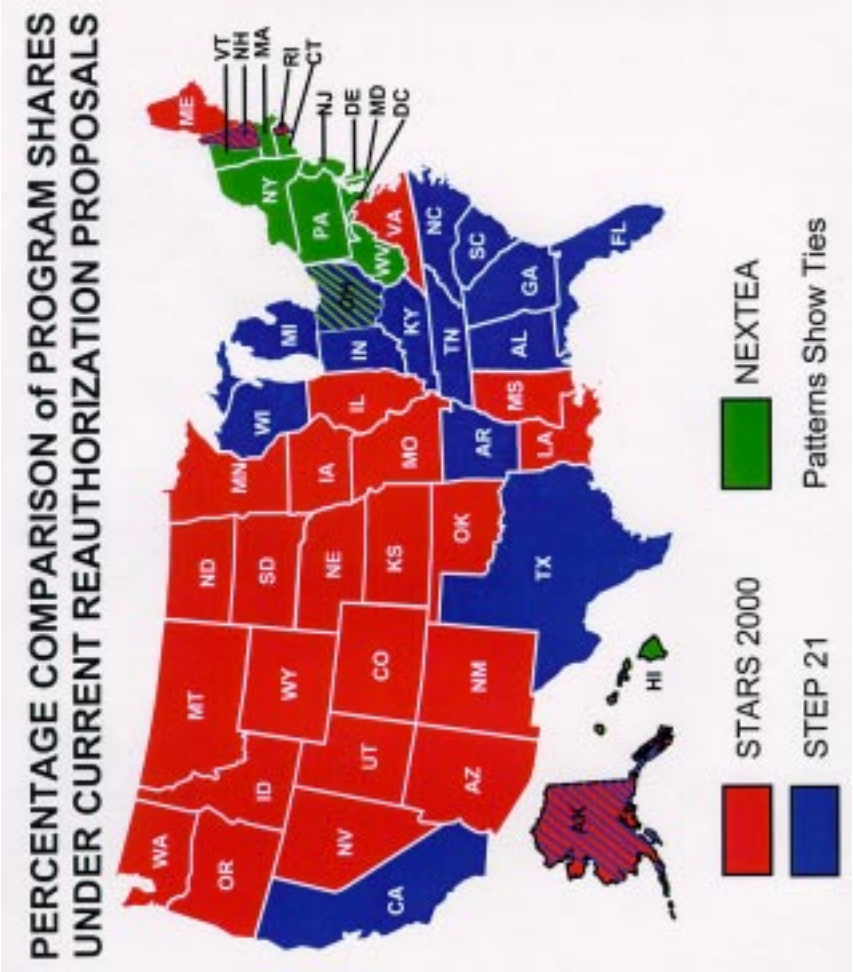
If I can take a minute to share a couple of maps. The first one is available for you there. These maps compare the proposed STARS 2000 distribution to other authorized proposals introduced to date. The first map shows the 33 States where STARS 2000 proposal would increase their overall percentage of the current program.

The second map, which is perhaps the most interesting, compares the percentage of each State's program share under STARS 2000 against other current reauthoriza-

tion proposals. Clearly, this proposal, which is shown in red, compares very favorably. In fact, all of the proposals now on the table, STARS 2000 provides the greatest percentage of program share for more States than any other. This is even true, Senator, for your home State of Virginia.

In conclusion, Senator Warner, Senator Baucus, Senator Kempthorne, between Dwight Bower and myself, and on behalf of our five-State group, we have covered many topics today of this important piece of legislation. Fortunately, I can sum up our position of these issues very simply. We urge everyone concerned with the future highway program to follow the stars. The STARS 2000 bill sets forth a very balanced, thoughtful approach to these complicated issues, and we look forward to throwing our full support behind it.




PERCENTAGE COMPARISON of PROGRAM SHARES
UNDER CURRENT REAUTHORIZATION PROPOSALS
WA
OR
CA
ID
NV
MT
WY
UT
AZ
CO
NM
ND
SD
NE
KS
OK
TX
MN
IA
MO
AR
LA
WI
IL
MS
MI
IN
KY
TN
AL
GA
FL
OH
WV
VA
NC
SC
PA
NY
ME
VT
NH
MA
RI
CT
NJ
DE
MD
DC
AK
HI
STARS 2000
STEP 21
NEXTEA
Patterns Show Ties

Montana Department
of Transportation

April 4, 1997

Honorable John Warner
Chair, Subcommittee on Transportation
& Infrastructure
Senate Environment & Public Works Committee
407 Hart Senate Office Bldg.
Washington, DC 20510

Attention: Ann Loomis

Dear Senator Warner,

During the Transportation and Infrastructure Subcommittee's hearing in Coeur d'Alene on March 22, 1997, Senator Baucus asked Carl Schweitzer, of the Montana Contractor's Association, Inc. to provide information on the additional costs to construct and maintain highways in areas experiencing frequent and extreme freeze/thaw conditions. As Mr. Schweitzer referred this inquiry to our technical staff, I ask that you submit this letter and its attachments into the hearing record as a response to Senator Baucus' question.

Together the attachments graphically demonstrate the following points:

1) Regardless of the quality of roadway base materials, roadway strength is negatively impacted by frequent or severe freeze/thaw cycles.

2) Overcoming this climatic condition through roadway design is costly. Construction costs are approximately 1.7 times greater in roadway designs that must accommodate extreme temperature variation.

3) In addition, there are also greater maintenance costs and decreased design life issues associated with freeze thaw.

I sincerely appreciate having had the opportunity to testify before your subcommittee and the opportunity to provide technical assistance in responding to Senator Baucus' inquiry.

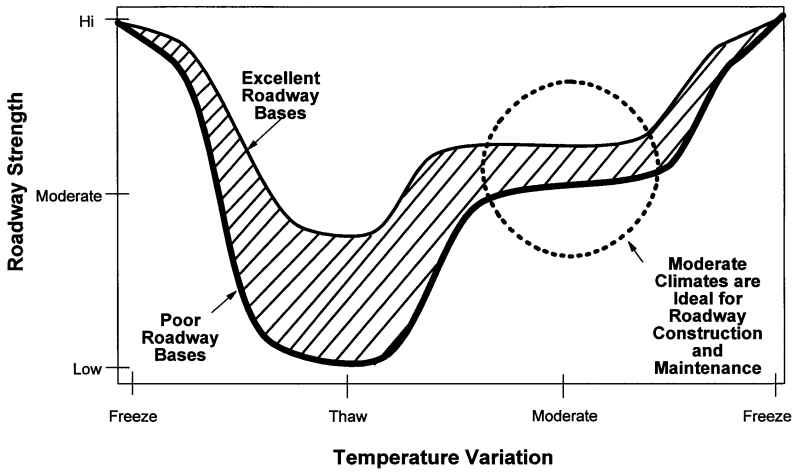
Sincerely,

Marvin Dye
Director of Transportation

MD:SS:G:TP:74.mb

cc: Senator Max Baucus, Ranking Member, Senate E&PW Committee
Carl Schweitzer, Director of Governmental Affairs, MCS

ATTACHMENT 1
Roadway Strength Trends Related to Freeze/Thaw Cycles



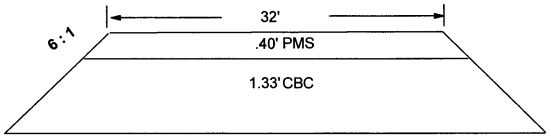
- Montana's climate has extreme climatic conditions.
- Designing for extreme climate conditions such as frequent and severe freeze/thaw is more costly. (See attachment 2)
- Besides Higher initial highway construction costs these climatic conditions result in:
  - Increased state costs for annual maintenance.
  - Actual shorter pavement life, even though Federally approved design procedures are utilized.
  - Frequent and severe freeze/thaw is also responsible for increased costs associated with severe pavement cracking.

ATTACHMENT 2

Typical Construction Costs in Comparison of Moderate VS. Extreme Climatic Conditions

Typical Roadway Design :

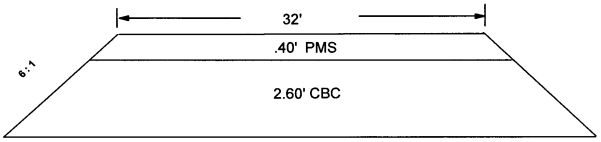
In A Moderate Climate



COST: PMS = 2691 cy @ 45.00 =$121,088 / 2 lane mile
BASE = 11,647 cy @ 12.50 = $145,584 / 2 lane mile

TOTAL $266,672 / 2 lane mile

In A Climate with Extreme Temperature Variation



COST: PMS = 2691 cy @ 45.00 = $121,088 / 2 lane mile
BASE = 26642 cy @ 12.50 = $333,031 / 2 lane mile

TOTAL $454,119 / 2 lane mile

IMPACTS:

- Construction costs are 1.7 times greater in roadway designs that must accommodate extreme temperature variation.
- Without the additional costs to accommodate the temperature extremes:
  - Greatly accelerated fatigue failure
  - Increased thermal cracking allowing an avenue for moisture
  - Moisture further accelerates all failure mechanisms

Design Assumptions

- Resilient moduli used for these examples are 20,000 (moderate) and 9000 (extreme).
- Montana experiences "low end" moduli values of 3000 and less.
- Designs are based on the "1993 AASHTO ROADWAY DESIGN GUIDE"
- Design assumes 500 daily equivalent single axle loads.

STATEMENT OF YVONNE FERRELL, DIRECTOR, IDAHO STATE DEPARTMENT OF PARKS AND RECREATION

Good morning, I am Yvonne Ferrell Director of the Idaho State Department of Parks and Recreation. I would like to take a few minutes to talk about the important needs ISTEA projects have met in our State. I will divide my comments between the main ISTEA program and the National Recreational Trails Fund, which is a smaller, but critically important program within ISTEA.

ISTEA projects have been used across the State of Idaho to support important local alternative transportation projects and enhancing the transportation experience.

Over the last 5 years Idaho has provided ISTEA grants through a competitive process in which local and State government apply to an advisory committee which makes recommendations to the State Transportation Board.

The Idaho Department of Parks and Recreation has been successful in getting some ISTEA grants which have had a significant impact on the State parks system. I would like to review some examples of important projects which have been awarded to local and State government.

Coeur d'Alene Lake Drive Bike Path

The Coeur d'Alene Lake Drive Bike Trail Project was sponsored by the Idaho Transportation Department and was obligated in fiscal year 1994. The 5-mile long, 10-foot wide pathway was created using the right-of-way from a section of Temporary I–90. This road went from four lanes to two and the remaining space has been used to create a separated bike/walking trail. The enhancement project built the trail, exercise stations, and public restrooms. The pathway is extremely popular, with over 14,000 people using the path each month during the summer.

In a cooperative agreement with the Idaho Department of Parks and Recreation the maintenance of the pathway has been assumed by the IDPR. The total cost of the project was approximately $1.1 million, with enhancement funds paying for 80 percent of the project and State funds paying for 20 percent.

Diversion Dam Bicycle Rest Area

The Diversion Dam Bicycle Rest Area Project was sponsored by the Idaho Parks and Recreation Department and was obligated in fiscal year 1994. The project provides a much needed all season rest area for recreational and commuter bicyclists, hikers and those roller-blading on this heavily traveled section of the Boise River Greenbelt. The Boise River Greenbelt extends through downtown Boise to Lucky Peak Dam, providing almost 20 miles of continuous pathway. The particular stretch where the RA has been located lacked any type of public facilities. IDPR will maintain this facility. The total cost of the project was approximately $120,000 with enhancement funds paying for 80 percent of the project and IDPR paying for 20 percent.

Oregon Trail at Junction US–30, Montpelier

The National Oregon Trail Center is located in the town of Montpelier, in southeast Idaho. The project was sponsored by the city of Montpelier and was obligated in fiscal year 1996. The Center which is nearing completion is a 30,000-square-foot facility housing a museum, interpretative and visitor rest stop, and office space. The museum will contain displays depicting the struggles of Oregon Trail travelers and early Mormon pioneers who came to the Bear Lake Valley in 1863, exhibit western art and firearms, and contain a gift shop. The U.S. Forest Service will rent office space in the building. The proceeds from the rental will pay for building utilities and security and janitorial services. Construction on the building began in the summer of 1996, and occupancy of the office space portion of the building is expected late this March.

Without the cooperative and persistent efforts of many individuals, private organizations, and government agencies the Center would not have become a reality. Funds for architectural consulting fees and nearly $500,000 in local matching funds were obtained through fundraising campaigns conducted by the Oregon Trail Museum Center, Inc., through individual donations and from in-kind contributions, such as water line installation and excavation work done by the city of Montpelier and Bear Lake County. This local money plus approximately $1.1 million in Federal enhancement funds have been used to build the Museum.

The Center is truly the product of a multi-jurisdictional, public-private partnership. It will not only enrich the experience of the traveling public, thus fulfilling the purpose of the enhancement dollars appropriated by Congress and awarded by the Idaho Transportation Board, but also provide significant benefits to the local community in the form of an attractive new building, cultural focus, and economic stimulation.

Driggs to Victor Bike Path

The Driggs to Victor Bike Path Project was obligated in fiscal year 1996 and will be completed this summer and ready for use in August. The bike path will be 7.4 miles long and parallels SH 33. Culverts, bridge substructures, and the clearing and grubbing for the path were completed last summer and fall. Approximately 2 miles of the pathway will be a bike lane on SH 33 with the remainder running parallel but separated from the roadway. Located in southeastern Idaho, Driggs and Victor are recreation destinations and provide access to the Teton Mountains. The project will cost approximately $680,000.00 with enhancement funds paying for 80 percent of the project and State funds paying for 20 percent. The project was sponsored by the Idaho Transportation Department.

Projects such as these do a great deal to enhance our quality of life and improve transportation systems.

Alternative Transportation

We need to encourage Idahoans to use alternative transportation in our urban areas in order to avoid the grid lock congestion so many people have moved to Idaho to escape.

For instance in Boise, for Park Center Blvd. a recent consultants report commissioned by the County highway authority indicates that on an A to F scale the best traffic flow is projected to be in 10 years is a D. And that will entail building at least two more four lane bridges across the river significantly impacting local aesthetics and natural values.

Meanwhile, the green belt, which has significantly expanded thanks to ISTEA funds, offers an alternative for more and more Boisians who commute to work by walking, bicycling, or in wheel chairs. ISTEA funds are needed in order to continue to expand the greenbelt system, support the construction of bike lanes, and allow children to commute safely to schools in this busy urban area.

Roads and Bridges

There is little doubt that Idaho needs funds to support its road and bridge infrastructure. We are constantly battling with the deteriorating roads and bridges in Idaho's State parks. The needed repairs/renovation of these roads/bridges often surpasses our internal budgeting capability and, as a result, we are forced to let some roads deteriorate past an acceptable condition. If ISTEA is reauthorized, we hope to submit grant applications which will help renovate and construct roads/bridges/bikeways into the State parks system.

Transportation Enhancement

Finally, there is the portion of the funds which are used to enhance the transportation experience. It seems as though each year the thousands of lives lost on our nations highways go unnoticed. We need support facilities which will encourage people to take that needed break from driving in order to refresh their reaction times and drive more safely.

National Recreational Trails Fund

Idaho Department of Parks and Recreation.—Idaho has 18,700 miles of summer-use trails and 6,400 miles of winter use trails which is one of the largest trail systems in the country. The United States Forest Service manages 96 percent of the trails in Idaho. Most of the trails are managed as multiple use trails whether they are motorized, non-motorized, or a combination of both. Idaho has very few single use trails. Most single use trails in Idaho are either interpretative, cross country ski or snowmobile trails.

The National Recreational Trails Fund is critical to keeping Idaho's trails open. Idaho has one of the largest backlogs of trail maintenance and reconstruction in the country. The 1993 Idaho Trails Plan found that Idaho has a $40 million backlog of trail maintenance and reconstruction. Despite having one of the largest backlogs of trail maintenance and reconstruction in the country, Idaho has only a limited amount of trail maintenance and reconstruction funds. In 1992, Idaho's trail managing agencies spent $7.3 million on trail maintenance and reconstruction. The Forest Service estimated that it would take $20 million per year to just keep pace with Idaho's trail maintenance needs. This limited amount of funds means that many trails in Idaho can wait up to 3 years to receive basic removal of downfall. A lack of trail maintenance and reconstruction funding is the primary reason for the disappearance of Idaho's trails. With a large backlog, finding places to allocate NRTF funding is easy, but, the overwhelming requests make it difficult for our advisory committee to decide.

The National Recreational Trails Fund in Idaho is managed by the Idaho Department of Parks and Recreation Trails Program. The Trails Program Coordinator is responsible for day to day management of the fund. These duties include evaluating grant applications for eligibility, conducting grant workshops, inspecting completed projects, completing NRTF billings, and working with Idaho's National Recreational Trails Fund Advisory Committee.

Idaho's National Recreational Trails Fund Advisory Committee composed of statewide representatives for Hiking, Cross-Country Skiing, Off-Highway Motorcycling, Snowmobiling, Equine, All Terrain Vehicles, Bicycling, Four Wheel Drive, Water Trail and People with Disabilities. The makeup of this committee closely reflects National Committee. The committee members are appointed by the Idaho Park and Recreation Board. This committee members duties include:

1. Attend one NRTF Advisory Committee annually.

2. Attend and participate in Idaho Park and Recreation Board meetings as requested by Idaho Department of Parks and Recreation (IDPR) staff.

3. Assist prospective sponsors with the grant request process.

4. Review prospective project locations and provide input to project sponsors on project design.

5. Keep current on needs, desires, and attitudes of trail users statewide.

Idaho has an efficient, simple process for allocating National Recreational Trails Fund moneys. On the first of October, the IDPR Recreation Bureau sends out a notice to all prospective grant application for all the Recreation Bureau programs, announcing that the application deadline for all grants is the last Friday in January and that the bureau will be conducting grant workshops around the State to assist grant applicants.

The grant workshops are held in November, usually in five different locations in Idaho. The workshops cover the grant application form and instructions. The application form and instructions cover all five grant programs within the Recreation Bureau. In addition, each program such as the National Recreation Trails Fund has a 30 minute work session that describes the specific details of the program. These workshops are very popular with as many as 200 people attending all the workshops.

During the time period between the workshops and the grant application deadline, the Trails Program Coordinator works with prospective applicants in developing successful grant applications. After the deadline passes, the Trails Program Coordinator spends a week reviewing the 30 to 40 grant applications for eligibility. The applications are then sent to the committee members, who review the material and meeting in mid-March for the rating of the applications.

Once the applications are rated and reviewed by the National Recreational Trails Fund Advisory Committee, the Trails Program Coordinator prepares a packet to be sent to the Federal Highway Administration and the Idaho Park and Recreation Board. This packet outlines what is proposed for funding for the current fiscal year, and the information on the individual projects to be funded. Usually, the projects are approved by the Idaho Park and Recreation Board at their Spring Board meeting. The Federal Highway Administration approval usually follows within a month of submitting the applications.

In 1996, Idaho received $217,935 in funding, of which $192,160 was spent on projects, $10,739 was spent for safety and education, and $15,036 was spent on administrative costs. The $192,160 funded 20 projects. Thirty percent of the funds ($57,000) were spent on motorized projects, 44 percent of the funds were spent on multiple use projects, and 26 percent of the funds were spent on non-motorized projects. Idaho was unable to spend 30 percent on non-motorized projects because of a lack of eligible applications in 1996.

This year, Idaho received $218,303 in funding, of which 192,107 was spent on projects, $10,915 was for spent for safety and education, and $15,281 was spent on administration costs. The $192,107 funded 15 projects. Thirty percent of the funds ($57,632) were spent on motorized projects, 40 percent of the funds were spent on multiple projects, and 30 percent of the funds were spent on non motorized projects.

The 50 percent non-Federal matching requirement presented problems and opportunities in Idaho. Since Idaho doesn't have a substantial dedicated funding source for non-motorized trails, many Federal agencies found it difficult to apply for these funds, since their own funds that they are willing to contribute count as Federal funds. Technically, all Federal funds (FHWA, USFS, and BLM) count on the Federal side, and the 50 percent match must be completely non-Federal.

Idaho does have dedicated funds for motorized trails through the Off Road Motor Vehicle Fund, so Idaho was able to help Federal agencies with matching requirement. In 1996, of the $132,000 spent on motorized and multiple use projects, Idaho's Off Road Motor Vehicle Fund provided $69,000 in matching non-Federal funds. The remaining balance of motorized, multiple use and non-motorized projects were funded through volunteer labor and grants from private organizations. In total, these groups contributed $123,000 toward matching funds. This demonstrates that Idaho trail user organizations and trail managing agencies work in close concert with one another to get projects completed.

An excellent example of this partnership was demonstrated with the Knapp Creek-Valley Creek trail reconstruction project. The project was designed to make: 1) the Knapp Creek portion of the Knapp Creek to Valley Creek loop trail accessible to ATV's and to 2) develop a new trail head in the Basin Creek drainage. The work included rerouting 2.8 miles of trail around wet meadows, replacing 5 culverts, constructing rolling dips over four miles of trail to control erosion, converting 3.2 miles of closed road to an ATV trail, reconstructing the Short Creek bridge, and constructing a parking area.

This project was needed to reduce sedimentation impacts to Basin and Knapp Creeks which are anadromous fish streams. The trails are used by hikers, horsemen, motorcyclists, ATV's, and mountain bikes. Funding for the nonFederal matching funds came from the Idaho Department of Parks and Recreation Motorbike Recreation Account, the National Wildlife Federation Fund, Trout Unlimited, Backcountry Horsemen, American Hiking Society and the Treasure Valley Trail Machine Association. In total, these groups contributed $16,412 for a $9,815 National Recreation Trails Fund grant.

Another example of an excellent non-motorized project occurred on the Moose Creek Ranger District. The Moose Creek Ranger District is located in North Central Idaho within the Selway-Bitteroot Wilderness, one of the first wilderness areas in the United States. During the winter of 1995–96, North Central Idaho received two rain on snow events, which caused severe flooding throughout the region. This flooding washed out numerous trails inside and outside the wilderness. The Forest Service concentrated its crews on repairing storm/flood damaged trails; however, this left several ridge top trails without any maintenance. In order to accomplish maintenance on these ridge top trails, the Moose Creek Ranger District teamed up with the North Central Backcountry Horsemen of Idaho. The National Recreation Trails Fund provided $9,401 for travel, supplies, and equipment use while the North Central Idaho Backcountry Horsemen provided the labor of maintenance.

Idaho funded several motorized projects. One great example was the snowmobile signing project for the Madison County Snowmobile Program. This program in Eastern Idaho is only a few years old and is lacking signs at many of the intersections of the groomed trails. Much of the country is composed of rolling hills that look very alike. In white out conditions, people unfamiliar with the area can get lost. The Moody Powder Pushers in conjunction with the Madison County Snowmobile Program, designed, manufactured, and placed the signs at the intersections. The National Recreation Trails Fund provided $3,224 for 96 posts and signs. With these signs in place, snowmobilers will have a much easier time finding their way around the groomed snowmobile trails in Madison County.

With a $40 million backlog of trail maintenance and reconstruction that grows every year in Idaho, National Recreation Trails Funds (NRTF) will be needed for quite some time. The NRTF funding for 1996 and 1997 has made a dent in the backlog, but more needs to be accomplished. With a continuation of funding in National Recreation Trails Fund, Idaho can make further progress to reducing the backlog of trail maintenance, and enhancing user cooperation.

Recent weather conditions that took place this last winter devastated many trails in North and Southwest Idaho. Since the snow is still on the ground, we will not know the full effect of the weather events until later this summer. In early December, North Idaho experienced one its worst winter storms in recent history. A 2-day ice storm closed highways, schools, businesses, and other essential services. In addition to closing highways, the ice overloaded many of the trees in North Idaho, causing them to snap like toothpicks over roads and trails all over North Idaho. The Kootenai County Snowmobile Program spent $40,000 to clear the fallen trees from 245 miles of its snow mobile trail system. This money does not count the thousands of man hours that volunteer snowmobilers spent in helping to clear the system. The Kootenai County snowmobile system is mainly comprised of snow covered forest roads. The effect of the downfallen trees to Idaho's trail system is tremendous. These massive amounts of downfall will make it impossible for Idaho's recreationists to access much of North Idaho's Backcountry. It will take two to 4 years to totally recover from this massive felling of trees in North Idaho.

In late December, Southwest Idaho experienced a heavy rain on snow event. With the above normal (about 200 percent) snowpack levels, sent water rushing down Southwest Idaho's streams and rivers. The flood water washed major sections of Idaho's highways. The flooding also has washed out many sections of Southwest Idaho's trails. In addition to the many sections of trail that are washed out, many of trees in Southwest Idaho, weakened by a 7-year drought and many years of fire suppression, collapsed under the weight of the heavy snow loads. Some trails may not be accessible for a couple of years, while forest crews and volunteers clear downfall out of the trail.

Further funding of the National Recreational Trails Fund is essential to keeping Idaho's trail system available to recreationists. Without the funding, Idaho's trail maintenance and reconstruction backlog would grow even faster. Enhancing the amount of funding within the National Recreation Trails Fund would allow Idaho to stop or even reduce the backlog of trail maintenance of reconstruction.

The National Recreational Trails Fund is not paid for by highway vehicles. The funds for this program come from four wheel drives, snowmobiles, all terrain vehicles, and motorcycles used off-road. These vehicles use gasoline. The Oak Ridge Na-

tional Laboratory Study, Fuel used for Off-Highway Recreation, ORNL–6794, estimated that these vehicles consumed 2.9 billion gallons of gasoline in 1992. With a 18.4 cents Federal tax per gallon, these vehicles paid $1 73 million annually in Federal gasoline taxes. The National Recreational Trails Fund only received $15 million for fiscal years 1996 and for 1997.

These off-highway vehicle users contribute significantly to the Federal highway system, more so than the average vehicle user. In return, these users received only a small portion ($15 million in funding) for their use. The Idaho Department of Parks and Recreation encourages the Senate Subcommittee on Transportation and Infrastructure to consider full contract authority and full funding ($30 million per year) for the National Recreational Trails Fund.

IDAHO DEPARTMENT OF PARKS AND RECREATION,
Boise, ID, March 31, 1997.

THE HONORABLE SENATOR DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC 20510.

DEAR SENATOR KEMPTHORNE: As you requested at the ISTEA Subcommittee hearing in Coeur d'Alene on March 22, 1997, I am providing a written response to questions you posed.

It was an honor to testify before you on this extremely important subject. I know that the vast majority of testimony you receive will address traditional road and highway needs. But please remember how very important highway enhancement, trails, bike paths, and greenways (alternative transportation) projects are to the safety and enjoyment of all our citizens.

I hope the rest of your visit to Idaho and the Northwest was enjoyable.

Sincerely,

YVONNE S. FERRELL, *Director.*

ATTACHMENT

RESPONSES BY YYVONNE FERRELL TO QUESTIONS FROM SENATOR KEMPTHORNE

Question 1. What is the estimation of the degree of trail damage in Idaho as a result of the storms?

Response. At the present time, with the above normal snowpack and insufficient trail operations and maintenance dollars within Forest Service budgets, Idaho's National Forests do not know the degree of storm damage to Idaho's trails. Forest Service officials estimate it to be extensive.

Question 2. How will these trails be restored?

Response. The Forest Service gives any trail damaged by storm damage high priority for repair. The trails will be restored from existing Forest Service trail maintenance and construction budgets, volunteer labor, the Idaho Department of Parks and Recreation Trails Ranger Program and OffRoad Motor Vehicle Fund, and the National Recreational Trails Fund.

Question 3. Is the 50/50 match reasonable or should it be modified?

Response. The 50/50 match needs to be modified. Currently whenever a Federal agency such as the USFS or BLM applies for a NRTF project, their own funds that they are willing to contribute count as Federal funds. Technically, all Federal funds (FHWA, USFS, and BLM) count on the Federal side, and the 50 percent match must be completely non-Federal. That basically means that if the Forest Service has a $10,000 project, the non-Federal share must be at least $5,000. If this project includes $2,000 USFS money, NRTF can only provide $3,000. The USFS and BLM should be allowed to contribute their own funds toward the 50 percent matching share.

RESPONSES BY YYVONNE FERRELL TO QUESTIONS FROM SENATOR WARNER

Question 1. What are all the benefit to a State provided by trails?

Response:

1. Trails increase recreation and tourism opportunities.
2. Trails provide access for fire protection and suppression.
3. Trails provide alternate travel corridors.
4. Trails allow access to natural areas by people with physical limitations.
5. Trails enhance property values and community attractiveness.
6. Trails enhance access to waterfront areas.

7. Trails preserve wildlife habitat and native flora by keeping travelers on established transportation corridors.
8. Interpretative trails provide historical and environmental education opportunities for young and old alike.

Question 2. How are trail funds leveraged and who all, or what benefits from this?

Response. An excellent example of a leveraged trails fund was demonstrated with the Knapp Creek-Valley Creek trail reconstruction project. The project was designed to make: 1) the Knapp Creek portion of the Knapp Creek to Valley Creek loop trail accessible to ATV's and to 2) develop a new trail head in the Basin Creek drainage. The work included rerouting 2.8 miles of trail around wet meadows, replacing 5 culverts, constructing rolling dips over four miles of trail to control erosion, converting 3.2 miles of closed road to an ATV trail, reconstructing the Short Creek bridge, and constructing a parking area.

This project was needed to reduce sedimentation impacts to Basin and Knapp Creeks which are anadromous fish streams. The trails are used by hikers, horsemen, motorcyclists, ATV's, and mountain bikes. Funding for the nonFederal matching funds came from the Idaho Department of Parks and Recreation Motorbike Recreation Account, the National Wildlife Federation Fund, Trout Unlimited, Backcountry Horsemen, American Hiking Society and the Treasure Valley Trail Machine Association. In total, these groups contributed $16,412 for a $9,815 National Recreation Trails Fund grant. Mountain bikers, ATV users and people with disabilities benefited the greatest from this project because it allowed access into an area that most of these people couldn't get to previously:

I hope this answers your questions sufficiently. I'm sorry that we can't provide an answer about the trail damage at this time. We won't be able to have an answer to this question until this fall when forest service crews, the trail rangers and volunteers have had the time to survey the damage.

STATEMENT OF MICHAEL KYTE, NATIONAL CENTER FOR ADVANCED TRANSPORTATION TECHNOLOGY, UNIVERSITY OF IDAHO, MOSCOW, ID

It is my great pleasure today to talk to you about the University of Idaho's National Center for Advanced Transportation Technology, or NCATT. Your decision to hold this hearing in Idaho is important because it allows you to learn about three important issues that affect this region: the importance of using advanced technologies to solve rural transportation problems, the importance of developing regional partnerships that include the science and engineering base at our universities and our national labs, and the importance of continuing to invest in our future transportation engineers to the strengthening of the University Transportation Centers Program.

I would like to make three points to you today. There won't be an exam at the end, as is part of my normal business. First, the Congress made a key investment in the University of Idaho when it established NCATT in 1991 through that year's ISTEA legislation. We have used this investment to create a transportation center that brings together the skills of faculty and students, from engineering, human factors, geography, geology, and agriculture to develop advanced technology applications. I will show you some examples of the substantial return on this investment in just a few minutes. We are asking that NCATT be designated as a center in this year's authorization bill and that our particular expertise, advanced transportation technology, be recognized.

Second, we are part of a larger community of transportation centers and institutes. The university centers and institutes are producing a new generation of engineers that are needed to design, build, operate and maintain the transportation system for the 21st century. Each center and institute has a unique theme and mission; each continues to make an important contribution; and each needs to be supported as a part of the University Transportation Centers Program.

Third, we are also a part of a regional community. We established the Idaho Transportation Consortium in 1993 to bring together the University of Idaho, the National Engineering and Environmental Laboratory, the Idaho Transportation Department, and the Federal Highway Administration to combine our talents to solve regional and national problems.

I'd now like to show you a few of the things that we have accomplished during the past 5 years as a result of the investment that was made in the University of Idaho as a part of ISTEA.

STATEMENT OF BASIL BARNA, IDAHO NATIONAL ENGINEERING AND ENVIRONMENTAL LABORATORY

I am really here for three simple reasons today. The first reason is that transportation is a critical part of our Nation's infrastructure. In the deliberations of this subcommittee and all of us here involved, it is going to have a far-reaching effect on our national security, our economic competitiveness, and our environmental future.

The second reason that I am here is that the national labs since the 1940's have been a critical part of our Nation's future in terms of determining what are the solutions to "Grand Challenge" types of problems. A grand challenge type of problem is a problem that is so complex and has such far-reaching impacts that we have to mobilize our national resources in terms of Federal laboratories and universities to work on the public good. And a sustainable transportation system for the 21st century is such a grand challenge.

Finally, I am here today because the Pacific Northwest has the ability to mobilize its technical resources in a way and in a partnership that can have real national and global impact. With its unique mix of rural and urban infrastructures, the technical resources of two national laboratories, excellent universities, and world-class technology industries, we have the potential to fundamentally change how this Nation moves its freight, people, and information.

The seeds of this greater cooperation throughout this region have already been sown through formal and informal collaborations that exist right now. Michael Kyte just mentioned the Idaho consortium, which is very beneficial to us, a great deal of value. But, the principles of that consortium have led to greater cooperation and have been extended to other regional universities, such as Montana State, and other State transportation departments that include not only Idaho, but Montana, Wyoming, North and South Dakota, Utah, Oregon, and Washington. Many great informal collaborations going on.

As great as these collaborations have been and is beneficial, we need to do more. In order to get some scale as to why this is such a problem, why this is a grand challenge, consider the following. We have already heard about the 60 percent fatality figure. Perhaps even more significant is in a rural State like Idaho or Montana that fatality figure is over 80 percent.

From another perspective, in a typical year, 1993 is the year I have the figures for, the Federal highway user tax distribution to the States ranged from $600 per lane-mile to $21,000 per lane-mile. Now, rural States generally receive less, urban States receive more. Is that fair? This very well may or may not be fair, but without scientific tools, without research to clearly trace the effects on society, our policymakers have little basis from which seek real national benefit. We need better information, better tools. And these facts point to some of the fundamental differences between urban and rural transportation systems. Our Nation's commerce couldn't survive without a vital network of rural highways linking our urban centers and also linking our agricultural products to seaports. Public policy has to strike a balance between the benefits of a coordinated national system and ensuring the local decisionmakers, many of which were here today, have the resources to solve the problems that they know best. Now, the right kind of research can help assist this process.

There are also some significant issues from an energy, environment, and national security viewpoint. Transportation is an industry that consumes 27 percent of our Nation's energy budget. That's a big chunk. More than that, our transportation system is 97 percent dependent on oil as a fuel for its vehicles. Two-thirds of that oil is imported from foreign sources, and this obviously creates a significant cost in terms of exposure in national security. It costs a lot of money to maintain a carrier in the Persian Gulf. These types of issues demand that we treat our Nation's transportation system as a critical resource. To continue the efforts begun by the landmark ISTEA legislation in 1991, we must ensure that reauthorization includes a serious effort to mobilize our Nation's science base to revitalize the whole system.

INEEL is deeply involved, can and should be part of this solution. It is a little-known fact that the INEEL site and its bus fleet is serving as a testbed for commercial vehicle safety equipment that will be installed at the East Boise Port of Entry later this year. Together with our State partners, who have been mentioned before, we are deploying advanced technology to keep unsafe trucks off the highway there. A similar partnership will also be field testing a composite bridge on the INEEL site this year in an effort to show how advanced materials can help renew the Nation's aging infrastructure. I can't remember how many times I heard "bridge" today, but it was many times.

The synergy demonstrated in these new projects compliments long-standing INEEL role in electric and hybrid vehicle development, aviation safety, waste and hazardous material transportation, and alternative fuels development. For the future we are convinced that the major areas of progress will be in joint research programs that will take a systems engineering approach to how we design, build, and maintain our nation's transportation system. In one such effort we are teamed with Sandia National Laboratory in proposing a new program to prove the principle of Simultaneous Vehicle/Infrastructure Design, SVID. The first focus of this program will be on extending the lifetime of our pavements and bridges through improved materials and vehicle designs that minimize their impact on the infrastructure. If properly executed, and we will ensure that this is the case, this system's approach would vastly improve the way we integrate infrastructure, vehicles, and users.

As a final point, I would like to emphasize that if we are to take this grand challenge seriously, we must be bold and innovative in forming new partnerships. Reauthorization should support this process and provide a basis for building these partnerships. Perhaps more than any other industry, transportation is a balancing act between diverse and sometimes opposing forces. The national laboratories can serve an integral role in helping bring these forces together to work on national issues.

SUPPLEMENTARY REMARKS BY BASIL A. BARNA—IDAHO NATIONAL ENGINEERING AND ENVIRONMENTAL LABORATORY

In response to two very important questions asked by Senators Warner and Kempthorne during the panel session, these supplementary remarks are offered to document the INEEL response.

Senator Warner requested each panel member to identify, in their opinion, the most important thing that the reauthorization process could accomplish. From the perspective of the INEEL that answer is for reauthorization to build regional partnerships between states, Federal laboratories, and universities that are focused on a systems engineering approach to transportation.

A system engineering approach is critical if we are to solve the problems that arise from mode competition, sustainability, and energy and environmental surety. Currently, policymakers are confronted with a nearly infinite number of research and policy options, all of which solve some part of the problem. Rationale public policy formation must have the tools to view the Nation's transportation system as an integrated whole.

In the last century, our Nation's goals in transportation development were much more easily discerned. In large part, these goals were focused on creating a national rail and road system to support our industries and agricultural distribution network. Getting farmers out of the mud., was easy to understand.

The choices for the 21st century are more sublime and deal with global competitiveness, congestion, the environment, and energy security. This makes it all the more important that the reauthorization process take the necessary steps to get us all out of the Technical mud. where transportation stakeholders compete for limited resources and differing goals.

If reauthorization could succeed in mobilizing our Nation's science base to work with the states, it will have accomplished much. The concept of regional partnerships is critical in this effort because they can be a powerful tool for making the Federal laboratories, universities, and industry accountable for the public good. The national laboratories can and should be a bridge for local stakeholders to utilize Federal technology and expertise.

This concept of a systems engineering approach to transportation leads to a natural answer to Senator Kempthorne's question on what makes rural transportation needs different from urban. It is not enough to look at specific technical or funding issues; one must examine the characteristics of rural transportation which can then guide the way to the development of a comprehensive set of requirements.

At its most basic level rural transportation is characterized by hazards, remoteness, dispersion, and distance. Each of these characteristics is unique compared to an urban setting. Hazards range from dangerous weather and road conditions associated with geographic features to animal-vehicle collisions. Remoteness refers to extended emergency response times and lack of communications infrastructure. Dispersion results in a limited tax base for maintenance, and the characteristic of distance impacts efficiency and the ability to deploy resources.

In spite of the urban-rural differences, our Nation has always drawn strength from the interplay between its rural and urban qualities. The economies of scale and compression achieved in an urban setting would be of little value if they were not complimented by the agriculture, industry, and solace of rural America.

To nurture and maintain this balance, it is necessary for society to ensure that certain public systems are available with equivalent quality and access to all citizens. Among these systems are health care, basic communications, education, and transportation. This is not to say that these systems operate in exactly the same fashion in urban and rural settings, but it is important that they are designed to provide accessibility and equivalency.

Transportation system needs in a rural environment have characteristics that are clearly distinct from urban systems. Perhaps the most obvious is the requirement that they span significant distances in environments that are usually remote and often environmentally sensitive. A second important feature is that it is more difficult to provide equity due to dispersed populations and tax bases—almost the exact opposite of economy of scale. There are also unique needs with respect to public safety. Fatalities per vehicle mile of travel in rural areas far exceed those of urban areas, and indicate that rural hazards, while more subtle, are more numerous or more deadly than urban hazards.

These characteristics, hazards, remoteness, dispersion, and distance define the essence of the needs for the development of a healthy rural transportation system and point to a logical systems approach for what needs to be done.

If there were no environmental impacts and resources were unlimited the answer might be simple. Equivalent service and access in rural transportation could be achieved by free gasoline and the paving, realigning, and upgrading all rural highways. While upgrades will always be necessary to some extent for growth and maintenance, it is not the answer for the future, nor do they address the fundamentally different nature of rural transportation.

Just as intelligence is being added to the Nation's urban transportation systems to alleviate congestion and improve efficiency, intelligence must be added to the rural transportation system but in a different way. Rural travelers and commerce have a different set of needs.

These needs are naturally organized around the four characteristics of hazards, remoteness, dispersion, and distance. A research agenda for rural transportation can and should be organized around the following:

Hazards.—Information systems that provide the casual traveler with real time road and weather information from disparate locations, in-vehicle/driver warning systems that incorporate rural hazards, and traveler information systems that mitigate the affects of foreign environments and sparse information.

Remoteness.—Distant Emergency management systems, and rural communications and information system linkage.

Dispersion.—System engineering research on equity, access, and financing, and formation of common interest groups across traditional institutional boundaries.

Distance.—Efficiency improvements in vehicles and freight systems, innovative development of public transportation alternatives for dispersed populations, and transportation displacement through improvements in the flow of ideas and communications.

STATEMENT OF JIM MANION PRESIDENT, AAA IDAHO, CHAIRMAN OF IDAHO HIGHWAY USERS, INC. BOISE, IDAHO

My name is Jim Manion. I am Idaho division president for AAA Oregon/Idaho representing 58,000 member motorists in the 34 Idaho counties. Our members represent a cross-section of Idaho's citizens, young and old, men and women, working and retired, farmers and corporate officers. We regularly solicit their opinions on transportation issues, and I will share those a little later on.

I also serve as chairman for the Idaho Highway Users Inc., an organization that has for decades supported critical investments to our roads and bridges. The Idaho Highway Users record demonstrates strong and realistic advocacy regarding the critical role of a strong roads and bridges network. The Highway Users group has also demonstrated an unwavering tenacity to protect for appropriate use the taxes and fees all motorists pay. Part of my written testimony includes the mission statement for this organization.

Both organizations support strong Federal and State roles in transportation policy and prudent investment of scare highway use resources in those programs that enhance our economic productivity, decrease safety risks, and contribute to an enviable quality of life in Idaho and throughout this country. Last year, both organizations supported increases in our State fuels taxes and vehicle registration fees. While not a popular position to represent to our many members, both associations felt the decision was warranted and appropriate.

An Overview of the Problem

Our State's roads and bridges—many built decades ago—are showing signs of age. An Idaho Needs Assessment Study last year identified a backlog of needed repairs and construction amounting to $4 billion. The results, like those from a previous study, were almost mind-numbing. By way of contrast, the Idaho Transportation Department's total expenditures last year totaled $268 million. That amount includes both Federal and State appropriations.

Our Legislature considered a bill this session that would have financed improvements for Idaho's main north-south route, U.S. 95. A long-standing coalition of communities, organizations and individuals has for years attempted to find a funding source to reconstruct a route once referred to by an Idaho Governor and forever characterized in the minds of Idaho citizens as, 'Idaho's goat trail.' Had the bill passed, voters would have been asked to OK a 4-cent gas tax increase and higher registration fees to finance the issuance of nearly $400 million in bonds to pay for the project. The bill didn't pass, but it did not destroy the resolve of its sponsors, because the need is great.

Lest June, AAA and its affiliated clubs throughout the United States, launched a campaign called "Crisis Ahead: America's Aging Highways and Airways." Its purpose was to show policymakers and opinion leaders that unless urgent steps are taken to better maintain and improve our highways and airways, Idaho and the rest of this country will face a certain transportation crisis.

At the core of the problem is an unsettling prognosis that our roads and bridges are beginning to crumble. In Idaho, 83 percent of the State's major roads are in poor, mediocre or fair condition, according to the Federal Highway Administration. Idaho fares better than other States in the condition of its bridges. Nevertheless, the FHWA says 376 of our 4,000 bridges are structurally deficient and 414 are functionally obsolete. Those categories represent 20 percent of the bridges on the State system. Despite notions to the contrary, the total mileage of all roads and streets in the U.S. has grown only 3 percent, according to officials from AASHTO. Our real problems are compounded by the 79 percent increase in vehicle miles traveled during that same period. Some areas of Idaho where populations have risen dramatically, are essentially faced with a shrinking infrastructure.

The Consequences

- Without adequate and sustained funding sources, each Idaho motorist can expect to pay $225 a year for extra vehicle repairs and operating costs. That amounts to a $181 million tab.
- Without adequate and sustained funding sources, we'll see more congestion. In its communication to legislators earlier this year, the Idaho Transportation Department included a map that shows volume and capacity deficiencies. An accompanying graph to their presentation showed a trendline that is moving sharply higher. Motorist delays, wasted energy and lost productivity are the result.
- Without adequate and sustained funding sources, our ability to get where we're going is impeded by safety defects and stretches of road now identified by the State as deficient for passing opportunities.
- Without adequate and sustained funding sources, we're fed there will be more road tragedies. Between 1992 and 1995, 981 people died on our State's highways. At the national level, nearly 42,000 people died in traffic accidents in 1995, up for the third year in a row, following a 2-year decline.
- Without adequate and sustained funding sources, real deficiencies will take motorists lives. A safety report released just 2 weeks ago concludes that poor road conditions and designs contributed to one-third of all traffic fatalities in the U.S. last year. AAA found a similar link in 1994, with estimates that 28 percent of all fatalities that year were due to poor road designs.

Funding Issues

The U.S. Department of Transportation's recent assessment of road and bridge conditions indicates that our $20 billion investment per year is less than is needed just to maintain current conditions, and a staggering $40 billion per year less than is needed to leave a better network of highways for the next generation. On the surface that gap looks insurmountable, but we believe there are some positive steps that could address the difference.

Idahoans and citizens of every State should be able to count on their highway taxes being used for road improvements. The funding disparity between what highway users pay and what they receive from the Federal Government is that not all of the taxes collected from highway users are deposited in the Highway Trust Fund, much less in the highway account of the trust fund. Although motorists paid $30.9 billion in Federal highway use excise taxes in 1995, the Federal Government re-

turned only $18 billion to the States for highway and bridge improvements. Part of my testimony shows a State-by-State breakdown of the difference between what motorists in each State pay in Federal taxes and the amount each State has received this year in total highway spending authority.

In identifying the problems we face in Idaho, I would be remiss without saying that the Idaho Transportation Department has performed admirably. Faced with limited program dollars and tough challenges to downsize, work smarter, privatize and outsource its workloads, the Department's efforts have been stellar. A Legislative Interim Study group charged the Department with the task of working smarter and reducing expenses. The Department has done that. It has shown its commitment to the issues of safety, mobility and working smarter to accomplish more.

AAA Members on the Issues

What do AAA Idaho members think about the issues? As I mentioned earlier, we often poll our members on issues of interest. For years, our members have indicated the willingness to support user based fees and taxes when they are appropriately used for roads and bridges. We testified to that effect last year when the Legislature considered and passed House Bill 825, a funding package that raised the State's gas tax and vehicle registration fees.

- In 1995, we released results from a mailed survey which indicated that 54 percent of our members would support an increase in gasoline taxes to support highway maintenance and improvements.
- 85 percent of the respondents to that survey opposed an increase in gasoline taxes to support other government services. Our members want Idaho's constitutionally protected user funds spent on roads and bridges. Interestingly, despite the addition of 4.3 cents to the Federal fuels tax in 1993 for Federal deficit reduction, our members want to believe there is still trust in the Trust Fund.
- A legislative survey we mailed to members in 1992 and released during the 1993 Legislative session revealed that when asked how transportation funding should be spent, 62 percent said more should be spent on roads and bridges. But our members did not support use of Federal Trust Fund Moneys or State Highway Account taxes for public transportation.
- In that same survey 74 percent told us that Federal and State gas taxes and any possible increases should be used only to fluid transportation projects. Just 16 percent of the respondents opined these taxes should be used to fluid other needs including budget deficits or funding shortfalls.
- Is it reasonable to assume that as congestion increases, the State should limit road capacity expansion to discourage driving? Sixty-two percent of our members said 'no' to that notion in a non-scientific "tell us" poll that appeared in the January 1997 issue of the Idaho Motorist member publication. The tough decisions will not come from hiding our heads in the sand, but from our ability to plan now for corridor management and preservation of critical rights of way. Our inability to plan and pay now will reap huge incremental costs in the fixture.
- Our members are concerned about variety of safety issues. Nearly nine out of ten (89 percent) of the respondents in the 1997 survey said they would oppose a measure increasing allowable commercial truck weights on Idaho roads. Our association opposed HB 181 during the 1997 Idaho Legislative session which would have increased Idaho's maximum allowable truck weights from 105,500 pounds to 129,000 pounds.
- What are the biggest safety concerns for Idaho motorists? Based on the 1997 survey results, the top five safety concerns are: drunk drivers, 35 percent; speeders, 21 percent; large trucks, 14 percent; aggressive drivers, 10 percent; road conditions, 9 percent.

Federal Funding Recommendations

These are AAA and Idaho Highway Users recommendations:

- We support Senator Warner's proposal to increase highway spending to $26 million. Lest year motorists paid 18.3 cents Federal tax for every gallon of gasoline they purchased; Those who use diesel paid 24.2 cents a gallon. Together, and with other assorted user fees, we paid $31.5 billion. Did all these highway user fees go to roads? No. In fact, nearly one-third went elsewhere. $6.5 billion went to General Fund, for non-highway programs. About $2.6 billion went to the Mass Transit Account.
- Deposit the 4.3 cents per gallon fuel tax in the Highway Trust Fund and increase highway funding to invest the additional revenues in road and bridge improvements.
- Resist the notion that ISTEA enhancement moneys provide a "one-size-fits-all" solution to transportation problems. Flexible funding was designed to give locals the

opportunity to make better decisions, but the restrictions on enhancement moneys and CMAQ funding have had the opposite effect. By writing specific instructions for enhancement funds, locals are unable to make the wisest possible use of those funds.

- We oppose the administration's transportation vision, one that would divert more than $4 billion from the Federal highway trust fund to heavily subsidize an ailing Amtrak. We oppose using dedicated user fees to put welfare recipients to work. We adamantly oppose tolls on roads already paid for by highway users.
- We support Federal legislation that would take Federal trust funds off budget. AAA members and highway users pay billions in gasoline taxes to maintain the improve highways, but in a typical year, less than two-thirds of their taxes are actually spent on those improvements. Truth in budgeting is essential.
- Target highway expenditures to the NHS which interlinks and serves motoring, tourism and business interests.

We understand the dilemmas Congress will face before September 30. The funding pie certainly looks smaller because so many special interest groups are now at the table. A country nervously looking to a multi-year Federal-aid reauthorization program knows it will live with those decisions into the next century. Challenges to the donor/donee formula are formidable, but we urge you to remember that the alternatives to many rural western States like Idaho could be devastating. A huge, wide open geographic State with a smaller population base places Idaho at considerable risk to some of the proposed alternatives. What we must avoid is a plan that would divide the country into a patchwork of disconnected roads and bridges. Our citizens, the tourism industry, and the many users of our roads and bridges require the best system possible.

In summary, both AAA Idaho and the Idaho Highway Users, Inc. point to three priorities in the your consideration of ISTEA reauthorization: 1) Provide adequate funding for highway and bridge maintenance; 2) Increase investments in highway safety; and 3) Continue a strong, responsible, yet flexible Federal role.

We appreciate the opportunity to share our positions on the issues surrounding reauthorization of the Federal-aid program. Thank you.

STATEMENT OF CARL SCHWEITZER, DIRECTOR OF GOVERNMENTAL AFFAIRS, MONTANA CONTRACTORS ASSOCIATION

Thank you, Mr. Chairman. Senator Warner, Senator Kempthorne, and Senator Baucus, it is a pleasure to be here today. I am Carl Schweitzer, Director of Governmental Affairs for the Montana Contractors Association. The Montana Contractors Association is a highway, general building, municipal/utility and concrete producers group that represents over 100 of Montana's largest construction companies. A large majority of our folks are in the highway construction business.

I am here today to state very clearly my membership support for STARS 2000 which Senator Baucus and Senator Kempthorne and others are about to introduce. First, we have roads that need to be fixed, and STARS 2000 goes a long way toward addressing Montana's and the Nation's road needs. The bill starts to address funding crisis facing our highways and bridges. In Montana we have had an especially hard winter, and our highway system is showing the results of this hard winter. Extreme cold temperatures and above average snowfall are contributing to the breakup of our highway system. And it was kind of interesting coming over yesterday on I–90. The pictures that you have up there is exactly what I–90 looks like coming over the pass, only they have it a little bit wider. The snow is well above the level of the cars. It is almost like you are driving through a tunnel. So we can expect some real flooding problems coming up.

If you have traveled recently on I–90 as I did, you will find that in the Missoula area there are some potholes there that can almost eat your car. In fact, as I came over yesterday, part of I–90 is actually closed off. The passing lane has been shut down because of the weather problems, potholes and moisture coming up through the system.

STARS 2000 addresses the highway maintenance problems by directing a much larger proportion of the highway user dollars to the highways, where they belong. During the Congressional debates I hope that you can keep your colleagues focused on one primary fact. Highway users want the highway taxes put back into the highways. STARS 2000 is founded on this premise, and I hope you can keep that fact in the forefront during the upcoming debate.

In Montana we have a $0.27 per gallon fuel tax and one of the highest in the Nation. The citizens of Montana realize how essential our highways are and are willing via the fuel tax to pay for the cost of highway construction and maintenance.

And given the fact that we heard on an average per citizen we pay $360 compared to a national average of $220, maybe in some ways we really are a donor State, because we are willing to pay for our highway systems in Montana and Idaho, and I think all of the western States are, because I think we realize the importance. The citizens redirect a substantially large portion of the Federal fuel tax dollars to highway construction and maintenance.

The second reason we are excited about STARS 2000 is the economic impact the bill will have in Montana. From my association's standpoint, highway job opportunities are significant, highway construction jobs that impact every Montana community. And each community wins about four times when there is a construction activity. First, it receives an improved and safer road. Second, local citizens are employed. Third, construction workers spend dollars in the local economy. And fourth, the community has an infrastructure asset that makes it more attractive to tourism, industry looking to locate and most importantly, businesses that want to remain in that community. It's a win, win, win, win, situation. And STARS 2000 is a winning solution for the Montana construction economy.

One thing that is kind of not in my prepared text but after listening to the educators up here of a concern to us in the construction industry is that we hope that whatever STARS 2000 or STEP 21, that comes out, a real concern to us is a trained work force. A lot of investment is made into yellow or whatever color equipment, and it is becoming much more sophisticated. And the need for a trained work force continues. So, however STARS 2000 or whatever vehicle is finally achieved, we hope that you will look at educating or providing funds for an educated work force.

Senators, the Nation is a winner with STARS 2000, and I ask that you introduce the bill immediately and work diligently to get it through Congress. The Montana Contractors Association and the citizens of Montana will work with you to see that STARS 2000 becomes the highway funding formula for the Nation.

Thank you both for listening, and Senator Warner for coming.

STATEMENT OF DAVID DOERINGSFELD, DIRECTOR, PORT OF LEWISTON, LEWISTON, ID

Senator Kempthorne, on behalf of the Port of Lewiston, we would like to thank you for holding these hearings in Idaho and providing a western perspective on the reauthorization of ISTEA.

As the manager of Idaho's only seaport and the furthest inland port on the West Coast, I have been asked to address you concerning the intermodal aspects of ISTEA. In a global market, the United States must be competitive in two areas, a well-educated work force and an efficient transportation system. As education concentrates on the three Rs, a port focuses on the four Rs of transportation, river, rail, roads, and runways. We would like to suggest changes to the existing act to improve its effectiveness in each of the four Rs for an intermodal port facility.

First the river. A series of eight dams and locks on the Columbia and Snake River system provide a 465 mile water highway from Idaho to world markets. The beauty of this waterway is that it moves vast amounts of cargo but does not require overlays or potholes to be filled. Barge shipments of grain can be moved for one-half the cost of rail or one-fifth the cost of trucking. However, ISTEA is silent or ambiguous concerning the utilization of funds for port-related projects.

Recently, a port in Washington used $400,000 in ISTEA funds to complete a much-needed barge dock expansion project. The Port of Lewiston is also in need of a similar project. However, in Idaho we cannot even apply to the Idaho Department of Transportation for ISTEA funds for port-related projects. It is simply interpreted differently.

Last year the volume of barge and rail cargo leaving the Port of Lewiston took 57,000 trucks off the National Highway System. We believe that ISTEA should provide the flexibility for States to provide funding for port intermodal projects which reduce congestion or maintenance costs to our highways.

Rural States such as Idaho have seen the abandonment of hundreds of miles of rail lines in the closure of short line railroads. In specific cases where the public would be better served by maintaining a rail line versus the increased construction or maintenance costs associated with additional highway traffic, a program providing low interest loans to private railroad companies for repair of a line would offer a better solution than abandonment of the rail line.

Similarly, the ability to provide ISTEA funds to ports for rail improvements is a gray area and is implemented differently than State transportation departments across the United States. The Port of Lewiston has seen a 2800 percent increase in container by rail service in the last 5 years. For a small port it is difficult, if not impossible, to upgrade our rail facilities to accommodate this demand. $200,000

in ISTEA funds would improve the port's rail to meet current demand. But, in Idaho ISTEA is not interpreted to allow for funds to be used for rail improvement projects. $200,000 would not construct one quarter mile of highway, but it would improve the port's rail to allow efficient movement of freight through the Port of Lewiston.

When considering roads for the Port of Lewiston, it all comes down to one road, U.S. Highway 95. Highway 95, or more affectionately referred to as Idaho's goat trail, is the biggest obstacle facing the port and the State for efficient movement of people and commerce. Two other members of this panel will address the importance of this highway as the only land connection between north and south Idaho. I cannot think of another State in the country which relies on a single highway, no rail, no waterway, as its only north-south connector. We implore you to explore possible avenues in ISTEA to provide funding for improvements to Highway 95.

The last area I will discuss is runways. ISTEA provides for improving connectivity of airports to the National Highway System. Arterials can be improved to enhance traffic flow to airports. However, in Idaho only one airport, Boise, qualifies. Airports must have a base traffic utilization before they qualify for this type of ISTEA funding. In principle this works in urban States, but in airports and rural areas who do not qualify under air traffic requirements, still have ground problems in just getting people and freight to their airports. I would suggest that for rural areas the standard set for air utilization be lowered or dropped altogether and give States' transportation departments the flexibility to decide how to best connect the highway system to our airports.

In summary, connectivity is paramount to the success of port facilities. The four modes of the transportation which I have discussed, the river, the rail, roads, and runways form a stool to support our Nation's transportation needs. The efficiency of our seaports, both inland and coastal, provide the gateway to U.S. exports and improvement of our balance of trade.

STATEMENT OF RON MCMURRAY, U.S. HIGHWAY 95 COALITION

Thank you, very much, Senator. It is really nice to have you here back home in Idaho, and we want to thank you very much for giving us the opportunity to have this hearing in Idaho as we get a chance to hear this western perspective. Thank you.

I'm also a member on the board of directors on the Idaho Transportation Coalition, and we are actively involved with a consortium of people who work and live and are very concerned about Highway 95, so I want to direct my remarks specifically to Highway 95.

As you know, U. S. Highway 95 runs from the Mexican border to the Canadian border, and it enters Idaho in the southern part at the Oregon border, 538 miles it goes north through by the Port of Lewiston and exits at the Canadian border. It almost runs the entire length of Idaho, and is the only, and I mean the only, ground transportation link between north and south.

But not only that, it is also a main street for a number of our towns, especially in North Idaho. And so because of that, because Canada is our largest trade partner, because it connects our only seaport, the Port of Lewiston, and also connects our capital in Boise, you can see this highway is more than just asphalt to us. It is life itself to us here in Idaho.

We are a large State in land mass, but a small State in population. Over 85 percent of Idaho's land is in the public domain. Our small population has fought hard to support an infrastructure which is vastly out of proportion to the acres of privately owned land in this economy. With Idaho's dedicated funds and with the $90 million from the last ISTEA authorization for U.S. Highway 95, it just becomes a battle that we are losing.

A March 1996 study by the State of Idaho Department of Transportation indicates that it would take over $335 million just to bring this one highway up to a 34-foot minimum standard. Now, this, mind you, is not a four-lane highway. What we are talking about are two lanes that has safe curves and bridges, and it has proper passing lanes. The sum of $335 million is almost 25 percent of the total budget for the State of Idaho.

Being our only north-south highway usage continues to grow, and one of the biggest factors attributed to that growth has been the passing of the NAFTA agreement by the Federal Government. Eastport's custom station located on the Canadian border is experiencing a traffic growth of 1 percent per month. Today one semi-truck clears the border every 7 minutes, where just a few years ago it was one every hour. Idaho's non-agricultural exports to Canada have more than doubled in 2 years

to over $245 million in 1995, creating more pressure on Idaho's only north-south highway.

Idaho's seaport, the Port of Lewiston, located 465 river miles from the Pacific Ocean, is on Highway 95, and it has been discovered. You can move a barge load of product from the Port of Lewiston, Lewiston, Idaho, to Tokyo, Japan, for less cost than you can move that same product from Lewiston to Chicago. The Port of Lewiston has seen a 150 percent increase in volume moved through that port over the past 5 years. That's over a 20 percent increase each year. Presently there are 1185 trucks going in and out of Lewiston, Idaho, each and every day of the year. That's over 430,000 trucks a year.

Now, we welcome the commerce. We welcome the challenge that comes with change and growth, but we just can't do it alone. We need your help. If we can't do something soon, we will lose this commerce due to failed infrastructure or worse yet, we will lose precious lives.

The conditions of U.S. Highway 95 and increased traffic created a safety issue. Over the last five reportable years fatalities on U. S. Highway 95 accounted for 10 percent of the total fatalities of the State while U.S. Highway 95 represents only 1 percent of the total road miles in the State of Idaho.

Some insurance companies are recommending that their commercially insured not use Highway 95. Some commercial carriers actually entirely discontinued all operations on all or part of U.S. Highway 95. U.S. Highway 95 may be just part of this vast National Highway System, but here in Idaho it is our lifeline and it is our future. We need your help, and we need it now.

STATEMENT OF KIMBERLY RICE BROWN, COEUR D'ALENE, IDAHO

As a taxpayer and a citizen, communicating to elected officials is both a right and an opportunity. Thank you for providing that opportunity today.

As a volunteer, I am involved with community and historic preservation projects both with the Kootenai County Historic Preservation Commission and the Post Falls Historical Society. Historic presentation and sharing our heritage requires continual local and public funding support. Building partnerships with the transportation community improves the opportunities for sharing transportation history. I strongly encourage you to continue the 10 percent set aside for enhancements such as historic preservation.

Some travelers will be whizzing down I–90 at 70 miles an hour and will appreciate the condition of the roadway. Others will be pulling off to enjoy a scenic overlook. Some may stop at a rest stop, or a visitor center. Others will be taking in to a local museum, and some will be enjoying the multiple-use Centennial Trail. It would be my hope that local history and transportation history would be part of their visit to North Idaho.

ISTEA funding can be used to expand transportation history, which may include pioneer roads and roadway, railroad and electric train lines. Funding can expand kiosks, interpretive signs or restoration of former depots or buildings. Clearly, sharing our history gives all Americans a greater appreciation of our common heritage.

Citizens and travelers, both foreign and domestic, can appreciate more of the American pie, if a comprehensive package is planned, developed and shared throughout the country. The ISTEA program provides that opportunity. One excellent example involves several projects associated with the Oregon Trail, enjoyed by all Idahoans and others. In North Idaho, the Centennial Trail has utilized old transportation routes into recreation routes with portions having excellent signage and facilities.

With ISTEA funding available, a greater cross-section of our community can be involved in a comprehensive transportation plan. Historic preservation can be an important partner. ISTEA funding provides enhancements for all Americans to enjoy and for the millions that travel through our area every year, we should be sharing our history and heritage with them.

I hope that the ISTEA program is reauthorized by Congress. Thank you for your time and efforts on this issue!

STATEMENT OF STEPHEN ALBERT, DIRECTOR WESTERN TRANSPORTATION INSTITUTE, MONTANA STATE UNIVERSITY

Introduction

Thank for the opportunity to talk about our national rural transportation challenges. I would also like to take a moment to share how the Western Transportation

Institute, at Montana State University-Bozeman is meeting those challenges. And finally I would like to mention the ISTEA Reauthorization improvements that WTI supports.

Rural Challenges Under the Intermodal Surface Transportation Efficiency Act of 1991, otherwise known as ISTEA, the U.S. DOT allocated over $660 million for Intelligent Transportation Systems (ITS) research, development and deployment. Less than 1 percent of these funds were made available for rural ITS and that is clearly not adequate.

Rural America is currently challenged for a variety of reasons including the following:

1. Safety as rural America has 80 percent of our nation's road miles but 58 percent of the traffic related fatalities. Furthermore there is a 2:1 greater emergency response time when compared to the urban setting. Also 78 percent of rural travelers are tourists who are unfamiliar with the roads and travel 150+ miles per trip. The rural setting also has more dramatic weather and terrain changes;

2. Efficiency as commercial vehicles move the majority of goods and services and the majority of these miles are through vast rural settings;

3. Economic productivity as tourism areas are dependent on visitor experiences, information and access;

4. Mobility and convenience since 66 percent of communities have little or no transit even though they have older more transit dependent populations;

5. Sustainability and funding as rural communities have limited resources, and more natural disasters; and

6. "Greying of America" as our nations' population is getting older, driving capabilities diminish and they need better travel information to feel safe and secure.

While our rural communities are not the economic engines of the United States as their urban counterparts, they provide the connectivity to move people, goods and services between urban centers; therefore these parts of the highway systems in rural areas must continue to be maintained and improved. As such the issues and applications of ITS are not congestion mitigation like in the urban setting but safety, efficiency, economic factors, and information for travelers, fleets, and infrastructure.

The American West offers a unique opportunity for research, demonstration, and deployment of Advanced Rural Transportation Systems that can not be surpassed in the United States. Unlike other areas of the United States that have emphasized "congestion relief", ITS applications for the Rocky Mountain Region and the Pacific Northwest are predominately rural (outside of a handful of urban centers) and thus face different issues and objectives.

WTI: A National Rural ITS Institute. The Westem Transportation Institute (WTI) is based on the Montana State University-Bozeman campus. It was established in 1994 by the Montana and California Departments of Transportation in cooperation with MSU-Bozeman as a national and international center for rural ITS transportation research and education. Since the inception of WTI, we have accomplished much in raising the awareness of rural challenges including the following activities:

Providing stakeholder outreach to 15 rural states with 5 more planned, Developing rural ITS strategic plans in California and Montana; Providing leadership for rural ITS research through ITSA Rural Committee; Providing ISTEA Testimonial to Secretary Pena; Providing guidance and serving on US DOT Rural Action Tearn to develop an ITS Strategic Plan; Evaluating rural Automated Highway System applications (on-going), Evaluating Commercial Vehicle Operations and Automated Border Crossing (on-going); Defining a National Rural ITS Toolbox (on-going); Providing over 25 presentations/publications on rural issues and applications; and Hosting the 1997 International/National Rural ITS conference in Montana.

The Western Transportation Institute has been at the forefront of Advanced Rural Transportation System issues and would like to make the following ISTEA reauthorization recommendations in order to meet rural needs:

Provide funding that will allow for the development and formation of a "rural" constituency;

- Provide for Early Deployment Planning funds for rural settings, not just urban;
- Research realistic ITS benefits based on deployment experience, not theory; Provide for prioritized deployment based on needs; and . Reduce local match funding requirements.

In the last few years, WTI has recognized that one critical element is missing in rural ITS planning and deployment. The missing element is the designation of a rural corridor that would serve as a "national and international" testbed.

Of the four National Priority ITS Corridors designated by the U.S. Department of Transportation, not one included two-lane rural highways. States with large

urban transportation centers have made significant progress in establishing and deploying ITS programs. Most rural states have not felt the expediency to develop ITS programs. Idaho, Montana, and Wyoming, however, do realize that ITS has applications to their transportation problems, and have initiated action to explore ITS in a rural setting. With the assistance of Senator Baucus and Senator Burns, a limited testbed for rural ITS applications has been created and is called the Greater Yellowstone Rural ITS Priority Corridor. It is the first two-lane, rural ITS corridor project. The project has taken the initial steps to make rural travel more safe, dependable and convenient. What is needed now is full-scale deployment and evaluation.

Summary

In seminary, when you compare urban verses rural issues, the rural environment has fewer congestion and mobility issues but a greater number of fatalities, more road miles, longer trip lengths, dramatic weather changes, more aged population, and a greater need for economic viability. Unfortunately, these issues have not received adequate attention or appropriate funding. There are 64 persons killed every day on rural roads. With additional finding Intelligent Transportation Systems can undoubtedly help reduce this number.

I would also like to emphasize that WTI has been working with regional partners on a long term "vision" for the Greater Yellowstone Region and Yellowstone National Park—raising awareness of these critical issues. Documentation of potential ISTEA Reauthorization language and project progress is available today.

I am also aware that Senators Baucus, Kempthorne and Thomas intend to introduce the STARS 2000 Reauthorization proposal in the near future. This bill will provide greater overall funding for transportation and an increase in Finding available for states that wish to focus on rural areas.

DAVID C. COOK,
Lewiston, ID 83501, March 17, 1997.

MR. JOHN W. WARNER, *Chairman,*
Subcommittee on Transportation and Infrastructure,
Committee on Environment and Public Works.

DEAR MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: Thank you for the opportunity to address you with my testimony on the reauthorization of the Intermodal Surface Transportation Act of 1991 (ISTEA).

I am a regional vice president for Swift Transportation. I manage the day to day affairs of Swift Transportations Lewiston, Idaho facility. Currently there are 170 trucks based in Lewiston, Idaho, that I am directly responsible for. I am accountable for the safety and well being of 240 drivers. I am involved daily with the dispatch of 80 trucks in Lewistons coverage area. I know what is going on with the day to day operations of this company.

Swift Transportation Company, Inc. is a truckload carrier headquartered in Phoenix, Arizona. Swift is the fourth largest publicly held, national truckload carrier in the country with regional operations throughout the continental United States. Swift Transportation presently operates approximately 5,000 power units and 13,000 trailers. Swift is traded on Nasdaq.

Since January 1, 1995 I have been the chairman for the Greater Lewiston Area Transportation Committee (GLATC). It is a committee that utilizes its members to study the transportation issues and problems, make recommendations to the governing bodies affecting decisions concerning transportation policies and plan for transportation facilities in and about the Greater Lewiston Area.

I only give you this information to lend credibility to my testimony.

U.S. 95 in Idaho is a prime example of a deteriorating, unsafe, hazardous highway, more specifically it has been dubbed "Idahos goat trail" and yet it is the only north/south highway within Idahos borders that connect Idahos panhandle with its southern counterparts. It is a vital link for commerce between the two ends of Idaho.

The Idaho communities that are serviced by U.S. highway 95 between I–90 and I–84 loose economically when safety concerns outweigh shorter mileages. 3Many people that travel between north and south Idaho use the Washington and Oregon highways in its place.

I do not advocate a four lane superhighway between north and south Idaho. My family enjoys the recreational opportunities that Idaho offers us.

Wide two lane highways with passing lanes are perfectly acceptable. They are safest when they are constructed with median barriers to replace the double yellow

lines. This keeps traffic from crossing over to the wrong side of the highway, thus minimizing risk of head on.

Swift Transportation does not allow its company drivers on U.S. highway 95 between I–84 and U.S. 12 except for local delivery, or to go home.

Swift Transportations decision was based on our accident frequency.

In the State of Idaho from June 1, 1993 to May 31, 1994 Swift Transportation had eight U.S. Department of Transportation (D.O.T.) reportable accidents. A Reportable accident is defined as; A) Fatality, B) Bodily injury to a person who as a result of the injury, immediately received medical attention treatment away fro the scene of the accident, or, C) one or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

From June 1, 1994 to May 31, 1995 Swift had 13 D.O.T. reportable accidents in the State of Idaho. Swifts nationwide accident frequency ratio was .81 per million miles. In the State of Idaho it was .95 per million miles. Based on this data it was clear that our companies accident frequency ratio was higher in the State of Idaho then that of our national average.

One of these non-preventable accidents costs the lives of two young people who collided with our truck head on. The driver of the Swift truck is still suffering psychologically and is undergoing therapy because of the lives that were unnecessarily taken.

Not allowing our trucks to travel on U.S. Highway 95 between Interstate I–84 and U.S. Highway 12 was a good solid decision. For the 1995–1996 fiscal year Swift Transportation was awarded Idaho's first-place carrier for traveling 3,000,000 miles without a D.O.T. reportable accident.

The downside to our decision not to travel on U.S. highway 95 is the additional miles traveled by our trucks at no additional revenue, the additional time the drivers must work to reach destination and the loss of revenue to the State of Idaho. The loss of revenue to the State of Idaho exceeds $300,000.00 each year.

For every $1 that 5 Idahoans pay in Federal fuel taxes, we receive $1.73 back for highway funding. ISTEA funding has helped reduce the backlog of Idaho roads in the "poor" category from 40 percent to 26 percent.

The trucking industry contributes over $10 billion each year to the Federal highway truck fund. About 43 percent of the total receipts. We expect a return on our investment. We pay user fees into the truck fund and feel those funds need to be invested in a manner that makes our highways both safer and more efficient.

Swift Transportation uses the latest technology available to make our trucks more efficient, more productive, and more driver friendly which in turn reduces our costs. We have satellite communication technology in each truck. Our trucks specifications give them optimum fuel efficiency at highway speeds. Our company speed limit of 57 mph reduces potential accident and hazard reaction time. The cab interiors are designed and equipped with optimum driver comforts. All this is designed to move Americas goods safely, on time, damage free and at the highest revenue per mile that our services will allow.

Inefficiencies in our highways cause us to reroute our trucks in the interest of safety. The lack of funding to repair, maintain and upgrade our highways diminishes the effects of the cost saving measures that we implemented.

tin the last 10 years, miles driven by trucks have gone up 41 percent, but truck involved fatalities have gone down 37 percent.

Our drivers consistently express their concern with us about our rapidly deteriorating highways and are becoming alarmed. Some bridge decks are broken up to the point where the rebar is showing through the concrete decks. It is not real heart warming when my reply to there concerns is there is more than $300 billion in backlog in the funding needed to repair the nations highways and bridges, so please be extra cautious.

The future of Americas economy relies on it's economic growth. This growth will in turn increase demands for goods to move on our nations highways thus increasing the already tremendous pressures on our highways and bridges. All the revenues collected for our highways need to be spent on our highways infrastructure.

This committees efforts to increase the annual spending to $26 billion sends a loud clear message that this country must make the investment to meet the critical needs of our nations highways.

The trucking industry as a whole is doing their part. We need this committee and the 105th Congress to help us do our jobs better and more efficient by investing in Americas future, our highways.

I am grateful to this committee for the leadership it has given in this most important area of endeavor. Idaho needs the ISTEA funds, America needs ISTEA to be well funded.

Thank you.

Sincerely,

DAVID C. COOK.

IDAHO STATE HISTORICAL SOCIETY,
Boise, ID, March 21, 1997.

SEN. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC 20510.

DEAR SENATOR: This letter is to express the strong support of the Idaho State Historical Society for reauthorization of the Intermodal Surface Transportation Efficiency Act and its enhancement provisions for historic preservation projects.

In the past few years, several historic sites in Idaho have benefited from this program. Most notable is the previously vacant Mesa Falls Inn in Fremont County, which is currently undergoing a major rehabilitation to allow public access and usage. The building's history is an excellent example of early private investment, in cooperation with the Forest Service, to provide needed lodging for travelers headed for Yellowstone Park in the early years of this century. The current project reflects a broad based cooperation involving the Forest Service. Idaho Department of Parks and Recreation and the Idaho State Historical Society all working together in an effort to make the facility available to benefit recreational travelers once again.

Another important use of ISTEA funds was purchase of land for a rest area interpretive center on the Oregon Trail near Boise and for yet another project, which received strong local support, to construct Oregon Trail interpretive kiosks at Montpelier. Another project was conversion of an abandoned railroad line in Blaine County into a pedestrian and equestrian system for the Wood River Valley. That development includes the preservation of a pair of rail bridges that feature a very unique design and, thus, represent two of less than a dozen such structures known to still exist in the United States.

In all these and other proposed projects, local Idaho communities not only greatly benefit from the preservation and enhancement of sites important to their local history, but also in the creation of jobs and associated economic development. The Society urges you to support this legislation for the continued benefit of Idaho's heritage and to ensure the enhancement and preservation of the State's rich collection of historic resources.

Sincerely,

STEVE GUERBER, *Director.*

STATEMENT OF THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL, BOISE, IDAHO

The Local Highway Technical Assistance Council (LHTAC) is supportive of the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA). We believe there are certain areas that need improvement and other areas that need expanding. We believe the program allows for improved flexible funding of the nations transportation infrastructure and that there has been an improvement in the participation by the Local Highway Jurisdictions in prioritization of projects and overall planning on the statewide system.

With the flexibility inherent in the existing ISTEA, LHTAC believes that a greater percentage of funds should be earmarked for roadway, bridge and railroad crossing improvements, and a reduction in the expenditures for Congestion Mitigation/Air Quality and Enhancement type projects. For example, the Idaho Transportation Department presently expends $4.3 million per year on Enhancement projects, and $2.4 million per year on CMAQ projects, yet funds the Local Bridge System at only $1.3 million per year. The need for local bridge replacement and rehabilitation projects far exceeds the funding available for that program. Even State Planning and Research, funded at $2 2 million pet year, exceeds the available funding for bridge replacement projects.

LHTAC supports the ability to use the Surface Transportation Formula Funds on both the rural and urban roadway systems. We believe more local input should be utilized in the prioritization of expenditures of these funds, and the funds should remain for expenditures on the local roadway system.

LHTAC also believes that the Highway Trust Fund should be taken "off budget" to protect it from being used for reducing the Federal deficit. Funds collected from the sale of fuels used by vehicles traveling our roadway system should be used for

maintaining and operating that roadway system and not sequestered for political purposes.

Transportation planning on a regional and statewide basis is a continuous objective for LHTAC. Transportation planning which takes into consideration all modes of travel is an important aspect to protect the integrity of the roadway system, as Nell providing alternative transportation systems to those not desiring the use of automobiles. However, since the Highway Trust Fund is supported by user fees from trucks and automobiles, the major emphasis of any future legislation should be to protect the highway infrastructure within our nation and state.

LHTAC supports giving the Local Highway Jurisdictions the ability to set their own priorities in transportation investment and giving the Local Highway Jurisdictions greater voice and flexibility in influencing transportation plans that satisfy locals needs and objectives. Federal policy must continue to recognize, reinforce and require that local officials play a preeminent role in local and regional transportation planning.

LHTAC is opposed to funding demonstration projects as included in the existing ISTEA Program Further, LHTAC is opposed to the "Hold Harmless" clause in the present ISTEA as it relates to the use of Public Land Funds. Those funds are to be expended on projects that benefit the Nation as a whole. The Idaho Transportation Department program should not be penalized for making those improvements.

Finally, LHTAC believes that the reauthorization of ISTEA should be streamlined to improve the delivery of funds from ISTEA programs by the Federal Government to the States. While ISTEA gave some flexibility in the use of the funds from the Highway Trust Program, it did not simplify the system of design review, project approval and regulations that State and local governments, MPOs, and citizens have to go through to get projects going. ISTPA reauthorization should move the Federal Government away from its traditional role of reviewing projects and setting design standards to a policy of oversight role without sacrificing environmental safeguards. ISTEA reauthorization should facilitate efforts by State and rural local governments, organized similar to MPOs, to craft spending programs that meet local needs and respond to national performance goals.

KENNETH MCFARLING,
Portland. OR 97202–6213, Tuesday, March 25, 1997.

Committee on the Environment and Public Works,
U.S. Senate,
Washington, DC 20510.

The Intermodal Surface Transportation Efficiency Act should be renewed, and should be broadened to include railway passenger and freight service, both within cities and nationwide (not merely the NorthEast Corridor).

The Portland office of U.S. Representative Earl Blumenauer brought to our attention last Saturday's hearing on ISTEA renewal. Remarkable is the choice of Coeur d'Alene, Idaho, as the site for the only hearing scheduled in the Northwestern United States.

Coeur d'Alene, as well you know, is remote from the heavily populated zone of the Northwest. Choice of that location, and of commercial entities represented on the agenda, demonstrate dominant concern not to be "Transportation Efficiency", but instead, exacerbation of squandering funds on subsidies (indirect or otherwise) to the wealthy exploiters of roadbuilding programs. Those exploiters of course contribute generously to political campaigns by which certain influential Senators achieve or retain office.

Railway technology has demonstrably intrinsic ability to fulfill many travel and transport needs with less resource depletion and less environmental damage than road transport. A public-spirited Committee would genuinely favor Transportation Efficiency. It would recommend application of capital and operating funds to railways rather than to still more roads, in the many applications which could be expected to reduce consumption of material, energy, or terrestrial space, or to improve environment.

Sincerely,

KENNETH MCFARLING.

COUER D'ALENE AREA CHAMBER OF COMMERCE,
March 22, 1997.

SENATOR DIRK KEMPTHORNE

U.S. Senate,
Washington, DC 20510.

DEAR SENATOR KEMPTHORNE: Thank you for the opportunity to express our support for the reauthorization of the Intermodal Surface Transportation Efficiency Act, or ISTEA. Your efforts to protect States like Idaho with large land masses and low population densities are applauded by those of us who live in rural America, but they should be equally hailed by those States with dense populations.

ISTEA is an outstanding example of a Federal program living up to the Nation it serves; The United States of America. We are a union of States working to make our nation strong. The ISTEA is a program that returns more to those States that do not have the population base to keep their equally important transportation needs addressed. Where this type of funding helps those in highly populated areas that may not receive the same return, is in the investment of America's growth and potential relief of the massive transportation systems they must support.

In Idaho, we have seen a tremendous migration of people from densely populated areas over the past decade. We have also seen our infrastructure stretched to the limit. This lack of infrastructure has not only slowed our growth, it has hampered our ability to manage growth wisely. The ISTEA has been one positive element for States like Idaho to deal with this issue. Furthermore, if our ability to grow has lessened the impact of those major arterioles in the areas where our growth is derived, they have seen a higher, albeit indirect, return on their investment as well.

Idaho is recognized as a national treasure for all Americans to enjoy. Nearly 83 percent of Idaho land is owned by the Federal Government. The ISTEA provides appropriate funding for Idaho and the Federal Government to make sure America can visit this national treasure we call the "Gem State."

We encourage the Senate Transportation and Infrastructure Subcommittee to recognize the total benefit of the ISTEA, as it was originally enacted, as a premier tool in building the United States of America's often coined phrase "Bridge to the 21 st Century."

Sincerely,

PATRICK H. MCGAUGHEY, *President and General Manager.*

TESTIMONY BY REPRESENTATIVE JO AN WOOD, MULTI-STATE HIGHWAY TRANSPORTATION AGREEMENT CREATED BY STATUTE AND DEDICATED TO THE SAFE, EFFICIENT MOVEMENT OF PEOPLE AND GOODS.

Chairman Warner, Senator Kempthorne, Senator Baucus, and committee members. My name is Jo An Wood—State Representative from Idaho and Chairman of Multi-State Transportation Agreement.

Idaho is very pleased you came here for the purpose of giving the people of the West, an opportunity to speak and to hear our concerns and recommendations in reauthorizing the ISTEA, Intermodal Surface Transportation. And to comment on some legislation being offered by Members of Congress and also the Administration.

As the newly elected chairman of MHTA, Multi State Transportation Agreement, which encompasses the 11 continual Western States, Idaho, Washington, Oregon, California, Arizona, Nevada, New Mexico, Colorado, Utah, Wyoming, and Montana, I come with carefully considered recommendations proposed by Legislators and DOT representatives of each of those States as well as some 25 private sector member organizations all very much interested in transportation and the decisions you will be making as to our future. MHTA is the only organization in the Nation consisting of State Senate and House Transportation Leaders, DOT Officials and Private Sector Executives from the transportation industry exclusively. These recommendations were proposed at the ALEC, American Legislative Exchange Council annual meeting in Newport, Rhode Island this year and adopted by the transportation committee and the full assembly. From these events a new organization called ASET, Americans for Safe and Efficient Transportation, arrose. Its efforts is to take these 18 principles to all 50 States to try for concensus in the States on principles to submit to your committee for a co-operative effort in drafting the new ISTEA.

We know why the original ISTEA Legislation was established and what has been accomplished under it. Since we are on the front lines of paying the taxes for the funding and also in the implementation of the act in each of our States, we feel we can tell you what worked and what did not. We certainly are in the position to present to you our collective States desires to see transportation funding under ISTEA do an even more efficient job than it has already done.

We know ISTEA was created to allow more input from State and local governments while allowing more flexibility in decisions relating to transportation programs within each State. This Federal legislation provided approximately $155 bil-

lion in appropriations for highways, highway safety, and mass transportation. As you are aware will expire in 1997 and must be reauthorized.

Historically, the initiation of ISTEA became necessary when it appeared evident that there was a need for a new and increased focus on surface transportation plans. Although the act made many desirable changes in Federal transportation policy, it is a widely held belief that ISTEA has fallen short in both the effective delivery of an equitable funding process and achievable transportation goals. In return, ISTEA has increased the complexity of relationships between Federal, State, and local officials and has given us burdensome regulations that consume time and scarce resources. It is for these reasons that the Multi-State Highway Transportation Agreement (MHTA) has chosen to make the reauthorization of ISTEA a top priority.

Work has already begun with Congress initiating hearings on ISTEA during the Spring of 1996; therefore, is essential to start the discussion process, gather the necessary information, and formulate a position at State levels so that the Congress is well informed of the unique issues pertinent to the Western States. With the reauthorization of ISTEA scheduled to be completed in 1997 we hope our recommendation will be of value and assistance to you in drafting of the final legislation.

The MHTA has taken a leading role in working on the reauthorization of ISTEA in the last two annual meetings in Wyoming and New Mexico. The make-up of this unique group represents the best and brightest policymakers from State legislatures, government agencies, and private industry.

Our major concern is the cut the administration is proposing for the 1998 budget in Federal Highway funding. A drop of $500 million is totally unacceptable to those motorists, truckers, indeed all highway users who pay the fuel and excise taxes that are meant to support the infrastructure they need for movement of goods and services to our people.

In addition to cutting highway spending the administration proposes to begin paying all Amtrack and mass transit subsidies out of the highway trust fund, neither of which put one red cent of fuel taxes into the fund. With a few exceptions in urban area of key States in our membership, these subsidies provide very little benefit to the western States.

Even with those additional programs we believe unfairly financed by the Highway Trust Funds, the trust fund's cash balance will continue to grow and double over the next 5 years as taxes paid by the highway users continue to exceed the trust fund expenditures.

What makes citizens angry who pay fuel taxes is that we are aware that Congress and the Administration have not moved to put into the budget what we estimate at this time to be some $8 billion of Trust Fund Taxes paid in. This is of grave consequence to the needs of the States. It also, MHTA believes, fuels the debate over donor/donee States. Were those funds released approximately 47 States would benefit greatly and the donor/donee debate would be diffused. Right now it is an uncomfortable position for both entities.

Of further concern is that even of those funds budgeted, all of the funds are not allocated or authorized to be distributed to the States that so badly need them.

We believe there is a solution to this complex problem and MHTA is offering a formula in our 18 points that we would respectfully (See attachment 1 & 2) that you consider.

Further more, we as members of MHTA do heartily endorse one of the considerations we feel you should take into account for the western States inclusively, that is outlined in the draft bill being proposed by Senators Kempthorne, Baucus, Thomas, and others, speaking of Federal land impacted States. In MHTA's 18 points we request you as policymakers to regard the situation of those States who have vast acreages of federally managed land. Those States have many miles of highways and roads to maintain as well as provide access and service to despite having a relatively small population base from which to fund our State transportation department's mandates to maintain those vast number of miles plus the infrastructure.

Most importantly we request in our MHTA 18 points that you strongly consider release of the majority of the taxes paid in to the Federal Highway Trust Fund to be allocated in the form of block grants to the States based on our MHTA formula and "without strings attached to rules" that hamper our decisionmaking. We feel that we can best plan and utilize those funds where they are most needed. We are all unique in some manner relating to Highway needs, certainly we recognize the needs some States in our own membership have for mass transit, while some of us have a small need for that service. All of the funds in block grants would free us to make decisions for our needs internally in each State.

Finally we want you to understand that we want the Federal Highway Administration to know we support the N.H.S., National Highway System. You have our

demonstrated backing for this important responsibility, as well as continued support for safety, research and coordination functions of the Federal Highway Administration.

We do not; however, agree trust funds should be used for Amtrack support. The support for Amtrack should come out of general funds if it is to be maintained. Mass transit funds should be in the block grants to the States. We do not agree with Highway Trust Funds used for deficient reduction and ask you to phaseout that unfair use of fuel taxes as you heroically labor to balance the Federal budget.

Thank you for this opportunity to present our concerns and our 18 points to you in written form attached to this testimony. Thank you for coming to Idaho where we could express our belief that you do labor in our behalf to set policy best for the United States and our individual States. We wish you God speed in your deliberations and the new ISTEA reauthorization.

REPRESENTATIVE JO ANN E. WOOD—IDAHO

ATTACHMENT 1

MULTI-STATE HIGHWAY TRANSPORTATION AGREEMENT POSITIONS

- Federal Highway Trust Fund moneys should be used primarily for the needs associated with the construction, reconstruction, rehabilitation and maintenance of the National Highway System (NHS).
- After NHS expenditures, a State block grant program should be established for the distribution of remaining islands. Individual States should have the ability to expend these block grant funds on priorities that have been established by their state-wide planning processes.

Due to the dynamics of State size, population, and other factors such as Federal land ownership and International borders, there is a need for donor and donee States in order to have a successful nation wide transportation system.

- There should be a uniform measure when considering the donor/donee issue. A ratio derived from the total amount of funds a State receives divided by the total amount that the State collects in Federal taxes and fees is a clear and understandable measure.
- All demonstration projects should be eliminated.
- The Mass Transit Account of the Highway Trust Fund should be rolled into the State Block Grant Program with the States making the final decisions that affect the funding of their local transit operations and based on the State-wide planning process.
- As a whole, all funds residing in the Federal Highway Trust Fund should be returned to the States either as funds for the use on the NHS, or as a block grant. Only a reasonable amount of the collected funds from the Federal gas tax and highway users fees should be retained by USDOT for safety and research purposes.

States with public land holdings and International borders should not be penalized for receiving Federal transportation funding through Federal land, National Park transportation programs and special NAFTA Infrastructure programs, and said funding should not be included in the States' allocation of funds.

- Expand Federal and State activities to combat the evasion of fuel taxes and vehicle registration fees.

ATTACHMENT 2

- Remove all Federal fuel tax exemptions and insure highway users pay for any use of the roads.
- MHTA recognizes the importance of MPO's, however, the responsibilities of MPO's should be strictly at the discretion of State and local governments and not controlled by Federal regulation. It is important that all existing and future transportation dollars flow to local entities through the States.
- Eliminate all federally imposed sanctions not directly related to the fiscal and contractual integrity of the Federal-aid highway program. The States should be able to spend all highway funds without restrictions and federally imposed regulations such as the Davis-Bacon Act and the Clean Air Act.
- Federal laws that contain environmental provisions pertinent to transportation projects should be streamlined to eliminate the many areas of overlap and duplication. It is also necessary that a lead agency, such as USDOT, be directed to protect State transportation agencies from conflicting, inconsistent, and duplicative Federal regulations, rulings, and opinions.
- The Federal Government should set minimum Federal truck size and weight standards no lower than current sizes and weights that recognize advancements in

technology and equipment. States must be allowed to set sizes and weights which exceed the minimums with emphasis on safety and regional needs.

- Federal agencies should maintain their role on technical research of new construction materials, hardware technologies and other innovative transportation needs. Additionally, the Federal Government must, through incentives, encourage States and other stakeholders to put these new solutions to work—to implement the results of the research.
- Federal funding for developing and demonstrating intelligent transportation (ITS) projects should be continued. Fees and congestion pricing on existing public roads are not acceptable alternatives to funding highway improvements.
- Public and private partnerships should be encouraged and approved.
- Encourage the States to develop and implement safety management systems, particularly to those roads eligible for Federal highway funds.

STATEMENT OF THE PUGET REGIONAL COUNCIL

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 was a unique, carefully crafted piece of transportation legislation which not only had broad bipartisan support but enjoyed support from a wide array of business, labor, citizen and environmental interests. In the Northwest the highly successful implementation of many new and innovative ISTEA transportation programs and projects at the local regional, State and national level have been a testimony to the wisdom and public popularity of new directions and partnerships established with this landmark legislation. The Regional Council previously provided your office with a document entitled ISTEA at Work: Implementing Regional Transportation Improvements in the Central Puget Sound Region which highlighted our success story with the ISTEA program.

The Executive Board of the Puget Sound Regional Council strong urges your support for the reauthorization of ISTEA. We recommend that you consider A Blueprint for ISTEA Reauthorization, prepared by the Surface Transportation Policy Project as an excellent set of building principles which will help maintain and enhance the good work begun under ISTEA. Please see the attached table which summarizes the Blueprint's 25 specific recommendations for ISTEA reauthorization. While most of these recommendations involve maintaining the very positive aspects of ISTEA which have worked very well in the Northwest, this table also includes recommendations for six new initiatives which we believe are financially achievable by restoring access to existing Federal gas tax funds currently being used for non-transportation purposes.

The essence of our support for ISTEA reauthorization can be summarized as follows:

Preserve a strong Federal Transportation Program. The nation's surface transportatlon system must provide a solid foundation for economic growth by moving people and goods efficiently through a comprehensive, integrated network in and among urban, suburban and rural areas. ISTEA reformed Federal policy to meet the mobility challenge of the post-interstate era by integrating surface transportation planning programs and services. This integration process, just in its infancy, must be continued and allowed to mature to realize its full potential.

Maintain ISTEA's Program Structure and Flexible Funding

ISTEA's basic program structure, with provisions for the Surface Transportation Program (STP), Transit Program and Congestion Mitigation & Air Quality Programs (CMAQ) should be retained with only modest refinements which continue to strengthen these programs. Such refinements should include provisions for continuing CMAQ funding for areas that Come into attainment but continue to face serious air quality and congestion problems. Modal choice, improved connections and funding flexibility between modes needs to be preserved in order to allow maximum flexibility in maintaining and building a transportation system that addresses congestion and allows communities to identify those transportation solutions that best support their goals for economic development, community revitalization, and other priorities.

Strengthen Partnerships and Maintain Strong Local Role through Metropolitan Planning/Decision Process

ISTEA reauthorization should buildupon successful Federal, State and local partnerships which have been forged among diverse modal and public and private interests. ISTEA also generated broader citizen participation in most transportation programs and helped shape more effective program and project recommendations. The gains from expanded public participation has been greater public understanding of

the complexity of transportation issues, resulting in fewer conflicts on major transportation decisions in our region. These collaborative partnerships are working on development of an economically efficient, intermodal transportation system which addresses mobility for people and goods. The Federal Government should continue to play a strong role in transportation funding while supporting decentralized decisionmaking for transportation planning and strategic investment at the local, regional and State level. A strong continuing role for Metropolitan Planning Organizations will help assure this objective.

Support Full Funding Levels to Preserve/Expand Infrastructure Investments.

Sustaining and improving mobility for people and goods at the local, regional, State, national and even international levels for us in the Northwest will not be possible without a strong national commitment to full funding of ISTEA. To meet growing travel demands and keep our region and State economically competitive in the international marketplace, the ISTEA reauthorization bill must include the highest funding levels possible for the Highway and Mass Transit Accounts of the Highway Trust Fund to assure responsible commitments to infrastructure maintenance and improvements.

Seek Opportunities to Streamline Transportation Regulations.

Reathorization should identify and address opportunities to streamline or eliminate unnecessary or duplicative processes, regulations and program oversight which create inefficiency and waste scarce public resources. The American Public.

Transit Association (APTA) and the Surface Transportation Policy Project (author of the earlier noted Blueprint document) offer positive suggestions.

We thank you for your timely attention and support for ISTEA reauthorization, as this major legislation will play a key role in helping to sustain and improve the mobility for people and goods throughout our region and State.

Sincerely,

DOUG SOUTHERLAND, *President Puget Sound Regional Council.*

ISTEA RESEARCH, EDUCATION AND TRAINING REAUTHORIZATION CONSORTIUM,
Washington, DC, January 21, 1997.

HONORABLE RODNEY E. SLATER, *Secretary Designate,*
U.S. Department of Transportation,
Federal Highway Administration,
400 Seventh Street, Room 4218,
Washington, DC 20590–62346.

DEAR SECRETARY DESIGNATE SLATER: Effective research, education and training promotes progress through productive change. ISTEA created a now proven process for surface transportation program progress which we request be reauthorized as presented In the attached joint policy statement.

The Nation's success in the economic competition that will occur during the next century will depend heavily upon our ability to move people and products efficiently. Other geoeconomic areas are investing over $10 trillion during the 1990's preparing for that competition. Smart highways, high speed rail, metropolitan area feeder systems, and seamless inter-modal connections, all well maintained, are part of the Euromarket and Pacific Rim's new networks.

The U.S. has fallen behind and cannot hope to outspend the competition to catch up. So we must work smarter. The University Transportation Centers created in 1987 and the 1991 ISTEA University Institutes and Centers program have provided the new ideas and the educated and motivated talent to meet this challenge. In addition, the Highway and Transit Cooperative Research Programs and the corresponding demonstration programs will assist in proving and implementing the latest in concepts and technology.

We join in this multi-modal, cross-jurisdictional coalition to recommend the inclusion of the attached integrated package of research, education, training and demonstration programs in the 1997 Reauthorization Bill. Please note that this Coalition Statement supports additional Federal investment in related industry/government programs targeted to passenger as well as freight transportation issues.

If you have questions please contact any of us or Rod Diridon, the coalition coordinator (408–924–7560, fax 408–924–7565) or Becky Weber, the Federal liaison, for more information.

Sincerely,

FRANCIS B. FRANCOIS, *Executive Director,*
American Association of State Highway and Transportation Officials (AASHTO) Washington, DC.

EDWARD WYTKIND, *Executive Director,*
AFL-C10 Transportation Trades Department, Washington, DC.

WILLIAM MILLAR, *President,*
American Public Transit Association (APTA), Washington, DC.

DON DEER, *Chair,*
High Speed Rail/Maglev Foundation, Alexandria, Virginia.

ROD DIRIDON, *Chair,*
ISTEA Institute and Centers Directors Association, San Jose, California.

JOHN W. EPLING, *Executive Director,*
National Association of Regional Councils (NARC), Washington, DC.

MICHAEL TOWNS, *Chair,*
Transit Development Corporation (TDC), Washington, DC.

EDWIN L. HARPER, *President,*
Association of American Railroads (AAR), Washington, DC.

THOMAS M. DOWNS, *President/CEO,*
Amtrak, Washington, DC.

THOMAS J. DONAHUE, *President/CEO,*
American Trucking Associations (ATA), Alexandria, Virginia.

JAMES CONSTANTINO, *President,*
Intelligent Transportation Society of America, Washington, DC.

LARRY NAAKE, *Executive Director,*
National Association of Counties (NACo), Washington, DC.

HANK DITTMAR, *Executive Director,*
Surface Transportation Policy Project (STPP), Washington, DC.

J. THOMAS COCHRAN, *Executive Director,*
The U.S. Conference of Mayors, Washington, DC.

ISTEA RESEARCH, EDUCATION AND TRAINING COALITION (RETRC) ISTEA REAUTHORIZATION POLICY PROPOSAL

University Transportation Centers and Institutes

Ten University Transportation Centers (UTCs) were established by Federal legislation in 1987. ISTEA added 4 more centers and 7 university research, education and training institutes (ISTEA Centers and Institutes) with non-redundant topical assignments. The UTCs and ISTEA Centers and Institutes develop areas of expertise and conduct research, education and training programs that are designed to advance the state-of-the-art; interest, recruit, and train students; and provide continuing education for professionals in the field. This is one of the only places for fundamental research in transportation in an environment designed to deliver products useful to practitioners. These programs build a base for future transportation systems and identify transportation as a discipline on the frontier of technology. They attract, and prepare for careers in the transportation industry, the best and brightest students interested in management, technology, engineering and science. Federal dollars are matched by nonFederal funds to leverage the investment in these programs.

The following funding levels are recommend:

The 1987 UTCs: Beginning in 1998, $1.2 million per center (or $12 million total) to be increased by 5 percent per year thereafter.

ISTEA Institutes and Centers: The National Transit Institute (NTI) and the Infrastructure Technology Institute (ITI), each at $3.3 M, and the other five Institutes and four Centers at $1.2 million each or $17.4 million total in 1998. A 5-percent annual increase for each designee should be authorized thereafter. Note that the Florida and North Carolina components of the Urban Transit Institute (UTI) would

be separately designated. Each, as well as the Norman Y. Mineta International Institute for Surface Transportation Policy Studies (IISTPS, formerly the Institute for National Surface Transportation Policy Studies), would be fully funded, as was originally intended, at the $1.2 million per first year level. The page 3 Attachment presents the specific recommended funding for each current Center and Institute.

The Transit Cooperative Research Program (TCRP)

The TCRP, administered by the Transportation Research Board (TRB) of the National Research Council (NRC), is a cooperative research program authorized by ISTEA and created by an agreement among the Federal Transit Administration, the Transit Development Corporation (TDC), and the NRC. The program addresses research needs identified by transit operators, planners, designers, suppliers and others. Subjects include operations, hardware, physical infrastructure, economics, human resources and other contemporary issues selected by the TDC Board of Directors which plans the program. Reauthorization of this highly successful ISTEA program is imperative. TCRP is the first national research program in which the transit community has had a direct role in addressing the myriad of operating challenges common to the transit industry. The program has been operating since August 1992 and is producing results of significant value to the transit industry.

It is recommended that the TCRP be funded at the rate of $15 million for 1998 Increased at the rate of 5 percent annually. This is less than authorized In ISTEA but more than is currently appropriated to the program.

Transit Demonstrations Program (TDP)

The Federal Transit Administration (FTA), in Section 26(a), should be funded to demonstrate new technologies and practices from TCRP and other sources. The TDP should involve a partnership between the FTA, transit providers and the private sector.

To create the TDP, Section 26(a) should be Increased from $22 million in 1997 to $33 million in 1998 with an annual 5 percent increase thereafter. Note that the Federal Highway Administration and the National Cooperative Highway Research Program also have demonstration programs that, though structured differently, should be continued.

ATTACHMENT

The following list presents the recommended first year funding, in millions of dollars, for the UTCs and ISTEA Institutes and Centers. Each should be increased by 5 percent per year after the first year.

Region	Dollars (millions)
1987 Act UTCs	
1. New England University Transportation Center, MIT	1.2
2. University Transportation Research Center, CUNY	1.2
3. Mid-Atlantic Universities Transportation Center, PSU	1.2
4. Southeastern Transportation Center, U of TN	1.2
5. Great Lakes Center for Truck and Transit Rsrch, U of MI	1.2
6. Southwest Region University Transp. Center, TX A&M U	1.2
7. Mid-America Transportation Center, U of NE	1.2
8. Mountain-Plains Consortium, ND SU	1.2
9. University of California Transp. Center, UC Berkeley	1.2
10. Transportation Northwest (Transnow), U of WA	1.2
1991 ISTEA Institutes	
Center for Transp. and the Environment, NC SU	1.2
Infrastructure Technology Institute, NWU	3.3
Institute for Intelligent Transportation Systems, U of MN	1.2
National Urban Transit Institute, U of S FL	1.2
National Transit Institute, Rutgers SU	3.3
Norman Y. Mineta Int'l. Inst. for Surf. Transp. Policy Studies (formerly Inst. for Nat. Surf. Trans. Poll Studies), CSU SJSU	1.2
Urban Transit Institute, NC A&T U	1.2
1991 ISTEA Centers	
National Cntr. for Transp. and Industrial Productivity, NJ Inst. of Tech	1.2
National Center for Advanced Transp. Tech., U of ID	1.2
National Center for Transp. Mgmt. Rsrch and Devp., Morg. SU	1.2

Region	Dollars (millions)
Mack-Blackwell National Rural Transportation Study Center, (formerly Nat. Rural Transp. Study Ctr.), U of AR	1.2
TOTAL FIRST YEAR FUNDING	$29.4

ANN L. WINCKLER, P.E.,
March 22, 1997.

THE HONORABLE DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC 20510.

DEAR SENATOR KEMPTHORNE: Thank you for the opportunity to address you regarding this important piece of legislation which is coming up for reauthorization. I am pleased to hear that you recognize the need for substantial changes to this bill, particularly to address the State and Federal highway I am a licensed professional engineer in the State of Washington, and I write traffic impact analysis for all types of projects within the eastern Washington area. In this capacity, I have daily dealings with City, County and State transportation officials, and I am aware of the impacts which ISTEA has had on our area.

In the greater Spokane area, ISTEA has caused a substantial decrease in the amount of transportation improvements and necessary maintenance which can be done. It has created a situation where needed safety issues cannot and will not be addressed in a timely fashion. It has also created a lot of finger pointing among the various government agencies which take care of the roads.

I would like to bring two specific examples to your attention. The first one involves a State highway, SR 195 which is the main connecting route between Pullman and Spokane. Some years prior to ISTEA being enacted, the city of Spokane annexed property along this highway, with the idea of creating more residential housing for the city of Spokane. The Washington State Department of Transportation (WSDOT) was involved in the annexation, and aware of what would occur to SR 195 due to the increase of 3,000 homes in this area. They posed no objections to this annexation because they expected to be able to fund the necessary improvements to SR 195 to accommodate this change in land use. These improvements were fully recognized to be interchanges a multiple locations along this route.

Unfortunately, this land did not start to develop into the housing which had been planned for it until after ISTEA was in place. The funding mechanisms in ISTEA do not allow the WSDOT enough flexibility to follow through on the commitments which were expected to be met at the time of annexation. The WSDOT, because it cannot live up to the commitments which it made under the former legislation, is looking to the developers of this area to put these improvements in at totally their own expense. The WSDOT does not have the resources to help fund any part of these improvements, although there is a clear benefit to the public traveling on this highway. Furthermore, at the location where SR 195 connects into I–90, near downtown Spokane, the taper for traffic from SR 195 connecting onto eastbound I–90 is not adequate for the speed of the two roads. The WSDOT is exploring options to correct this situation, however, because this taper is a part of a bridge structure over a very deep canyon, the expected solution, lengthening the taper, is not economically feasible without Federal funds. Under ISTEA, these Federal funds are not available. Other solutions available will have limited benefits.

The second example involves a much smaller issue, but again serves to demonstrate that the WSDOT, due to the changes in the funding mechanism brought about by ISTEA, cannot afford to provide the necessary elements for the roads under it's control. In this situation, the WSDOT collected traffic data at an intersection and found that, using their agency criteria, a left turn lane was needed. However, despite the need for this improvement based upon the WSDOT criteria, this agency cannot afford to make this improvement until some other circumstance brings this to the fore. Under the old funding mechanism, this improvement would have been scheduled for installation at the time of identification.

This situation is important from a nationwide perspective because these main State highways are the roads most likely to be used by visitors to our country. They represent how our nation is taking care of it's own citizens. Furthermore, the State highways supply the bulk of the transportation needs within the greater Spokane area. Improvements to (or lack of improvements to) this system affects most of the residents of this area. Increasing funding for these types of necessary improvements

on the WSDOT system is truly a benefit to the nation. Not providing the funds necessary for these improvements shows a lack of appropriate priorities within the Nation as a whole. Thank you for your time in this matter.

Sincerely,

ANN L. WINKLER, P.E.,
Inland Pacific Engineering, Inc.,
West 707 Seventh Avenue, Suite 200,
Spokane, WA 99204.

STATEMENT OF LLOYD WULF

Senators Warner, Kempthorne, Baucus, and committee members: I am Lloyd Wulf, president of the Wyoming Contractors Association. I speak for my company Rissler McMurry Company of Casper, coming and for the ARC Statewide Highway Chapter. We are very interested and committed to a the Federal highway bill which considers the unique needs of the Western States, especially the needs of Wyoming, Idaho, Montana, North and South Dakota.

WCA works closely with our DOT. We also have contact with Senator Thomas on this issue. We support the STARS 2000 bill. It offers a good balance between needs of heavily populated States and sparsely populated States.

I want to bring to your attention several special facts about Wyoming for your consideration as you write the bill for this important issue of national highway legislation.

First, Wyoming has been blessed with an abundance of natural resources which we market to the rest of the country. Our coal, oil, gas, and other minerals generate significant revenue for our State. They also create significant revenue for the Federal Government and its many programs, in the Federal royalties we pay. Wyoming's average annual Federal royal payment is $8.9 million a year. Thus, we do contribute significantly to the Federal budget. A portion of this money is returned to the State. For a State that is 49th in population we make a significant contribution to the Federal budget.

Second, we are a very key "bridge" State vital to the economic growth and stability of the entire country. You will often hear "bridge State," and Wyoming really is that, when President Lincoln signed the Pacific Railroad Act to connect the East with the western United States he forever made Wyoming a bridge State. General Dodge, a civil war general and civil engineer, was directed to find the shortest rail route between Omaha and Salt Lake. That rail route was and is Sherman grade outside of Cheyenne through to Rawlins, Rock Springs, and Evanston. It is the shortest way with the best grade to climb the Continental Divide, that route connected the East to the West then and continues to connect it today. That rail line and today's Interstate 80 run side by side. Wyoming's I–80 traffic load year round is 49 percent interstate commercial trucks. It is a main artery of commerce for the United States. This one corridor takes approximately 28 percent of the State highway budget to maintain. This section of the interstate is of major importance not only to the residents of Wyoming but to every person in the country.

Third, Yellowstone Park and its surrounding area not only belong to Wyoming but to the entire nation, we are the keepers of this national treasure. It is a jewel everyone in the country wants to experience sometime in their life. The maintenance of the roads in, through, and out of this area goes beyond the financial capacity of the State. In order to keep the area accessible to all visitors, Wyoming needs financial assistance. We are proud of this part of the our State and want to share with the rest of the country.

These two unique pieces of the State, Yellowstone in the northwest and I–80 in the south, are valuable and critical to the entire country. They go beyond our State's tax and population base to support. We have the people, the skill, and commitment to maintain and expand these road systems for the entire country. In addition to our local funds, we need national funds to maintain these systems. Wyoming takes its "donee" status seriously and conscientiously uses every penny we receive from the Federal highway to provide the bridge for the rest of the country and enjoy the beauty of Yellowstone. Wyoming's I–80 and I–90 make up a portion of the American roads called the National Highway System (NHS). That 4 percent carries 40 percent of all the traffic and 75 percent of all commercial truck traffic, a heavy burden.

I–80 carries more than its share, Senator Warner, I was in the audience when you spoke to the ARC convention in Washington DC earlier this month. Your example of the South Carolina levy manufacturer is the essence of the issue as we work to craft NEXTEA. The only way the American manufacturer can compete with less expensive foreign labor is to get his product to market faster with good highways

and fast trucks. Again, a key artery to make this happen is I–80 across southern Wyoming.

Wyoming is unique in that its population is small compared to other States. There is a vast diversity among the States that make up the United States. It is that diversity which gives us the strength that makes us the United States. STARS 2000 addresses this population diversity in three key areas: (1) metropolitan planning organizations; (2) rapid transit; and (3) congestion mitigation and air quality. Addressing the funding formula to have funds go where they are best used is a very reasonable approach. Wyoming with no city close to a population of 200,000, does not need funds for MPO's, rapid transit, or congestion mitigation. We need more funds to maintain the long ribbon of roads that link our smaller population bases and connect the commercial East with the commercial West. We support a formula that puts funds where they will benefit best.

Finally, on the issue of enhancements, we support local funding rather than taking highway gas to funds to build bike paths and canoe trails. The American public is paying the gas tax with the understanding that it is going for highways not for bike paths and the restoration of historic buildings. If local communities want a bike path or a "green belt' then they should raise the funds in their area. They will be more responsible for the project if they pay for it rather than have the project given to them. There is value and appreciation in what we earn for ourselves.

Senator Warner, thank you, for coming to Coeur d'Alene to experience and gain insight into the uniqueness of western States highway system. Senators Kempthorne and Baucus, your bill is reasonable and solid and we support it. We will work through you and Senator Thomas, to get a new Federal highway bill that will expand and maintain our great National Highway System while meeting the needs of individual States.

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

WEDNESDAY, MARCH 26, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Kansas City, Missouri.

MIDWESTERN TRANSPORTATION ISSUES

The subcommittee met, pursuant to notice, at 11:45 a.m. in Courtroom No. 4, 6th Floor, U.S. District of Missouri, 811 Grand Street, Kansas City, Missouri, Hon. Christopher S. Bond [acting chairman of the committee] presiding.

Present: Senators Bond, Warner, and Chafee [ex officio].

OPENING STATEMENT OF HON. CHRISTOPHER S. BOND, U.S. SENATOR FROM THE STATE OF MISSOURI

Senator BOND. Senator Warner and Senator Chafee, I want to express my sincere thanks to both for joining us. I welcome you to Kansas City, Missouri, the home of more fountains than any city except Rome and more boulevards than any city except Paris. I sincerely appreciate your wanting us to hold the hearing today because one thing I am confident in saying about all our guests today is that we share the belief that transportation funding and sound transportation policy is critical for Missouri and for the entire country. Transportation links our communities, towns and cities with markets. It links my constituents with their schools, hospitals, churches and jobs. An effective transportation system can and will move us into the 21st century.

My distinguished colleagues, you have heard me mention more than once, that the State of Missouri has been a leader in transportation. In 1808, Kings Highway from St. Louis to southeast Missouri, became the first legally designated road west of the Mississippi River. In 1929, Missouri was the first State to protect and earmark funds for highway purposes. In 1956, Missouri became the first State to accept bids and begin construction on the interstate highway system. The first stretch of interstate road on which work actually began was, I understand, Interstate 70 in St. Charles.

Now, however, we need to concentrate on addressing our tremendous infrastructure needs. A recent report by the Road Information Program stated that Missouri has the seventh highest percentage of structurally deficient and functionally obsolete bridges in the country, and that more than half of its major roads are in poor re-

medial condition and in need of improvement. In addition, the State of Missouri has the third highest percentage of urban freeway congestion in the nation.

One of my great concerns, obviously, is safety. Each day 114 Americans die on our highways. That's the equivalent of a major airplane crash every day. Motor vehicle crashes are the leading cause of death for children in this country. I know that some of these fatalities may have resulted from drunk driving, which is something that we need to be stricter on but many of the accidents and fatalities occur because of inadequate infrastructure. Highway fatalities in the State of Missouri increased 13 percent from 1992 to 1995. Over 4,000 people died on Missouri's highways during this time. Seventy-seven percent of the fatal crashes occurred on 2-lane roads. In Missouri, 62 percent of the roads on the National Highway System, excluding the interstate, are two lanes, and this shows the level of the problem.

I wish the hearing could address every relevant issue pertaining to transportation, but because time is limited, we have set up three panels that will present oral testimony on a few of the issues. The first panel is geared primarily toward safety. The second panel will talk about economic development, and the third panel will discuss intermodalism. And I might add that we have had significant numbers of written statements submitted for the record. I mentioned the superintendent of the patrol, the speaker, and many others. I believe the Congresswoman has some comments to be added as well. All of those will be made a part of the record, and we will say to our witnesses that your full statements will be made a part of the record. I thank all the witnesses for coming and others for attending, and Mr. Chairman, it is my pleasure to turn it over to you, sir.

OPENING STATEMENT OF HON. JOHN H. CHAFEE, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator CHAFEE. Well, thank you very much, Senator Bond. I want to say what a pleasure it is for me to be here as I mentioned earlier in the press conference. I am very pleased you invited me and have a chance to join you and our distinguished colleague from Virginia, John Warner, who is the chairman of the subcommittee that deals with this legislation.

To those gathered here, I wanted to say that your Senator, Senator Bond, is a leader in many of the issues that we deal with in Washington. Small—I think, what they are? Small business, environment, health care, defense, and today's issue transportation. As I mentioned in the press conference, he took the lead in introducing a Highway Trust Fund Integrity Act which means that the money that came in, all the money that comes into the fund last year will belong to next year, and I was pleased to join with him on that.

Also, there is another interesting piece of legislation that has a lot of merit, I believe, and certainly I suggested to everyone here a bill that Senator Bond and I joined in together on. It's called the Highway Infrastructure Privatization Act. What it does is it authorizes up to 15 privatization, 15 privatization projects that would have access to tax exempt bond financing. In other words, if some company is going to make a—build a certain facility, be it a bridge

or an interchange or a section of highway, they would have—that company would have the use of tax exempt bonds. And it's an attempt to take advantage of private sector resources by opening up avenues for the private sector to take the lead in designing construction financing and operating highway facilities. And looking back at the transportation debates that Senator Warner mentioned, we always know that Senator Bond is fighting for Missouri. He brings that to a new level. As a matter of fact, if I hadn't come out here today, I am not sure whether——

Senator WARNER. You would survive.

Senator CHAFEE [continuing]. My house would still be there when I get home. So, Senator Bond is a persistent and dedicated battler for this lovely State of yours. And I just want to say, this is an issue that he has particularly mentioned in connection with when we have had hearings in Washington and you mentioned it here today, of course, and that is the subject of safety which is a great and deep concern of his, and I join with him in that concern as we try to—as we move into the ISTEA reauthorization, what can we do to reduce this horrible loss of life that is occurring on our highways. I want to thank you, Senator.

Senator BOND. Thank you very much, Senator Chafee.

Senator Warner?

OPENING STATEMENT OF HON. JOHN W. WARNER, U.S. SENATOR FROM THE COMMONWEALTH OF VIRGINIA

Senator WARNER. I mentioned many of my thoughts in the press conference which was shared by the audience. But another great challenge is to bring into balance, bring into a sense of equity and fairness the redistribution of these highway trust funds. Senator Bond and I are privileged to live in these great states but our states are donor states. When you drive up and pay that 18-cent plus gas tax, in this State about 82 or 83 cents comes back on each dollar. Is that about correct, Senator? Give or take.

Senator BOND. Somewhere in there.

Senator WARNER. In my State it's 79 cents on the dollar. Folks, that has come to an end. That must be rectified in this piece of legislation, the imbalance between donor and donee states. We ask for just fairness and legislation which I and others, including Senator Bond, support would bring each State up to a minimum of 95 cents on each dollar by your resident citizens in terms of their gas tax paid.

Then, in addition, certain states need additional things. For example, your bridges, that's essential that this bill enables your Governor, your highway board and the appropriate authorities to get the funding that is necessary and have the discretion to use that funding where it is most needed. In this state, of course, one of the needs is bridges. Thank you, Senator.

Senator BOND. Thank you very much, Senator Warner and Senator Chafee.

Now we would like to welcome our first panel, And do we have the lights? The lights will work just like they do in Washington, maybe even better, we hope. We do ask that you keep your presentations to 5 minutes. And the full statements will be made a part of the record. On the first panel will be Mrs. Chrissy Winkler and

Mrs. Carolyn Winkler of Moberly, Missouri, private citizens who have a very compelling story to tell. Mr. Mike Right who is Vice President of Public Affairs, American Automobile Association of Missouri from St. Louis, Mr. Barry Seward who is President of The Missouri Transportation Development Council in Kansas City, and Mr. Tom Boland, chairman of the Missouri Highway and Transportation Commission and who has come here from Hannibal. So, let's start with the Winklers.

STATEMENT OF CHRISSY WINKLER, MOBERLY, MISSOURI

Mrs. CHRISSY WINKLER. Thank you, Senator Bond.

Senator BOND. Would you pull those microphones up to you? That one is the one that allows everybody here to hear you. That one is very important for all of us, including the reporter.

Mrs. CHRISSY WINKLER. Thank you, Senator Bond, for the invitation to speak today, Senator Chafee and Senator Warner, for the opportunity to speak in favor of making Highway 63 four lanes. My name is Chrissy Winkler, and I am here today to represent all the families who have lost loved ones on this dangerous 2-lane highway——

Senator CHAFEE. Mr. Chairman, being an old Navy radio man, what you are doing is getting a crossfeed in those two mikes. There we go.

Mrs. CHRISSY WINKLER. My name is Chrissy Winkler, and I am here today to represent all the families who have lost loved ones on this dangerous 2-lane highway. I lost my husband Tracy on October 29, 1996, on this highway. Not only did I lose my husband but the father of my three children. He was on his way home when he was hit head on by an out-of-state driver. I feel that he would still be here today if this road would have been 4-lane because there were guardrails on both sides of the road, and he had nowhere to go.

Since my husband's death, my children and I have had to make many changes. We are learning to do the things that Tracy would have done for us. There's a tremendous responsibility to raise our children without the love and support of Tracy.

Tracy and I had been married only 16 years on October 10, 1996. He was my best friend and his loss means I can no longer look forward to the many things we shared. For example, we shared the same birthday, and this year I had to celebrate that day without him. Needless to say, my birthday is no longer a joyous day.

My children and I have our own special guardian angel. He is looking over us, and his name is Tracy. It is still very painful and very difficult. Now I am teaching our oldest daughter Leslie, who is 16, to drive, and I know that 1 day she, too, will want to drive on Highway 63. And her picture is over there.

Our 14-year-old son Lance used to spend his weekends with his father hunting and working in our car wash. Now, he no longer has the privilege to learn from and enjoy time with his father.

Our youngest daughter Elizabeth is just 7 years old and will not have the opportunity to do the things with her father and share with him the special things that she does.

Tracy will miss our children's graduations, birthdays, holidays, weddings, and the grandchildren that they will some day have.

Highway 63 needs to be widened to prevent further—future tragedies for our families. The widening of this 23-mile corridor will decrease the risk of fatal head-on collisions. As of right now, motorists continue to pass on the road's shoulder, over hillsides and at bridges.

Safety is a goal all of us must work together to achieve through better highway improvements such as making Highway 63 four lanes.

I want to see something good come out of the tragic loss of my husband and the father of my three children. No one should have to go through what I am going through.

So, will you please help us get Highway 63 4-lane before the year 2003? Thank you.

STATEMENT OF CAROLYN WINKLER, MOBERLY, MISSOURI

Mrs. CAROLYN WINKLER. Senator Bond, thank you very much for the invitation to be here today. Senator Warner, Senator Chafee. I am very grateful for the opportunity to speak to you today about 63 Highway in Missouri. My name is Carolyn Winkler. My husband Art is here with me today.

The force that compels me to be here is the fact that on October 25, 1996, our son, Tracy, was killed in a head-on collision on Highway 63. It's a parents' nightmare. He was not quite 35 years old. This tragedy occurred on a 23-mile stretch of 2-lane Highway 63 between Columbia and Moberly when an out-of-state driver hit him head on after pulling out of his lane. This 2-lane road carries a tremendous amount of traffic.

The 4-laning of Highway 63 is far overdue, and may possibly have been passed over for construction of less life-threatening roads in the past.

The petitions we brought with us today carry over 3,800 signatures from people in our vicinity who desperately want and need this road 4-lane.

Tracy made the trip between Columbia and Moberly only once or twice a month. What are the odds for people traveling it every day?

The lives of the citizens in our community, our sons, our daughters, even our own lives, depend upon completing this 4-lane project.

More than 16 years ago, Tracy and Chrissy moved into their home across the road from us. Now, each day we watch Chrissy and the three children struggle with their grief and frustrations they endure without their husband and their dad.

In Tracy's memory, I am pleading with you to obtain Federal funds assigned exclusively for the 4-laning of Highway 63 from Moberly to Columbia and help us get it started now.

It is my prayer that none of you or anyone else has to endure the nightmare of tragically losing a child or a loved one before this project can be completed. I will leave the petitions here for your use.

Senator BOND. Thank you very much.

Mrs. CAROLYN WINKLER. We thank you very much.

Senator BOND. We will be happy to accept those.

Now, Mr. Right.

STATEMENT OF MIKE RIGHT, VICE PRESIDENT, PUBLIC AFFAIRS, AMERICAN AUTOMOBILE ASSOCIATION, ST. LOUIS, MISSOURI

Mr. RIGHT. Thank you. I want to express the appreciation of my organization for this committee's decision to come to Missouri and for the opportunity to bring to this committee the views of our area's motorists. I always want to thank you, Senator Bond, for your tireless efforts insisting on equity in the distribution of transportation funds.

The compelling sorrow of the tragedy the Winklers suffered is repeated thousands of times each year in every state. In Missouri, we endured more than 1,100 traffic deaths last year, an increase over the previous year, and tens of thousands of disabling injuries. Our panel's topic, safety, has been given little singular focus in recent Federal transportation bills. Instead, current law in an attempt to be all-inclusive has been restricted, actually restricted the use of funds in certain categories, most notably enhancements and congestion mitigation funds from being used to improve highway safety.

The administration recently rolled out its NEXTEA proposal. This effort goes even beyond ISTEA in diminishing highway safety by increasing by 30 percent the funding in congestion mitigation and transportation enhancement categories which effectively prohibit the use of these funds to enhance safety.

This administration's proposal is more interested in supporting projects designed to strengthen the cultural, aesthetic and environmental aspects of our transportation system than applying known solutions to our highway safety problems.

While supportive of the nation's environmental and aesthetic goals, AAA questions whether those goals are more appropriate uses of motorists' taxes than is investing in saving lives, lessening injuries and reducing accidents.

To steal a phrase from the current hit movie Jerry Maguire, "Show me the money." AAA asks Congress and this administration to "Show us the safety improvements."

There are some in the administration and Congress that view the Highway Trust Fund which is responsible for the bulk of highway improvements in this country that view it as a bloated cash cow with enough teats for every possible special interest or advocacy group.

AAA has long held that diversion of highway user funds for nonhighway purposes is wrong and injurious to the health of our nation. ISTEA created numerous programs and stakeholders that annually divert billions and billions of dollars, away from critically needed investment in construction, repair and maintenance of our roads and bridges.

These and other diversions of funds from critically needed highway improvements means safety must be further deferred. With limited resources, we must recognize that choices, intelligent choices must be made to achieve what is most important to the public. And what is more important than their safety?

A recent poll of more 4,000 AAA members in our area found that their No. 1 highway improvement priority was 4-laning of 2-lane

roads. They also sought to have greater use of safety features on our highways.

The material provided to this committee on the results of a study by the AAA Foundation for traffic safety on the safety effects resulting from approval of the National Highway System shows the safety benefits we can expect if we chose to use our resources wisely.

For example, by increasing lane width to 12 feet, we can expect a reduction in accidents of 12 to 40 percent. By increasing shoulder widths by 2 to 8 feet, we can get accident reduction of 7 to 28 percent. By removing roadside hazards from within 5 to 20 feet of the roadway would get a 13 to 44 percent fewer accidents. By reducing the curvature of a road by degrees, we can expect 15 to 75 percent fewer accidents. And by installing median barriers, we improve our accident rate by 10 to 20 percent.

The AAA study also conservatively estimated that for every dollar invested in accident reduction a $3 benefit is received.

These are the kinds of highway improvements that are being deferred or ignored in Missouri and in other states because both ISTEA and NEXTEA call for diverting funds from these and other critical safety needs.

The Highway Trust Fund is not a cash cow. We cannot afford to embrace narrow interests at the expense of the safety of our nation's road users. We here in Missouri want to be shown the safety improvements. Thank you.

Senator BOND. Thank you very much, Mr. Right.

Mr. Seward?

STATEMENT OF BARRY SEWARD, PRESIDENT, MISSOURI TRANSPORTATION DEVELOPMENT COUNCIL, KANSAS CITY, MISSOURI

Mr. SEWARD. Chairman Warner, Committee Chairman Chafee, Senator Bond, thank you for making possible this Senate field hearing on transportation. I am Barry Seward, Senior Vice President of Health Midwest, a regional health system and health care provider here in Kansas City. I am very pleased to appear before your committee today as president and board chairman of the Missouri Transportation and Development Council, a state-wide citizens' transportation support organization that serves as an advocate for safe and efficient transportation in Missouri.

The leadership of your Environment and Public Works Committee, Senator Chafee, and that of the subcommittee on Transportation and Infrastructure, Senator Warner, is most appreciated. And, of course, we value very highly the contribution to transportation both nationally and here in Missouri that has and is being made by your colleague and our distinguished senior, Senator Kit Bond.

We were particularly pleased last month that Senator Bond would choose to attended our MTD annual meeting in Jefferson City as one of the locations to announce the Chafee/Bond initiative—and actually, Senator Chafee, in Missouri we call it the Bond/Chafee initiative.

Senator CHAFEE. That's fine. That's fine.

Mr. SEWARD. To put trust back in the trust fund. The Highway Trust Fund Integrity Act of 1997——

Senator CHAFEE. When I get to Rhode Island I might twist—change it around a little bit. But that's fine.

Mr. SEWARD. For your information, our MTD Board later that afternoon unanimously agreed to support the objectives of that bill.

Now, let me focus more specifically on the issue of safety. The safety of Missouri citizens became one of the cornerstones of the 1992 state-wide campaign to increase State motor fuel taxes to save lives, reduce injuries, and cut down on accidents.

Most of the savings were to come from a plan to upgrade nearly 1,900 miles of Missouri roadways, almost all of which are on the National Highway System, to divided 4-lane highways over a period of 15 years. Important, too, is a plan to widen bridges.

Missourians were told that the planned improvements would make the state's roads twice as safe, and that the program would pay for itself in just the savings of lives alone. Unfortunately, we have fallen behind in our program and are struggling to find a way to deliver the planned projects on time so that those promised benefits will be realized by the motoring public in our state.

I should add that our concern has been heightened with a recent report which our council requested from TRIP, the road information program. The report indicated that highway fatalities in our State have risen by 17 percent since 1993, increasing to 1,190 deaths in 1995. Tragic news indeed.

Missouri's highway fatality rate is above the national average. That is a serious concern for a State where vehicle travel, according to TRIP, grew by 51 percent between 1985 and 1995 compared to the national average of 37 percent.

The good news is that a new initiative is under way in Missouri, to re-evaluate our transportation improvement needs. Besides the prompt response needed on the U.S. 63 corridor, 15 other Missouri highway corridors on the National Highway System also require similar attention.

I am privileged to represent our council on the Governor's Total Transportation Commission which is presently developing transportation vision, strategies and action plans for Missouri as part of a total transportation plan. We applaud Governor Mel Carnahan for his leadership and continuing support in the area of transportation. The commission is giving the issue of safety prime consideration.

On the Federal level, the reauthorization of ISTEA is needed to provide for a stabilized program which will return maximum dollars to our State for highway and bridge preservation and modernization.

Specifically, we believe that the new plan should provide a minimum return to all states of 95 percent, and thank you for your efforts, Senator Warner, in that regard. And we believe that a primary focus for the Federal program should be the upgrading of the National Highway System over the next 10 years.

In closing, let me again thank you for your leadership in the area of transportation. We urge you to help us through development of an aggressive Federal transportation program that focuses on making America's roadways and bridges as safe as possible.

Senator BOND. Thank you very much, Barry.

Chairman Boland?

STATEMENT OF TOM BOLAND, CHAIRMAN, MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION, HANNIBAL, MISSOURI

Mr. BOLAND. Good afternoon, Senator Chafee, Senator Warner, and Senator Bond. I am Tom Boland, chairman of the Missouri Highway and Transportation Commission. We thank you for coming to Missouri to give us this opportunity to speak about issues important in Missouri and the reauthorization of the nation's Federal transportation law.

You have a dedicated, hard-working colleague in Senator Bond. He does an excellent job in carrying forward the interests of Missouri and the nation. Thank you, Senator Bond, for your excellent work.

My topic today is the safety of our highways and bridges. Senator Bond has been absolutely instrumental in helping to solve some of those most pressing safety problems. His relentless efforts in Washington helped secure funds that allowed us to start replacing three of our most decrepit major river bridges, the Chouteau bridge across the Missouri River here in Kansas City and the Hannibal and Cape Girardeau bridges across the Mississippi River.

In Missouri, we can demonstrate the need for increased Federal funding to improve the safety of our highways and bridges all too well. Let me take you on a short tour down the Missouri and the Mississippi Rivers. The Missouri enters the State at our far northwest corner, goes southward to Kansas City and then crosses the entire State and joins the Mississippi at St. Louis. The Mississippi River forms the entire eastern boundary of Missouri.

More than 40 bridges on the State and Federal highway system cross these two rivers in Missouri. Half are more than 50 years old. More than half of these bridges are structurally deficient or functionally obsolete when evaluated by Federal criteria. They are too narrow or have severe weight restrictions, or both, that prevent commercial vehicle use and obstruct the economic vitality of many of our communities.

Missouri needs major replacement bridges at Hermann, Washington, Waverly, Miami, Rulo, Lexington, and across the St. Francis River into Arkansas, just to name a few, and we need some new bridges, including one across the Des Moines River at St. Francisville to serve the Avenue of the Saints and to cross the Mississippi River at St. Louis.

These old, narrow brings are used by tens of thousands of Missourians every day who would prefer to travel on up-to-date, wider structures. They wonder why these old bridges are safe. Now, we inspect all these bridges at least once a year to ensure that they are safe and they are repaired as needed. But the best solution for serving our citizens is modern bridges.

These major river bridges are extremely expensive. It's virtually impossible to pay for them from the state's annual allotment of funds, particularly when there is a need for earthquake protection and retrofitting that faces us along the Mississippi from St. Louis

south to the Arkansas border. Similar needs in other states simply magnify this urgent Missouri problem.

We cannot overestimate the safety aspects of these bridge needs. I strongly urge the committee to include a sizable and discretionary bridge fund in the reauthorization legislation to help states meet this urgent safety need. A bridge discretionary fund of as much as $800 million per year is absolutely justified which would allow the states to get bridge funds quickly to replace high-cost structures.

I have focused on the bridges crossing our two major rivers. The task at hand becomes even more daunting when you consider we have an additional 2,700 bridges in Missouri that cross lesser rivers or lakes that also need replacement. We are barely making a dent in these bridge needs under today's funding levels.

The issue of safety, of course, relates to all of our highways as well as our bridges. One of the most rapidly growing areas in our State is south of St. Louis in Jefferson County. We have replaced portions of a winding, narrow 2-lane Route 21 that serves the area with a 4-lane highway, and as a result, there's been a significant and gratifying drop in the accident rate. We need to continue this work southward on Route 21 where the fatality rate is nearly 35 percent higher than the State average for similar highways.

You have already heard the compelling statements from Mrs. Winkler on behalf of the need to improve Route 63 in north Missouri where traffic is heavy and accidents are much too frequent. Driver frustration sets in. Unnecessary chances are taken, and tragedy occurs. This is a stretch of highway where fatality rates are more than 50 percent above the national average.

The same situation exists on Route 7 and 13 in west central Missouri, and on portions of Route 36, a major northern route across the State between Hannibal and St. Joseph and Route 60 across southern, Missouri from Cape Girardeau to Springfield.

These highways are carrying traffic that exceeds their 2-lane design. We desperately need funds to correct and construct four lanes which will greatly improve their safe use. And these are merely examples and certainly do not represent an exhaustive list of the many highways and bridge safety needs in Missouri.

Please understand that we fully recognize that all of you are working hard on legislation that would increase Federal highway and bridge funds available to the states. We are extremely grateful for your continuing efforts, and I hope my thoughts today simply reaffirm this goal. And let me again thank you very much for coming to Missouri to give us this opportunity to express our thoughts to you.

Senator BOND. Thank you very much, Tom. And I hear your comments on bridges, and I will be working with my colleagues in an attempt to address the bridge issue. We have worked with your staff, and we will have some definite proposals on that because it is very important. And to the Winklers and the Winkler family, you have a very compelling case for the 4-laning of the highway. I think there's nothing that would be more of a safety feature than having a divided 4-lane highway. I have driven that road between Mexico and Moberly many, many years, and from Columbia to Moberly more recently, and I thoroughly appreciate it.

Mr. Right, I was interested in your analysis of the current state of proposals because I think Rodney Slater, the Secretary of Transportation, who testified recently, and he has an assistant, Mr. Lieber, who will be testifying later on, Mr. Slater told us that the proposal of the White House would enhance safety because they have safety features included in that. Have you looked at the safety features that have been included in the executive branch's proposal for ISTEA and the budget?

Mr. RIGHT. The NEXTEA proposal that I have seen, Senator, suggests that they are going to combine some safety efforts and fund that at a level of about $550 million a year in the 6-year bill. If you take a look at what went on in ISTEA, that actually for the first 2 years of the 6-year NEXTEA is less than what was spent under ISTEA in dedicated safety money, because you will recall that safety was designated 10 percent of the STP money. A similar percentage is dedicated now in NEXTEA to so-called enhancement money.

So, another fact that I understand is that some of the safety money that is being identified in NEXTEA used to come out of general funds but is now going to be coming out of highway trust funds.

Senator BOND. Help me out here. If you have funds—and I understand, staff tells me that Mr. Slater will have a separate safety proposal that will be coming before us, but if you are going to make a 4-lane divided highway out of a 2-lane, now, that doesn't qualify under the proposal of safety. I guess that's not a safety enhancement.

Mr. RIGHT. That would not be a safety enhancement, no, sir.

Senator BOND. But I can't think—I mean, you are in the business. Is there anything more important from safety than taking over-traveled 2-lane highways that had more traffic that they could handle and make it into a 4-lane?

Mr. RIGHT. Nothing is more important, and I think that that is the No. 1 concern and the No. 1 priority motorists have as far as improving their highway system is to divert over-crowded, hazardous, safety-riddled 2-lane sections of roadways into modern 4-lane divided roadways.

Senator BOND. Barry, I gather that was the position of the Missouri Transportation Development Council.

Mr. SEWARD. Yes, it is, Senator Bond. We, too, believe that that would be the most important step we could take. We recognize that safety does hinge on us being able to increase dangerous 2-lane roads into 4-lane divided highways and correct the bridge problems that we have in Missouri.

Senator BOND. So, you think that's—from your standpoint, that is the highest priority for highways and for the highway safety is just the bulk of the money that can go to 4-laning the existing 2-lane highways?

Mr. SEWARD. Yes, sir, we do. Earlier a commitment had been made in this State and citizens have been under the impression that we are working for that. We have had particular challenges in terms of resources available, and what we need within ISTEA and with the other programs that you and Chafee are—Senator

Chafee are co-sponsoring and that Senator Warner is assisting with additional moneys that can be utilized for that purpose.

Senator BOND. Chairman Boland, the safety moneys as opposed to the moneys for just the general highway moneys, how do you see the safety impact of some of the—I guess it is not formally before us but there's certainly been discussion about various safety programs that are going to be proposed. Are you familiar with those and do you have a view on those?

Mr. BOLAND. There is no question that safety is absolutely paramount, which is why so much of my testimony dealt, really, with the bridge issue and the narrow bridges and the inability of getting today's-sized vehicles and the level of traffic across the bridges.

The question of safety with regard to a 4-lane highway, I agree with you. If you build a 4-lane highway, that certainly is a safety consideration that is much more safe than a 2-lane highway.

The question that I think maybe Mike and Barry are raising a little bit here is, where is the balance between special designated funds for enhancement or CMAQ or railroad crossings or what have you as opposed to actually spending the money directly on the highways and the bridges, themselves. I think that is a point that we debated in the highway commission many times is at what level of spending shall we improve railroad stations or bypasses or whatever.

Now, I know that there is a case that can be made for those things, and they do have a place in America today. But there is this balance that, really, you gentlemen and the ladies in the Congress have to decide and the administration, where the resources have to go. And safety is extremely critical, and we have, as I think I have demonstrated here in my testimony and some of the other people have said, it is really critical in Missouri to do as much as we can, particularly in 4-laning and with the bridges.

We are working diligently and very hard to accomplish that, particularly as I mentioned, Highway 63 between Columbia and Moberly is one of our very high projects. Unfortunately, that was not one of the original Proposition A projects for which the 4 cent gas tax was passed in 1987. But it was certainly one of the most important critical things in the 1962 plan. Highway 61 in northeast Missouri is another very critical area. 36 across the state. Taking Highway 71, which is one of our proposals, to perhaps accomplish in the future all the way to interstate standards as well as 36.

I think we all know that interstates are the most safe of all highways for major traffic. So, we have to also consider what we can do there. We have improvements to make in St. Charles County, in particular, on Highway 40, which it is a 4-lane road now, but it still has many dangerous at-grade intersections, another critical project that ultimately needs to go to interstate standards. Highway 60 across the southern part of the state. Seven and 13. I mean, as you know, Senator, Kansas City and Springfield are two of our largest cities, and the highway still between Springfield and Kansas City is a 2-lane road, and we are working desperately to get that all the way to 4-lane.

Senator BOND. I have the pleasure of traveling on those roads. And now, Chairman Boland, if you don't mind, I am going to yield

to Senator Warner who has to catch a plane, and I think he has some questions right on point.

Senator WARNER. I would just like to follow along with the chairman's views here. First, this is an excellent panel. It's very helpful to us.

The bill that I am principal author of, Step 21, follows onto the bill which our distinguished chairman, Senator Chafee, fashioned in 1991. But we are moving in the direction to give you, that individual like you, 49 other states and you, together with Governors, depending on the way the State handles their line of authority, to make more decisions as to the allocation of these funds. We don't want the government to try and draw up the matrix of where every dollar goes. We think you know best.

Tell us a little bit about the politics that will confront you and your other 49 colleagues throughout America. And in particular, how will you drive the equation in this State to divert or direct, or whichever word you wish to use, adequate funds to this very pressing problems of bridges?

My coming here has left me with a very clear impression. The whole trip is worth having learned about the bridge problem in this State and how unique it is and how we must do what we can to help solve them. What are the politics of this? In other words, your 50 states have asked for the authority, we are giving it to you. Now, I am not talking about the blow-by-blow. I mean, we all understand the rough and tumble politics, certainly those of us here in the Senate and the House that have joined us.

Mr. BOLAND. I think one of the things relates to the discretionary bridge fund, that we here in Missouri probably have one of the toughest situations on bridges because we have, as I indicated, the Mississippi along the entire eastern border and the Missouri right across the middle of the State and up on the west corner. So, we have huge bridge needs. So, what we are saying we need, Senator Warner, is that there just isn't enough money coming to Missouri to take care of all these needs and we need some help from special additional——

Senator WARNER. OK. That's clear.

Mr. BOLAND [continuing]. Honest to God, additional funds for bridges. In other words——

Senator WARNER. You are saying if we get the 95-percent return under the formula, then certain states depending on their particular need have to have a little additional somehow to be earmarked for these very pressing problems.

Mr. BOLAND. That's correct. Yes.

Senator WARNER. But the State will, of course, within the 1995 allocate improvements?

Mr. BOLAND. That's correct. Now, the politics will be, if I may be rudely frank about it, is going to be in some senses addressed between the concern over rural areas and the urban areas. There needs to be a cohesive effort, and we have done well, I think here in the State of Missouri over the course of the ISTEA in putting together, if you will, a coalition where we have the metropolitan interests, St. Louis and Kansas City, primarily, and the rural interests of all over the state, we have gotten together and worked together pretty darn good to make the MPO situation work pretty

well here in Missouri. We have been—I think, the MPO and the State Highway Commission probably started off in a little bit of a—shall we say, a little hostile between one another, say, 5, 6 years ago, but I think we have worked our way through all that.

Senator WARNER. I take that message with me, and let me say, this new legislation will put your leadership to a new test, Mr. Chairman.

Now, Mr. Right, I was fascinated with this subject of shoulders and how you could almost extrapolate loss of life in terms of the inadequacy of the shoulders, and I think you also addressed the width of the lanes themselves; is that correct?

Mr. RIGHT. Yes, sir.

Senator WARNER. Now, let's go back and trace the origins. Good men and women who designed these highways years ago felt that that, I suppose, shoulder and width was suitable for that generation of automobiles and that generation of traffic volume. Am I not correct?

Mr. RIGHT. As well as the speeds at that time.

Senator WARNER. And the speeds. So, today given that almost every road system has a very significant increase in volume, a very significant increase in allowable speeds, these things are just no longer, from an engineering perspective and a safety perspective, adequate; is that correct?

Mr. RIGHT. That's absolutely correct, Senator. In Missouri, for example, about 15 percent of all of the lane mileage on major highways in this state is less than 12 feet wide, and 12 feet wide is the standard.

Senator WARNER. That's very important. Can you advise me, is that comparable to other areas of America or is it unique to this state, because the highway commissions of those days designed smaller roads?

Mr. RIGHT. Senator, I would suspect that Missouri's situation is comparable to other states. It may be slightly worse in terms of the narrowness of the road or the magnitude of the narrowness. I believe Missouri is 19th in the terms of the percentage of narrow roads throughout the country.

Senator WARNER. I will ask the staff, Mr. Chairman, to make a study of the 50 states to determine this because this is a very key issue. Would you suggest that in the Federal legislation we have some specific standards promulgated in this provision which suggests the administration has not sent up to the Hill?

Mr. RIGHT. I would think that that would be very helpful to the states to give them specific guidance, particularly in connection with the National Highway System, because many sections of the National Highway System currently are well below current modern standards including lane width. And that should, in our mind, be the focus of Federal funding to the states is the interstate and the National Highway System.

Senator WARNER. Mr. Chairman, this marks, I believe, our sixth hearing in ISTEA, is that correct, Ellen? Sixth hearing. And it's astonishing. This is the first one where the Senate through the vision of Senator Bond has incorporated the important testimony of the users and most specifically those users who have suffered tragic losses. So, of all the hours of testimony, yours is the first, I say to

the Winkler family, and I think it will be the hallmark of a bunch of our thinking. So, I thank you for coming and sharing with us today your own personal experiences because that relates very directly to people all over this country and that you had the courage to come and do it this morning.

Mrs. CAROLYN WINKLER. Thank you.

Senator WARNER. Thank you. And I thank my colleagues. And I have another responsibility in connection with my Senate duties in Washington and I have to depart. But I had the opportunity earlier this morning to visit with a number of witnesses here. And Mr. Chairman and Senator Chafee, thank you very much.

Senator BOND. Thank you again, Senator Warner, for coming here, and we are delighted to have you. We appreciate it. We will have all of the testimony available for you and your staff, and we thank you for coming out and taking a look not only at our roads and bridges but our courthouse.

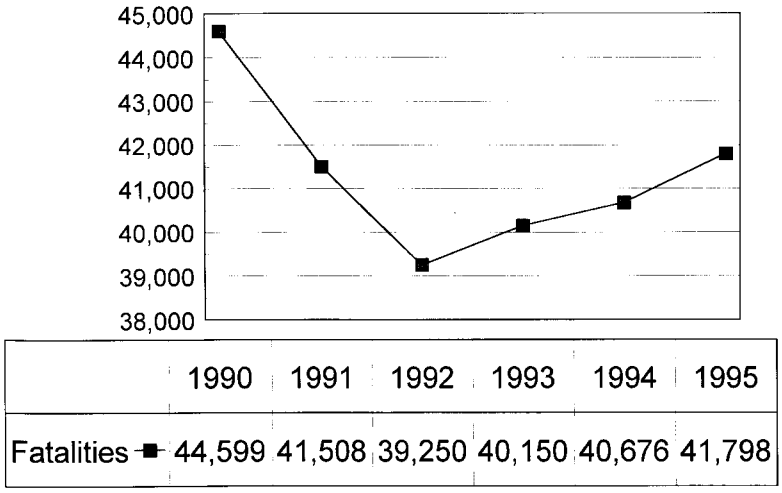
And with that, now, it's my pleasure to turn to my chairman, Senator Chafee.

Senator CHAFEE. Thank you very much, Senator Bond. And I want to say to the Winkler family it is very powerful, your testimony. And I had them pull out the statistics that show that—I think Mr. Right also touched on this—that we were coming down rather dramatically in our motor vehicle fatalities from 1990, it came down very substantially and this is a continuation of what took place in prior years, until 1992, the middle of 1992. And then it started upward again, which is very, very discouraging. So, it was down to 39—these are national facilities—down to 39,000, and then went up to 42,000, and each one of these involves an individual, just like your husband, a father, a husband, a best friend, as you said.

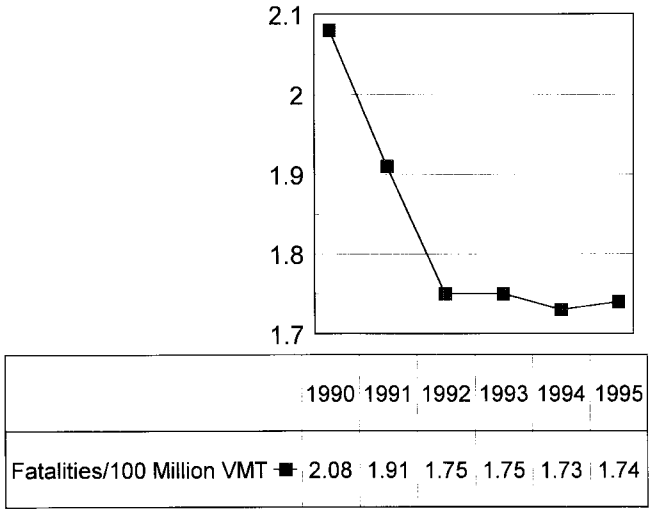
So, then we looked at the vehicle miles traveled, which is really probably an even better indication, because if you have more vehicle miles traveled by substantial amounts, and you probably would see that the death rates go up to some degree even though, I guess it was Mr. Boland who was pointing out, that the interstate highways are by far our safest highways and that's where a good deal of the increased traffic is going.

[The referenced charts follow:]

Total Motor Vehicle Fatalities



Motor Vehicle Fatality Rates Per 100 Million VMT



And, so, our next chart—I know you can't see these very well, but this is the motor vehicle fatality rates per 100 million vehicle-miles traveled. And again, that was coming down from 1990, 1991, 1992, and coming down rather dramatically. And now it has stabilized and, indeed, it's going up a little bit. And all of that is cause for concern.

As you know, in ISTEA, there is a certain percentage that is set aside for safety, 10 percent. Now, obviously, a State can use its regular funds to build safe roads. There's nothing against that, obviously, and that's encouraged. But this particular fund, I guess Mr. Seward or maybe Mr. Right said that you can't—you can't use the safety fund for building a 4-lane road. That wasn't what it was designed for. It was designed for guardrails and trying to improve the safety of the existing roads.

If we are successful—and I think we are going to be successful in the Bond/Chafee bill, getting more money into the fund—excuse me, more money out of the fund, that every State will see its number of dollars increase, regardless of whether anything is done on the changing the formula to increase the amount percentage-wise at some stage. It's just through the existing formula. Not that that necessarily is going to be the final formula, but through the existing formula, I am confident that there is going to be increased money come to the states.

And then we get into—and I would—I believe it's worthwhile increasing that safety amount. In other words, now 10 percent X dollars. How much was it dollars total? About $400 million. I would like to see that increase, indeed, perhaps double. Now, I don't know. Mr. Boland, you must use that safety money for certain things, or Mr. Seward, already, don't you? Do you tap into that? I don't know who correctly to ask. Mr. Boland?

Mr. BOLAND. We do use it for certain things, but again I have to return to the basic concept of the road, itself, and what is the most safe type of road to build. And again, to maybe beat the drum again, the 4-lanes are just so much more safe than the two lanes and if you go all the way to interstate is so much better.

On Highway 7 and 13 here, for example, between Kansas City and Springfield, which has been a very disastrous road in terms of fatalities, we have tried to do some things with the safety money to do such things as add a third lane at dangerous intersections where a lot of—rural intersections where a lot of left turns are made, for example, on the 2-lane highway until we can get to it with the 4-lane highway. Extra right turn lanes to get people off to where they can make the turns. So, yes, we have used the safety money for things such as that.

But, again, the basic configuration of the highway, in my way of thinking, is the most important thing that we can do to really improve the safety situation.

Senator CHAFEE. Mr. Right, I know you indicated your opposition to the enhancement program to the CMAQ program and those set asides, but Mr. Boland seemed to indicate that he wanted a specific sum set aside for bridges. What would you say to that?

Mr. RIGHT. I think that that's a proper use of highway user funds. To put that in perspective, I believe Mr. Boland mentioned the amount of $800 million a year in a discretionary bridge account. Congestion mitigation money as proposed in NEXTEA is going to be funded at a rate of $1.3 billion a year. Enhancements are going to be funded at a rate of about $400 million, $450 million a year. And basically, these moneys, both in the enhancement category as well as in congestion mitigation money are not being used to improve the capacity of the roadway system nor substantially in-

crease the safety on our road system in this country. So, you are talking almost $2 billion that cannot be used to do the kinds of things that I think every member of this panel is suggesting needs to be done and needs to be done now.

Senator BOND. Let me just—as I understand it, we have not—we do not have the final figures from the administration, but I believe the figures Mr. Right was giving us is the best estimate that the groups who are vitally interested in following this have come—I believe this is an assessment from the outside groups, not yet a specific proposal from the administration. Is that——

Mr. RIGHT. I believe I got it from the administration, Senator.

Senator BOND. Really? We had trouble getting it substantiated. Excuse me, Senator.

Senator CHAFEE. Well, I don't want to get in a back and forth now on the enhancement and the CMAQ program, but I do want to point out that the objective, obviously, I believe, in this legislature is transportation, how we can get most people safely from point A to point B. And, so, these funds—these CMAQ funds, for example, congestion mitigation funds have been used for bus transportation, for example, and to reduce congestion in construction, likewise.

But I guess the point I was really asking you was the question of set-asides. In other words, is it your point that the money should just come to the State of Missouri, for example, and then if it should be spent on bridges, they can spend it on bridges, if they want to spend it on highways, they can spend it on highways, or as Mr. Boland seemed to be suggesting, there would be a set-aside for bridges?

Mr. RIGHT. I think Missouri has such a significant bridge problem that what we are looking for is additional funds above and beyond what we would normally receive through the normal appropriation process so that we could tap into some extraordinary money to take care of the significant major bridge needs that we have in our state.

Senator CHAFEE. Well, certainly I think Mr. Boland did a good job in pointing out the peculiar bridge problems you have here. Thank you.

Mr. SEWARD. Senator Chafee, may I add one item related to bridges? Because it is our understanding that widening or modifying a bridge has been shown to reduce fatalities by 49 percent. That constructing of a new bridge can reduce fatalities by 86 percent. So, Missourians really do have their lives at stake in terms of what we do about bridges in Missouri which has the seventh highest percentage of structurally deficient or functionally obsolete bridges in the nation.

One final item as related to the 2-lane and 4-lane issue, too, where nationally 77-percent highway deaths occur on 2-lane roads, two-thirds of Missouri's major roads, excluding interstates, are not 4-lane divided highways. So, we certainly do have a concern both in terms of the roads and the bridges.

Senator BOND. Thank you very much. And my thanks to all the members of the panel. We will keep the record open and invite, as I indicated earlier, comments from those in the audience, if other members of the committee have additional questions. As we look

into some of these, obviously we will be in touch with all of you and cement some questions for the record as we have the chance to go back and look at all of this information. And I thank all the members of the first panel.

And now we would like to call the second panel on Economic Development. We will have Mr. John Wagner, Jr., of Wagner Industries, Incorporated, who is chairman of the Greater Kansas City Chamber of Commerce Surface Transportation Committee. We have Mr. Richard C.D. Fleming, President and CEO of the St. Louis Regional Commerce and Growth Association, Mr. Don Clarkson, who is Vice President of Clarkson Construction Company in Kansas City, and Mr. Peter Herschend, who is vice chairman of Silver Dollar City in Branson.

Thank you very much, John. Would you like to begin?

STATEMENT OF JOHN WAGNER, JR., WAGNER INDUSTRIES, INC., AND CHAIRMAN, GREATER KANSAS CITY CHAMBER OF COMMERCE, SURFACE TRANSPORTATION COMMITTEE

Mr. WAGNER. Thank you. Good afternoon. I am John Wagner, President of Wagner Industries, a trucking, warehousing and logistics firm employing more than 600 people in Kansas City. I am third generation in the family business that started in Kansas City's west bottoms in 1946. This year I have the privilege to chair the Chamber's Surface Transportation Committee. The Chamber is pleased to have the honor of appearing before so distinguished a panel to discuss such important legislation.

A healthy transportation industry is vital to the economic well-being of the nation. That is no less true in Kansas City, a town founded on transportation and distribution. Transportation remains a vital industry. More than 40,000 individuals are employed as a result of Kansas City's transportation industry with a payroll of more than $2 billion. The impact on regional output and gross regional product amounts to about $5 billion and 3.3 billion respectively.

What is unique in Kansas City, however, and what makes it strong is that its employment is spread over a variety of sectors and a large number of employers. Take the trucking industry, for instance. Of the nearly 700 trucking companies in our region, more than 600 employ fewer than 50 people. Kansas City is a hub for nine major rail lines. Kansas City International Airport is one of four area airports with freight operations and is the busiest air cargo facility by tonnage in a six-State region. More than 40 barge terminals and docks support river shipping and more than 400 miles of highway give Kansas City more highway miles per capita than any U.S. city. In addition, area businesses have invested in more than 1,500 miles of fiber optic cable beneath the city streets to speed the exchange of shipping and other data. We are at the vanguard of Intelligent Transportation Systems and have been the model of bi-State cooperation.

Having said that, there are some priorities we believe need to be addressed as a part of the transportation policy being considered in this year's Congress. They are not the result of think-tank research. They are basic and fundamental.

First, integrity needs to be restored to the transportation trust funds. There is no better way to make Federal funds productive than to spend them on infrastructure. With billions of dollars being paid in good faith by people who use transportation amenities, there are ample funds collected to facilitate the movement of goods and people in the United States and to grow its economy. This is an appropriate time to indicate the Chamber's support for measures such as the Bond/Chafee Highway Trust Fund Integrity Act. This bill ensures money collected for highways will be used for highways.

But that bill is a first step. Beyond that it is important that the 4.3 cents currently being collected for deficit reduction be transferred to the Highway Trust Fund. We believed it was bad public policy to utilize highway user fees for deficit reduction be transferred to the Highway Trust Fund. We believe it was bad public policy to utilize highway user fees for deficit reduction when it was done, and we continue to believe it today.

Next, it is unconscionable that the nation's transportation investment has been allowed to deteriorate the way it has. I would be a poor businessperson if I didn't maintain my warehouses and vehicles and other equipment. It is even worse stewardship that the Federal Government continues a policy that promotes and rewards new construction rather than maintenance and preservation of a transportation system that is already pretty darn good. Studies have shown the exponential costs associated with repair or replacement of facilities compared to the cost of simple maintenance. The nation's transportation policy should encourage communities to maintain assets rather than to simply build new ones.

Along the same lines, the Nation has invested billions of dollars on transportation assets from coast to coast yet has done little to connect those assets technologically or economically. Kansas City is pursuing a vision as a non-traditional inland port for world goods. We believe the inland assets already in place here combined with a strong work force and ample space make it a logical reliever for traditional ports of entry that are strained beyond capacity. An intermodal and high-tech strategy to relieve congestion at the borders by utilizing inland facilities should be considered as part of the nation's transportation strategy.

Another simple but important transportation policy question that needs to be finally settled is a commitment to inland waterways and navigation, including the adherence to existing Federal policy and operating manuals. Sometimes we wonder why it's so hard for certain individuals to grasp the relevance of waterways and their relationship to price for transportation. Of course, the Missouri River has not met its potential for moving goods. It has never had a predictable season. Its ports and terminals have received minimal public investment, and the long-range plan for locks and dams was never completed. Still, it makes a difference in millions, perhaps billions, of dollars annually in the cost of moving goods due to its competitive influence. This is money saved by producers and consumers. It would be an international embarrassment to further curtail shipment on the Missouri River.

We are thankful to have a watchdog in the Senate in Senator Bond on this matter.

Finally, and in summary, we urge Congress to not allow the Washington bureaucracy to continue thinking departmentally concerning transportation and to adequately fund maintenance and completion of the nation's freight infrastructure.

Thank you for your thoughtful attention to these remarks.

Senator BOND. Thank you very much, Mr. Wagner.

Mr. Fleming?

STATEMENT OF RICHARD C.D. FLEMING, PRESIDENT AND CHIEF EXECUTIVE OFFICER, ST. LOUIS REGIONAL COMMERCE AND GROWTH ASSOCIATION

Mr. FLEMING. Thank you, Senator. My name is Dick Fleming. I am President and Chief Executive Officer of the Regional Commerce and Growth Association of St. Louis, the RCGA. We are the 12-county Bi-State Chamber of Commerce and the Regional Commerce and Growth Association for the St. Louis area. We represent some 4,000 business and civic entities in both Missouri and Illinois.

We are pleased that Senator Chafee and Senator Warner accepted your invitation to come to Missouri to learn firsthand about the importance of transportation to our state. Of course, we very much appreciate and recognize your continuing role in leadership and the authorization of transportation legislation in this nation.

The St. Louis region with its central geographic location, it's a natural national as well as international transportation center. As we look at it from an economic development standpoint, we see a number of threads that are tied together with the kind of focus and objectives that NEXTEA is speaking to. Highways—they are the crossroads of four major interstates. Rail—major hub for rail for decades. We are the third largest in the United States. Air—we are the second fastest growing airport in the world in Lambert and the sixth overall busiest airport in the United States. Ports—we are the second largest inland port in the United States. In fact, one sixth of the tonnage moved on U.S. inland waterway systems goes through St. Louis. And transit—where MetroLink was recognized last year nationally as the best the transit system in North America.

A need exists for intermodal relationships between these transportation systems in St. Louis and throughout the country. There is also an inextricable link between infrastructure investment and sustained economic development.

The RCGA strongly advocates the importance of preserving the existing transportation infrastructure systems, as my colleague just testified, while at the same time addressing the necessity for certain new projects. In St. Louis, in addition to maintaining and rehabilitating or expanding the interstate highway network, we have a need for new bridges, especially a major one crossing the Mississippi River near downtown St. Louis. Thirty percent of the employees in downtown St. Louis live in Illinois and must cross bridges to work. It's a lifeline to our region.

In 1994, we created the greater St. Louis Economic Development Council to provide unified regional and proactive economic development with the goal of 100,000 new jobs in our region by the year 2000. I am pleased to support that we have already surpassed the

43,000 number on that goal, and we still have a number of years to go.

One of the Economic Development Council's key priorities is to capitalize on transportation and distribution infrastructure inherent to the St. Louis region and to encourage and promote much-needed major infrastructure investment, such as new bridges, the expansion of Lambert International Airport and the expansion of MetroLink, the transit system. The 1995 survey of national site selection executives for manufacturing companies rated ''highway accessibility'' as the No. 1 decision factor in choosing where to expand and relocate companies. A similar survey in the same year indicated for headquarters companies a functioning international airport being the No. 1 criteria.

With that in mind, last year the RCGA established an Infrastructure Council, headed by the St. Louis managing partner of Price Waterhouse, with eight committees chaired by top CEOs from the St. Louis business community. Their goal is to spearhead an economic development agenda in aviation, roads and bridges, transit, ports, freight, clean water, telecommunications and a public affairs program to support them.

These committees recently recommended their first round of specific action plans to the RCGA board just several weeks ago. For example, our freight committee in its examination of issues over the past year has pointed out a very graphic example of how vital it is to preserve the highway system and to eliminate major traffic bottlenecks as part of economic development.

It may come as somewhat of a surprise to our visiting Senators from Rhode Island and Virginia that next to Detroit, St. Louis is the secretary largest manufacturer of vehicles in the United States. General Motors, Ford, Chrysler, all have major plants in St. Louis employing over 11,000 people. These high-technology recently retooled manufacturing plants, like others in the auto industry, are relying increasingly on just-in-time delivery of parts from a growing number of local suppliers.

For example, at the Chrysler complex located on the southwestern edge of St. Louis in the metro area in Fenton, almost 1,900 minivans and pickup trucks are built every day. Local suppliers with only 2 hours turn-around deliver such components as frames, axles, tires, wheels, seats and fascias in the exact order of the vehicles on the assembly line.

I would like to also call attention to another RCGA infrastructure priority involved transportation. RCGA has staunchly and actively supported regional programs targeted at attainment of air quality standards. Yet U.S. EPA has unfortunately now proposed new National Ambient Air Quality Standards for Ozone and Particulate Matter which will mitigate much of the progress achieved to date relative to the State Implementation Plan. Our business community and our civic leadership have been very active in our opposition to these new standards as some will, in all likelihood, jeopardize local highway projects threatened with the loss of Federal transportation funds. We propose that the provisions for air quality related to highway funding sanctions be removed from NEXTEA.

In closing, for the past several months for the past half year, I have had the privilege of being one of two representatives ap-

pointed by Missouri Governor Carnahan to the Southern Governors' Association Transportation Task Force.

Our positions locally and the positions of this task force which were recently released comported directly. And I will summarize in closing very briefly.

No. 1, Spend down the cash balances in the Federal transportation trust funds. No. 2, if retained, the 4.3 cents per gallon Federal funds tax currently deposited in the general fund for deficit reduction should be redirected to transportation purposes. No. 3, guarantee all states a minimum of 95-percent return of their Highway Trust Fund contributions without a penalty for receiving demonstration project funding. No. 4, encourage the Federal Highway Administration to support greater public/private partnerships between State Departments of Transportation and the private sector as we have begun to do here in the State of Missouri. No. 5, projects to improve freight transportation should receive higher priority in the allocation of public funds and the development of potential sites for intermodal connections. And finally, No. 6, each State should be required to include the private sector exclusively in the state's metropolitan planning organizations either through chambers of commerce, economic development organizations or other designated business groups. In essence, forming a triangular partnership on behalf of regional transportation infrastructure between the State DOTs, local government and the private sector.

Thank you, Mr. Chairman.

Senator BOND. Thank you very much, Mr. Fleming.

Mr. Clarkson?

STATEMENT OF DON CLARKSON, VICE PRESIDENT, CLARKSON CONSTRUCTION COMPANY, KANSAS CITY, MISSOURI

Mr. CLARKSON. Thank you. My name is Don Clarkson. I am with the Clarkson Construction Company based here in Kansas City. I also want to thank Senators Warner, Chafee and especially Senator Bond for their tireless efforts on behalf of transportation. Also, I would like to thank the representatives McCarthy and Dannon for the same.

I will address the reasons why ISTEA must be reauthorized and how these reasons relate to Missouri. We, in the construction industry, maintain an awareness of a properly functioning highway and bridge system. Fast, reliable and economic transportation is paramount to our nation's productivity and international competitive position. Our highways and bridges are of our greatest importance.

Seventy-two percent of Missouri's goods and services, and that's $170 billion a year, are delivered over our nation's highways. As Senator Warner has said, the transportation of products to and from coastal ports will become increasing important as international trade grows. Reducing transportation costs through a more efficient highway system is essential. Over 55 percent of our nation's manufacturers, as referred to earlier, use just-in-time delivery of goods and services.

But furthermore, in the next decade there will be 25 to 30 million new jobs added, hopefully. By 2000, domestic freight tonnage will increase 30 percent. By 2010, overall highway travel is ex-

pected to top 3–1/2 trillion vehicle miles per year. That's a half again what we have today. Vehicle travel in Missouri will double its 1995 levels in the next 10 years.

If the U.S. businesses are to become more competitive and if the American public is expected to have a standard of living rise, we must do the following: As our improved—we must address our nation's highways. If U.S. businesses are to become more competitive, as they must, and the American public has the opportunity to improve its standard of living, then we are soon forced to address the condition of our nation's highway system.

And I believe this is important and this is why I use the word "maybe" a minute ago. As our improved transportation system allows our businesses and their products to be more competitive, the employment opportunities necessary for our increasing population will be created.

Our Highway Trust Fund paid for the construction and the maintenance of our 900 plus thousand mile Federal aid highway system. This system has spurred the development of the State and local highway systems so necessary for the healthy activity of our nation's economy.

There are some alarming trends. The United States investment in all types of infrastructure ranks dead last behind all of our major G7 competitors as a percent of our GDP. We spent only 39 billion in 1993 on roads and bridges or about $16 billion less than the investment needed according to the FHWA just to maintain current conditions. FHWA estimates an annual investment of around $64 billion to improve conditions to address the unfunded requirements noted above.

Senator Chafee, I would like to digress just for a minute here to address what I think is a very good question and your charts and their figures. I believe if you would have staff maybe look into this particular statistic, it's particularly alarming that capital outlay in the United States has now dropped to only $16 per 1,000 vehicle miles traveled from the $32 per 1,000 that we were investing in 1960. 1960, I think we will all recall, was a time when the U.S. economic star was surely rising on a worldwide basis, and it's not right now.

But to address your question, I believe that this phenomenon, this increase in capital investment per vehicle mile traveled may well correlate to the recently deteriorating safety and fatality rates. I think that it could be found that the necessary upgrades of lanes, 4-laning, bridge widening, so necessary both in the rural and the urban areas, will do much more to provide real safety than these individual safety enhancement projects that are carved out in the program, and I believe that the Winklers can testify to that.

In fact, Missouri's investment decreased 16 percent from 1985 to 1995 while travel increased 51 percent.

There have been many studies performed by the U.S. Department of Transportation, the Congressional Budget Office, the Federal Reserve Bank, even, that shows that spending specifically on highway transportation projects improves the U.S. economic productivity, contributes to an improved standard of living and yields long-term economic rates of return even higher than the average in private capital.

There's some more immediate benefits. Improved highway conditions immediately improve air quality by reducing auto emissions. As Senator Bond has said, 43 percent of the Missouri's rivers and freeways were congested last year.

The Missouri Department of Transportation must somehow with Federal help, Federal aid, build the promised improvements described in its 1986–1989 need studies for all of these reasons. Each billion dollars invested in highway capital improvements generates over $3 billion in economic activity. That's the short-term gain. Missouri's share of Federal funding alone in 1997 will provide 17,000 jobs. Vehicle operating costs are immediately reduced. In Missouri, motorists spent $459 million last year, and that's $128 per motorist in extra, unnecessary vehicle repairs and operating costs because of driving on bad roads. Unnecessary if they had good roads.

In summary, there is a rising economic tied, both short-term and long-term, that is available to U.S. businesses, consumers, employees, and the public in general if we will just rehabilitate and expand our National Highway System. This system represents an investment made in the past that allowed us to achieve and now support our current standard of living. Our continuing ability to compete economically and improve the quality of life for ourselves and our children will require additional investments toward the need to expand and improve the existing highway system.

And the question that comes up, I believe, in these proceedings, is that maybe the Senators could teach us or their staffs could teach us how to expand the outspoken support on this all-important endeavor to beyond meetings like this and get the public energized on what really is the best for all of us.

Thank you.

Senator BOND. Thank you very much, Mr. Clarkson.

Now, Mr. Herschend.

STATEMENT OF PETER HERSCHEND, VICE CHAIRMAN, SILVER DOLLAR CITY, INC., BRANSON, MISSOURI

Mr. HERSCHEND. Thank you, Mr. Chairman. I really appreciate the opportunity of being here today. My name is Peter Herschend. I am Vice President and Co-Owner of Silver Dollar City, Incorporated. We are headquartered in southwest Missouri. And as you know, Senator Bond, for southwest Missouri, air, and most importantly, surface transportation is the lifeline of a rural destination vacation area. Without that lifeline, there is no possibility of dynamic economic growth. It won't happen.

Travel, the travel industry, is at a national and international level now the largest single segment of commerce, and it is projected to be so well into the next century. In Missouri, and in multiple other states, tourism is a major generator of State and Federal tax revenue. Missouri's travel economy alone generates better than $1 billion in State and local tax revenue, and it is easily the second largest tax-generating segment, by SIC code, for Missouri's general revenue.

Branson, Missouri, population, 4,725 people, you may have heard of our little town, sir, was visited by 5.8 million guests in 1996.

Our small region alone produces $1 billion of Missouri's $10 billion gross travel expenditures.

Mr. Chairman, as you can well picture, adequate and fair distribution of ISTEA funds is of prime importance to our region as it is to the entire State of Missouri.

The Missouri Department of Transportation has worked hard and fast to help the Branson/Ozarks area grow an adequate surface system capabilities. That work continues today as we speak. We, in Branson, were saddled in 1985 with a road system barely able to handle 2.5 million visitors. Explosive growth, nicely explosive growth, but explosive growth, nonetheless, in our region in 1991 through 1993, and the visitor count more than doubled to 5.8 million visitors that I mentioned earlier.

The Missouri Department of Transportation and local efforts were put in place to help overcome that huge, huge bottleneck. Much has been done and much more needs to be done. The plans are ready, the equipment is ready, but we need the financial fuel in the tanks to make it go. And that fuel is an even-handed, fair and aggressive distribution to the states of ISTEA funds when it is finally reauthorized, exactly what your bill and Senator Chafee's bill and Senator Warner's bills have proposed.

The travel tourism industry is not the only user of a first-class transport system. Southwest Missouri is a major trucking hub serving all the Midwest. Missouri Department of Transportation has moved aggressively to build a system that will attract even more firms to the area.

And Senator Bond, you have been instrumental in working toward funding of improved mass-transit systems for Branson to make more effective use of ISTEA dollars.

Depending on the season, 5 to 10 percent of all the visitors coming to southwest Missouri arrive at and through the Springfield/Branson Regional Airport. That airport, too, has applied for ISTEA assistance.

It comes to this. The transportation capabilities of our region and this entire State is like a huge water valve supplying life-giving water to crops. We cannot grow more until that valve is opened more, and MoDOT cannot open the valve more if other regions of the Nation are receiving disproportionately higher ISTEA revenues versus Missouri's fair share. ISTEA reauthorization needs to be soon and equal.

I want to tell you a quick story about Mable. Mable doesn't know anything about what we are talking about here. She is a waitress in Branson. My wife and I were having lunch there at her restaurant 1 day not too long ago, and the place was really busy. Mable said, "Gee, isn't this wonderful?" And I said—looking around the restaurant, and I said, "Yes, this really is." Mable was talking about how really good it was for her because she said to us, "You know what's really good about this?" And we said, "No," thinking it was her tips. She said, "This is the first year I have never had to borrow money to pay my gas bill in order to get through the winter."

What Mable didn't know was that the reason she was able to do that was because a surface system was starting to be in place to bring people to her region of the country. But without the proper

reauthorization of ISTEA funds, Mable may have to go back and borrow her gas or heating bill money for this winter.

Chairman Senator Bond, Senator Chafee, thank you very much for being attentive listeners.

Senator BOND. Thank you very much, gentlemen. You all have recognized the many interests that come together in transportation discussions. This truly is, as Senator Chafee has pointed out, a broad-based transportation bill. And a number of questions. I am just going to ask one or two.

Dick, you have talked about the success of MetroLink. How many people use—this is really—this is one of the best light-rail transportation systems. It's working better in St. Louis than anyplace else. How many people use it? What percentage of cars come off the road as a result of the MetroLink service in St. Louis?

Mr. FLEMING. Senator, just off the top of my head, I believe the daily ridership number of the first 18-mile segment of the system is approaching 40,000 riders. It has surpassed now Portland which is one of the finest systems in the country and San Diego. I am not sure of the specific number in terms of percentage coming off the road. I would be able to certainly get that statistic and provide it for you for the record, but suffice it to say, the MetroLink system has been very, very well received by the riding public.

Senator BOND. John, what's the—actually we have—I should ask about the bus system in Kansas City as well. What percentage of transportation is by bus as opposed to car in Kansas City?

Mr. WAGNER. Senator, I don't have that information with me, but I would be happy to have staff provide that to your staff.

Senator BOND. Because this is one of the things that we need to find out is how much we are relieving the pressure on the highways. On CMAQ, I think that both of you know that this congestion mitigation is important. What are your views from the St. Louis and Kansas City perspective on whether this should be a larger portion? Do you need—does that money need to be designated by Congress, or is this something that can be done through flexibility with the State level?

Mr. FLEMING. Senator, just starting out, I guess two comments I would have from our experience in St. Louis. One is, as Chairman Boland can certainly attest, one of the great frustrations of CMAQ in the past as a donor State is the fact that any expenditure of CMAQ money was netted down against our overall allocation of resources. So, in fact, it was diminishing our cities' and our region's capacity to provide direct impact.

I think overall, while we certainly support the objectives of the CMAQ program in terms of the resources, we would prefer to have full funding in terms of the Step 21 kind of initiative that you and Senator Warner have discussed and the flexibility within the State and within the regions, particularly if we are able to build in the private sector in a more systematic way to have that local flexibility and perhaps would not have to have as much of a designated fund.

Mr. WAGNER. And Kansas City does not receive CMAQ funds because we are a non-containment area.

Senator BOND. The BMO zone will take care of that, if that's the problem.

Peter, your transportation needs, just briefly, can you tell us about some of the things that you are doing with the—if you have not been to Branson, it's a wonderful " place, but how they handle 5.8 million visitors is——

Senator CHAFEE. I thought I missed a chapter there.

Mr. HERSCHEND. You didn't.

Senator CHAFEE. The population of Branson is something like 6——

Mr. HERSCHEND. 4,000.

Senator CHAFEE. Let me look that up again. Population 4,725, and 5.8 million guests came in 1 year.

Mr. HERSCHEND. We are crowded.

Senator CHAFEE. I guess so. What are they there for?

Mr. HERSCHEND. You have never seen a town of 4,700 people with 5 million visitors.

Senator CHAFEE. There must be tremendous attractions.

Mr. HERSCHEND. Well, there are a few attractions, yes. It's a travel—it's a rural travel destination. We are easily the entertainment hub of mid America. There are presently in Branson 52,000 theater seats. Those are first class. That's more than Broadway, to give you some kind of a comparison. There are roughly 32,000 hotel rooms. There are roughly 25,000 restaurant seats. There are major attractions. Our company hosts at our principal park 2 million visitors a year there in the greater Branson area. Not inside the city limits.

It is the live show capital—these sound the like Chamber of Commerce talks, but there are live shows with principal stars. A good friend of yours, Andy Williams, lives in Branson, as do several other entertainers.

So, there's a lot of recreation. It is absolutely dependent—the point of this hearing is absolutely dependent upon adequate surface transportation, and for more than a few years, that adequate surface transportation didn't exist. They are working on it now, but it's been very tough treading, sir.

Senator CHAFEE. You give my regards to Mable, will you?

Mr. HERSCHEND. I will do it.

Senator CHAFEE. Let me just explain, if I might, the origins of ISTEA in 1991, and the donor/donee situation. Many people might say, we put in X amount of dollars into the Highway Trust Fund. We ought to get it back. But the—and maybe the formula should be a better one that than we have, but the rationale was that this was a national highway transportation system, and just like many states use substantial funds for flood control, for example, or for irrigation, and other states have no demand on flood control moneys or no demand for irrigation funds, such as my state, for example. And yet we believe it's in the national interest that there be these irrigation projects. So, whether there be flood control, levies built and maintained by the Corps of Engineers and so forth.

And that's the same philosophy that we took in connection with the National Highway System. And not just that we did it in connection with the 45,000 miles of the interstate highway system but for the other roads likewise.

And, so, we try to make it as fair as possible but it's not going to come out that every State that puts in a dollar is going to get

a dollar back. If so, don't bother sending—don't have a Highway Trust Fund. Just keep it at home. And, indeed, there is some who is suggesting forget the whole business. All you are doing is sending money to Washington and then having them skim for highways and so forth and then it comes back. Let us just keep everything that we—let's keep all our own money here.

But what kind of a country would that make? And it's our strong belief that whether a better formula can be developed on miles traveled or vehicle—or mileage in highways or population or number of dollars paid into taxes through gasoline, all of these variable factors that can go into some kind of a formula. But I strongly believe, and indeed, the committee has, that we are a nation. And just like Rhode Island money goes into flood control, and that's fine. I am not opposed to that. I don't want to see these floods run rampant and the Missouri and the Mississippi have that occur and we want to do everything we can to prevent it. So, also, we want to have good highways all over, so that if I want to drive to Branson, I can, and I can get across Indiana and all the states to get there.

So, that's the philosophy. We are not going to have a formula that results in everybody getting back everything they put in.

On the CMAQ, you might say, what is all this about, congestion mitigation. It deals with those states who are non-compliant, and the philosophy is that these trucks and these automobiles are spewing forth pollutants that contribute to the non-compliance. And, so, there's money put in there to try and get—assist these states to get into compliance. So, there's a rationale behind these.

So, I did want to use this opportunity to explain why we have the situation that we have here. Mr. Clarkson?

Mr. CLARKSON. Senator Chafee, I would like to express our—and our industry is in agreement with you. We feel that the more or less vulcanization of our highway systems by sending all Federal control back and dollars back to the states would lead not possibly as quickly or as dramatically as it would as if we retired the Federal Aviation Administration and the airways. Now, that one sounds preposterous, but if you really think about it long term, to vulcanize by 50 the State highway system ultimately would lead to even more chaos because there's so many more vehicle miles and passengers that use the roads, and it would be a tremendous mess.

The other thing I would like to respond to on the mass transit issue, and maybe Kansas City is of a little bit nature than St. Louis although I believe there's some similarities, in Kansas City ridership on what mass transit we have, basically buses, is fleeting. Every time anybody can afford a car, they are out of the buses and the ridership is decreasing. And it's really an economic issue.

There is not really a mitigation of demand for highway lanes because of that, and we really don't feel that at least west of the Potomac, in most instances in the United States, the choice has been made, transportation for business and people's transportation, they have made their choice. They want individual flexible mobility, and there may be some economic reasons why some people have to ride buses, at least in Kansas City, but really it's more of a social issue than one that is ever going to really appreciate the decrease of demand for road lanes.

Senator CHAFEE. I think obviously that's a subject that can be debated. The point is that in many communities—and I am not familiar here—that the transportation systems are so fragile that a slight decrease in revenues means they cut routes, they cut service. And, thus, the passenger load decreases, and so they cut more services trying to stay afloat.

But I think what we have to think about and why we call this—as I mentioned in the press conference—why we call this a transportation bill is that we are concerned with the movement of goods and people from point A to points B or C or D or wherever it is. And the number of vehicle miles traveled in the United States is dramatically increasing. After all, we have got a bigger population than we had 25 years ago, and it's constantly growing.

So, the question is, are we just going to—as the roads get crowded, are we just going to build wider and wider and wider and wider roads, we going to pave the country, or are we going to try and move people—have available methods of moving people in other fashions in an economical manner, and then, of course, you go into things like the funding for Amtrak. And we believe, at least I believe strongly, that it's proper to fund Amtrak out of this—out of the Highway Trust Fund moneys so that we can hopefully get ridership up as it is in congested areas in Europe, for example, and reduce the demand on the Highway Trust Fund to build wider and wider roads and more of them.

So, that's the philosophy behind—that's why we call it, once again, a transportation bill.

Mr. FLEMING. Senator Chafee, if I could just parallel Don's comments on the transit issue. Certainly, we recognize the importance of a multi-modal approach. I would say that the experience in St. Louis is that transit—MetroLink, in terms of a quality system and its location, has become a system of choice by some riders. It's not simply a last resort.

But that said, and in addition to the fact that the citizens of the region voted overwhelmingly to support local funding to extend it, even when you look at some of the most sophisticated transit systems in the country on the Southern Governors' Association panel we had with representatives from Atlanta, the MARTA system, which is very well-developed, fulfills a very important function in Atlanta's system. It's less than 5 percent of the travel.

So, even if we are successful in doing multi-modal approaches and having MetroLink and we think it's a vital part of our transportation, we clearly need the resources to both maintain and expands upon our other surface transportation needs in terms of highways and roads.

Senator CHAFEE. There is no argument there. But I just wanted to explain why some of this money, for example, has been used for buses and Amtrak, and I don't know whether your system in Missouri gets anything out of this.

Mr. CLARKSON. Maybe, Senator, that is the explanation for the wisdom in your bill to leave it up to individual states to determine how they spend their money, because I believe whether you call it western migration or the people trying to leave Europe and there's people trying to leave other places because of freedom and mobility is constricted, and I really think if you look at the desires of people,

at least in most the country, it's not to use mass transit. It's to use individual transportation, if you go back to do a comparison.

Senator CHAFEE. I think you are right.

Senator BOND. And I would just say in conclusion, that while we think that mass transit and if Amtrak—and if we keep Amtrak around, it will be an option, but Amtrak is not going to decrease the need for roads. The availability of Amtrak, even MetroLink, does not appreciably affect enough riders so that it changes our needs. And that's why I would like to work with you on some other way of finding money for Amtrak. I would say that I have a minimum amount of high enthusiasm for taking Amtrak funds out of existing Highway Trust Fund dollars. I know how important Amtrak is on the eastern corridor, and we recognize there's a national interest in it, but this—if there is anybody in this crowd who would like to see Amtrak dollars come out of the Highway Trust Fund, would you please hold up your hand? There's one, two, three. Mr. Dreyfuss, you work for the State, or you lobby for Kansas City?

Mr. DREYFUSS. No. I work for a private business.

Senator BOND. A private business. This lady is from Sedalia?

Audience Member. Saline County, Missouri.

Senator BOND. The Marshall area. Would like Amtrak. And you are from——

Audience Member. Blue Springs.

Senator BOND. And you happen to do a little railroad business?

Audience Member. I have a little selfish interest.

Senator BOND. Harmon Industries. OK. But that's—that's about—I would say that's representative of the views of Missourians on that. I think that's about fair. Do you have any further questions?

Thank you all very much. It's very helpful to have the testimony, and we appreciate your time, and now we are going to move into another area that is of great interest, and that is the intermodalism. Mr. Gary Evans, executive vice president and CEO of Farmland Industries and chairman of the Heartland Freight Coalition, Mr. Malcolm McCance is the existing building manager for St. Louis Chamber of Commerce, and Brian Mills, Cass County Commissioner for the Northern District, co-chair of the Mid-America Council, Total Transportation Policy Committee.

Again, thank you, and my apology, gentlemen. We are taking a little longer than we expected to get to you, but we are delighted to have you here.

Mr. Evans?

STATEMENT OF GARY EVANS, EXECUTIVE VICE PRESIDENT AND CHIEF EXECUTIVE OFFICER, FARMLAND INDUSTRIES, AND CHAIRMAN, HEARTLAND FREIGHT COALITION

Mr. EVANS. Good afternoon, and I thank you for this opportunity to comment concerning America's transportation legislation. I am speaking to you as the chairman of the Greater Kansas City Chamber of Commerce, Heartland Freight Coalition.

The Freight Coalition was formed in 1995 to implement Kansas City's Intermodal Freight Strategies Study. My remarks today are focused on the intermodal aspects of transportation policy.

Now, we define intermodal as moving freight between two points by a combination of two or more methods of transportation. Although Kansas City has a vested interest in air cargo and keeping the Missouri River viable for navigation, I want to focus the majority of my comments on freight activity, truck to rail and rail to truck. As the No. 2 rail center in America with nearly 700 trucking firms, we think that Kansas City knows intermodal.

We believe ISTEA has done little to improve the nation's intermodal freight infrastructure. In Kansas City, which appears to be ideally positioned to benefit from a national focus on intermodalism, no major examples exists of this Federal policy having any impact other than consuming thousands of dollars as our local metropolitan planning organization struggles to comply with the bureaucracy mandated by this act. A lot of time and money were spent studying things, but a lot of things haven't been done.

We do not, however, believe the current act needs sweeping changes. Rather, like Kansas City's own transportation infrastructure, it needs to be improved to work more efficiently with some new additions and proper funding.

First, the act needs to preserve the role of the Metropolitan Planning Organizations in the transportation planning process. It is through the MPOs that community dialog and consensus building on transportation priorities may be achieved. Also, since State Departments of Transportation often have an overriding commitment to highways, the MPOs may be best able to objectively consider the intermodal needs of the freight community and how they interact with other priorities such as air quality and brownfields mitigation.

Second, the act needs to focus on completion of our nation's freight infrastructure. While this mainly relates to the National Highway System priorities, it's critical to railroads. The National Highway System contains a category for intermodal connectors to better facilitate the movement of goods between modes, ensuring those goods move by the most efficient manner. And there are several of those in Kansas City that must be funded.

A national freight infrastructure should also improve safety and improve timeliness. An effective means of doing this is elimination of at-grade rail crossings, especially in the rural areas. This would save hundreds of lives reduce product loss, reduce environmental risk from spill and make the nation's freight system work better.

A national freight infrastructure should also seek to optimize existing transportation resources rather than encouraging new facilities. In this age of technological sophistication and global competition, it is in the nation's interest to promote development in the use of inland ports such as Kansas City to complement traditional ports and border crossings. An intermodal approach to moving goods makes it possible to reduce highway congestion, especially in urban areas near crossing borders and deep-water ports, by getting goods bound for cross-country destinations off the roads. The positive impact on highways and the environment of goods moving by various modes deserves more study and attention, as does the development of innovative, inland solutions to congested traditional ports.

Along the same line, a national freight infrastructure should account for other areas of public policy, especially in the arena of

trade. Kansas City's business community supported NAFTA and most other trade agreements. We have been working to secure designation of a new category in ISTEA for International Trade Corridors. While generally landmarked by I–35 and I–29, we seek a technological intermodal and trade-oriented corridor that uses all the nation's freight assets along the broad corridor. We urge Congress not to limit the development of such corridors to highway improvements, but to encourage the development of truly intermodal corridors to account for congestion, space, time and profitability.

Finally, it is a significant oversight that air maintenance areas, such as Kansas City, are not eligible for congestion mitigation or air quality category funds to allow them to remain in attainment. Having such funds provides individual regions the ability to think outside the box and address other transportation issues. A region like Kansas City that does everything to support and to meet with the spirit of the Clean Air Act Amendments and ISTEA should not be penalized for success. It should be rewarded and encouraged toward continuous improvement.

I want to thank you for this opportunity to discuss some of the priorities this year. We look forward to working with you, especially Senator Bond, to achieve a bill that will be good for the nation's shippers and carriers, but more importantly, good for consumers and consumers' bottom line. Thank you.

Senator BOND. Thank you very much, Mr. Evans.

And now, Mr. McCance.

STATEMENT OF MALCOMB MC CANCE, EXISTING BUILDING MANAGER, ST. JOSEPH CHAMBER OF COMMERCE, ST. JOSEPH, MISSOURI

Mr. MCCANCE. Senators, thank you for the opportunity to discuss Missouri's River Navigation Industry and its impacts on the State of Missouri. My name is Malcolm McCance. I am an economic developer for the St. Joseph area Chamber of Commerce. The point I would like to make with you today is that river navigation is very important to the economic health of the St. Joseph area as well as the State of Missouri.

Missouri lies dead center of the U.S. inland waterway system. Our State has over 1,000 miles of navigable waterways that move about 30 million tons of bulk commodities annually. According to studies conducted by Price Waterhouse and Mercer Management Consultants, the value of this cargo is almost $4 billion. This is a huge industry for our State directly affecting 30,000 jobs and indirectly supporting over 250,000 jobs and industries that are dependent on waterway transportation.

One of the industries benefiting most from waterway transportation is agriculture. Access to navigable waters benefits Missouri's agriculture through more competitive transportation rates, expanded transportation capacity, higher farm-level commodity prices and lower input costs.

More than 30 percent of Missouri's total farm marketings are destined for export. Generally speaking, the cheapest way to get these commodities into world markets is by waterways.

Farm inputs like fertilizers and chemicals are transported to Missouri farms via waterways. This is because farm inputs are

generally shipped more expensively by barge than any other transportation mode. The bottom line is that the waterway transportation serves to keep the costs of the foods we eat low.

Unfortunately, the Corps of Engineers doesn't manage the Missouri River the way its Master Manual tells it to. When the Corps deviates from its own management document, it does so to the detriment of industries dependent waterway transportation. Over the last 9 years, the Corps has adjusted Missouri River water flows outside of its master plan, thereby shortening the navigation season. It has deviated from its own Master Manual for the purpose of increasing upstream recreation benefits.

Adjustments to the navigation season cause businesses to rethink their commitments to river transportation, investments in processing plants and transportation facilities. This is a nightmare, not only for businesses, but for communities trying to increase jobs and investment. It's hard to understand how Congress can allow the Corps of Engineers to subordinate navigation and industrial development in favor of recreation.

Job creation and economic development in Missouri cannot be held hostage to upstream recreational interests.

We appreciate Senator Bond's continual and unwavering support of the barge industry here in Missouri.

The St. Joseph community to moving forward with the planning and development of a regional intermodal transportation facility that includes a 19-acre public riverport and the development of 200 acres of adjacent industrial land. Intermodal shipping, a technology combining the efficiencies of railroad, trucking and steamship industries, is an attractive activity for a number of reasons. It provides an alternative to relying on the highway system for goods movement. It can take some trucks off the highway, thereby relieving congestion and road wear. It's energy efficient, offers air quality benefits by reducing truck traffic, and intermodal ensures competitive shipping capabilities at competitive costs to existing and new industries. All of these advantages add up to job growth and job growth is what we all desire.

The site selected for the intermodal transportation facility in St. Joe is encircled by and connected to Class 1 railroads serving all parts of North America. The site has direct access to U.S. Interstates 29 and 229 and is within minutes of Rosecrans And Kansas City International Airport. The area is bordered to the west by the Missouri River. It is in a flood plain and is levy protected. The intermodal facility will join 32 existing enterprises in the area. These surrounding businesses employ 3,300 workers and make up the core of St. Joseph's industrial base. Most of these businesses are engaged in food processing, chemical and agribusiness. Flood plain development and river navigation is very important to St. Joseph. Over 9,500 jobs or 17 percent of our work force are directly or indirectly employed in industries dependent on water transportation. St. Joseph has over $1 billion in industrial assets located in levy protected area. Obviously, flood protection is vital to the economic health of St. Joseph.

In conclusion, I ask the committee to recognize the vital economic role of the waterways in industrial development, job creation, and

the need to integrate waterways into a plan linking road and railway transportation.

Thank you.

Senator BOND. Thank you very much, Mr. McCance.

And now we turn to Mr. Mills.

STATEMENT OF HON. BRIAN MILLS, CASS COUNTY COMMISSIONER, NORTHERN DISTRICT, AND CO-CHAIR, MID-AMERICA REGIONAL COUNCIL TOTAL TRANSPORTATION POLICY COMMITTEE

Mr. MILLS. Thank you. Good afternoon. My name is Brian Mills, and I am a County Commissioner from Cass County, Missouri. I currently serve on the Board of Directors for the Mid-America Regional Council known as MARC, and I am the Missouri co-chair of its Total Transportation Policy Committee. I am here today representing MARC and on behalf of the organization and the local governments we represent. I would like to welcome you all to Kansas City and to thank you for this opportunity to provide input to you on ISTEA, the ways it has worked in our region and the things we think Congress should be considering as it moves toward reauthorization of this landmark legislation.

MARC is an association of local governments for the bi-State Kansas City metropolitan area, an area encompassing eight counties, 114 cities, and a population of about 1.6 million. As a designated metropolitan planning organization for this region, MARC has worked closely with the State and local governments, transit operators, private sector businesses and the general public to forge a transportation plan for the region and the target transportation investments in ways that foster important community goals and objectives.

ISTEA empowered organizations like MARC to become key participants in the transportation decisionmaking process while promoting effective partnerships with other levels of government and maintaining effective public involvement. We have also been active in building with the private sector in our process, particularly in the area of intermodal freight. Three years ago MARC undertook an extensive study of freight transportation in cooperation with the Greater Kansas City Chamber of Commerce. This landmark study resulted in the creation of the Heartland Freight Coalition, and now MARC also has a standing Goods Movement Committee to provide broad-based input on freight transportation needs.

In the true spirit of intermodalism, we have currently as of the first of the year restructured many of our transportation committees to provide not only with the freight community, other business and private sectors as air community, bike and pedestrian as well as the highway users.

In short, we believe that ISTEA has been a success, and that its basic principles and features should be continued. Over the past several months MARC has worked closely with our sister agency in St. Louis, the East-West Gateway Coordinating Council and the Missouri Department of Transportation to forge a unified position on ISTEA reauthorization. A policy statement has been developed and approved by all of these participants. Although additional changes and refinements are still being discussed, we hope to se-

cure endorsements of the policy statement by other interested groups so that Missouri can truly speak with one voice as the dialog on reauthorization proceeds.

A similar effort is now under way in Kansas, and we anticipate that a consensus policy statement will emerge within the next few weeks from that process as well.

We have also presented our Missouri consensus position to our national organization AMPO, the Association of Metropolitan Planning Organizations, as well as our Governor, Governor Carnahan, has presented his position to the National Governors' Association, and both of those organizations received the position very warmly.

The Missouri policy statement contains ten specific points, several of which I would like to highlight for you. Firstly, we believe there continues to be a compelling national interest in making sure that the nation's transportation infrastructure performs effectively including, both metropolitan and interregional systems.

Second, we believe that the new apportionment formulas should be developed for the long term to better reflect the national interest. Minimum returns to states based upon their contributions to the national trust funds should be a long-term consideration but not a dominant factor in the allocation of funds. During this transition to a new set of formulas, we do support a short-term formula that sets aside funds for interstate restoration and bridge replacement and repair, and that guarantees states a minimum return of 95 percent of the relative amount contributed to the Highway Trust Fund.

The policy recommends that the extension of ISTEA requires state, in consultation with metropolitan planning organizations like MARC, to develop a method for allocating all Federal funds within each state. This will allow metropolitan areas to make more accurate projections of the available funds and develop more realistic regional plans and programs. This process truly brings decisionmaking to the level closest to the citizens and the users of our systems.

The policy also supports continuation of the basic program structure of ISTEA, and we believe that the reauthorization of ISTEA should maintain the act's focus on intermodalism and on the cooperative decisionmaking process among states and local communities working under the auspices of metropolitan planning organizations. We also believe that the state-wide planning requirements of ISTEA, which incorporate the outcomes of metropolitan plans and programs should be retained.

Air quality is an issue of considerable importance in this region. As a maintenance area threatened with future violations of Federal air quality standards, the Kansas City metropolitan area has been working diligently to enact measures to preserve our clean air status. Yet because we are designated as a maintenance area, just prior to the enactment of ISTEA, we received no CMAQ funds on the Missouri side and only a minimum allocation on the Kansas side.

Newly designated maintenance areas were allowed to retain their CMAQ funds as a result of language included in the National Highway System Designation Act. This change did not, however, benefit the Kansas City region. We believe that the CMAQ pro-

gram should be revised to provide funding to all maintenance areas so that flexible funding is available to support our continuing emissions reduction efforts.

Similarly, the policy supports continuation of funding for Transportation Enhancements. However, we strongly believe that these programs should reflect and clearly benefit transportation systems and users.

Finally, I would emphasize that the policy supports taking the national highway and transit trust funds off-budget, the transfer of 4.3 cents used for deficit reduction back to the Highway Trust Fund and setting the authorization levels to spend down excess fund reserves. We recognize, however, that these decisions must be made in the context of overall strategies to reduce the Federal deficit. As a first step toward this, the MARC Board of Directors has gone on record in support of the proposed Highway Trust Fund Integrity Act of 1997 co-sponsored by Senator Bond and Senator Chafee. Several local governments in this region are currently considering resolutions in support of this legislation. And I have brought five or six of those with me today and several will be forthcoming.

We are proud to have played a role in forging this consensus position and hope it's helpful to you in this arduous task of reconciling the many competing interests involved with reauthorization. If we can be of any assistance to you in this process, we would be happy to do that, happy to answer any questions.

Senator BOND. Thank you very much, Brian. You had me a little nervous there, all the things that you wanted, but I do appreciate very much your endorsement of the Highway Trust Fund Integrity Act because there are many competing interests. We hope this is a doable, reasonable compromise, and you certainly have been in the forefront. Several of the things that Mr. Evans said about intermodalism really concerned me. We keep thinking this is the way to go. But, Mr. Evans, what went wrong? Has it been cured? What is the problem? You are referring to——

Mr. EVANS. Well, I think it's the application as far as applying for some of the money for——

Senator BOND. Is it the Washington bureaucracy, the MPO bureaucracy?

Mr. EVANS. I think the application of applying for this requires something like 18 different studies or 18 different reports or studies that have to be complied with, some of the more critical ones being the—of course, you have to have a transportation plan in place, and then you have to do environmental impact studies, the feasibility studies. I mean, certainly those are very critical ones and those are the ones that should be looked at, but there are many others that go along with it that requires time, a lot of people's time, and it takes a lot of people's time, and we found that a lot of times it appears that the interest goes down as we get into more and more of those studies as we are working toward those Federal funds.

Senator BOND. We would like to work with you and find out if we are overthinking the thing and overstudying it and not achieving the goal. This is a concern. Mr. McCance, Mr. Mills, you want to comment on that? Have you seen those problems?

Mr. MILLS. It's true. As you deal with the private sector, some of the planning processes and some of the extra things that we have to go through seem to be burdensome. On one hand, though, we don't want to throw out the baby with the bath water because just recently on a few major investment studies that we have performed here in the Kansas City region, we have been able to come up with a greater utilization of our shrinking Federal highway dollars to solve problems that maybe in the past would not have been thought through and would have took care of a short-term need instead of a long-term need.

One of the things we have recently done at MARC, and it is so new, is by having our goods movement committee and now all of our TIP programs will actually have a goods movement committee have input on how those projects affect goods movement and also have the ability to submit freight projects through the TIP process through the highway committee. So, hopefully we will have a better coordination with the private sector and the regulations that we have to follow now.

Senator BOND. Do you think there's still too many reports committees? Could this thing be streamlined? How can we make a work better?

Mr. MILLS. It could easily be streamlined, especially on the environmental side of it. There's duplication in the NEPA process and the MIS process, extreme duplication, and also the shelf-life. I am in the process of a study affecting my own county right now, and we are wanting to maybe go forward with a full environmental assessment but we know it's going to be 5, 6, 7 years before the project can possibly be built and the shelf-life of the document is only good for 3 years. So, why spend hundreds of thousands of dollars to complete a document that the Federal Government is only going to allow us to maintain for 3 years? There is a lot of problems there.

Senator BOND. That's something for us to ponder.

Senator Chafee?

Senator CHAFEE. Thank you, Senator.

I was interested, Mr. Mills, in the point, and others made this. Maybe—I am not sure who, maybe it's Mr. Evans—about not getting the CMAQ funds because you were in the maintenance status, and it just seems unfair. If you had still been in violation, if you had still been non-compliance and gotten off later, you would still be entitled to funds—you would be entitled to funds, right?

Mr. MILLS. Right. I am thrilled that you recognize that because we have been having a tremendous time trying to have the administration understand that. I mean, so many people think that the problem was solved with the NHS bill, and it was solved for a lot of people, but we were the largest clean air metropolitan city in the country, and at one time, that was a great honor. Now, it's a great honor with a big price tag because we are, in a sense, being penalized for that at this time.

Senator CHAFEE. I am not saying we can fix it up absence doing something on the new bill, but it certainly gives us—we better remember this when we do the new bill.

Senator BOND. We will be discussing that with you and your staff, Mr. Chairman. We will be there.

Senator CHAFEE. Well, I thought you might be.

Senator BOND. We will help. I will make a note of that.

Senator CHAFEE. Come via Amtrak, will you?

Senator BOND. If they don't cut out all of the service. We are down to—they cut us back very badly.

Senator CHAFEE. And I think that was one of the things we were pointing out earlier, as far as ridership. OK. I was interested, Mr. Evans, in what you had to say about the MPOs. You had some problems but then you came to the conclusion that the role of the MPO should be preserved.

Mr. EVANS. Well, I think it's referring back to my earlier comments about the—and what Mr. Mills spoke of as far as the MPOs putting together the impact studies that had to be conducted for the funds that we were seeking and the thousands of hours that these people were spending on these types of projects. But, yet, at the same time with we think as far as setting priorities for funds and fund use that the MPOs can certainly bring balance to that as far as the individuals working on that, bring balance to the fund utilization making sure that it's spent wisely and in very strategic locations.

Senator CHAFEE. Thank you. Thank you all very much. Thank you.

Senator BOND. Thank you, and we very much appreciate your testimony.

And now we are very pleased to have Mr. John Lieber who is the Deputy Assistant Secretary for Transportation Policy in the Office of the Secretary who is going to join us.

Mr. Lieber, we received your full statement, and we will make that a part of the record, and we will study that. We would appreciate if you could keep your comments to about 5 minutes, please. We apologize for taking so long. We found a lot of interest in the other panels, but we very much appreciate your being here and are grateful to you.

STATEMENT OF JOHN LIEBER, DEPUTY ASSISTANT SECRETARY FOR TRANSPORTATION POLICY, OFFICE OF THE SECRETARY, DEPARTMENT OF TRANSPORTATION

Mr. LIEBER. Thank you for having me. And I found it very useful to be present and to hear the testimony from so many different important players in this part of the world.

Mr. Chairman, Senator Chairman Chafee, I am appearing today by several of the senior senate highway administration officials in this part of the country, the Regional Administrator of Federal Highways, David Gieger, who is the Division Administrator of Kansas and Jerry Riesen, who is the Missouri Division Administrator. We wanted them to be here to listen and to learn as well.

Mr. Chairman, I appreciate the opportunity to come to the Midwest to talk about the ISTEA reauthorization. As everyone has spoken of today, by virtue of this region's position at the crossroads of the country, it has had historically a special role in the development of our economy and of our transportation system.

Secretary Slater's stated priorities are infrastructure investment in safety and common sense and all of our activities closely mirror the issues that you have addressed at this hearing today. And in

each area we believe the $175 billion NEXTEA reauthorization proposal that was announced on March 12 by the President and by Secretary Slater has a great deal to offer.

First let me turn to safety. For Secretary Slater and the entire Department of Transportation, safety is and always will be No. 1. Our NEXTEA proposal includes a variety of programs to improve roadways in rural as well as urban areas. Overall, it increases safety funding by a total of about $2 billion over the life of NEXTEA, over ISTEA levels. We are proposing to create, in addition, a new program to help states get up their safety belt usage and also to increase funds available for programs reduce drunk and drugged driving. And obviously, we also want to continue and increase funding to eliminate physical road hazards such as those you have heard so much about earlier today.

Second, economic development. People in this area are well aware of how vital the efficiency and reliability of our transportation system, and especially freight transportation, is to our economic well-being. That's especially true as more and more manufacturers rely on just-in-time delivery systems and as exporters depend on lower transportation costs to give them a competitive advantage overseas.

NEXTEA recognizes the important of continuing the increased infrastructure investment even as we press to achieve a balanced budget. Under the President's proposal, funding authorizations would increase by 11 percent over ISTEA levels. We are highly programmed to increase by nearly 40 percent. I know that you, Senator Chafee and Senator Bond, have put forth a significant proposal aimed at increasing the resources available for infrastructure investment, and we at DOT look forward to working with you as appropriate as the discussion goes forward.

NEXTEA also would help to grow our economy by disassociating increased trade we are seeing from NAFTA and other trade agreements in addition to dedicating more money for core highway programs. NEXTEA includes new tools to improve border crossings and to develop major north-south trade corridors within the U.S.

NEXTEA also would have a direct impact on business transportation by making a variety of freight facilities, intermodal terminals and rail access to waterports, for example, fully eligible I believe for Federal aid.

All of this will help to cut cost and improve our transportation systems efficiently, which is good for business, good for people, and key for economic development.

With respect to intermodalism, each of us attaches a different meaning to the phrase "intermodalism." But at the bottom, intermodalism is really about two things; improving connections and increasing choices for transportation efficiently. ISTEA permitted the use of NHS dollars to fund highway connections to key intermodal facilities, and we have some very significant ones in this state. NEXTEA goes one step further by allowing investment in the intermodal terminals themselves where the connections actually take place as part of the NHS program.

Kansas City, Missouri, and you have just heard a fair amount about this, has been a national leader in freight intermodalism. The Mid-America Regional Council, MARC, developed a strategic

plan on how to enhance KC's role as one of the major rail intermodal hubs in the country. We hope and expect that NEXTEA would help to support the network to achieve highway and rail connections as well as specific intermodal projects that were identified in that effort.

Intermodalism is also got choice. NEXTEA would provide State and local governments with expanded flexibility to target Federal funds to the specific investments that work best for them, whether they are for highways, transit, freight intermodal, rural intelligent transportation system applications, intercity bus or Amtrak, the latter two being key lifelines for rural America. We need not tell Missouri, Rhode Island, or any State what the most important factor is in any given situation. We need to expand, not reduce the manual transportation quota that's available to the State and local governments.

Missouri has also been a leader in developing intermodal planning processes ISTEA envisioned as the mechanism for this type of informed decisionmaking. The East-West Gateway Coordinating Council in St. Louis and the Mid-America Regional Council here have become models of innovative, multimodal and inclusive regional planning. Together with the State government, they have developed a historic and half-breaking agreement for state's MPO cooperation and process collection. And we at DOT are talking about that agreement a lot around the country.

In closing, let me just say, at its heart, ISTEA reauthorization is about more than roads and bridges. It is about cutting-edge jobs in commerce, it's about getting people to work, it's about providing and safety, it's about building communities for our children.

Overall, we think NEXTEA sustains those goals and will help to prepare America's transportation system for the 21st century. Mr. Chairman, that concludes my oral statement. I am, of course, prepared to answer any questions you may have.

Senator BOND. Thank you very much, Mr. Lieber. And thank you for your many thoughtful comments. We were very encouraged by your statements about the Highway Trust Fund Integrity Act. We look forward to working with you in the administration on that. We certainly appreciate the categories about the cooperation in the metropolitan planning agencies and the state. We may need to work with you on ways to cut down some of the duplicating or overly burdensome studies that are required. That's something that we will work with you—look forward to working with you on.

I have a little problem when we are talking about the budget. You have come up with some wonderful authorizations, but it kind of looks to me like the project got hijacked at OMB because we don't have the outlays. In other words, the authorized level goes up, but the Office of Management and Budget has held the outlays, even decreased them. So, that means we get empty promises rather than increase. What are the outlay numbers in your budget proposal?

Mr. LIEBER. The numbers that I have been talking about are authorization numbers. I don't have the budget numbers handy. But the point you make is an important one. We believe that during NEXTEA, as during ISTEA, raising the authorization levels will help over time to sustain good annual appropriation for transpor-

tation, and we are determined to work with the Congress to achieve that goal.

The other thing that we are obviously very committed to is a variety of strategies to help make the Federal dollar worth more to the State and local governments as we provide it. In this state, we have through the years a variety of different innovations, financing techniques been able to build projects earlier, like Watkins Drive here in Kansas City. We were able to do a couple of the bridges earlier, the three bridges that you and your colleagues here in Missouri had identified, through the use of innovative financing techniques in combination with some of that bridge discretionary money so that the Federal dollar becomes worth more and, therefore, would provide more support.

Senator BOND. And I will say again, as I have on many occasions, that Secretary Slater was—or Highway Administrator Slater was extremely helpful in the three-bridge package, and that was a major boost for this State when he helped us there. You are talking about flexibility. I would hope that the administration would come around to the position where if the State of Rhode Island wants to use its Highway Trust Fund money for Amtrak because it makes sense that the State of Missouri could use its Highway Trust Fund money maybe to 4-lane Highway 63 so that the Winklers' concerns could be dealt with.

I would think that that flexibility would enable us in different states and different regions to decide what really is important. And you certainly—after you have heard the testimony today, I think you would have to agree with me that there is no way we can tell the Winklers and other families and lost loved ones on the highway that we should be taking money away from potentially those 4-lane highways for Amtrak. I think that would be very difficult in our state. And in Rhode Island, it makes a great deal of sense.

Mr. LIEBER. As you know, Senator, our proposal for the Surface Transportation Program which would dramatically increase in terms of authorization levels doesn't prove that flexibility for Amtrak or other uses. So, that is one approach we are moving along.

If I may say it for a moment, on the subject of the 4-laning of roads, the substantial increases in investment that we propose to make in the National Highway System category would be helpful in connection with that problem. Forty percent of the National Highway System road mileage is two lanes, and, indeed, that money at the higher levels we are talking about and I know you are contemplating could help to support expansion of those roadways where appropriate.

We are also—and there was some dialog on this earlier—proposing significant increases, in addition to the core programs that will help with road widening. In the safety set-aside category which previously had been in the STP category, we are proposing to increase that to $3–1/2 billion, which is about a 50-percent increase over what it was under ISTEA, and that enables you to improve the shoulders, improve the intersections install guardrails, improve pavement, dramatic safety improvement available there.

Senator BOND. I thank you very much for your comments, and I thank you very much for the promise of the budget—the authorization recommendations, but we are from Missouri, and the au-

thorizations don't cut it when the cash doesn't come. I think Jerry Maguire had something about in going for the cash and the outlay problems meaning that we, these authorizations, are quite frankly, empty promises. So, we are going to have to work to get the outlay figures up, and that's where I hope that Senator Chafee and I can get this Highway Trust Fund Integrity Act through because that should solve that problem, which is a serious one under your proposal.

Senator Chafee?

Senator CHAFEE. Thank you.

Mr. Lieber, your department is going to come up with some safety legislation in connection with this.

Mr. LIEBER. Yes, sir.

Senator CHAFEE. And we have got some hearings coming up fairly soon. I am not sure exactly when. But when will you have that safety legislation?

Mr. LIEBER. We are mindful of the date that you have scheduled for the hearing and we are pushing to get it out in time for that.

Senator CHAFEE. OK. Then you have got some studies on truck size and weights. Likewise, we will be hearing from you on that?

Mr. LIEBER. Yes. Those studies are underway. Those will not be completed in the same timeframe, though. That's going to be a little later this year.

Senator CHAFEE. All right. Those are the only questions I had, Mr. Chairman. And thank you for coming.

Senator BOND. Thank you again, Mr. Lieber. We will keep your statement as a part of the record.

We have identified a number of areas where we are going to be looking forward to working with you and your department, and I am very pleased that you were here and able to hear from the cross-section of leaders around the state, and I would tell you that as we have found, if you need any more information from any of them, we will find them more than willing to share their views with you. They have been very generous with us, and to all of our witnesses we say a sincere thanks and particularly all of those in the crowd——

Senator CHAFEE. Mr. Lieber, you heard, for instance, comments on the CMAQ program, and somebody who had gotten into maintenance but was kept from getting the funds.

Senator BOND. Kansas City.

Senator CHAFEE. That if they misbehaved more, they would be better off. Or maybe misbehaved isn't a proper word. If they hadn't complied they would be better off. So, it seems a little rough.

Mr. LIEBER. That's definitely a concern, sir.

Senator BOND. Thanks to all of you for coming. We very much appreciate it. Senator Chafee, I am deeply indebted to you, and Senator Warner. This is of the highest priority in Missouri, and I thank you all for joining us.

[Whereupon, at 2:30 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

[Additional statements submitted for the record follow:]

STATEMENT OF CHRISSY WINKLER, MOBERLY, MISSOURI

Mrs. Chrissy Winkler. My name is Chrissy Winkler, and I am here today to represent all the families who have lost loved ones on this dangerous 2-lane highway. I lost my husband Tracy on October 25, 1996, on this highway. Not only did I lose my husband but the father of my three children. He was on his way home when he was hit head-on by an out-of-state driver. I feel that he would still be here today if this road would have been 4-lane because there were guardrails on both sides of the road, and he had nowhere to go.

Since my husband's death, my children and I have had to make many changes. We are learning to do the things that Tracy would have done for us. There's a tremendous responsibility to raise our children without the love and support of Tracy.

Tracy and I had been married only 16 years on October 10, 1996. He was my best friend and his loss means I can no longer look forward to the many things we shared. For example, we shared the same birthday, and this year I had to celebrate that day without him. Needless to say, my birthday is no longer a joyous day.

My children and I have our own special guardian angel. He is looking over us, and his name is Tracy. It is still very painful and very difficult. Now I am teaching our oldest daughter Leslie, who is 16, to drive, and I know that 1 day she, too, will want to drive on Highway 63.

Our 14-year-old son Lance used to spend his weekends with his father hunting and working in our car wash. Now, he no longer has the privilege to learn from and enjoy time with his father.

Our youngest daughter Elizabeth is just 7 years old and will not have the opportunity to do the things with her father and share with him the special things that she does.

Tracy will miss our children's graduations, birthdays, holidays, weddings, and the grandchildren that they will some day have.

Highway 63 needs to be widened to prevent future tragedies for our families. The widening of this 23-mile corridor will decrease the risk of fatal head-on collisions. As of right now, motorists continue to pass on the road's shoulder, over hillsides and at bridges.

Safety is a goal all of us must work together to achieve through better highway improvements such as making Highway 63 four lanes.

I want to see something good come out of the tragic loss of my husband and the father of my three children. No one should have to go through what I am going through.

So, will you please help us get Highway 63 4-lane before the year 2003? Thank you.

STATEMENT OF CAROLYN WINKLER, MOBERLY, MISSOURI

Mr. Chairman, Members of the Committee, I am so grateful for the opportunity to speak to you about Highway 63 in Missouri.

My name is Carolyn Winkler—My husband Art is here with me today.

The force that compels me to be here is that on October 25, 1996 Art and I experienced a parent's nightmare. Our son Tracy was killed in a head-on collision on Highway 63. He was not quite 35 years old.

This tragedy occurred on an approximately 23 mile stretch of 2-laned 63 between Columbia and Moberly when an out-of-state driver pulled into his lane hitting Tracy head-on!

We feel that had this been 4-laned our son would be alive today.

According to Missouri Highway Patrol statistics compiled by the North Central Missouri Safety Council, in the past 6 years there have been 1,086 accidents, resulting in 483 injuries and 30 deaths.

The 23 mile area of 2-lane highway where our son lost his life, carries 8,500 to 9,500 vehicles every day.

You only have to make one trip from Columbia to Moberly to see the dangerous incidents that happen. People are in a hurry to get to or from work and out-of-state drivers that pass, don't realize they will probably be only 3 or 4 cars ahead when they reach safe 4-lane roads at either Moberly or just north of Columbia.

Many times each day, drivers are observed passing on the right shoulder in the face of oncoming traffic and on hills and curves.

Other drivers must slow down or, if they are fortunate enough to have time, get over on the shoulder.

Tracy didn't have that opportunity. It appears he only had an instant's warning before being hit head-on.

The 4-laning of Highway 63 is way overdue and may have been passed over in favor of construction on less life-threatening roads in the past.

All of that is irrelevant now, except for one very important fact, my husband and I have lost our precious son, our daughter-in-law and their 3 children must continue their lives without the love and support of their husband and Dad and our two daughters have lost their only brother.

Over 16 years ago Tracy and Chrissy moved into their home across the road from us, where Chrissy and the children continue to live. Each day we watch them struggle with their grief and the frustrations they encounter without Tracy.

The petitions we have with us have been signed by over 3700 persons who desperately want and need this road 4-laned. Tracy only made this trip between Columbia and Moberly once or twice a month. What are the odds for people traveling it everyday?

The lives of the citizens in our community all of our sons, daughters and even our own lives depend upon completing this 4-lane project.

In memory of Tracy, we're asking you to please get Federal finding assigned for 4-laning Highway 63 and help us get it started now!

It is my prayer that none of you or anyone else has to experience the horrible nightmare of losing a child or a loved one before this project is completed.

Thank you.

STATEMENT OF MIKE RIGHT, VICE PRESIDENT, PUBLIC AFFAIRS, AMERICAN AUTOMOBILE ASSOCIATION, ST. LOUIS, MISSOURI

Thank you. I want to express the appreciation of my organization for this committee's decision to come to Missouri and for the opportunity to bring to this committee the views of our area's motorists. I always want to thank you, Senator Bond, for your tireless efforts insisting on equity in the distribution of transportation funds.

The compelling sorrow of the tragedy the Winklers suffered is repeated thousands of times each year in every state. In Missouri, we endured more than 1,100 traffic deaths last year, an increase over the previous year, and tens of thousands of disabling injuries. Our panel's topic, safety, has been given little singular focus in recent Federal transportation bills. Instead, current law in an attempt to be all-inclusive has been restricted, actually restricted the use of funds in certain categories, most notably enhancements and congestion mitigation funds from being used to improve highway safety.

The administration recently rolled out its NEXTEA proposal. This effort goes even beyond ISTEA in diminishing highway safety by increasing by 30 percent the funding in congestion mitigation and transportation enhancement categories which effectively prohibit the use of these funds to enhance safety.

This administration's proposal is more interested in supporting projects designed to strengthen the cultural, aesthetic and environmental aspects of our transportation system than applying known solutions to our highway safety problems.

While supportive of the nation's environmental and aesthetic goals, AAA questions whether those goals are more appropriate uses of motorists' taxes than is investing in saving lives, lessening injuries and reducing accidents.

To steal a phrase from the current hit movie Jerry Maguire, "Show me the money." AAA asks Congress and this administration to "Show us the safety improvements."

There are some in the administration and Congress that view the Highway Trust Fund which is responsible for the bulk of highway improvements in this country that view it as a bloated cash cow with enough teats for every possible special interest or advocacy group.

AAA has long held that diversion of highway user funds for non-highway purposes is wrong and injurious to the health of our nation. ISTEA created numerous programs and stakeholders that annually divert billions and billions of dollars, away from critically needed investment in construction, repair and maintenance of our roads and bridges.

These and other diversions of funds from critically needed highway improvements means safety must be further deferred. With limited resources, we must recognize that choices, intelligent choices must be made to achieve what is most important to the public. And what is more important than their safety?

A recent poll of more 4,000 AAA members in our area found that their No. 1 highway improvement priority was 4-laning of 2-lane roads. They also sought to have greater use of safety features on our highways.

The material provided to this committee on the results of a study by the AAA Foundation for traffic safety on the safety effects resulting from approval of the Na-

tional Highway System shows the safety benefits we can expect if we chose to use our resources wisely.

For example, by increasing lane width to 12 feet, we can expect a reduction in accidents of 12 to 40 percent. By increasing shoulder widths by 2 to 8 feet, we can get accident reduction of 7 to 28 percent. By removing roadside hazards from within 5 to 20 feet of the roadway would get a 13 to 44 percent fewer accidents. By reducing the curvature of a road by degrees, we can expect 15 to 75 percent fewer accidents. And by installing median barriers, we improve our accident rate by 10 to 20 percent.

The AAA study also conservatively estimated that for every dollar invested in accident reduction a $3 benefit is received.

These are the kinds of highway improvements that are being deferred or ignored in Missouri and in other states because both ISTEA and NEXTEA call for diverting funds from these and other critical safety needs.

The Highway Trust Fund is not a cash cow. We cannot afford to embrace narrow interests at the expense of the safety of our nation's road users. We here in Missouri want to be shown the safety improvements. Thank you.

STATEMENT OF BARRY L. SEWARD, PRESIDENT MISSOURI TRANSPORTATION AND DEVELOPMENT COUNCIL

Chairman Warner, Committee Chairman Chafee, Senator Bond, thank you for making possible this Senate Field Hearing on Transportation. We appreciate your coming to Missouri and being with us here in Kansas City.

I am Barry Seward, Senior Vice-President at Health Midwest, a regional health system and health-care provider here in Kansas City. I am very pleased to appear before your committee today as President and Board Chairman of the Missouri Transportation & Development Council, a state-wide citizens' transportation support organization that serves as an advocate for safe and efficient transportation in Missouri.

We know, from Senator Bond and other members of the Missouri congressional delegation, that the U.S. Senate and the full Congress readily acknowledges the importance of maintaining and modernizing the infrastructure of our Country. We understands too, that you place great significance on the interstate system...and now the National Highway System. We believe, as we are sure you do, that the safety of Americans is a key consideration for advancing a modern transportation system for this country.

The leadership of your Environment and Public Works Committee, Senator Chafee, and that of the Subcommittee on Transportation and Infrastructure, Senator Warner, is most appreciated. And of course, we value very highly the contribution to transportation both nationally...and here in Missouri...that has and is being made by your colleague and our distinguished senior Senator "Kit" Bond.

We were particularly pleased last month that the Senator would choose our Missouri Transportation & Development Council Annual Meeting in Jefferson City as one of the locations to announce the Chafee-Bond initiative to put trust back in the Trust Fund—the "Highway Trust Fund Integrity Act of 1997". For your information our MTD Board later that afternoon unanimously agreed to support the objectives of that bill.

Now let me focus more specifically on the safety of our citizens. The transportation community in Missouri understands what better highways and safer bridges can do to save lives and reduce injuries from motor vehicle accidents in our State Safety was a major consideration in 1987 when the voters of Missouri were asked to increase the motor fuel tax to improve highways and bridges...and those voters responded positively.

Then—highway safety took on new meaning for us in the early 90's when a study requested from our Department of Transportation by MTD identified just how many lives we could save . . . how many horrible injuries could be avoided . . . how many accidents could be prevented . . . by making an investment in better highways and safer bridges.

The MoDOT study determined from actual driving history in Missouri the specific accident rates for various types and conditions of roadways. This gave us real data...not a national study that had to be interpreted to our State. Knowing the accident rates based on how Missourians drove on Missouri highways, the computer wad then used to project the savings in lives, injuries and physical damage that would occur if the State delivered a specific set of highway/bridge improvements in a specified timeframe.

The results of this analysis were dramatic...and very important, the safety of Missouri citizens became one of the cornerstones of a 1992 state-wide campaign to inease Missouri state motor fuel taxes to save lives..,reduce injuries...cut-down on ail accidents. Hero's what Missourians were promised if they would approve more state money to go with the anticipated higher levels of Federal funding in the new ISTEA——

- 6.700 lives saved;
- 265,000 injuries avoided;
- 530,000 total accidents prevented.

Most of the savings came from a plan to upgrade nearly 1,900 miles of Missouri roadways...almost all of which are on the National Highway System—to divided lane highways over a period of 15 years. important, too, was a plan to widen bridges.

Improvements to old, narrow, 2-lane roads—many of which carry Missourians and visitors to tourist attractions in our State—were also planned to widen the driving lanes, provide adequate shoulders, and remove roadside hazards that cause so many of our accidents in rural Missouri. Missourians were told that the planned improvements would make the State's roads twice as safe and that the program would pay for itself in just the savings of lives alone.

The program began in earnest in 1992 to make the highway and bridge improvements that would bring about those projected savings in lives and avoid thousands of injuries. Unfortunately we have fallen behind in our program...and are struggling to find a way to deliver the planned projects on time so that those promised benefits will be realized by the motoring public in our State.

I should add that our concern has been heightened with a recent report, which our Council requested from TRIP—The Road Information Program—an independent transportation research/information agency based in Washington D.C., to give us an update on the status of our highway system in Missouri. Unfortunately, the report indicated the highway fatalities in our State have risen by 17 percent since 1993, increasing to 1,109 deaths in 1995. Tragic news, indeed.

The TRIP report helps identify the impact of highway improvements on safety.

- Highway fatalities are significantly higher on two lane roads than on four lane roads. Nationally, 77 percent of highway deaths occur on two lane roads. Two-thirds Of Missouri's major roads, excluding interstates, are not 4-lane divided highways.
- Missouri's highway fatality rate is above the national average. A serious concern for a state where vehicle travel, according to TRIP, grew by 51 percent between 1985–1995, compared to the national average of 37 percent.
- Bridge improvements yield dramatic reductions in fatal accident rates, according to TRIP: widening or modifying a bridge has been shown to reduce fatalities by 49 percent...constructing a new bridge can reduce fatalities by 86 percent. So Missourians have their lives at stake in terms of what we do about bridges in Missouri which has the seventh highest percentage of structurally deficient or functionally obsolete bridges in the nation.
- The lane width of a road is another important factor affecting safety Nineteen percent of Missouri's non-interstate major roads are less than the desired minimum lane width of 12th–15th highest percentage in the Nation. We must make progress. According to Federal Highway Administration data, widening a road lane by one foot can lower accident rates by 12 percent Widening by two feet can lower accident rates by 23 percent The good news is that a new initiative is underway in Missouri to reevaluate our highway and bridge improvement needs.

Besides the prompt response needed On the US 63 corridor, other Missouri Highway Corridors on the National Highway System also require similar attention. They include: MO 5 Corridor, MO 7–13 Corridor, MO 17–41 Corridor, US 36 Corridor, MO 47 Corridor, US 50 Corridor, Link the Lakes Corridor, US 61 Corridor, US 65 Corridor, US 67 Corridor, US 71 (North) Corridor, US 71 (South) Corridor, 92–10–13 Corridor, and US 136 Corridor.

I am very privileged to represent our Council on the Governor's Total Transportation Commission which is presently developing transportation visions, strategies and action plans for Missouri and ultimately a "total transportation plan". We applaud Governor Mel Carnahan for his leadership and continuing support in the area of transportation.

The commission is giving safety prime consideration. Our current draft mission statement includes a phrase which says that "Missouri's total transportation system will: satisfy the mobility needs of Missourians by providing safe, cost-effective transportation choices...".

Various proposed strategies also refer to safety .. reducing the statewide accident rates and upgrading bridges.

I am hopeful that the Commission will, within the next couple of months, recommend a total transportation plan that will include delivery of highway and bridge

improvements that will bring about the dramatic and important improvement in vehicular safety that we all seek. The role of the Federal Government in returning to our State at least 95 percent of the highway user fees we send to Washington will not just be important—it will be absolutely critical—to our success in saving lives and avoiding horrible injuries. The reauthorization of ISTEA is needed to provide for a stabilized program which will return maximum dollars to our State for highway and bridge preservation and modernization.

Specifically——

- We believe that the new Plan should provide a minimum return to all States of 95 percent. Missouri is one of only eight states that received 80 percent or less of its contribution to the Federal highway trust fund in the years fiscal year 1992–95.
- We believe that a primary focus for the Federal program should be the upgrading of the National Highway System over the next 10 years We need to be able to count on the Federal revenues to improve the safety of our system, so we support action by the Congress which best provides for stabilized return of dollars to the States. We are following very closely and in fact will support the present movement in the House behind the "Trust In Budgeting Act" to take the transportation trust funds off-budget.

Again, we are very appreciative of the initiative sponsored by Senator Chafee and Senator Bond to provide a clear linkage between trust fund receipts and trust fund expenditures. This will bring more money to Missouri. Important also, is that it will assure us of substantially more revenues if the 4.3 cents now used (or deficit reduction is returned to the Highway Trust Fund.

In closing, let me again thank you for your leadership in the area of transportation. The safety of our citizens is on the line. We pledge you the strongest possible support from the Missouri Transportation and Development Council, and our very diversified membership. We urge you to help us—through development of an aggressive Federal transportation program that focuses on making America's roadways and bridges as safe as possible.

STATEMENT OF TOM BOLAND, CHAIRMAN, MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION, HANNIBAL, MISSOURI

Good afternoon, Senator Chafee, Senator Warner, and Senator Bond. I am Tom Boland, Chairman of the Missouri Highway and Transportation Commission. We thank you for coming to Missouri to give us this opportunity to speak about issues important in Missouri and the reauthorization of the nation's Federal transportation law.

You have a dedicated, hard-working colleague in Senator Bond. He does an excellent job in carrying forward the interests of Missouri and the nation. Thank you, Senator Bond, for your excellent work.

My topic today is the safety of our highways and bridges. Senator Bond has been absolutely instrumental in helping to solve some of those most pressing safety problems. His relentless efforts in Washington helped secure funds that allowed us to start replacing three of our most decrepit major river bridges, the Chouteau bridge across the Missouri River here in Kansas City and the Hannibal and Cape Girardeau bridges across the Mississippi River.

In Missouri, we can demonstrate the need for increased Federal funding to improve the safety of our highways and bridges all too well. Let me take you on a short tour down the Missouri and the Mississippi Rivers. The Missouri enters the State at our far northwest corner, goes southward to Kansas City and then crosses the entire State and joins the Mississippi at St. Louis. The Mississippi River forms the entire eastern boundary of Missouri.

More than 40 bridges on the State and Federal highway system cross these two rivers in Missouri. Half are more than 50 years old. More than half of these bridges are structurally deficient or functionally obsolete when evaluated by Federal criteria. They are too narrow or have severe weight restrictions, or both, that prevent commercial vehicle use and obstruct the economic vitality of many of our communities.

Missouri needs major replacement bridges at Hermann, Washington, Waverly, Miami, Rulo, Lexington, and across the St. Francis River into Arkansas, just to name a few, and we need some new bridges, including one across the Des Moines River at St. Francisville to serve the Avenue of the Saints and to cross the Mississippi River at St. Louis.

These old, narrow brings are used by tens of thousands of Missourians every day who would prefer to travel on up-to-date, wider structures. They wonder why these

old bridges are safe. Now, we inspect all these bridges at least once a year to ensure that they are safe and they are repaired as needed. But the best solution for serving our citizens is modern bridges.

These major river bridges are extremely expensive. It's virtually impossible to pay for them from the state's annual allotment of funds, particularly when there is a need for earthquake protection and retrofitting that faces us along the Mississippi from St. Louis south to the Arkansas border. Similar needs in other states simply magnify this urgent Missouri problem.

We cannot overestimate the safety aspects of these bridge needs. I strongly urge the committee to include a sizable and discretionary bridge fund in the reauthorization legislation to help states meet this urgent safety need. A bridge discretionary fund of as much as $800 million per year is absolutely justified which would allow the states to get bridge funds quickly to replace high-cost structures.

I have focused on the bridges crossing our two major rivers. The task at hand becomes even more daunting when you consider we have an additional 2,700 bridges in Missouri that cross lesser rivers or lakes that also need replacement. We are barely making a dent in these bridge needs under today's funding levels.

The issue of safety, of course, relates to all of our highways as well as our bridges. One of the most rapidly growing areas in our State is south of St. Louis in Jefferson County. We have replaced portions of a winding, narrow 2-lane Route 21 that serves the area with a 4-lane highway, and as a result, there's been a significant and gratifying drop in the accident rate. We need to continue this work southward on Route 21 where the fatality rate is nearly 35 percent higher than the State average for similar highways.

You have already heard the compelling statements from Mrs. Winkler on behalf of the need to improve Route 63 in north Missouri where traffic is heavy and accidents are much too frequent. Driver frustration sets in. Unnecessary chances are taken, and tragedy occurs. This is a stretch of highway where fatality rates are more than 50 percent above the national average.

The same situation exists on Route 7 and 13 in west central Missouri, and on portions of Route 36, a major northern route across the State between Hannibal and St. Joseph and Route 60 across southern, Missouri from Cape Girardeau to Springfield.

These highways are carrying traffic that exceeds their 2-lane design. We desperately need funds to correct and construct four lanes which will greatly improve their safe use. And these are merely examples and certainly do not represent an exhaustive list of the many highways and bridge safety needs in Missouri.

Please understand that we fully recognize that all of you are working hard on legislation that would increase Federal highway and bridge funds available to the states. We are extremely grateful for your continuing efforts, and I hope my thoughts today simply reaffirm this goal. And let me again thank you very much for coming to Missouri to give us this opportunity to express our thoughts to you.

STATEMENT OF JOHN WAGNER, JR., WAGNER INDUSTRIES, INC., AND CHAIRMAN, GREATER KANSAS CITY CHAMBER OF COMMERCE

Thank you. Good afternoon. I am John Wagner, President of Wagner Industries, a trucking, warehousing and logistics firm employing more than 600 people in Kansas City. I am third generation in the family business that started in Kansas City's west bottoms in 1946. This year I have the privilege to chair the Chamber's Surface Transportation Committee. The Chamber is pleased to have the honor of appearing before so distinguished a panel to discuss such important legislation.

A healthy transportation industry is vital to the economic well-being of the nation. That is no less true in Kansas City, a town founded on transportation and distribution. Transportation remains a vital industry. More than 40,000 individuals are employed as a result of Kansas City's transportation industry with a payroll of more than $2 billion. The impact on regional output and gross regional product amounts to about $5 billion and 3.3 billion respectively.

What is unique in Kansas City, however, and what makes it strong is that its employment is spread over a variety of sectors and a large number of employers. Take the trucking industry, for instance. Of the nearly 700 trucking companies in our region, more than 600 employ fewer than 50 people. Kansas City is a hub for nine major rail lines. Kansas City International Airport is one of four area airports with freight operations and is the busiest air cargo facility by tonnage in a six-State region. More than 40 barge terminals and docks support river shipping and more than 400 miles of highway give Kansas City more highway miles per capita than any U.S. city. In addition, area businesses have invested in more than 1,500 miles

of fiber optic cable beneath the city streets to speed the exchange of shipping and other data. We are at the vanguard of Intelligent Transportation Systems and have been the model of bi-State cooperation.

Having said that, there are some priorities we believe need to be addressed as a part of the transportation policy being considered in this year's Congress. They are not the result of think-tank research. They are basic and fundamental.

First, integrity needs to be restored to the transportation trust funds. There is no better way to make Federal funds productive than to spend them on infrastructure. With billions of dollars being paid in good faith by people who use transportation amenities, there are ample funds collected to facilitate the movement of goods and people in the United States and to grow its economy. This is an appropriate time to indicate the Chamber's support for measures such as the Bond/Chafee Highway Trust Fund Integrity Act. This bill ensures money collected for highways will be used for highways.

But that bill is a first step. Beyond that it is important that the 4.3 cents currently being collected for deficit reduction be transferred to the Highway Trust Fund. We believed it was bad public policy to utilize highway user fees for deficit reduction be transferred to the Highway Trust Fund. We believe it was bad public policy to utilize highway user fees for deficit reduction when it was done, and we continue to believe it today.

Next, it is unconscionable that the nation's transportation investment has been allowed to deteriorate the way it has. I would be a poor businessperson if I didn't maintain my warehouses and vehicles and other equipment. It is even worse stewardship that the Federal Government continues a policy that promotes and rewards new construction rather than maintenance and preservation of a transportation system that is already pretty darn good. Studies have shown the exponential costs associated with repair or replacement of facilities compared to the cost of simple maintenance. The nation's transportation policy should encourage communities to maintain assets rather than to simply build new ones.

Along the same lines, the Nation has invested billions of dollars on transportation assets from coast to coast yet has done little to connect those assets technologically or economically. Kansas City is pursuing a vision as a non-traditional inland port for world goods. We believe the inland assets already in place here combined with a strong work force and ample space make it a logical reliever for traditional ports of entry that are strained beyond capacity. An intermodal and high-tech strategy to relieve congestion at the borders by utilizing inland facilities should be considered as part of the nation's transportation strategy.

Another simple but important transportation policy question that needs to be finally settled is a commitment to inland waterways and navigation, including the adherence to existing Federal policy and operating manuals. Sometimes we wonder why it's so hard for certain individuals to grasp the relevance of waterways and their relationship to price for transportation. Of course, the Missouri River has not met its potential for moving goods. It has never had a predictable season. Its ports and terminals have received minimal public investment, and the long-range plan for locks and dams was never completed. Still, it makes a difference in millions, perhaps billions, of dollars annually in the cost of moving goods due to its competitive influence. This is money saved by producers and consumers. It would be an international embarrassment to further curtail shipment on the Missouri River.

We are thankful to have a watchdog in the Senate in Senator Bond on this matter.

Finally, and in summary, we urge Congress to not allow the Washington bureaucracy to continue thinking departmentally concerning transportation and to adequately fund maintenance and completion of the nation's freight infrastructure.

Thank you for your thoughtful attention to these remarks.

STATEMENT OF RICHARD C.D. FLEMING, PRESIDENT AND CEO, ST. LOUIS REGIONAL COMMERCE AND GROWTH ASSOCIATION

Thank you, Senator. My name is Dick Fleming. I am President and Chief Executive Officer of the Regional Commerce and Growth Association of St. Louis, the RCGA. We are the 12-county Bi-State Chamber of Commerce and the Regional Commerce and Growth Association for the St. Louis area. We represent some 4,000 business and civic entities in both Missouri and Illinois.

We are pleased that Senator Chafee and Senator Warner accepted your invitation to come to Missouri to learn firsthand about the importance of transportation to our state. Of course, we very much appreciate and recognize your continuing role in leadership and the authorization of transportation legislation in this nation.

The St. Louis region with its central geographic location, it's a natural national as well as international transportation center. As we look at it from an economic development standpoint, we see a number of threads that are tied together with the kind of focus and objectives that NEXTEA is speaking to. Highways—they are the crossroads of four major interstates. Rail—major hub for rail for decades. We are the third largest in the United States. Air—we are the second fastest growing airport in the world in Lambert and the sixth overall busiest airport in the United States. Ports—we are the second largest inland port in the United States. In fact, one sixth of the tonnage moved on U.S. inland waterway systems goes through St. Louis. And transit—where MetroLink was recognized last year nationally as the best the transit system in North America.

A need exists for intermodal relationships between these transportation systems in St. Louis and throughout the country. There is also an inextricable link between infrastructure investment and sustained economic development.

The RCGA strongly advocates the importance of preserving the existing transportation infrastructure systems, as my colleague just testified, while at the same time addressing the necessity for certain new projects. In St. Louis, in addition to maintaining and rehabilitating or expanding the interstate highway network, we have a need for new bridges, especially a major one crossing the Mississippi River near downtown St. Louis. Thirty percent of the employees in downtown St. Louis live in Illinois and must cross bridges to work. It's a lifeline to our region.

In 1994, we created the greater St. Louis Economic Development Council to provide unified regional and proactive economic development with the goal of 100,000 new jobs in our region by the year 2000. I am pleased to support that we have already surpassed the 43,000 number on that goal, and we still have a number of years to go.

One of the Economic Development Council's key priorities is to capitalize on transportation and distribution infrastructure inherent to the St. Louis region and to encourage and promote much-needed major infrastructure investment, such as new bridges, the expansion of Lambert International Airport and the expansion of MetroLink, the transit system. The 1995 survey of national site selection executives for manufacturing companies rated "highway accessibility" as the No. 1 decision factor in choosing where to expand and relocate companies. A similar survey in the same year indicated for headquarters companies a functioning international airport being the No. 1 criteria.

With that in mind, last year the RCGA established an Infrastructure Council, headed by the St. Louis managing partner of Price Waterhouse, with eight committees chaired by top CEOs from the St. Louis business community. Their goal is to spearhead an economic development agenda in aviation, roads and bridges, transit, ports, freight, clean water, telecommunications and a public affairs program to support them.

These committees recently recommended their first round of specific action plans to the RCGA board just several weeks ago. For example, our freight committee in its examination of issues over the past year has pointed out a very graphic example of how vital it is to preserve the highway system and to eliminate major traffic bottlenecks as part of economic development.

It may come as somewhat of a surprise to our visiting Senators from Rhode Island and Virginia that next to Detroit, St. Louis is the secretary largest manufacturer of vehicles in the United States. General Motors, Ford, Chrysler, all have major plants in St. Louis employing over 11,000 people. These high-technology recently retooled manufacturing plants, like others in the auto industry, are relying increasingly on just-in-time delivery of parts from a growing number of local suppliers.

For example, at the Chrysler complex located on the southwestern edge of St. Louis in the metro area in Fenton, almost 1,900 minivans and pickup trucks are built every day. Local suppliers with only 2 hours turn-around deliver such components as frames, axles, tires, wheels, seats and fascias in the exact order of the vehicles on the assembly line.

I would like to also call attention to another RCGA infrastructure priority involved transportation. RCGA has staunchly and actively supported regional programs targeted at attainment of air quality standards. Yet U.S. EPA has unfortunately now proposed new National Ambient Air Quality Standards for Ozone and Particulate Matter which will mitigate much of the progress achieved to date relative to the State Implementation Plan. Our business community and our civic leadership have been very active in our opposition to these new standards as some will, in all likelihood, jeopardize local highway projects threatened with the loss of Federal transportation funds. We propose that the provisions for air quality related to highway funding sanctions be removed from NEXTEA.

In closing, for the past several months for the past half year, I have had the privilege of being one of two representatives appointed by Missouri Governor Carnahan to the Southern Governors' Association Transportation Task Force.

Our positions locally and the positions of this task force which were recently released comported directly. And I will summarize in closing very briefly.

• No. 1, Spend down the cash balances in the Federal transportation trust funds.—No. 2, if retained, the 4.3 cents per gallon Federal funds tax currently deposited in the general fund for deficit reduction should be redirected to transportation purposes.—No. 3, guarantee all states a minimum of 95-percent return of their Highway Trust Fund contributions without a penalty for receiving demonstration project funding.—No. 4, encourage the Federal Highway Administration to support greater public/private partnerships between State Departments of Transportation and the private sector as we have begun to do here in the State of Missouri.—No. 5, projects to improve freight transportation should receive higher priority in the allocation of public funds and the development of potential sites for intermodal connections. And finally,—No. 6, each State should be required to include the private sector exclusively in the state's metropolitan planning organizations either through chambers of commerce, economic development organizations or other designated business groups. In essence, forming a triangular partnership on behalf of regional transportation infrastructure between the State DOTs, local government and the private sector.

STATEMENT OF DON CLARKSON, VICE PRESIDENT, CLARKSON CONSTRUCTION COMPANY KANSAS CITY, MISSOURI

Thank you. My name is Don Clarkson. I am with the Clarkson Construction Company based here in Kansas City. I also want to thank Senators Warner, Chafee and especially Senator Bond for their tireless efforts on behalf of transportation. Also, I would like to thank the representatives McCarthy and Dannon for the same.

I will address the reasons why ISTEA must be reauthorized and how these reasons relate to Missouri. We, in the construction industry, maintain an awareness of a properly functioning highway and bridge system. Fast, reliable and economic transportation is paramount to our nation's productivity and international competitive position. Our highways and bridges are of our greatest importance.

Seventy-two percent of Missouri's goods and services, and that's $170 billion a year, are delivered over our nation's highways. As Senator Warner has said, the transportation of products to and from coastal ports will become increasing important as international trade grows. Reducing transportation costs through a more efficient highway system is essential. Over 55 percent of our nation's manufacturers, as referred to earlier, use just-in-time delivery of goods and services.

But furthermore, in the next decade there will be 25 to 30 million new jobs added, hopefully. By 2000, domestic freight tonnage will increase 30 percent. By 2010, overall highway travel is expected to top 3–1/2 trillion vehicle miles per year. That's a half again what we have today. Vehicle travel in Missouri will double its 1995 levels in the next 10 years.

If the U.S. businesses are to become more competitive and if the American public is expected to have a standard of living rise, we must do the following: As our improved—we must address our nation's highways. If U.S. businesses are to become more competitive, as they must, and the American public has the opportunity to improve its standard of living, then we are soon forced to address the condition of our nation's highway system.

And I believe this is important and this is why I use the word "maybe" a minute ago. As our improved transportation system allows our businesses and their products to be more competitive, the employment opportunities necessary for our increasing population will be created.

Our Highway Trust Fund paid for the construction and the maintenance of our 900 plus thousand mile Federal aid highway system. This system has spurred the development of the State and local highway systems so necessary for the healthy activity of our nation's economy.

There are some alarming trends. The United States investment in all types of infrastructure ranks dead last behind all of our major G7 competitors as a percent of our GDP. We spent only 39 billion in 1993 on roads and bridges or about $16 billion less than the investment needed according to the FHWA just to maintain current conditions. FHWA estimates an annual investment of around $64 billion to improve conditions to address the unfunded requirements noted above.

It's particularly alarming that capital outlay in the United States has now dropped to only $16 per 1,000 vehicle miles traveled from the $32 per 1,000 that

we were investing in 1960. 1960, I think we will all recall, was a time when the U.S. economic star was surely rising on a worldwide basis, and it's not right now.

But to address your question, I believe that this phenomenon, this increase in capital investment per vehicle-mile-traveled, may well correlate to the recently deteriorating safety and fatality rates. I think that it could be found that the necessary upgrades of lanes, 4-laning, bridge widening, so necessary both in the rural and the urban areas, will do much more to provide real safety than these individual safety enhancement projects that are carved out in the program, and I believe that the Winklers can testify to that.

In fact, Missouri's investment decreased 16 percent from 1985 to 1995 while travel increased 51 percent.

There have been many studies performed by the U.S. Department of Transportation, the Congressional Budget Office, the Federal Reserve Bank, even, that shows that spending specifically on highway transportation projects improves the U.S. economic productivity, contributes to an improved standard of living and yields long-term economic rates of return even higher than the average in private capital.

There's some more immediate benefits. Improved highway conditions immediately improve air quality by reducing auto emissions. As Senator Bond has said, 43 percent of the Missouri's rivers and freeways were congested last year.

The Missouri Department of Transportation must somehow with Federal help, Federal aid, build the promised improvements described in its 1986–1989 need studies for all of these reasons. Each billion dollars invested in highway capital improvements generates over $3 billion in economic activity. That's the short-term gain. Missouri's share of Federal funding alone in 1997 will provide 17,000 jobs. Vehicle operating costs are immediately reduced. In Missouri, motorists spent $459 million last year, and that's $128 per motorist in extra, unnecessary vehicle repairs and operating costs because of driving on bad roads. Unnecessary if they had good roads.

In summary, there is a rising economic tide, both short-term and long-term, that is available to U.S. businesses, consumers, employees, and the public in general if we will just rehabilitate and expand our National Highway System. This system represents an investment made in the past that allowed us to achieve and now support our current standard of living. Our continuing ability to compete economically and improve the quality of life for ourselves and our children will require additional investments toward the need to expand and improve the existing highway system.

And the question that comes up, I believe, in these proceedings, is that maybe the Senators could teach us or their staffs could teach us how to expand the outspoken support on this all-important endeavor to beyond meetings like this and get the public energized on what really is the best for all of us.

STATEMENT OF PETER HERSCHEND, VICE CHAIRMAN, SILVER DOLLAR CITY, INC. BRANSON, MISSOURI

My name is Peter Herschend. I am Vice President and Co-Owner of Silver Dollar City, Incorporated. We are headquartered in southwest Missouri. And as you know, Senator Bond, for southwest Missouri, air, and most importantly, surface transportation is the lifeline of a rural destination vacation area. Without that lifeline, there is no possibility of dynamic economic growth. It won't happen.

The travel industry is at a national and international level now the largest single segment of commerce, and it is projected to be so well into the next century. In Missouri, and in multiple other states, tourism is a major generator of State and Federal tax revenue. Missouri's travel economy alone generates better than $1 billion in State and local tax revenue, and it is easily the second largest tax-generating segment, by SIC code, for Missouri's general revenue.

Branson, Missouri, population, 4,725 people—you may have heard of our little town, sir—was visited by 5.8 million guests in 1996. Our small region alone produces $1 billion of Missouri's $10 billion gross travel expenditures.

Mr. Chairman, as you can well picture, adequate and fair distribution of ISTEA funds is of prime importance to our region as it is to the entire State of Missouri.

The Missouri Department of Transportation has worked hard and fast to help the Branson/Ozarks area grow an adequate surface system capabilities. That work continues today as we speak. We, in Branson, were saddled in 1985 with a road system barely able to handle 2.5 million visitors. Explosive growth, nicely explosive growth, but explosive growth, nonetheless, in our region in 1991 through 1993, and the visitor count more than doubled to 5.8 million visitors that I mentioned earlier.

The Missouri Department of Transportation and local efforts were put in place to help overcome that huge bottleneck. Much has been done and much more needs to be done. The plans are ready, the equipment is ready, but we need the financial

fuel in the tanks to make it go. And that fuel is an even-handed, fair and aggressive distribution to the states of ISTEA funds when it is finally reauthorized, exactly what your bill and Senator Chafee's bill and Senator Warner's bills have proposed.

The travel tourism industry is not the only user of a first-class transport system. Southwest Missouri is a major trucking hub serving all the Midwest. Missouri Department of Transportation has moved aggressively to build a system that will attract even more firms to the area.

And Senator Bond, you have been instrumental in working toward funding of improved mass-transit systems for Branson to make more effective use of ISTEA dollars.

Depending on the season, 5 to 10 percent of all the visitors coming to southwest Missouri arrive at and through the Springfield/Branson Regional Airport. That airport, too, has applied for ISTEA assistance.

It comes to this. The transportation capabilities of our region and this entire State is like a huge water valve supplying life-giving water to crops. We cannot grow more until that valve is opened more, and MoDOT cannot open the valve more if other regions of the Nation are receiving disproportionately higher ISTEA revenues versus Missouri's fair share. ISTEA reauthorization needs to be soon and equal.

I want to tell you a quick story about Mabel. Mabel doesn't know anything about what we are talking about here. She is a waitress in Branson. My wife and I were having lunch there at her restaurant 1 day not too long ago, and the place was really busy. Mable said, "Gee, isn't this wonderful?" And I said—looking around the restaurant, and I said, "Yes, this really is." Mabel was talking about how really good it was for her because she said to us, "You know what's really good about this?" And we said, "No," thinking it was her tips. She said, "This is the first year I have never had to borrow money to pay my gas bill in order to get through the winter."

What Mabel didn't know was that the reason she was able to do that was because a surface system was starting to be in place to bring people to her region of the country. But without the proper reauthorization of ISTEA funds, Mabel may have to go back and borrow her gas or heating bill money for this winter.

STATEMENT OF GARY EVANS, EXECUTIVE VICE PRESIDENT AND CHIEF EXECUTIVE OFFICER, FARMLAND INDUSTRIES, AND CHAIRMAN, HEARTLAND FREIGHT COALITION

Good afternoon, and I thank you for this opportunity to comment concerning America's transportation legislation. I am speaking to you as the Chairman of the Greater Kansas City Chamber of Commerce, Heartland Freight Coalition.

The Freight Coalition was formed in 1995 to implement Kansas City's Intermodal Freight Strategies Study. My remarks today are focused on the intermodal aspects of transportation policy.

Now, we define intermodal as moving freight between two points by a combination of two or more methods of transportation. Although Kansas City has a vested interest in air cargo and keeping the Missouri River viable for navigation, I want to focus the majority of my comments on freight activity, truck to rail and rail to truck. As the No. 2 rail center in America with nearly 700 trucking firms, we think that Kansas City knows intermodal.

We believe ISTEA has done little to improve the nation's intermodal freight infrastructure. In Kansas City, which appears to be ideally positioned to benefit from a national focus on intermodalism, no major examples exists of this Federal policy having any impact other than consuming thousands of dollars as our local metropolitan planning organization struggles to comply with the bureaucracy mandated by this act. A lot of time and money were spent studying things, but a lot of things haven't been done.

We do not, however, believe the current act needs sweeping changes. Rather, like Kansas City's own transportation infrastructure, it needs to be improved to work more efficiently with some new additions and proper funding.

First, the act needs to preserve the role of the Metropolitan Planning Organizations in the transportation planning process. It is through the MPOs that community dialog and consensus building on transportation priorities may be achieved. Also, since State Departments of Transportation often have an overriding commitment to highways, the MPOs may be best able to objectively consider the intermodal needs of the freight community and how they interact with other priorities such as air quality and brownfields mitigation.

Secondly, the act needs to focus on completion of our nation's freight infrastructure. While this mainly relates to the National Highway System priorities, it's critical to railroads. The National Highway System contains a category for intermodal connectors to better facilitate the movement of goods between modes, ensuring those

goods move by the most efficient manner. And there are several of those in Kansas City that must be funded.

A national freight infrastructure should also improve safety and improve timeliness. An effective means of doing this is elimination of at-grade rail crossings, especially in the rural areas. This would save hundreds of lives reduce product loss, reduce environmental risk from spill and make the nation's freight system work better.

A national freight infrastructure should also seek to optimize existing transportation resources rather than encouraging new facilities. In this age of technological sophistication and global competition, it is in the nation's interest to promote development in the use of inland ports such as Kansas City to complement traditional ports and border crossings. An intermodal approach to moving goods makes it possible to reduce highway congestion, especially in urban areas near crossing borders and deep-water ports, by getting goods bound for cross-country destinations off the roads. The positive impact on highways and the environment of goods moving by various modes deserves more study and attention, as does the development of innovative, inland solutions to congested traditional ports.

Along the same line, a national freight infrastructure should account for other areas of public policy, especially in the arena of trade. Kansas City's business community supported NAFTA and most other trade agreements. We have been working to secure designation of a new category in ISTEA for International Trade Corridors. While generally landmarked by I–35 and I–29, we seek a technological intermodal and trade-oriented corridor that uses all the nation's freight assets along the broad corridor. We urge Congress not to limit the development of such corridors to highway improvements, but to encourage the development of truly intermodal corridors to account for congestion, space, time and profitability.

Finally, it is a significant oversight that air maintenance areas, such as Kansas City, are not eligible for congestion mitigation or air quality category funds to allow them to remain in attainment. Having such funds provides individual regions the ability to think outside the box and address other transportation issues. A region like Kansas City that does everything to support and to meet with the spirit of the Clean Air Act Amendments and ISTEA should not be penalized for success. It should be rewarded and encouraged toward continuous improvement.

I want to thank you for this opportunity to discuss some of the priorities this year. We look forward to working with you, especially Senator Bond, to achieve a bill that will be good for the nation's shippers and carriers, but more importantly, good for consumers and consumers' bottom line.

STATEMENT OF MALCOLM MCCANCE, ST. JOSEPH CHAMBER OF COMMERCE, ST. JOSEPH, MISSOURI

Senators, thank you for the opportunity to discuss Missouri's River Navigation Industry and its impacts on the State of Missouri. My name is Malcolm McCance. I am an economic developer for the St. Joseph area Chamber of Commerce. The point I would like to make with you today is that river navigation is very important to the economic health of the St. Joseph area as well as the State of Missouri.

Missouri lies dead center of the U.S. inland waterway system. Our State has over 1,000 miles of navigable waterways that move about 30 million tons of bulk commodities annually. According to studies conducted by Price Waterhouse and Mercer Management Consultants, the value of this cargo is almost $4 billion. This is a huge industry for our State directly affecting 30,000 jobs and indirectly supporting over 250,000 jobs and industries that are dependent on waterway transportation.

One of the industries benefiting most from waterway transportation is agriculture. Access to navigable waters benefits Missouri's agriculture through more competitive transportation rates, expanded transportation capacity, higher farm-level commodity prices and lower input costs.

More than 30 percent of Missouri's total farm marketings are destined for export. Generally speaking, the cheapest way to get these commodities into world markets is by waterways.

Farm inputs like fertilizers and chemicals are transported to Missouri farms via waterways. This is because farm inputs are generally shipped more expensively by barge than any other transportation mode. The bottom line is that the waterway transportation serves to keep the costs of the foods we eat low.

Unfortunately, the Corps of Engineers doesn't manage the Missouri River the way its Master Manual tells it to. When the Corps deviates from its own management document, it does so to the detriment of industries dependent waterway transportation. Over the last 9 years, the Corps has adjusted Missouri River water flows out-

side of its master plan, thereby shortening the navigation season. It has deviated from its own Master Manual for the purpose of increasing upstream recreation benefits.

Adjustments to the navigation season cause businesses to re-think their commitments to river transportation, investments in processing plants and transportation facilities. This is a nightmare, not only for businesses, but for communities trying to increase jobs and investment. It's hard to understand how Congress can allow the Corps of Engineers to subordinate navigation and industrial development in favor of recreation.

Job creation and economic development in Missouri cannot be held hostage to upstream recreational interests.

We appreciate Senator Bond's continual and unwavering support of the barge industry here in Missouri.

The St. Joseph community to moving forward with the planning and development of a regional intermodal transportation facility that includes a 19-acre public riverport and the development of 200 acres of adjacent industrial land. Intermodal shipping, a technology combining the efficiencies of railroad, trucking and steamship industries, is an attractive activity for a number of reasons. It provides an alternative to relying on the highway system for goods movement. It can take some trucks off the highway, thereby relieving congestion and road wear. It's energy efficient, offers air quality benefits by reducing truck traffic, and intermodal ensures competitive shipping capabilities at competitive costs to existing and new industries. All of these advantages add up to job growth and job growth is what we all desire.

The site selected for the intermodal transportation facility in St. Joe is encircled by and connected to Class 1 railroads serving all parts of North America. The site has direct access to U.S. Interstates 29 and 229 and is within minutes of Rosecrans And Kansas City International Airport. The area is bordered to the west by the Missouri River. It is in a flood plain and is levy protected. The intermodal facility will join 32 existing enterprises in the area. These surrounding businesses employ 3,300 workers and make up the core of St. Joseph's industrial base. Most of these businesses are engaged in food processing, chemical and agribusiness. Flood plain development and river navigation is very important to St. Joseph. Over 9,500 jobs or 17 percent of our work force are directly or indirectly employed in industries dependent on water transportation. St. Joseph has over $1 billion in industrial assets located in levy protected area. Obviously, flood protection is vital to the economic health of St. Joseph.

In conclusion, I ask the committee to recognize the vital economic role of the waterways in industrial development, job creation, and the need to integrate waterways into a plan linking road and railway transportation.

STATEMENT OF HON. BRIAN MILLS, CASS COUNTY COMMISSIONER, NORTHERN DISTRICT, AND COCHAIR, MID-AMERICA REGIONAL COUNCIL TOTAL TRANSPORTATION POLICY COMMITTEE

Good afternoon. My name is Brian Mills, and I am a County Commissioner from Cass County, Missouri. I currently serve on the Board of Directors for the Mid-America Regional Council known as MARC, and I am the Missouri co-chair of its Total Transportation Policy Committee. I am here today representing MARC and on behalf of the organization and the local governments we represent. I would like to welcome you all to Kansas City and to thank you for this opportunity to provide input to you on ISTEA, the ways it has worked in our region and the things we think Congress should be considering as it moves toward reauthorization of this landmark legislation.

MARC is an association of local governments for the bi-State Kansas City metropolitan area, an area encompassing eight counties, 114 cities, and a population of about 1.6 million. As a designated metropolitan planning organization for this region, MARC has worked closely with the State and local governments, transit operators, private sector businesses and the general public to forge a transportation plan for the region and the target transportation investments in ways that foster important community goals and objectives.

ISTEA empowered organizations like MARC to become key participants in the transportation decisionmaking process while promoting effective partnerships with other levels of government and maintaining effective public involvement. We have also been active in building with the private sector in our process, particularly in the area of intermodal freight. Three years ago MARC undertook an extensive study of freight transportation in cooperation with the Greater Kansas City Chamber of Commerce. This landmark study resulted in the creation of the Heartland Freight

Coalition, and now MARC also has a standing Goods Movement Committee to provide broad-based input on freight transportation needs.

In the true spirit of intermodalism, we have currently as of the first of the year restructured many of our transportation committees to provide not only with the freight community, other business and private sectors as air community, bike and pedestrian as well as the highway users.

In short, we believe that ISTEA has been a success, and that its basic principles and features should be continued. Over the past several months MARC has worked closely with our sister agency in St. Louis, the East-West Gateway Coordinating Council and the Missouri Department of Transportation to forge a unified position on ISTEA reauthorization. A policy statement has been developed and approved by all of these participants. Although additional changes and refinements are still being discussed, we hope to secure endorsements of the policy statement by other interested groups so that Missouri can truly speak with one voice as the dialog on reauthorization proceeds.

A similar effort is now under way in Kansas, and we anticipate that a consensus policy statement will emerge within the next few weeks from that process as well.

We have also presented our Missouri consensus position to our national organization AMPO, the Association of Metropolitan Planning Organizations, as well as our Governor, Governor Carnahan, has presented his position to the National Governors' Association, and both of those organizations received the position very warmly.

The Missouri policy statement contains ten specific points, several of which I would like to highlight for you. Firstly, we believe there continues to be a compelling national interest in making sure that the nation's transportation infrastructure performs effectively including, both metropolitan and interregional systems.

Secondly, we believe that the new apportionment formulas should be developed for the long term to better reflect the national interest. Minimum returns to states based upon their contributions to the national trust funds should be a long-term consideration but not a dominant factor in the allocation of funds. During this transition to a new set of formulas, we do support a short-term formula that sets aside funds for interstate restoration and bridge replacement and repair, and that guarantees states a minimum return of 95 percent of the relative amount contributed to the Highway Trust Fund.

The policy recommends that the extension of ISTEA requires state, in consultation with metropolitan planning organizations like MARC, to develop a method for allocating all Federal funds within each state. This will allow metropolitan areas to make more accurate projections of the available funds and develop more realistic regional plans and programs. This process truly brings decisionmaking to the level closest to the citizens and the users of our systems.

The policy also supports continuation of the basic program structure of ISTEA, and we believe that the reauthorization of ISTEA should maintain the act's focus on intermodalism and on the cooperative decisionmaking process among states and local communities working under the auspices of metropolitan planning organizations. We also believe that the state-wide planning requirements of ISTEA, which incorporate the outcomes of metropolitan plans and programs should be retained.

Air quality is an issue of considerable importance in this region. As a maintenance area threatened with future violations of Federal air quality standards, the Kansas City metropolitan area has been working diligently to enact measures to preserve our clean air status. Yet because we are designated as a maintenance area, just prior to the enactment of ISTEA, we received no CMAQ funds on the Missouri side and only a minimum allocation on the Kansas side.

Newly designated maintenance areas were allowed to retain their CMAQ funds as a result of language included in the National Highway System Designation Act. This change did not, however, benefit the Kansas City region. We believe that the CMAQ program should be revised to provide funding to all maintenance areas so that flexible funding is available to support our continuing emissions reduction efforts.

Similarly, the policy supports continuation of funding for Transportation Enhancements. However, we strongly believe that these programs should reflect and clearly benefit transportation systems and users.

Finally, I would emphasize that the policy supports taking the national highway and transit trust funds off-budget, the transfer of 4.3 cents used for deficit reduction back to the Highway Trust Fund and setting the authorization levels to spend down excess fund reserves. We recognize, however, that these decisions must be made in the context of overall strategies to reduce the Federal deficit. As a first step toward this, the MARC Board of Directors has gone on record in support of the proposed Highway Trust Fund Integrity Act of 1997 co-sponsored by Senator Bond and Sen-

ator Chafee. Several local governments in this region are currently considering resolutions in support of this legislation. And I have brought five or six of those with me today and several will be forthcoming.

We are proud to have played a role in forging this consensus position and hope it's helpful to you in this arduous task of reconciling the many competing interests involved with reauthorization. If we can be of any assistance to you in this process, we would be happy to do that, happy to answer any questions.

STATEMENT OF JOHN N. LIEBER, DEPUTY ASSISTANT SECRETARY FOR TRANSPORTATION POLICY, DEPARTMENT OF TRANSPORTATION

Mr. Chairman, Members of the Committee, and other Members, it is a pleasure to be invited to come to the Midwest to discuss reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991. By virtue of its position at the crossroads of this country, this area has played a unique role, historically, in the development of our nation's economy and transportation system—a role which continues to the present day.

In his confirmation statement to your Committee 2 months ago, Secretary Slater emphasized three priorities for our Department:

I.Strategic investment in infrastructure;

II.A commitment to safety; and

III.Encouraging common sense and innovation in our activities.

These priorities closely mirror the issues you have addressed in this hearing—economic development, safety and intermodalism. And in each area, we believe the comprehensive, $175 billion NEXTEA reauthorization proposal announced on March 12 by President Clinton, Vice President Gore, and Secretary Slater has a great deal to offer.

But first let me turn to the priority repeatedly highlighted by Secretary Slater. It is also a primary focus of this hearing.

SAFETY

For Secretary Slater and the Department of Transportation, safety is No. 1. Every year there are approximately 41,000 highway fatalities and 3.4 million highway related injuries. It is likely that each of us here today has experienced the painful loss of a family member, a friend, a coworker, or a neighbor—killed or injured in a highway crash. We must make a greater effort to prevent this loss of life by working for safer highways, safer drivers, and safer vehicles.

Federal safety programs have contributed to real progress in highway safety. In recent years the number of fatalities and injuries has continued to decline in this country. The latest motor vehicle fatality rate (per 100 million vehicle miles travelled—VMT) stands at 1.7, down from 5.5 in 1966. Yet the number of people killed in traffic crashes continues to be unacceptable. Further, a disproportionate share of these fatalities occur in rural areas (areas of less than 50,000 population). In 1995, urban interstates had a fatal accident rate of 0.55, while rural interstates had a rate of 0.99. On urban local roads the fatality rate was 1.57, but on rural local roads that rate was 3.45. Statistics are worse in rural areas for several reasons including higher speeds, more fixed object collisions, and more run-off-the-road crashes. Additionally, crash response times in rural areas tend to be longer than in urban settings.

The Administration's NEXTEA proposal includes a variety of programs to improve roadways in rural as well as urban areas. Overall, it increases safety funding a total of almost $2 billion over ISTEA.

NEXTEA also would continue funding to eliminate physical road hazards and to make highway-rail grade crossings safer. Grade crossing casualties at public crossings alone have dropped by 20 percent since enactment of ISTEA. But there is much work to be done.

The National Highway Traffic Safety Administration's (NHTSA) programs targeted toward driver behavior and vehicle safety would be funded at 25 percent above ISTEA. These increases would support new and increased funding for state and local programs to promote safety belt use and to reduce drunk and drugged driving. Furthermore, safety would be emphasized in DOT's research programs. For example, in the ITS research program, we are launching the development of a fully integrated "intelligent vehicle," which would incorporate collision avoidance and other advanced safety features. Such vehicles will apply the latest knowledge of electronics and human factors to produce a truly "human centered" transportation system that adapts to the needs of its user.

The Department has proposed significant increases in our core highway programs. These additional funds will contribute to enhanced safety on all our Nation's high-

ways. On the NHS alone, 2-lane roads represent more than 40 percent of that system. Overall, they are 75 percent of the Nation's road network—much of which can be funded through the Surface Transportation Program, and all of them are eligible for hazard elimination funding under the Infrastructure Safety Program. The Federal Highway Administration is working aggressively with our partners on a number of other fronts to improve safety, particularly on 2-lane rural roads.

Strategic Investment in infrastructure: A Tool for Economic Development

People in this area—at the crossroads of major east-west and north-south transportation networks—are well aware of how vital the efficiency and reliability of our transportation system is to our prosperity. That is especially true as more and more manufacturers rely on "just-in-time" deliveries, and as exporters depend on low transportation costs to give them a competitive advantage overseas—particularly as against low wage economies.

NEXTEA shows that the Administration has the same view of things. During the 1992 campaign, the President talked frequently about the need to "rebuild America," even as we move toward a balanced budget, because he recognized the connection between infrastructure and economic growth. Over the past several years the President has worked with Congress to make good on this promise. Together, the Administration and Congress have succeeded in increasing Federal infrastructure investment by more than 20 percent, to a record-level of $25.5 billion a year, on average. These investments have already started to pay off. Most measures of highway conditions and performance have improved in recent years.

NEXTEA recognizes the importance of continuing to increase infrastructure investment, even as efforts continue to achieve a balanced budget. Under the President's proposal, surface transportation funding authorizations would increase by $17 billion, or 11 percent, over the levels authorized by ISTEA. Successful core infrastructure programs—Interstate Maintenance, National Highway System (NHS), Surface Transportation Program (STP), and the Federal Lands Highway Program—would increase by about 30 percent. And we will also sustain our support of mass transit, which has, over the past 4 years, produced record levels of investment and helped sustain both rural and urban transit systems in communities throughout the country.

All of this means substantial gains for many states—including Missouri, which would receive $90 million more in average annual apportionments under NEXTEA; Virginia would receive a $92 million average annual increase; and Rhode Island would receive $9.5 million more in average annual apportionments.

NEXTEA also would help enhance our economy by facilitating the increased trade we are seeing from NAFTA and other trade agreements. In addition to dramatic increases in core highway programs, NEXTEA includes new programs to improve border crossings and to develop major north-south trade corridors within the U.S.

NEXTEA also would have a direct impact on business transportation by making a variety of freight facilities—intermodal terminals (other than ports and airports), and publicly owned rail access to water ports, for example—fully eligible for Federal aid.

All of this will help cut costs and improve our transportation system's efficiency, which is good for business, and key for economic development. But we need to remember that a healthy transportation sector also aids the economy directly, because transportation accounts for about 11 percent of GDP, equivalent to housing or health care, not to mention the more than a million construction-related jobs that Federal investment will support, as we build roads and transit systems over the next 6 years.

At the same time, we recognize that Federal funding cannot provide all of the infrastructure resources that we as a society need, so NEXTEA will continue the innovative financing strategies we have pioneered in recent years.

Under ISTEA, we pushed the envelope to stretch Federal dollars and to attract private capital and other non-Federal resources to public infrastructure. This effort has achieved some impressive results. Since 1994, these innovative financial strategies have allowed us to accelerate 74 projects worth $4.5 billion, including $1.2 billion in new investment that would not otherwise have been available. These projects—truck/rail transfer facilities, highways funded with revenues from companies that lay fiber-optic cable, and many others—are getting done, on average, 2 years earlier than would have been possible through conventional financing.

We also started our State Infrastructure Bank program, which uses Federal seed money for loans, letters of credit and other credit enhancement tools designed to leverage new, non-Federal dollars. I am pleased to note that both Virginia and Missouri were among the first ten states to be selected for this program. Under NEXTEA, we want to expand these infrastructure banks beyond the current 10 pilot

states to all states, and to contribute $150 million yearly to them, over and above state-by-state apportionments.

We also want to dedicate $100 million annually to help leverage non-Federal resources for projects of national significance that individual states cannot afford, such as interstate trade corridors.

Intermodalism

As you know, the first word in the title of ISTEA is "Intermodal." And since ISTEA was enacted, the Department has been working to fulfill the promise of ISTEA.

Each of us attaches a different meaning to the term "intermodalism." In the freight business, the concept has been applied for many years—to use whatever mode provided shippers with the most efficient movement for the least cost. The same concepts that work for freight have broad applications to all types of transportation. Intermodalism is about connections, choices, and coordination and cooperation among transportation users and providers.

One major tool for strengthening connections has been the intermodal connectors provision of the National Highway System Designation Act of 1995 (NHS Act) which required the Department to identify connections to major intermodal terminals. We have identified appropriate connections—1,251—to major ports, airports, ferry terminals, Amtrak stations, intercity bus terminals, highway-rail terminals, and highway—pipeline terminals. Many facilities in the Kansas City area were included on this list.

ISTEA permitted the use of NHS dollars to fund highway connections to key intermodal facilities. NEXTEA goes one step further by allowing investment in the intermodal terminals themselves—where the connections take place—as part of the NHS. It expands the list of eligible activities under the NHS program to include intercity passenger rail capital projects, under the same criteria that currently apply to transit and non-NHS highway projects; publicly owned intracity or intercity passenger rail and bus terminals, including Amtrak, and publicly owned intermodal surface freight transfer facilities, other than airports and seaports, where the terminals and facilities are located at or adjacent to the NHS or connections to the NHS. Infrastructure-based Intelligent Transportation Systems capital improvements also would be eligible. Even greater flexibility is provided for Surface Transportation Program apportionments.

Kansas City, Missouri, has been a leader in freight intermodalism. The Mid-America Regional Council developed a strategic plan on how to maintain and enhance Kansas City's position as one of the major rail intermodal hubs in the Nation. Several key highway connections to major rail intermodal facilities in the greater Kansas City area were identified.

The metropolitan Kansas City area is considering a number of intermodal projects that will retain and enhance its status as one of the Nation's most important intermodal interchange points. State and local officials, as well as the metropolitan area business community and the planning authority, strongly support these efforts.

The public sector's overall transportation goal for the Northeast Industrial District is to implement a series of highway and rail improvements, financed by the public and private sectors, that will expedite the flow of truck traffic into and out of the area, alleviate truck and rail congestion and optimize existing commercial space and supporting infrastructure.

Intermodalism is also about choice. NEXTEA would provide state and local governments with expanded flexibility to target Federal funds to the types of infrastructure investments that will work best for them—whether traditional highway investments, safety improvements, new freight intermodal facilities to handle growing trade, rural Intelligent Transportation System (ITS) applications, or rural transit services. We should not tell Missouri, Virginia, or any state what the most strategic and important investment is in any given situation. We need to expand, not reduce, the menu of transportation choices from which states and local governments can make investment decisions.

A sound, inclusive transportation planning process is essential to achieving the vision of informed state and local choice. NEXTEA would preserve ISTEA's statewide and metropolitan planning processes, with some streamlining.

Missouri has been a leader in developing the planning processes ISTEA envisioned. Following ISTEA's emphasis on greater public involvement in the transportation planning process, the East-West Gateway Coordinating Council in the St. Louis region embarked on an innovative, multimodal, and multi-player approach to regional planning. In 1992, the Council engaged in a broad public participation process for the development of their long-range plan. The result of this broad-based

process was the region's transportation plan, Transportation Redefined, adopted in 1994.

The 1996 formation of a new joint planning team in St. Louis staffed by Missouri DOT, the Bi-State Development Agency (the transit provider), and the East-West Gateway Coordinating Council (the Metropolitan Planning Organization for the St. Louis area) continues and builds upon this pattern of partnership. Missouri DOT is working to set up a similar partnership in Kansas City.

The Missouri Department of Transportation has used ISTEA to their advantage in speeding construction. In cooperation with Kansas City, Cape Girardeau, Hannibal and the Kansas and Illinois Departments of Transportation, Missouri prepared an innovative financing package in 1995 for the replacement of three major river bridge crossings in the state. Working with the Illinois Department of Transportation, the Missouri Department of Transportation is improving the Mississippi River crossings into Illinois at Cape Girardeau and Hannibal; working with Kansas City, it is repairing and planning to replace the Chouteau Bridge over the Missouri River. These bridges serve major highway routes and are of vital importance to the regional economies at each location.

Another sign of NEXTEA's commitment to choice is the approach to investments in technology. We have seen that technology can make our transportation systems safer as well as improve system performance and increase the capacity of existing systems—in rural as well as urban areas. So we are proposing to make ITS technology eligible in all major categories, so those making project decisions will always look at technology as a strategy to increase capacity, alongside more expensive new construction alternatives.

And we are also going to back this commitment with funding. NEXTEA includes a $600 million program to help states and cities integrate their ITS programs and to deploy ITS for uses such as commercial vehicle systems.

Closing

The President speaks about the need to build a bridge to the 21st century. And when he does, he often speaks in metaphorical terms that involve balancing the budget, improving education for our children, and preserving the environment as we grow the economy. NEXTEA speaks about building roads and bridges and transit systems in more literal terms.

At its heart, ISTEA reauthorization is about more than roads and bridges, it is about cutting-edge jobs in commerce, it is about getting people to work, it's about providing safety on highways, and it is about the communities we share and the steps we have to take to make those communities both safer and cleaner for ourselves and our children.

The chance to reshape America's infrastructure comes along once every few years. That means this legislation literally will be our bridge to the 21st century. I look forward to working with this Committee and joining a long tradition of bi-partisan cooperation as we shape transportation policy that moves this Nation forward.

Overall, we think NEXTEA is a good proposal. But we cannot take full credit for it. Many of these ideas came from the extensive outreach we engaged in over the past year—including 13 major regional forums, (including forums in Vienna, Virginia, St. Louis, Missouri and Providence, Rhode Island), more than a hundred focus groups (including one in Kansas City on environment and design issues and one in St. Louis on the planning process), and hundreds of smaller meetings around the country.

We met with literally thousands of our partners and constituents, and the message we heard was: "ISTEA works. Tune it, don't toss it".

We worked to develop NEXTEA in this spirit of continuity, but also to suggest changes necessary to prepare America's transportation system for the 21st century.

We are optimistic that we can sustain the bipartisan cooperation that gave us ISTEA, and there are promising signs. We are pleased that Senator Chafee and Senator Moynihan reached across party lines to introduce NEXTEA as co-sponsors. We are looking forward to working with Congress in the months to come.

STATEMENT OF CHRIS LONG, PRESIDENT OF ASSOCIATED INDUSTRIES OF MISSOURI

My name is Chris Long, President of Associated Industries of Missouri (AIM). I am here today representing the some 1,400 business and industry members of Associated Industries located throughout the state of Missouri.

AIM believes it is imperative for the state of Missouri to have in place a viable transportation plan designed to identify business needs and requirements so that the deliver of its purchased raw materials for the production of its product and the

delivery of goods produced are done so in the most efficient and economical manner possible.

Most of the goods and services produced in Missouri and delivered out-of-state travel through the Midwest region of the country. Missouri—noted by some as the centralized hub of the nation—is in a unique and rare position in that it can be viewed as the only state through which much of the nation's manufactured goods travel en route to other states.

Not only are Missouri's roads and bridges vital to the economic well-being of the state and the Nation but our state's additional modes of transportation including airports, river ports and railroads are used to ship goods across the Nation and the world. In fact, un a recent report conducted by Associated Industries of Missouri, highways were ranked as the No. 1 mode

conducted by Associated Industries of Missouri, highways were ranked as the No. 1 mode of of transportation used by Missouri manufacturers; airports were ranked second; and river ports and railroads were third.

Missouri business and industry believes the money spent on improving ant enhancing the state's venous modes of transportation can and should be off-set by the economic development and growth in the state's economy by the attraction of new business from other states into Missouri.

AIM is dedicated to identifying ways of improving Missouri's modes of transportation by taking its message and concerns to this state's Total Transportation Commission, appointed by Governor Mel Carnahan, which has been charged with the duty of developing a plan to tales Missouri's total transportation system into the next century. AIM has also taken its concerns to the Missouri Department of Transportation (MoDOT) urging reimplementation of the Department's 15-Year Road and Bridge Plan as a viable method of identifying specific improvement of the state's roads and bridges. The 15-Year Plan should serve as a foundation upon which Missouri may develop additional road improvement programs to satisfy additional diverse transportation requirements in order to improve Missouri's total transportation system.

As Missouri matures as a national hub for attracting manufacturing business due to its centralized location in the United States, it is becoming vitally important that Missouri and its elected officials stand prepared and ready to identity and respond to the transportation needs of the state now and in the future.

If Missouri cannot develop and maintain a viable transportation system for the future, over surrounding states will attract business from other states—including Missouri—leaving our state behind in the demands of a global marketplace as we enter the 21st century.

CENTRAL MISSOURI STATE UNIVERSITY,
Warrensburg, MO, March 26, 1997.

DEAR SENATOR BOND: I appreciate the opportunity to submit written testimony on the Federal transportation bill. First, let me stress the importance of utilizing the Highway Trust Fund for the support of roadway safety initiatives. Utilizing this fund to sustain other initiatives, such as Amtrak, jeopardizes our ability to maintain our current infrastructure let alone expand or improve it. We must focus these moneys on providing a safe and efficient roadway transportation system for the American people. We must also address roadway safety from a four "E" perspective; Engineering, Enforcement, Education, and Emergency services. Over 40,000 citizens lose their lives each year in traffic-related crashes. Without a strong ISTEA reauthorization bill that innovatively addresses roadway safety, the major progress that has been attained over the last 15 years will be lost.

The bill should embrace flexibility so states can target major roadway safety problems, integrated safety planning for efficient use of Federal/state resources, and performance-based safety programs.

I SUPPORT THE FOLLOWING FOR INCLUSION IN THE REAUTHORIZATION TRANSPORTATION BILL:

Increased funding for Section 402 State and Community Formula Grant Program.—These funds have been utilized in every state in the Nation to address impaired driving, occupant protection, pedestrian, bicycle, and other roadway safety initiatives. They truly support the concept that "local people solve local problems."

The expansion of the Incentive Grant Program to include Safety Data Improvements and Occupant Protection.—Improved data information systems to assist states in problem identification are critical. If problems are going to be addressed in a systematic way and resources utilized efficiently, good roadway data must be available. I encourage you to fund the Safety Data Improvements Incentive Grant Program at the 12 million dollar level.

Safety Belts save lives.—The Occupant Protection Incentive grants are needed to encourage states to pass stronger legislation, aggressively enforce existing laws and further educate the public about the value of buckling up.

Integrated Safety Fund.—This fund would foster the integrated safety planning process. This process would enhance and stimulate cooperation, coordination, and communication between the Section 402 behavioral programs, the Highway Infrastructure Safety Program and the Motor Carrier Safety Program. Results should include: more efficient expenditure of funds, less duplication of effort, and stronger roadway safety planning.

Expansion of the Resources to support the International Highway Transportation Outreach Program.—Activities under this program have utilized international roadway safety activities to enhance safety improvements in the United States. Expansion of resources to States and localities to participate internationally will spread U. S. expertise worldwide and transfer innovative roadway safety initiatives more efficiently.

I DO NOT SUPPORT THE FOLLOWING PROPOSALS FOR INCLUSION IN THE REAUTHORIZATION BILL.

The use of Federal-aid funds to be used for construction and conversion of existing toll-free Interstate routes to toll nor the construction of new toll Interstate highways.—The American people have paid and continue to pay for our roadway system by various taxes. This could open the door for the National Highway System to become the National toll way system. The additional cost to the motoring public and industry could be substantial and very detrimental to our freedom of movement of people and goods in the United States.

The expansion of using National Highway System Program funds to support other modes of transportation such as intercity passenger rail capital projects (including Amtrak).—Other modes of transportation are important. We cannot however continue to rob from our roadway funds to support them. Separate funding sources should be identified.

The expansion of using Surface Transportation Program funds to support other modes of transportation such as publicly owned rail safety infrastructure improvements, Amtrak, etc.

Again, I agree that other modes of transportation are important. But the expansion of using STP funds to support these modes of transportation is detrimental to the maintenance and improvement of our current roadway safety initiatives.

The provisions of this bill will impact the roadway safety of the American people and the economic foundation of the businesses who rely on the system for the delivery of goods. I urge your serious review of these comments.

Thank you again for your consideration of these comments.

Sincerely.

LEANNA DEPUE PH.D., *Director*.

STATEMENT OF MILDRED CONNER, MALTA BEND, MISSOURI

Location: I'm going to speak today about the outstanding location of Missouri in the U.S. As you know we are centrally located as a state and Saline is also a centrally located county—comments on rivers, location between two major cities—St. Louis and K.C.

Economy: There are many things that put us ahead of other states in terms of economic development. We are a prime agricultural area, we can grow almost anything well. Highway 65 is main agricultural route which nourishes the rural towns.

Abundance of water that a lot of states don't have.

We are rapidly becoming a tourist mecca.

We have the second largest rail head in the country right here in Kansas City.

Future: There are other reasons. Rural areas need to diversify their economies in order to employ the people who live there. We need a 4-lane network of our own to attract small manufacturers and small businesses where they can work.

We here in Saline County have these two wonderful East/West highways. If we would complete 65 Highway we would connect with Interstate 35 and Interstate 80 in Des Moines and Interstate 40 at Conway, Ark. In other words, the completion of this road would upgrade the whole system.

This highway would remedy the congestion of our already jammed city arteries.

STATEMENT OF CONSULTING ENGINEERS COUNCIL OF MISSOURI, JEFFERSON CITY, MISSOURI

The Consulting Engineers Council of Missouri (CECMo) provides this statement in support of the ISTEA Reauthorization and believes that the basic framework of the current legislation should be continued.

The Council represents over 100 firms and a work force in excess of 5,000 people in the state of Missouri. The firms in the Council have seen the benefits of the ISTEA program. We are working closely with the Missouri Department of Transportation and individual state metropolitan planning organizations to plan and provide service improvements in the total transportation system.

Not only does the ISTEA Program envision a "seamless" transportation system to service motorist's needs, transit-service, and goods movement, it encourages the recognition and opportunity to implement intermodalism in a larger scale and national transportation perspective. We truly believe the program can further the economic efficiency of goods movement in a competitive environment in addition to the normal transportation needs of the private automobile and truck movement.

In conclusion, CECMo strongly encourages the reauthorization of ISTEA and it's service opportunity for the transportation needs of the State of Missouri and national transportation systems.

STATEMENT OF GARY EVANS, EXECUTIVE V.P. AND COO, FARMLAND INDUSTRIES AND CHAIRMAN, GREATER KANSAS CITY CHAMBER OF COMMERCE

Good afternoon and thank you for this opportunity to comment concerning America's transportation legislation. I am speaking to you as chairman of the Greater Kansas City Chamber of Commerce Heartland Freight Coalition. The coalition was formed in 1995 to implement Kansas City's Intermodal Freight Strategies Study. My remarks today are focused on the intermodal aspects of transportation policy.

We define intermodal as moving freight between two points by a combination of two or more methods of transportation. Although Kansas City has a vested interest in air cargo and in keeping the Missouri River viable for navigation, I will focus on the majority of intermodal freight activity, truck-to-rail and rail-to-truck. As the No. 2 rail center in America and with nearly 700 trucking firms, Kansas City knows intermodal.

We believe ISTEA did little to improve the nation's intermodal freight infrastructure. In Kansas City, which appears to be ideally positioned to benefit from a national focus on intermodalism, no major examples exist of this Federal policy having any impact other than consuming thousands of hours as our local MPO struggled to comply with the bureaucracy mandated by the act. A lot of time and money were spent studying things, but not on doing things.

We do not, however, believe the current act needs sweeping change. Rather, like Kansas City's own transportation infrastructure, it needs to be improved to work more efficiently with some new additions and proper funding.

First, the act needs to preserve the role of Metropolitan Planning Organizations in the transportation planning process. It is through MPO's that community dialog and consensus on transportation priorities may be achieved. Also, since state DOT's often have an overriding commitment to highways, the MPO may be best able to objectively consider the intermodal needs of the freight community, and how they interact with other priorities such as air quality and brownfields mitigation.

Second, the act needs to focus on completion of a national freight infrastructure. While this mainly relates to funding the National Highway System priorities, it is critical to rail movement. The NHS contains a category for intermodal connectors to better facilitate the movement of goods between modes, ensuring those goods move by the most efficient manner. There are several of these in Kansas City that must be funded.

A national freight infrastructure should also improve safety and improve timeliness. An effective means of doing this is elimination of at-grade rail crossings, especially in rural areas. This would save hundreds of lives, reduce product loss, reduce environmental risk from spill and make the nation's freight system work better.

A national freight infrastructure should also seek to optimize existing transportation resources rather than encouraging new facilities. In this age of technological sophistication and global competition, it is in the nation's interest to promote development and use of inland ports such as Kansas City to complement traditional ports and border crossings. An intermodal approach to moving goods makes it possible to reduce highway congestion, especially in urban areas near border crossings and deepwater ports, by getting goods bound for cross-country destinations off the roads. The positive impact on highways and the environment of goods moving by various

modes deserves more study and attention, as does the development of innovative, inland solutions to congested traditional ports'

Along the same lines, a national freight infrastructure should account for other areas of public policy, especially in the arena of trade. Kansas City's business community supported Nafta and most other trade agreements. We have been working to secure designation of a new category in ISTEA for International Trade Corridors. While generally landmarked by I–35 and I–29, we seek a technological, intermodal and trade-oriented corridor that uses all the nation's freight assets along a broad corridor. We urge Congress not to limit the development of such corridors to highway improvements, but to encourage the development of truly intermodal corridors to account for congestion, space, time and profitability.

Finally, it is a significant oversight that air maintenance areas such as Kansas City are not eligible for Congestion Mitigation and Air Quality category funds to allow them to remain in attainment. Having such funds provides individual regions the ability to think outside the box to address transportation issues. A region like Kansas City that does everything it is supposed to do to meet the spirit of the Clean Air Act Amendments and ISTEA should not be penalized for success. It should be rewarded and encouraged toward continuous improvement.

Thank you for this opportunity to discuss some of our priorities this year. We look forward to working with you, especially Senator Bond, to achieve a bill that will be good for the nation's shippers and carriers, but, more importantly, good for the consumer's bottom line.

STATEMENT OF DARRELL GROSS, FORT LEONARD WOOD INTERMODAL FREIGHT/TRANSIT CENTER

Honorable Members of the Subcommittee: It is a great honor that I have the privilege of submitting testifying to you on behalf of the Industrial Development Authority of the city of Waynesville, Missouri. My name is Darrell Gross. I have been the Economic Development Consultant to the IDA and the city of Waynesville for the past 4 years. The IDA has been a leader in developing the greater Fort Leonard Wood area as a premier community for military families. Within the past 3 years we have taken the lead in developing a quality retail shopping area in Waynesville in order to provide an improved quality of life for military families whom are stationed at Fort Leonard Wood. Through our efforts, an estimated 300 jobs have been created and an estimated $600,000 of new annual local taxes are being generated through out development, all without any state or Federal grants or even tax-exempt financing. We are very proud of our success and are prepared to continue to address further needs of the area, state and the nation. The BRAC impact on the Fort Leonard Wood area is projected to produce an estimated 20 percent increase in population to the area. While this blessing will bring a significant economic impact to the area it will also compound infrastructure problems.

We originated a study of the transportation needs of the community in 1995 which identified the need for a north/south highway corridor which would connect Fort Wood with I–70 and Whiteman AFB and US Highway 60. The study revealed that such a corridor would improve military deployment to Whiteman, recreation benefits to military families by giving access to the Lake of the Ozarks, improve National Guard and Reserve units travel to and from the Fort, improve current and projected transportation ingestion, and improve freight movement to and from the area by opening up a new north/south corridor.

As a result of this study we have developed this proposal and seeking funding through the ISTEA appropriations of 1997. We have strived to develop a unique public/private partnership to meet out objectives.

Problem 1. Highway System: Fort Wood is located in central Missouri with good access to I–44 which is a quality east/west interstate system. However, the state highway system connecting the Fort with other major highways, such as I–70 and US 60 is limited to narrow crooked two lane roads. These conditions hamper freight and troop movement from the north and south. The designated deployment base for Fort Leonard Wood is Whiteman Air Force Base in Knob Knoster, Missouri. The only direct access is through these narrow two lane roads in a very hilly terrain. Rapid troop movement for any major deployment is hindered and slowed as much as 1 hour.

2. Freight: Fort Wood is major freight center for both inbound and outbound freight. Attached is a chart demonstrating freight volume for Fort Leonard Wood only For 1995 and 1996.

Freight Shipments to and from Fort Leonard Wood Military Installation 1995 & 1996

	Air		Truck		Train	
	Shipments	Pounds	Shipments	Pounds	Shipments	Pounds
1995 Inbound	5,837	397,480	31,954	26,773,380	200 cars	16,040,640
1995 Outbound	2,194	31,280	2,726	4,944,640	124 cars	8,553,460
Total[1]	8,031	428,760	34,680	31,018,020	324 cars	24,594,100
Per day, 5 day week, 260 days[2]	31	1649	133	119,300	1 car	94,593
1996 Inbound	6,515	493,220	26,992	18,977,700	266 cars	17,770,840
1996 Outbound	1,857	17,600	1,683	7,320,340	150 cars	18,012,100
Total[3]	8,372	510,820	28,675	26,298,040	416 cars	25,782,940
Per day, 5 day week, 260 days[4]	32	1965	110	101,146	2 cars	99,165

[1] Total all freight by all means 1995: Shipments: 43,035. Pounds; 56,040,880.
[2] Total daily freight by all means 1995: Shipments: 166. Pounds: 215,542.
[3] Total all freight by all means 1996: Shipments: 37,463. Pounds: 52,591,800.
[4] Total daily freight by all means 1996: Shipments: 144. Pounds: 202,276.

The freight activity reflected in the chart is a measurement of just the freight needs of the Fort, the outlying civilian community is equal in size to the post, thus, the projected freight movement in and out of the area is estimated to be double the Fort numbers. The BRAC impact with the movement of Fort McCellan to Fort Wood is expected to dramatically increase freight activity in the area as a result of increased civilian and military activities.

Solutions 1. Intermodal Center: To elevate increased congestion of traffic on the highway systems in the area, a centralized intermodal freight/transit center is proposed at the intersection of I–44 and 11 Highway and on Forney Field Airport on Fort Leonard Wood. This intermodal center would be developed to serve as a central ten Final for surface truck freight, rail freight, air freight and air and surface passenger service The terminal would provide a "drop" point for partial loads or complete trailer drops. A local service company is anticipated to be developed to distribute area freight to points on the military base and the area, thus improvement efficient movement of height. The city of Waynesville has just signed a Joint Use Agreement for Forney Field.

2. New Highway Corridor: The development of a quality north/south corridor to connect the area with I–70 and US 60 would be a vital part of developing the area and the intermodal center. The benefits would beach beyond the local or regional impact to a positive national, multi-state, and statewide impact The need to plan and develop this route through creative financing; means is critical in light of current budget constraints on the Federal and state highway system. A public private partnership structure is proposed to implement the development of this project so as not to take away Bom existing state and national road Projects which have long since been identified and needed.

The Project: The Industrial Development Authority of the city of Waynesville proposes to implement the forgoing project. The experience and success of the IDA in carrying out unique public/private Projects in the Area positions it well to carryout the task as outlined: The IDA request $3,000,000. Finding to implement this project and commits fill estimated $2 000 000 of outside funding or match.

1. Intermodal Freight/Transit Center: The IDA proposes to acquire an estimated 35 acre site at the intesection of I–44 and State Highway H and develop this center and a passenger and freight terminal on Forney Fields. The cost of the Intermodal Center is projected to be $3,000,000. The portion of ISTEA funding requested is $1,000,000 to fund the cost of constructing the terminal building and equipment. All other cost is projected to come front the IDA, private investment and state grants.

2. Intermodal North/South Corridor Study: The IDA proposes to study the development and design of new north/south highway connecting the area with I–70 and US 60. The study will be complete with construction cost alignments and most importantly creative financing options for the Finding of such road. Both the State Highway Department and the military embrace the need for an improved corridor to serve the area. A third party fast track study is the most effective means to develop an implementation plan using creative means of financing. The cost of the study is estimated to be $2,000,000 which would be Funded with ISTEA funding.

Benefits: This project has a far reaching benefit beyond tile area. It has a national impact by improving national defense concerns and improved freight efficiency. Within the State the regions of Kansas City and the Bootheel will accomplish a direct four lane connection to each other, a desire which has been expressed for 30 years. Local and State economic development objectives will be reached by providing

a quality industrial development area with a state-of-the-art freight distribution system.

FORT LEONARD WOOD INTERMODAL FREIGHT/TRANSIT CENTER FOR THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF WAYNESVILLE, MISSOURI

Question 1: sponsoring the project.

Name the Congressional District of the primary Member of Congress

Answer: Sponsoring Member: The Honorable Ike Skelton (Democrat–4th)

Question 2: Identify the State or other qualified recipient responsible for carrying out the project.

Answer: A Public-private partnership of the Industrial Development Authority of the City of Waynesville, the City of Waynesville, the Missouri Department of Transportation, and the Department of Defense.

Question 3: Is the project eligible for the use of Federal-aid funds?

Answer: The projects is eligible for the use of Federal aid funds from the Department of Defense and the Federal Highways program as well as some State of Missouri funding. The road system being studied is proposed at this time, and is thus not on the National Highway System.

Question 4: Describe the design, scope and objectives of the project and whether it is part of a larger system of projects. In doing so, identify the specific segment for which project funding is being sought including terminus points.

Answer: See attached memo to the Missouri delegation.

Question 4: What is the total project cost and proposed source of funds.

Answer: The total project cost is estimated at $5,000,000. The public-private partnership will utilize creative financing in the form of privatized resources from the Industrial Development Authority of the City of Waynesville. The IDA will contribute an estimated $500,000 of funds derived from Tax Increment Financing to fund site purchase and certain utility extensions under interstate I–44. It is anticipated that the project will qualify for $500,000 from the Missouri Department of Economic Development for Infrastructure, development on the site as a result of private development and job creation. The City of Waynesville will contribute land lease rights and fueling operations on Forney Field for the construction of air freight hangers estimated at $200,000. Outside private investment is projected to be $800,000 derived from the construction of a fueling operation at the I–44 site.

The Amount of Federal funding sought from ISTEA authorization is the remaining $3,000,000.

Question 6: Of the amount requested, how much is expected to be obligated over each of the next 5 years?

Answer: The funds for the intermodal freight/transit area is projected to be 100 percent obligated over the next 2 years. It is expected that $2,OOO,OOO will be expended in the first year of obligation and $1,000,000 in the second year.

Question 7: What is the proposed schedule and status of work on the project?

Answer: During the first year it is anticipated that the intermodal highway study connecting the area with I–70 and Highway 60 would be 50 percent complete with corridor alignments. The construction of utilities, site acquisition, and the construction of air-freight hangers would be complete. The construction of the private fuel center is projected to be complete. In the second year the final stage of the highway study would be completed providing cost estimates, creative financing structure, and construction schedule.

Question 8: Is the project included in the metropolitan and/or State transportation improvement plan(s), or the State long-range plan, and if so, is it scheduled for funding?

Answer: The intermodal highway location is a new proposal which has been submitted to the Missouri Highway Department in 1995–96. The proposed corridor has not been included in any state plan at this point due to the lack of funding. The purpose of this study is to develop creative funding for the project between private, state, Federal and Department of Defense funds. The intermodal freight center is a part of the comprehensive plan of the City of Waynesville and the Industrial Development Authority.

Question 9. Is the project considered by State and/or regional transportation officials as critical to their needs?

Answer: State and regional transportation officials support the development of the connecting highway system to serve the freight and transit needs of the area. They have not endorsed the project due to the lack of a financing plan. Fort Leonard Wood has endorsed the development of this system to better serve their needs. (see attached briefing paper provided by Fort Leonard Wood)

Question 10: Does the project have national or regional significance?

Answer: See briefing paper prepared by Fort Leonard Wood and supplied to Missouri Congressional delegation.

Question 11: Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns?

Answer: No significant obstacles are expected or known since the proposed land use for the freight center/airport is unchanged or is not already planned. The highway corridor would be planned in such a manner as not to provoke any environmental concerns. Since the Highway plan is a planning document only, no environmental concerns will be provoked as a result.

Questi0n 12: Describe the economic, energy efficiency, environmental, congestion, mitigation and safety benefits associated with completion of the project.

Answer: See attached briefing paper prepared by Fort Leonard Wood and supplied to the Missouri Congressional delegation.

Question 13: Has the project received funding through the State's Federal aid highway apportionment, or in the case of a transit project, through Federal Transit Administration funding?

Answer: The project has not received funding through the State's Federal aid highway apportionment, as it is a newly conceived project, and has not previously specifically requested project or site funding.

Question 14: Is the authorization requested for the project an increased to an amount previously authorized or appropriated for it in Federal statute, or would this be the first authorization for the project in Federal statute? If the authorization requested is for a transit project, has it previously received appropriations and/or received a Letter of Intent or has FTA centered into a Full Funding Grant Agreement for the project?

Answer: NO, this would be the first authorization for the project in Federal statute. No previous requests have been made prior to this current effort.

STATEMENT OF FEDERAL FUNDS RECEIVED

Neither the Industrial Development Authority of the city of Waynesville nor Darrell Gross has received any funding from any source by way of a Federal grant within the past 3 years.

MISSOURI HOUSE OF REPRESENTATIVES,
Speaker Steve Gaw, March 26, 1997.

THE HONORABLE KIT BOND,
Russell Senate Office Bldg.,
Washington, DC 20510.

DEAR SENATOR BOND: Thank you for the opportunity to enter this testimony into the public record of today's held hearing.

As Speaker of the Missouri House of Representatives, I share a common concern with many Missourians regarding the safety of our highways. All of us can agree that good roads enhance our economic development and tourism, but this is all secondary when we focus on the individuals who drive daily on these roads.

There is a highway in my legislative district, U. S. Highway 63, which is in urgent need of being increased from two to four lanes. The average number of vehicles traveling the section of Highway 63 between Columbia and Moberly is 9,100. At the point where the highway intersects with Highway 124, as many as 13,000 vehicles use the road Two lanes are not adequate to hold this much traffic and the danger is increased when nightfall comes. Our transportation department believes that any 2-lane road that carries 7,500 vehicles per day should be expanded to four lanes

For a number of years, citizens who live near the road and those who drive it regularly have dramatically told their stories to state and local officials. The recent death of Tracy Winkler, who was killed in an accident on the highway, has particularly brought into focus the danger of the highway. His family, who mill testify at the hearing, has been steadfast in their desire to see that other families not have to go through the tragedy they have suffered.

I join with others you will hear from today who support Federal efforts to increase funding for highway projects in Missouri. Although Missouri has one of the highest number of miles of highways in the nation, our return of Federal dollars is disproportionately low The formula needs more balance to correct this deficiency. As you develop and fine-tune the legislation, I urge you to place projects like Highway 63 on the highest priority status.

I will continue to work ninth state and local officials in an attempt to speed up the construction process of Highway 63. However, it is clear to me that Congressional action will be necessary to complete the project as quickly as possible.

I sincerely ask for your immediate attention to this highway and I will look forward to the opportunity to work with you on this proposal. Please do not hesitate to contact me if I can be of any assistance.

Sincerely,

STEVE GAW, *Speaker.*

GENERAL RAILWAY CORPORATION,
Omaha, NE, March 26, 1997.

HONORABLE SENATORS CHRISTOPHER BOND, JOHN CHAFEE, JOHN WARNER: General Railway Corporation is a private group seeking to revive rail service to communities served by the former Rock Island Railroad line across Central Missouri from St. Louis to Kansas City. We have signed a Term Sheet Agreement with the current owner of the line, Union Pacific Railroad, and are now in process of developing funding sources for the project. We feel at this time that it is important for you and your offices to be aware of our plans and how these plans benefit the state of Missouri and interests on a national scale and to request your support.

Our intent is a purchase and rehab project. Initial purchase price is below Net Liquidated Value of the assets but the rehab from essentially Owensville, MO to Pleasant Hill, MO is the more costly issue. We are in the process of seeking private venture funds to support this project, however, we would also appreciate any state or Federal funding assistance that may be available.

The immediate benefits to the State of Missouri include infrastructure and highway safety issues as evidenced in recent articles and Internet press releases. The proposed rail line serves many communities along highways 50, 28, 52, 2 and their crossing highways and state roads. Due to lack of modal competition in the area for the past 15 years, over the road trucking has captured 100 percent of freight movement from these areas. It is anticipated that renewed rail service has the potential to competitively remove 627,357 big trucks (and nearly 90.6 million loaded truck miles) from the Central Missouri corridor over the 8-year period, 1998–2005. Assuming a static .50 cent per loaded truck mile infrastructure repair liability over that period, highway maintenance capital expenditure is reduced by an estimate $45.3 million.

Reduced track miles in this corridor would also have a certain environmental effect. in studies made by the Association of America Railroads and others, it is noted that the energy cost per ton mile for trucks is 3–4 times greater than rail. This energy cost is measured in burned gallons per mile, thus it would stand that it also equates to the ratio of pollutant emission. The removal of 90.6 million truck miles from Missouri highways over the 8-year period would then equate to nearly 70 percent lower total fuel burn with resulting lessened environmental impact.

In total vehicle miles traveled in the state of Missouri amounted to 59.3 billion. Big truck accounted far 28 percent or 16.6 billion of these miles. 1995 large truck accident incidents included at least 93 fatalities. The town of Meta, MO (a community to be served by our proposed rail line) reports 1–3 traffic fatalities each year involving truck traffic. Trucks are not inherently unsafe, however, due to failing infrastructure on the non-interstate roads serving the interior counties of Missouri, and the tremendous mileages involved, the new rail carrier in these areas is certain to reduce dangerous traffic related problems.

The economic growth of the interior counties of the central corridor stands to reap benefit from the return of the new railroad, as well. During the period 1980–1990, manufacturing establishment growth within the state of Missouri grew by 18 percent. Most of this growth was in the area of establishments in the "under 20 employee" categories. Statewide growth in the 20 employees and above categories, most apt to be rail users and most likely to create local jobs payroll and tax base, announced to 3.5 percent. The period 1980–1990 is the first 10 year window of the disappearance of rail service through the interior central corridor counties of Missouri. During this same period, counties traversed by the Burlington Norton Railroad increased these employer categories by 35 percent and those counties traversed by Union Pacific increased by 27 percent. Those interior counties which will be served by the proposed new rail operation decreased in these employer categories by 8.5 percent. At this point, we already have verbal commitment from a firm wishing to locate along the new railroad that will bring up to 140 new jobs to the community.

It was reported recently that US Transportation Secretary, Rodney Slater announced that the Clinton Administration supports a new 6-year, $17.4 billion invest-

ment program for American highways' public transit and other surface transportation. The Administration's plan, the National Economic Crossroads Transportation Efficiency Act (NEXTEA) would be the successor program to the present ISTEA program nod would increase fields available by 11 percent. It is our intent to be a multi-modal operation within our service area, developing partnerships with local trucklines, barge operators, excursion operators and perhaps transit authorities across the state. As an intermodally focused entity, it is our hope to be considered as a participant in any available NEXTEA funding.

If you elect to lend your support to our project, we are available to provide you or your office any further information at your convenience.

Sincerely,

JOHN P. LARKIN, *President.*

HERMANN, MISSOURI, CHAMBER OF COMMERCE,
Hermann, MO, March 25, 1997.

SENATOR WARNER AND MEMBERS OF THE SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Thank you for this opportunity to testify on behalf of the Federal transportation bill.

My name is Jonathan Held. I am president of the Hermann, Missouri, Chamber of Commerce and will testify on behalf of that organization. Our community of approximately 2,700 residents lies on the south bank of the Missouri River. In addition to the traditional mid-Missouri mixture of agriculture and light industry, our economy also benefits from a substantial tourism industry. Tourism in Hermann is fueled by a rich history, unique and beautiful historical architecture and thriving area wineries.

Our community has two major highways serving it. Route 100, traveling east-west and Route 19, north-south. Crossing the Missouri River at Hermann on Route 19 is a 20-foot-wide truss bridge constructed in 1922, technically referred to as Bridge K–226A. This bridge is one of only two north-south corridors crossing the Missouri River between Jefferson City, Missouri, and St. Louis, Missouri. As such, it is of crucial economic importance to the state of Missouri, to communities north and south of the Missouri River and to the community of Hermann.

Due to inadequate funding, this bridge, like many others in our state, has deteriorated to the point where repairs are mandatory. Unfortunately, no amount of repair will solve the inadequate 20-foot width, which served so well in 1922.

In response to the Missouri Department of Transportation's (MoDOT) scheduled $1.5 million repair work on the Highway 19 bridge at Hermann, the Chamber of Commerce called a public meeting Thursday, March 20. State and local elected officials, MoDOT officials and area business leaders were invited. In spite of the 4 p m. meeting time, over 300 local residents attended. Guests included State Senators Mike Lybyer and Ted House; State Representatives Charles Nordwald, Merrill Townley and Jim Froelker; MoDOT Chief Engineer Joe Mickes and MoDOT District Engineers Dick Jones and Ron Haydon.

MoDOT Chief Engineer Joe Mickes addressed the dire need for deck repairs on the existing bridge, the budget constraints that MoDOT operates under and potential funding mechanisms to secure a new bridge at this location. He presented estimated cost for replacement of the Missouri River bridge at Hermann at roughly $26 million. Chief Engineer Mickes stated we must repair this bridge now or potentially lose it before we can build a new one, even if construction was begun immediately.

Next, eight community and industry leaders presented statements on the value and imperative need for a new bridge at this location. Over and over, the speakers emphasized the same basic messages. The Hermann bridge is of vital importance to the area economy. The narrow width poses a serious threat to public safety and economic development. And the community needs to unite and pressure the Federal Government to fund a new bridge.

Each of the elected officials cited above then addressed the crowd and offered their support for a new bridge at Hermann. The response was resounding cheers and applause.

But the most moving appeal of all was when an angry senior woman in the crowd stood up, shook her fist and demanded to know why it has taken our elected officials so long to replace this bridge. She emotionally told of how her uncle died while working on the construction of our existing bridge but said its time as a memorial to him was over. She tearfully told how she sits on her porch overlooking the Missouri River and watches in disbelief as it shakes while tractor trailers and school buses pass.

After the woman's emotion-filled plea, the crowd fell silent when asked simply if anyone opposed a new bridge at Hermann.

The community of Hermann, Missouri, is rallying and will be actively seeking Federal funding for a new bridge over the Missouri River. As president of the Hennann Chamber of Commerce, I ask that you consider Hermann's needs and support funding for this project as you allocate Federal funds for pressing transportation and infrastructure needs.

Thank you,

JONATHAN L. HELD, *President.*

March 25, 1997.

SENATOR CHAFEE, SENATOR WARNER, AND MEMBERS PRESENT SERVING ON THE COMMITTEE AND SUBCOMMITTEE: My name is Mark Leech and I am the Superintendent of Schools for the Gasconade County R-I School District. On behalf of our Board of Education I want to thank you for allowing me to address you today concerning the dangerous situation which currently exists within our school district.

The bridge across the Missouri River at Hermann was built 69 years ago Since then we have seen a continuous increase in the length, width and weight of vehicles, to include school buses, which utilize the bridge. Since we transport approximately one-fourth of our student population over this bridge twice a day, the continuing increase in the size of vehicles using the bridge is creating a major concern for He safety of our students For example, for the past 3 years we average two broken bus mirrors per year by either hitting the mirror of a commercial truck or the side of the bridge in attempting to get far enough to the right to allow passage. Due to the increasing frequency of these incidents I have instructed my bus drivers to slow to a speed not to exceed ten miles per hour when meeting one of the 102-inch-wide trucks. In many instances when meeting one of these vehicles, our drivers will come to a complete stop until the truck passes.

When we discovered that the State of Missouri is planning to spend $2 million to repair the bridge this summer but that a new bridge is not even in a fifteen year plan, the Board of Education felt it was time to take action We believe that for the safety of our children plans leading to the construction of a new bridge within a 8–10 year window must be funded and implemented. The reaction of the Board of Education was so strong on this issue that the following resolution outlining their concerns was presented and adopted at the March 13 Board Meeting I ask that you review the resolution and then provide the leadership necessary to eliminate this growing threat to our students.

In closing again I want to thank you for your willingness to come to Missouri to hear first hand of our transportation and infrastructure needs and specifically for allowing me to address the real danger that exists for our kids who have to cross the bridge at Hermann in order to get to school.

Thank you,

MARK LEECH.

RESOLUTION OF SUPPORT TO REQUEST FOR A NEW MISSOURI RIVER BRIDGE AT HERMANN, MISSOURI

Whereas, the present bridge spanning the Missouri River at Hermann, Missouri, on Highway 19 is in excess of 60 years old, is in a deteriorated condition, and is too narrow for safe passage of modern commercial vehicles; and

Whereas, buses transporting school children must traverse said bridge two times per day approximately 174 days per year; and

Whereas, the existence of a safe, dependable, and fully functional bridge across said river is vital to the economy and well-being of the community of Hermann, Missouri, and the surrounding area, including the Gasconade County R–1 School District; and

Whereas, the Board of Directors of said school district believes that the safety and education of the youth of any community is a natural priority which should be recognized by the State of Missouri; and

Whereas, the Board of Directors of such school district has been informed that there is no current plan adopted by the Missouri Highway and Transportation Commission to replace the present Missouri River bridge on Highway 19 with a modern structure capable of carrying the volume e and size of present commercial vehicles which now travel upon said highway; and

Whereas, the Board of Directors of such school district hereby intend to join in the request from other citizens of and organizations within said community that the Missouri Highway and Transportation Commission recognize and act upon the need for a new bridge at said location;

Now, Therefore, Be It Resolved by the Board of Directors of the Gasconade County R–1 School District, That said board gives its full support to the request from this community that the Missouri Highway and Transportation Commission give due and timely consideration to the design and construction of a new bridge upon Highway 19 crossing the Missouri River and that such project be placed upon the official planning document of said Commission and therein identified as a construction project to be funded and completed by the State of Missouri by a firm date; and

Be It Further Resolved, That a copy of this resolution be presented to the representatives of said Missouri Highway and Transportation Commission and to all elected representatives of the Missouri General Assembly and the U.S. Congress who represent districts in which said bridge is located.

PASSED AND APPROVED 13 MARCH 1997.

INDEPENDENCE CHAMBER OF COMMERCE,
Independence, MO, Tuesday, March 25, 1997.

SENATOR JOHN WARNER, *Chairman,*
Subcommittee on Transportation and Infrastructure,
Committee on Environment and Public Works,

DEAR SENATOR WARNER: The Independence Chamber of Commerce, representing the business community of the fourth largest city in Missouri, has endorsed the "Highway Trust Fund Integrity Act of 1997.

In making this endorsement the Board of Directors supports the effort to restore trust and integrity to the Highway Trust Fund. The United States has made a significant investment in its infrastructure and it imperative we continue that investment. The increase in funding for Missouri will allow us to address many safety concerns as well as enhancing economic development.

Thank you for your support in this matter.

Sincerely,

RICK HEMMINGSEN, *President.*

JOPLIN AREA CHAMBER OF COMMERCE,
Joplin, MO, March 26, 1997.

THE HONORABLE SENATOR CHRISTOPHER BOND,
THE HONORABLE SENATOR JOHN CHAFEE,
THE HONORABLE SENATOR JOHN WARNER,
U.S. Senate,
WASHINGTON, DC.

GENTLEMEN: On behalf of the over 900 business members of the Joplin Area Chamber of Commerce, we wish to express our thoughts on the transportation issues facing southwest Missouri.

The adequate funding of transportation needs in the United States is critical to the economic growth of the country, both for the businesses and citizens who depend on this infrastructure. We believe that a key to having adequate funding is to use the transportation trust funds as they were intended—as trust funds rather than as a means to reduce the Federal deficit. We ask that the transportation trust funds be taken "off-budget" and the full funding be used to address transportation needs. We believe this is the most honest approach and one that will come close to, if not fully address, the increased need for transportation funding.

If it is not feasible to take these trust funds off budget, we ask that serious consideration be give to the "Step 21 " program to return at least 95 percent of Federal transportation taxes collected by the states to be returned to those states that are currently "donors". States such as Missouri collect substantially more taxes than their population would dictate precisely because they are on major routes of commerce and tourism. These routes, however, need maintenance and improvements beyond what is typically returned to donor states. Ensuring at least 95 percent funding will help.

Closer to home is U.S. 71. This major highway is part of the mid-continent link from Canada to the Gulf of Mexico. This is a designated NAFTA corridor and proposed to become Interstate 49. Currently, the leg from Joplin to Ft. Smith, Arkansas is under construction from both ends. This part needs to be completed as quickly as possible because of the increasingly heavy loads of passenger and commercial traffic on this route. Southeast Missouri and northwest Arkansas comprise one of the most rapidly growing areas in the middle of the country. The continued prosperity of this area in linked directly to the future of U.S. 71. In addition, efforts need

to begin now to extend the interstate grade 4-lane from Fort Smith south and to upgrade U.S. 71 north from Joplin to Kansas City to interstate standards.

As with highways, it is important for air transportation to be fully funded. Smaller airports, such as Joplin, need the additional funding for maintenance and for possible expansion. As the airline industry continues its intense competition, extra effort needs to be exerted to ensure smaller metro airports aren't abandoned. It may be that the definition of and funding for Essential Service Airports (ESA's) need to be broadened to help some communities. Joplin is fortunate in that it has two highly profitable airlines. However, to keep those airlines the local airport must continue to upgrade for safety and convenience. Full funding of the air trust fund will help.

As this area grows, public transportation is also becoming more important. Public transportation needs to have its own, secure source of funding. Funding public transportation from revenue sources intended for other forms of transportation is unacceptable.

If you have any questions, please contact either one of us at 417–624–4150. We appreciate the opportunity to provide this input.

Sincerely;

ROB O'BRIAN, *President,*
MEL WALBRIDGE, *Transportation Chairman.*

UNIVERSITY OF MISSOURI-COLUMBIA,
Columbia, MO, March 20, 1997.

SENATOR CHRISTOPHER BOND,
Jefferson City, MO 65101

DEAR SENATOR BOND: Thank you for the opportunity to introduce testimony regarding the highway legislation that you will hold hearings about in Kansas City next week.

I have enclosed copies of two letters—one to Mortimer Downey Deputy Secretary of Transportation and one to Dr. Laurence Vance at the Department of Transportation's Volpe Center in Massachusetts. In both I have explained my concerns about the deficiencies in past legislation specifically regarding the Surface Transportation Research and Development Plan.

If you have any questions, please contact me at directly at (573) 882–2779.

Sincerely,

HENRY LIU, PH.D., P.E. *Director,*
Capsule Pipeline Research Center.

UNIVERSITY OF MISSOURI-COLUMBIA,
Columbia, MO, November 15, 1996.

MR. MORTIMER DOWNEY, *Deputy Secretary of Transportation,*
U.S. Department of Transportation,
400, 7th Street SW,
Washington, DC 20590.

DEAR MR. DOWNEY: It is my understanding that DOT is preparing for the fourth edition of a Report to Congress entitled "Surface Transportation Research and Development Plan." I am providing input here to remove a major shortfall of the previous editions of the report.

Previous editions have overlooked a major new and emerging transportation technology that has far-reaching implications to the nation, and that can solve or reduce many of the problems faced by the nation's highway system. The overlooked new technology is freight pipeline—also called capsule pipelines.

As can be seen from the enclosed encyclopedia articles, both hydraulic and pneumatic capsule pipelines can transport large volumes of freight including coal, grain, solid wastes, hazardous and non-hazardous materials, and hundreds of other products. With modern technology, anything smaller than a pipe diameter can be transported by pipeline, either using air or water to propel the cargo-laden capsules or containers. Numerous scientific studies, including some sponsored by DOT, have established the effectiveness and economics of freight transportation by capsule pipelines. Use of such pipelines for transporting freight also have the following benefits:

Being underground, capsule pipelines are noiseless and perfectly safe. Use of them reduces the number of heavy trucks on highways which in turn reduces traffic congestion on highways, saves lives, reduces air and noise pollution, extends the life of highway infrastructure, and reduces highway maintenance cost.

Missouri has the nation's only Capsule Pipeline Research Center, jointly sponsored by the National Science Foundation, Missouri Department of Economic Development, and 14 private companies. We are the nation's leader in this field and can help DOT plan effective research programs in capsule pipelines. Please don't hesitate to contact me if such a need arises.

I am taking the liberty of sending a copy of this letter to Secretary Pena, all the Congressmen and Congresswomen from Missouri, and a few other special individuals interested in this matter, requesting them to comment and support legislation in capsule pipeline as an effective means to solve or reduce the many problems caused by trucks on highways.

Sincerely yours,

HENRY LIU, *Director,*
Capsule Pipeline Research Center.

THE DEPUTY SECRETARY OF TRANSPORTATION
Washington, DC 20590, January 3, 1997.

DR. HENRY LIU *Director,*
Capsule Pipeline Research Center
University of Missouri—Columbia
E–2421 Engineering Building East
Columbia, Missouri 65211

DEAR DR. LIU: I appreciated receiving the information you provided in your November 15 and December 4 letters on the potential of freight pipeline systems. I am forwarding both pieces of correspondence to the staff at the Volpe National Transportation Systems Center which is drafting the Fourth "Surface Transportation Research and Development (R&D) Plan" for their use as reference documents.

Transportation research priorities are set throughout the Federal Government through a process run through the President's National Science and Technology Council (NSTC). A planning team formed under the NSTC's Transportation R&D Committee recently completed a preliminary transportation R&T strategy for the Federal Government. This strategy identified ten major emphasis areas for transportation research initiatives based on analytical data and a wide variety of user consultations. One of the ten dealt with "Enhanced Goods and Freight Movement at Domestic/International Gateways," and freight pipelines may be attractive choices to help meet these needs.

I appreciated receiving your materials, and we will forward a copy of the Fourth "Surface Transportation R&D Plan" to you when it is completed.

Sincerely,

MORTIMER L. DOWNEY.

UNIVERSITY OF MISSOURI-COLUMBIA,
Columbia, MO, January 15, 1997,

DR. LAURENCE VANCE
U.S. Department of Transportation
Volpe Center DTS–56 55 Broadway, Kendall Square
Cambridge, MA 02142

DEAR LARRY: I am enclosing for your information a copy of Mr. Downey's letter, in which he has asked the Volpe Center to incorporate freight pipeline research in the revised DOT transportation plan to be presented to the Congress. This is good news, and I hope that at least some of the recommendations concerning freight pipelines made at the Pipeline Research Needs Conference at Leesburg will be incorporated into this new DOT plan. I assume that you will be playing a key role in implementing this decision.

In reviewing the research projects on pneumatic capsule pipeline (PCP) recommended at Leesburg (see attachment), I read with interest your recommendation on a needed economic feasibility study of PCP systems. While I agree with you about the need for such a study, I was surprised to read the sentence, "Unless such a system has some possibility of operating profitably, research into technical areas necessary for engineering development are unwarranted." I trust that the above sentence was intended for justifying the need for an economic feasibility study, rather than for preventing or delaying technical research. In my opinion and in those of many other experts, there is more than "some possibility" that freight pipelines can be profitable. This is demonstrated for instance in Japan by the Somitomo Capsule Pipeline (see enclosure). There is no reason to support the notion that what can be

profitable in Japan cannot be profitable in the U.S. The fact that Tubexpress did not profit from it does not mean another company in the U.S. will not be able to profit from it, especially after the PCP technology is further improved.

I have done a detailed economic analysis of the coal log pipeline before, and realize that for any not-yet-commercialized new technology, the cost estimates are always very crude and the results are probabilistic and inconclusive. While such studies provide useful insights, the results should never be used (or misused) to determine whether a new technology should be developed or not. In fact, technical advancement and innovation through research result in cost reduction of new technologies. What is not economical or profitable today will be (or at least may be) economical or profitable tomorrow as the technology is improved, or through mass production. We have seen that happened in many new technologies. For instance, photovoltaic cells were very expensive twenty years ago. When you compare it with other energy sources twenty years ago, clearly it was uneconomical. However, through aggressive research in this area, much of which being funded by DOE, the cost of photovoltaic cells has reduced by a factor of ten in the last twenty years. It is now much closer to being economical in more and more circumstances. Companies producing photovoltaic cells are gaining more profit and the cost of the technology goes down and the market expands. The same happened in wind energy. What was uneconomical twenty years ago is now economical in many places, such as a large areas in California.

Capsule Pipeline is no exception. Through improvement, innovation, and mass production, the cost of PCP can be much reduced. For instance, by using linear induction motor to inject capsules into the pipe, the throughput of the system can easily be doubled. The doubled throughput will reduce the unit freight transportation cost in $/ton by half, resulting in a very economical system. Yet, when you conduct an economic study based on current technology, you may find the economics of the PCP system wanting.

Another complexity of pipeline related economic analysis is that the result is site specific. The same system may be economical in one geographical location but not in another, due to variation in local conditions. Third, since pipeline uses electricity while trains and trucks use diesel fuel, the result of any comparison depends on the relative price of electricity to diesel which changes with time. For instance, in the last 20 years, the price increase of diesel has far exceeded that of the rate increase in electricity. This has enhanced the relative competitiveness of pipeline against petroleum powered vehicles, such as train and truck.

Please don't get me wrong, Larry. I am not downplaying the importance of economical analysis. I know it is very important, but it should proceed in parallel with technological development, so that the two can benefit from each other, and the technology can progress rapidly. The most meaningful program of R&D in PCP should include both technical and economical research. The economical study should be updated periodically as the technology advances.

Technical research to improve PCP, such as through the use of linear induction motor, can be justified on grounds that PCP has the potential of reducing traffic congestion and accidents on highways. Those alone justify the research. The fact that pipelines are underground and do not compete with surface land use is another good reason to justify such research. Whether it is economical or not in today's market using today's technology, such important technical research should proceed without delay.

Finally, when including PCP in the DOT research plan, I hope that you will include both types of PCP—those using rails running through the pipe (the latest system proposed by Vandersteel), and those without wheels (the original Tubexpress system and the successful Somitomo system). Both systems have merits, and they have different markets.

The railed system appears more suitable for very large pipelines (above 10 ft. diameter) which is for interstate transport of large size containers or cars. Such a system is too large to be placed within the utility corridors of highways; they must be placed beneath highways. In contrast, the non-railed system may be more suitable for smaller pipes (2 to 3 ft. diameter), which is needed for grain, mail and other bulk materials. Such smaller pipelines can be placed in the utility corridors of both existing and future highways. They also cost much less than the large railed system. Both systems can be enhanced by using linear induction motors; both systems should be studied and improved.

Please don't hesitate to contact me if you have any questions, or need any information about capsule pipelines. I am including two papers on linear induction motor for pipeline use, for your information.

Sincerely yours,

HENRY LIU, *Director,*
Capsule Pipeline Research Center

STATEMENT OF U.S. REPRESENTATIVE KAREN MCCARTHY, 5TH DISTRICT, MISSOURI

Mr. Chairman, it is my pleasure to welcome you and Senator John Warner to Missouri's 5th Congressional District which I have the distinct honor of representing in the U.S. House of Representatives. I would commend the chairman for his leadership in selecting Kansas City as a site for a regional field hearing on the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA). I would also like to compliment the Senior Senator from Missouri, Christopher "Kit" Bond, for his initiative in this area.

The Kansas City metropolitan area is most appropriate to discuss the critical issues associated with the reauthorization of ISTEA. Our metropolitan community is at the heartland of our nation and the transportation crossroads of our country. In the immediate vicinity, the transportation assets of highway, rail, aviation, and water are critical to our economy. Our community illustrates the underlying challenges associated with ISTEA reauthorization. The needs of an integrated, comprehensive transportation system are demonstrated by the intermodal initiatives in our area. Our massive interstate highway system, our waterway tributaries, and our international airport are models for utilizing the metropolitan planning organization process to facilitate sound decisionmaking priorities. This planning process has worked effectively for our area. One aspect of refinement for the new ISTEA reauthorization should be in resource allocation. Specifically, Missouri and the Kansas City area are considered donors when it comes to the returning of taxpayer's investments for infrastructure needs. This inequity needs to be equalized so that a greater proportion of the citizens' tax dollars are returned for appropriate uses. Our community heavily depends upon its transportation system for economic vitality. ISTEA's reauthorization is a critical aspect to maintaining and growing the Kansas City metropolitan area. Each transportation related job provides an increased benefit through an economic multiplier effect.

Mr. Chairman, I would contend that the Kansas City metropolitan area is an outstanding model for our nation when considering the reauthorization of ISTEA. The comprehensive approach to transportation which has been applied coupled with the innovative initiatives underway in our community truly highlight the positive impact which the original ISTEA has had and serve as a preview to demonstrating the future successes under the new reauthorization of ISTEA.

Thank you for your time and consideration.

STATEMENT OF MISSOURI BOTANICAL GARDEN

The Missouri Botanical Garden is most pleased to offer this testimony and written statement for the record during your Field Hearings in Kansas City, Missouri with respect to the reauthorization of the Intermodal Surface Transportation Efficiency Act. It is our understanding that a major issue being discussed today is the relationship of transportation facilities to economic development and the impact of optimal intermodal and multi modal coordination on regional efficiency. As such, we have taken this opportunity to testify on our activities with respect to these issues, in the context of our present efforts and initiatives to develop a public-private partnership for provision of an Intermodal Transit Center at the Garden. As will be illustrated later, this transit center exemplifies such objectives of ISTEA with respect to systems efficiency and positive economic impact.

The Missouri Botanical Garden is the oldest botanical garden in the country, and is a world recognized research, educational, cultural, and museum facility related to botany and the environment and their place in society. The Garden's scientific staff works on major research projects worldwide, collecting, identifying, naming, and classifying plants. The Garden's library and herbarium are among the finest collections in the world and serve as a major intellectual center for scientists around the world. In addition, a highly focused education program, annually serving 108,000 schoolchildren and adults, offers programs throughout the year ranging from nature photography and vegetable gardening to advanced work in botany. The

Garden participates in graduate programs with four universities in the St. Louis area, and scholars from around the world visit regularly.

Due to its increasing visitation, which is estimated to reach two million persons annually by year 2001, the Garden has recently put forth significant effort toward transportation and infrastructure improvements in its neighborhood and regional environment. During the year 2001, it is estimated that the Garden will infuse $169,000,000 annually into the St. Louis economy. To facilitate this growing operation, the Garden has recently privatized the design of a full-diamond interchange adjacent to its facilities, at the locus of Vandeventer Avenue and Interstate Route 44. In addition, it has completed an 80,000 square foot research center immediately adjacent to this interchange.

Further review of the above growth with the Missouri Department of Transportation, Bi-State Development Agency, and St. Louis 2004 indicates the above placement of resources may be further strengthened by the positioning of an intermodal transit facility immediately adjacent to the ramp set and the research facility. To support this objective, the Garden has developed a transit center, park and ride lots, and the potential for long-range interaction with the statewide rail planning program, incorporating the use of Union Pacific Rail trackage which runs through the above site. A detailed description and concept plan of the above project is included herein as Figure 1.

The total cost of the above package, exclusive of the rail transit station component, is estimated at $6,000,000. It is conceived as a public-private partnership with the Garden supplying real estate procurement and planning and design expertise as a matching local commitment. The Garden has made significant private matching commitments in the form of real estate procurement for the above site, including opportunities for aggressive private income-producing real estate development integrated with the transit system in a classical joint development-value capture manner. In addition, the Garden will provide privatized planning and design fees for the above project. The Bi-State Development Agency will provide local transit operations matching in the form of consolidated routing to the transit center and local match commitment involving repurchase of components of the bus fleet involved with local toutings which will use this center. The total of all of the above local matching components is estimated at $2.3 million, or 38 percent of the total project cost, resulting in a $3.7 million Federal funding component for this project. Significant objectives of Intermocial Transit efficiency can he achiever! by this project. They are as follows:

1.) Provision of a central point for bus service interchange ant' schedule transfers, thus allowing a passenger on any bus line passing through this vicinity an opportunity to schedule destination to any location in the bi-state region serviced by bus. Nine bus lines, including three express bus systems, currently serve the Garden and its immediate boundaries. While bus schedules are continually in dynamic review, the travel demand existing for these lines will allow an efficient common point of schedule coordination, transfer and linkage to other travel modes. In this context, the facility will allow the following operations to occur:

A.) Develop a point of common origin to any other destination in the region, as discussed above.

B.) Position a location for express bus to transfer to local lines, at a site which has appropriate bus operations geometric design. Such express-local line transfer is currently occurring at the nearby intersection of Grand and Lafayette Avenues, in highly constrained traffic and parking conditions, resulting in inefficient bus operations. Bi-State desires to move this activity to our proposed site, making use of appropriate bus operations geometric design.

C.) Development of appropriate park and ride facilities, wherein an individual using either express bus, local bus, or other mode of travel may drive to the site, park all day, and utilize bus service to their ultimate destination.

D.) In the above regard, the Garden has excessive parking demands on some 80 days a year, due to its visitation activity. The majority of these 80 days are during weekends, when daily transit commuting does not occur. The Garden could make use of the three hundred proposed parking spaces during the weekend off-peak period and satisfy its overload parking concerns, while participating in the intermodal commuting process to the benefit of the region during the weekday period, as described above.

2.) Possible long-run integration with rail transit. Early review of the above intermodal transit concept has also directed attention to the potential of using the existing Union Pacific rail line for rail passenger service. It is the Garden's intention to review the potential of the UP line as a rail server from outstate Missouri, Jefferson County, and Southwest St. Louis County in relation to potential long run travel demand and efficient train operations.

It is our intention to develop such review in conjunction with the revisitation of flexible state rail planning and Amtrak programs now being examined by MoDOT. As such, we believe this position is in support of the issues and concerns revolving around commuter rail as now understood by the metropolitan region, and the long-range desire for improved intrastate passenger rail service in Missouri. In light of the above, we have included in Figure 1 a rail concept, making use of the existing UP line, and offering further surface transit intermodal connection via the park and ride lots and local and express bus service as discussed above.

The development of long-range, full-blown state rail passenger service, local and express bus service, and shared parking can offer unique efficiencies in regional travel. The facility can be implemented in combination with interactive kiosk computer terminals at the intermodal facility, which will yield real-time information on traffic, regional bus, light rail and passenger train scheduling, and weather. It would offer a classic "smart" intermodal IVHS-ITS system of great appeal to the current U.S. Department of Transportation objectives. Obviously, the intermodal interchange would offer statewide travel opportunities if the above facility is fully implemented.

In addition to the above, the Garden has reviewed its activities from the perspective of enhanced transit usage and components at both of its facilities, the main campus discussed herein at Shaw and Tower Grove Avenues, and its satellite Arboretum facility in Gray Summit, Missouri. With respect to the main Garden campus facility, an effort will be made, as shown in Figure 1, to implement a greenbelt from the proposed gate at Alfred Avenue to the intermodal center park and ride lots. The Garden will further designate a portion of its lobby in its main visitor center as a Bi-State Bus facility, in addition to its tram shelter immediately south of the building. Service between the intermodal center and the Garden proper and its internal site will allow integrated Garden visitation with public transportation, and a refined interlinkage by tram or other people mover system to the park and ride lots.

Integrated Joint Development and Positive Economic Impact

In addition, the Garden's procurement of the four acres immediately west of the Union Pacific Tracks would allow development of a retail-office facility, focused on the transit center, with bridge and elevator linkage to the bus terminal and park and ride lots. Using a 1 48,000-square-foot surface development with a floor area ratio of 3 to 1 (a three-story siting) of mixed office and retail of high design standards will yield a significant economic impact to the region. Using a 50 percent retail and 50 percent office mix, with preliminary computations of $15 per square foot retail rental and $10 per square foot office rental, yields $5,550,000 annual site income. This results in a developed site value of $30 to $40 million, depending on cap rates and net leasing strategies.

Incorporating the above $5.55 million real estate income into a series of regional business multipliers yields an approximate regional increase of $10,045,500 in related business income, $3,552,000 in household income, and $222,000 in government revenues, totaling to $13,819,500. When the above $13,819,500 is added to the base $5,550,000 in rental income, a resulting $19,369,500 in Annual Value Added is generated for the St. Louis region by virtue of the result of such a transit center, planned with long-term transportation and land use interface. Such impacts vividly illustrate the strategic placement of unique intermodal transit connections in conjunction with targeted land use joint development.

In addition, the Garden will further seek to improve its non-vehicular transportation usage, including pathways, bike paths, and hiking trails, making use of its historic trust and scenic status at both the Arboretum and the Shaw facility. The major east-west bikeways trailnet route along the I–44 corridor will be integrated into the Arboretum at Gray Summit, and express bus service to the Arboretum will extend the existing route westward from Six Flags, in addition to developing a schedule with OATS service for senior citizens. Significant visitation to the Arboretum, and its projected growth through 2006, indicates the need to offer specific routes and scheduled service for senior citizens and other transit captives. In light of all of all the above activities so described, the Garden will work vigorously with Bi-State and all other agencies to implement the above planned expansion of transit use and linkage of transit components. As previously noted, the estimated cost to develop the above are on the order of $6 million excluding the train terminal. As stated earlier, it is foreseen that the Garden will supply significant local matching resources in the form of real estate procurement, and planning and design professional expertise. The resulting total local match is 38 percent of estimated project costs. The availability of 3.7 million dollars in Federal funding in forthcoming ISTEA authorization and appropriations will allow timely implementation of the above project. Such implementation will result in significant value added economic impact and improved travel efficiency to the region. Once again, thank you for the

opportunity to provide testimony and a written statement for the record on this vital showcase Intermodal Transit Center project which exemplifies the objectives of future ISTEA legislation. Very truly yours,

DR. PETER H. RAVEN, *Director*
PAUL W. BROCKMANN, *Director of General Services*

STATEMENT OF THE MISSOURI STATE HIGHWAY PATROL

Thank you for the opportunity to address this committee on traffic safety issues in Missouri. I am presenting to you today a mixed message. We have come a long way over the past 20 years in making travel on Missouri's roadways safer—but we have a long way to go, and we need your help.

Death Rate. Since 1974 when the Federal Government mandated the 55 mph speed limit on this nation's highways, Missouri's death rate due to traffic crashes has steadily declined from 3.5 deaths per 100 million miles of vehicle travel in 1974 to a low of 1.7 in 1993. Unfortunately, we now are seeing this trend bottom out, with 4 of the past 5 years balanced at 1.9. In each of the past 3 years, the number of people killed in traffic crashes on Missouri's roadways also has increased. We are waiting to see how the increase in speed limits in this state, and across the nation, will affect these statistics. It should be noted, however, that since March 13, 1996, the date on which Missouri's speed limits were increased, fatal traffic crashes on interstate highways In Missouri have increased by 34.3 percent compared to the average for the same time period for the 3 previous years.

Governmental Deregulation. Allowing states to establish individual speed limits is just one example of how the Federal Government is loosening governmental regulations relating to safety issues. While I firmly support "state's rights," I also am very concerned about how this new federalism will affect safety on Missouri's roadways. We have heard, as you have, much talk about governmental intrusion into personal rights in the debates on speed limits, motorcycle helmet use, and seat belt use, to name a few. The motoring public, however, must understand that driving is not a protected privilege under the U.S. Constitution. It regulated through testing and licensing, and the safely of all motorists must be our concern.

Another example of how this movement away from regulation affecting the state of Missouri was the law passed during last year's legislative session naking failure to use a motorcycle helmet an infraction in Missouri?. A piece of legislation produced in the current session takes the next step by requiring only those motorcycle riders under the age of 21 to wear a motorcycle helmet despite the fact the riders of this age group comprise only 14 percent of the motorcycle crashes in the state. In light of these and other issues, I would like to discuss a few issues with which we at the Patrol have concerns.

Motor Vehicle Safety Inspections. The Federal Government repealed its mandate of annual safer inspection for motor vehicles, Missouri maintained its program as another element in our traffic safety equation. This legislative session, however, the Highway Patrol has been confronted with an amendment that would repeal our annual safety inspection requirement and, ostensibly, allow unsafe vehicles to be operated an the roadways. The supporters of this bill say that safety inspections don't work and are a nuisance for Missouri drivers. But I say that motor vehicle inspections in Missouri do work—and they are saving lives. A nationwide study for the years 1992–94 conducted by the Missouri State Highway Patrol found that her every 50.2 vehicles involved in nationwide fatal traffic crashes, one had a vehicle defect as a contributing factor to the crash. Because of its safety inspection program, Missouri faired much better. Only one vehicle in every 105.2 registered in the state of Missouri had a vehicle defect as contributing factor in a fatal traffic crash.

Seat Belt Use. A priority for the Missouri State Highway Patrol this legislative session has been strengthening Missouri's seatbelt enforcement laws. The percentage of Missourians regularly using seat belts has dropped over the past 5 years from 70 percent to approximately 62 percent. This is of particular concern when you consider the increased volume of traffic interacting at higher speed limits. Missouri has seen many more serious injuries in addition to the increase in the number of fatalities in 1996. And In 1995 more than 75 percent of the people killed in traffic crashes involving passenger vehicles were not wearing seatbelts. Many of these victims would not have died had they only taken the time to buckle up.

To improve compliance with, Missouri's seat belt law, the Highway Patrol is seeking primary enforcement authority for seat belts. This would allow our officers to make traffic stops when they see motorist who are not buckled up according to the law. Studies have shown that in those states that have a primary seat belt law, seat belt usage by the public increases.

Number of Officers. Another concern for the Highway Patrol that the number of our of officers patrolling Missouri's roadway has not kept pace with the increase in the number of licensed drivers, registered vehicles, or vehicle miles traveled in Missouri. The Highway Patrol had 539 road officers in 1974 compared win 724 road officers today. The number of licensed drivers in Missouri has increased by almost 1 million, the number of vehicles registered in Missouri has increased by 1.3 million, and the number of vehicle miles traveled has increased by nearly 30 billion miles over the last 20 years. While the Patrol's growth has been significant, it has not kept pace his demand for services. The Patrol has one officer working the road for every 86.5 million miles traveled by motorists today.

Young Drivers. Perhaps our biggest concern is the growing number of our young people being killed in traffic crashes, Young drivers, those under the age of 21, make up 7.4 percent of all licensed drivers in Missouri; yet, they are involved in more than 30 percent of all Missouri traffic crashes and nearly a quarter of all fatal traffic crashes. In more than 12 percent of these fatal crashes, alcohol played a contributing role. I believe Missouri, and the nation, must take a strong stance in protecting young drivers. I would like to see a renewed interest in driver's education programs for new drivers. How can we expect young people to drive responsibly if we do not teach them to do so? I also am interested in looking at a graduated driver's licensing system to give our youth the opportunity to learn and practice their driving skills at a slower, more controlled pace. We often say that "Driving is a full-time job." It is complicated skill, and we shouldn't expect our young people to immediately be prepared for all of the responsibilities and ramifications of full-time diving at the age of 16.

These are just a few of the issues that the Missouri State Highway Patrol is facing. We'd like to see our state and Federal Government take a more proactive interest in traffic safety and saving lives. Once again I understand and agree win the concept of less intrusion in the lives of our citizens, except when that lack of involvement is costing lives . . . which I believe the case now. Thank you for your time and your interest.

NORTH CENTRAL MISSOURI SAFETY COUNCIL,
Moberly, MO, March 25, 1997.

SENATOR CHRISTOPHER S. BOND,
Kansas City, MO 64105.

DEAR SENATOR BOND: The members of the North Central Missouri Safety Council have asked me to relay their feelings and concerns regarding U.S. Highway 63, a major north/south corridor which carries more vehicles per mile than any other major highway crossing Missouri. Our particular interest in Highway 63 begins at Columbia, MO on Interstate 70 and moves north through Moberly because this is the highest traffic portion that is not completely 4-laned!

During me past 15 (or more) years area residents have been promised the safety and convenience that comes with 4-lane highways. This project has been neglected as funds have gone to other states or to other projects. Current plans envision an improved schedule for completion but they are still too far in the future! Now is the time to speed up those plans, add new funding and set in motion an early completion of the 4-lane highway from Columbia to Moberly (some 23 miles). We do not want to disturb current funds to the State of Missouri. What we want are additional funds for the project.

This section of highway operates at over 90 percent of capacity with unstable traffic flow (moving from two lane to four lane and back again) and restricted passing opportunities with many intersections that create driver frustration. These deficiencies are borne out by statistics from Captain Clarence Greeno of the Missouri Highway Patrol which show 1,066 collisions with 483 injuries and 30 fatalities over the last 6 years.

One purpose of our council is to take stands on issues of safety and this is certainly one on which we are all in agreement: That, U.S. Highway 63 must receive additional attention immediately from a national level and we ask that you and your committee make that commitment as soon as possible. Thank you for your concern and recognition for improvements needed on Highway 63.

Respectfully yours,

ADA B. TWENTER, *Executive Director*

MOBERLY AREA CHAMBER OF COMMERCE,
Moberly MO, March 24, 1997.

THE HONORABLE SENATOR JOHN WARNER, *Chairman,*
Subcommittee on Transportation and Infrastructure,
Kansas City, M0 64105.

DEAR SENATORS WARNER, BOND AND CHAFEE: The community of Moberly/Randolph County is appreciative to each of you for the effort to hold a "field hearing" on transportation issues in Missouri. As you are aware, transportation is vital to the economic development of our region. All of northeast Missouri has suffered as jobs have been lost and population has dropped, lowering many aspects of rural quality of life. Now, there are opportunities to attract new industry, retail and service outlets to the area but we most be served by safe, efficient, 4-lane highways.

We hope that each of you are aware of the strong efforts by local officials and citizens to increase attention on the lack of north/south 4-lane highway from Columbia to the Iowa line. There is strong constituent sentiment for this highway improvement that promises safe and efficient travel plus new job opportunities. Moberly/Randolph County loses almost five of every ten economic prospect (right off the top) due to the fact that there is no 4-lane highway service. Many people, and now many companies, now seek to locate m a more rural setting. We must have 4-lane highways to fully take advantage of new location criteria.

Here are two options to provide the transportation infrastructure that is needed: First, Missouri has been a "donor" state for far too long. Please join the efforts of Missouri and other donor states to increase the return of gasoline taxes to at least 95 cents of every dollar! This option allows Missouri to improve its highway and bridge infrastructure now plus continue improvements, maintenance and upkeep for many years; Second, seek to release additional funds from the Highway Trust to fully fund those projects included the National Highway System. These new dollars are needed to jump-start many important projects, including our own U.S. Highway 63, that have fallen far behind due to holds on funding!

Please commit your strong offices to these and other measures that will make economic development along with safe, efficient travel more readily available to all of northeast Missouri.

Sincerely,

J.W. BALLINGER III, *Executive Vice President,*
Moberly Area Chamber of Commerce.

NORTHEAST MISSOURI REGIONAL PLANNING COMMISSION AND RURAL DEVELOPMENT CORPORATION
Memphis, MO, March 24, 1997.

THE HONORABLE CHRISTOPHER S. BOND,
U.S. Senate,
Washington, DC 20510–2503.

DEAR SENATOR BOND: Under the 1991 ISTEA law local officials in rural areas with populations of less than 50,000 were excluded from the transportation planning process. It is important to ensure that people rural areas have a voice in transportation planning for their communities and should be allowed to plan and prioritize transportation improvements in their areas.

Rural Planning Organizations (RPOs), such as the Northeast Missouri Regional Planning Commission and Rural Development Corporation would fill the gaps In the statewide transportation planning process. Transportation planning done at the local level allows for greater public input and involvement in the transportation planning process. Planning at the local level allows communities to plan for a transportation system that matches their goals for economic and community development. Allowing multi-county rural development organizations to continue to plan for areas within their jurisdiction will result in comprehensive regional transportation planning. In order for rural planning to be successful, all planning organizations must be treated equally and have the same decisionmaking authority currently granted to large Metropolitan Planning Organizations (MPOs).

The highest priority in Northeast Missouri is the maintenance and preservation of the existing transportation infrastructure for all modes. The allocation of funds to support the expanded role of the RPOs in transportation planning for all modes will enable us to coordinate and participate in identifying the transportation needs within our rural region.

In conclusion, ISTEA should encourage states to actively coordinate with rural planning organizations in the transportation planning and decisionmaking process to ensure that transportation investments address community objectives and are integrated into an overall community planning framework. Investments in planning

and infrastructure increase our mobility and allow us to move goods and people safely and efficiently.

Sincerely,

L.P. MAYFIELD, *Chairman.*

PEPSI COLA BOTTLING COMPANY OF NEW HAVEN
New Haven, MO, March 25, 1997.

SENATOR CHRISTOPHER S. BOND
U.S. Senate
Washington, DC 20510

DEAR SENATOR BOND: I am writing on behalf of our company to express concern about the condition of the Missouri River bridge at Hermann, MO. This bridge is a critical link to our customers and our suppliers.

The bridge is currently in a state of disrepair with crumbling curbs and exposed reinforcement rods. Also, the traffic lanes of the bridge are not of adequate width to handle the larger and wider trucks and busses that cross the river daily, We feel that this bridge needs to be replaced and should be included in the "15-Year Plan" for new bridge construction in Missouri.

We also support your efforts in Congress to more fairly distribute Federal transportation funding by returning the funds to the states where the funds are generated.

Sincerely,

MARK ZOBRIST

STATEMENT OF FRED WEBER, INC., MARYLAND HEIGHTS, MISSOURI

I would like to thank Senator Kit Bond, Senator John Chafee and Senator John Warner for holding this field hearing in the State of Missouri and providing Missourians with the opportunity to express our views on the reauthorization of the Transportation Bill known as ISTEA. Our company, Fred Weber, Inc. is a heavy and highway contractor located in Maryland Heights, Missouri, a suburb of St. Louis, Missouri. Our primary activities are concentrated in the field of transportation with a heavy emphasis on highway and bridge work. On an annual basis our work force varies from 350 to 800 employees consisting mainly of well paid, highly skilled workers. The reauthorization of the Transportation funding bill will have a major impact on the jobs and lives of these workers as well as on the future economic development potential of the metropolitan St. Louis area.

Our concerns focus on three major issues: the integrity of the highway trust fund, equity in return of Federal funding to states and the lack of private input into transportation planning. Regarding the highway trust fund, it is no secret that this fund is looked upon as a potential source of revenue by interests as diverse as balancing the budget to solving our country's social problems. However noble these issues may be, the fact remains that this is a 'trust' fund, funded by the Federal fuel tax which is paid by the motorists who use our nation's highways. The fuel tax is a true user tax and should be used only for its intended purpose. We are strongly in favor of removing the trust fund from the unified budget: we believe the existing 4.3 cents now used for deficit reduction should be redirected to the highway trust fund and all of the trust fund money should be used for the highway and bridge system. The nation's highway and bridge needs have been analyzed in depth by the Federal Highway Administration and private interest groups and it is well documented that the needs far exceed the current expenditures to repair and improve the highway system. It is imperative that the trust fund be used to address our nation's highway and bridge needs and not be diverted to operating expenses and capital costs for transit systems and Amtrak. I applaud the efforts of Senators Bond and Chafee in their introduction of the 'Highway Trust Fund Integrity Act of 1997' which is a very positive step to ensure that the Federal fuel taxes collected not only will be spent but will be spent on their intended purpose.

The second major area of concern is the issue of equity in the return of Federal fuel tax dollars to the states. As you are probably aware, Missouri is a donor state in terms of the percentage of Federal fuel tax collected versus the amount returned to the State. The State of Missouri has many documented unfunded road and bridge needs which can only be addressed with the assistance of Federal fuel tax funding. The list of unfunded needs has grown steadily due, in part, to its status as a donor state. In the reauthorization of the transportation funding bill, it is imperative that

all states be guaranteed a return of Federal funding at a minimum of 95 percent of the states payments.

Our third area of concern in the lack of representation of the private business community in the transportation planning process. Under ISTEA, particularly in large metropolitan areas, transportation planning is a coordinated effort between the local metropolitan planning organization and the state department of transportation. All too often this planning process has occurred without regard to its impact on economic development. We believe the new transportation funding bill should be amended to require that transportation planning be a triangular partnership consisting of the metropolitan planning organization, the state department of transportation and an agreed upon representative from the private business sector. In this age of NAFTA and ever expanding world trade, it is imperative that the transportation requirements of the private sector are recognized and incorporated in the planning process. Good transportation is a key to economic development and economic development primarily lies in the hands of the private sector. Private sector expertise and input can provide a more usable and useful transportation system and this expertise should play an equal role in the future of transportation planning.

Our transportation system, and primarily our highway and bridge system, gives this nation a competitive edge in the world economy. Congress has the opportunity this year to provide the kind of transportation funding that is needed to retain this competitive edge as we approach the next century. I urge you to seriously consider the areas of concern enumerated here in and to act positively on this opportunity to insure our country's future. I again wish to thank you for coming to Missouri and for allowing me to present our views on these most crucial issues.

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

FRIDAY, MARCH 28, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Las Vegas, Nevada

RAPID GROWTH AND INTELLIGENT TRANSPORTATION SYSTEMS

The subcommittee met, pursuant to notice, at 9:33 a.m. at the Board of County Commissioners Chambers, Clark County Government Center, Las Vegas, Nevada, Hon. Harry Reid [acting chairman of the subcommittee] presiding.

Present: Senators Reid and Chafee [ex officio].

OPENING STATEMENT OF HON. JOHN H. CHAFEE, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator CHAFEE. First of all, I want to say that my name is John Chafee, and I am Chairman of the Environment and Public Works Committee. I'm a Senator from Rhode Island, and it's just a delight for me to accept Senator Reid's invitation to come to Nevada and to hold a hearing in connection with the so-called ISTEA legislation.

Senator Reid is an extremely valuable member of our Environment and Public Works Committee, not only on the transportation side which we're dealing with today, but also on the environmental side of the work of our committee, where he has been deeply involved in reauthorization of the Endangered Species Act.

And I am delighted to see my old friend Richard Bryan, Senator Bryan, here. He and I have worked very, very closely over the years in connection with attempts to achieve a balanced budget for our Nation.

So I want to say that Nevada certainly has two outstanding Senators, and it's a pleasure for me to be here at their invitation.

Now, we are here because the principal transportation legislation, the so-called ISTEA legislation—the ISTEA stands for "Intermodal Surface Transportation Efficiency Act"—and I would stress that this legislation is a transportation bill. It's not just a highway bill, and our objective in the Congress of the United States is to move people and goods from various points in the United States to other points in the most safe, the most swift, and the least costly manner. It's a national bill; the needs of New England, for example, are quite different from the needs of Florida and quite different

from the needs of Nevada or the West. And, of course, we always have to remember that there are limits to the Federal Treasury, although I will say that it is my sincere belief that there will be more money spent on transportation needs under the so-called ISTEA legislation over the next 6 or 7 years, depending on how long we reauthorize this bill for, than there had been over the prior years.

Now, these hearings are extremely valuable to me and to all members of the committee, particularly hearing from an area such as this that is experiencing such explosive growth. So we look forward to hearing the testimony of all of the witnesses.

I would like at this time to turn the podium over to Senator Reid and have him preside. We're in his home territory. It's a great pleasure to have worked with him, and I look forward to our continued relationship.

Senator GO TO IT.

OPENING STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM THE STATE OF NEVADA

Senator REID. Thank you for your graciousness, Mr. Chairman.

I first want to introduce John Chafee to the people of the State of Nevada. Senator Chafee is chairman of the full committee, one of the major committees we have in the Congress, the Environment and Public Works Committee. He is a person of outstanding credentials, to say the least, and I think it's important that we spend a minute or two just talking a little bit about him, because although we know him in Washington, I think an introduction here is appropriate.

He is a graduate of one of America's finest law schools, Harvard, but I think more important than that is what he did prior to going to law school at Harvard. He was 19 years old; he was a Marine involved in the invasion of Guadalcanal. The definitive work written on the Korean War, a book called "The Coldest War," is a history of John Chafee, basically; James Brady wrote the book, but it was all about the Captain that led his forces during that "coldest war." John Chafee has an outstanding military record, which was certainly identified when he became Secretary of the Navy. He has been Governor of the State of Rhode Island, and Senator Bryan, in passing, I don't think we should let go unnoticed that he voted with us on the interim storage of nuclear waste in Nevada last year, for which, if we could pin a big medal on his chest, we would do that.

Seven years ago, Mr. Chairman, I convened a transportation summit here in southern Nevada. The purpose was to determine what we could do; then, growth was just beginning to go as it is today. I brought people from all over the world to testify about what we could do to avoid some of the problems that existed around the rest of the country. We wanted to try to be a little bit visionary and see what we could do to avoid some of the problems.

We had no idea that growth would continue over this 7-year period the way that it has, but it has been the fastest-growing State and the fastest-growing community. But one of the things we wanted to do was to make sure that we developed a framework so that there could be cooperation among the Federal Government, the State government, the local governments, and the business community.

Mr. Chairman, I think if there were an example of how this has taken place, it has taken place here, and I hope that through the hearing today we will be able to show how there has been cooperation. We're going to have witnesses from the local entities testifying as to what they've been able to do. We're going to have a witness testify as to what has been done by the resort industry; they have done a yeoman share to alleviate traffic problems with innovative things like overpasses over the Strip. I think you will be impressed by what we have been able to do.

Mr. Chairman, I have appreciated you and Chairman Moynihan and Chairman Baucus during the period of time that he was chairman of the committee, allowing input from members of the committee. This is a bill that wasn't written by the Chairman—or the ranking member of the committee, as you were at that time—but there was input from all members of the committee. I was able to be on the conference of the committee and to help with the final legislation.

I think the key to mention to people here is, what is this legislation all about? What it's all about is a mother trying to take her kid to school, and being stuck in traffic. It's about someone trying to get to work, and they can't get to work; they've got work piled up on their desk, but they can't move because they're stuck in traffic. That's what this legislation is all about. People all over America have problems like we have here, and what we're trying to do with this legislation is approach it in a different manner. We want this legislation to be more than pouring more cement and laying more asphalt, and I think that was the concept of Chairman Chafee and Senator Moynihan in the last ISTEA bill. We wanted to do things in an innovative way. We wanted the Environment and Public Works Committee to be a committee that did take into consideration not only the public works aspect of this legislation, but also the environmental aspect of this legislation.

Transportation represents a national concern, as I've mentioned. As the Chairman has stated, the growth here is something that we all need to be aware of.

I have mentioned how we have come together, Mr. Chairman, as a community. About 6 weeks ago I attended a conference that was held here, sponsored by the Chamber of Commerce and others, called "Las Vegas Vision 2020," which is trying to project ahead to the year 2020 as to what we need to do in this community to meet the problems of the community. There was a mix of government and the private sector, and I was very impressed, having attended that meeting, with what the local community is doing to look ahead.

With the completion of the Interstate Highway System, it is vital that we turn our attention to designing multimodal transportation policies that will allow us not only to maintain the infrastructure we have, but also to move forward to meet the demands of the new century. In many ways, the transportation issues of the future will be more difficult than those in the past. We live in an increasingly diverse Nation, one that is no longer able to be solely dependent upon the building of more roads and more roads. Even in a State as vast as Nevada—a so-called "bridge State" where we desperately

need more roads—we are also looking seriously at different ways of carrying people.

Mr. Chairman, this is the State in the United States that first started talking about magnetic levitation. We had a Governor by the name of Bill Breer who first started talking about this 20 years ago. Frankly, people at the time thought that he was a little touched when he talked about magnetic levitation, but he wasn't; he was a visionary, and we hope that with the extreme excitement that Senator Moynihan and you have expressed for looking at different modes of transportation, specifically magnetic levitation, that we can look to different ways of moving people.

We have our own business entrepreneurs here, people up and down the Strip, who already have ways of moving thousands and thousands of people everyday off our highways with what they call "people movers," and they're doing more of that, and we'll hear some of that in our testimony today.

Some of the projects we'll hear, Mr. Chairman, described here today are already up and moving, others are in the concept stage, others are way off in the future, but what all our witnesses today share in common is a goal of moving people forward and moving goods quickly and in a safe manner and one that we hope is not harmful to the environment. We no longer live, as you mentioned, in an era of limitless budgets, even for something as vital in the future as transportation. We must be smart and strategic in how we move forward, and the one last thing I want to stress, Mr. Chairman, as I asked Rodney Slater when he appeared before the committee, is this: is the Administration going to recognize State and local government from making sacrifices over and above what is called for in the Bill, last year's Bill? And he said yes. You will hear here today from the Governor and others how the local government and State government have really made sacrifices, doing things with their own, with no Federal help, spending hundreds of millions of dollars doing that.

As a little bit of housekeeping, we have 19 witnesses today. We have a lot of time to cover. Chairman Chafee has made a sacrifice to be here during the Easter break, so we're going to have to hold witnesses to the 5-minute limit that we have. We have staff that has—where is our little button machine—yes, and here are the buttons. You'll see that green means you're in your 4 minute time period; yellow means you're running out of time and red means you're all through.

[Laughter.]

Senator REID. So we would ask that you try to adhere to that as closely as possible to allow adequate questions of the witnesses and allow the other witnesses time to appear.

Our first witness, of course, is the Governor of the State of Nevada, also the Chairman of the National Governor's Conference, Governor Bob Miller.

STATEMENT OF HON. ROBERT MILLER, GOVERNOR, STATE OF NEVADA

Governor Miller. Thank you, Senator Reid, and Mr. Chairman.

The good news for you, as Chairman of the National Governor's Association, is that I can no longer be the lead Governor on trans-

portation, so I won't be asked—as I have for so many years been in the role. I am pleased to come here to Las Vegas to discuss reauthorization of the ISTEA concept.

As has been mentioned many times, we're the fastest growing city in the Nation and Las Vegas is an ideal location to witness to some of ISTEA's greatest successes and also see some of the Act's shortfalls and how the microphone works.

[Laughter.]

Governor Miller. Nevada's demand for road capacity, more advanced technology for highway systems, better rail and commuter services is ever-increasing and it is essential for us that Congress pass a new transportation bill that goes beyond the original ISTEA and increase funding to accommodate Nevada and the Nation's transportation needs.

The population growth in the Las Vegas metropolitan area has exceeded 50 percent every 10 years since World War II, and there are certainly no signs of this growth slowing in the near future. To accommodate existing and projected congestion, it is essential that we widen two major highways through Las Vegas. I have requested that Congress provide for the addition of four lanes to U.S. 95 and two lanes to I–15 through Clark County.

In addition, U.S. 95 should be designated as part of the interstate system. Nevada's capitol should also be connected to the interstate system, as Carson City is one of only four capitol cities in the Nation not linked to the rest of the State by a major highway. Only the construction of nine miles from Reno to Carson City remains to be completed to connect the city to the rest of the State, and I have requested that Congress provide for this overdue project.

As well, Carson City is not the only Nevada city that has insufficient highway access. Nevada rural community is separated by vast areas of open space and must not be overlooked when reauthorizing or reformulating ISTEA.

A strong Federal transportation program is necessary to connect these cities and towns, and special consideration should be given to interstate maintenance. Nevada and other western States serve as a bridge for interstate trucking from the Pacific Coast to the East. Over 40 percent of the vehicles on rural Interstate 80 through Northern Nevada are trucks, and these descriptions of Nevada, I think, the needs can be seen as some of the State' characteristics, most important for reauthorization for ISTEA.

Nevada is one of the largest States in area and one of the smallest in population; one of the most rural, measured by population density, and the most urban measured by concentration in urban areas. It's a State with the largest percentage of land owned by the Federal Government, 87 percent, and, thus, the smallest private land ownership. It is the fastest growing State containing the fastest growing urban area, and for these reasons, Nevada is not only a transportation bridge State, but also a transportation policy bridge State.

The basic structure of ISTEA has served Nevada well, but there is much in STARS 2000 that is directly responsive to Nevada's distinctive characteristics and special needs.

One of the most frequently used north-south highways through Nevada is U.S. 93, which crosses the Colorado River at Hoover Dam. The sixty-year old two-lane road across the dam is overburden and will fail to accommodate projected traffic. It is the primary commuter route between not only Arizona and Nevada, but also Arizona and Utah. The time is long overdue for the Federal Government to construct a bypass bridge.

A commitment to Intelligent Transportation Systems must be reaffirmed by the next formula. We should take advantage of the 21st century technology to modernize our urban streets and highway systems and get more value for the taxpayers. We've already taking steps in the Las Vegas metropolitan area to modernize traffic signals. The Las Vegas area commuter traffic system is currently being upgraded with the latest technology. Television cameras are being placed on 60-foot poles throughout the area to monitor traffic through electronic technology to adjust traffic flow appropriately. New control modulars are being placed at 500 signalized intersections and equipment at the central control center is being replaced.

The Las Vegas area computer traffic system is one of the few joint effort traffic control systems in the country. It is a cooperative effort between the Nevada Department of Transportation, Clark County, the city of Las Vegas, the city of North Las Vegas and the city of Henderson.

The development is underway to deploy a freeway management system along the congested U.S. 95 freeway to include video monitoring, ramp meters, change of all our message signs, radio information and service patrols. These systems work and should be utilized in other parts of Nevada and the nation.

Nevada's highway and transit demands go farther beyond the priorities that I just listed, and it is certainly not the only State that requires increased funding from ISTEA reauthorization.

Indeed, the nation's needs are great and regardless of what funding formula is selected, sufficient funding must be made available for our Federal highway system.

As was mentioned, I'm Chairman of the National Governors and have worked with the Nation's Governors to reach a collective agreement that a minimum of $26 billion a year for highways and $5 billion a year for transit is required to meet the nation's demands. The two co-chairs on the committee that I've selected, Governor Patton of Kentucky and Governor Schafer of North Dakota, have scheduled on April 14th a rather large information gathering in Washington, D.C., to include a lot of other road and highway transportation users. I expect there will be a lot of interest at that time.

As I stated to the Joint Congressional Budget Committee hearing earlier this month, America's transportation needs far exceed their current expenditures. Highway capacity has not kept pace with the rapid increase in highway use mileage by the nation's passenger and commercial fleet. The Administration's studies reveal a total transportation spending by all levels of government that would be needed to be increased by $18.2 billion annually, more than 40 percent, simply to maintain current highway, bridge and transit conditions and performance. A total of nearly $86.8 billion or nearly dou-

ble the current annual spending by all levels of government would be required to achieve the needed improvements to the national transport system.

Both the President's 1998 budget and the 1997 Congressional Budget Resolution would reduce Federal transportation spending through the year 2002. Under the President's proposal, total funding would drop from $19.8 billion in 1998 to $19 billion in 2002, and the 1997 Congressional Budget Resolution reduced total transportation spending by 15 percent from 1998 to 2002. In constant dollars this drop is even more dramatic.

During the same time that Congress and the President proposed to disinvest in our national transportation system, revenues generated through the transportation user taxes will rise sharply. The annual fuel tax and other trust fund receipts to the highway account will increase by more than 10 percent, from $24.6 billion in 1998 to $27.2 billion in 2002, while annual revenues to the highway trust fund from all sources will increase by more than 15 percent over this period.

These steadily growing user tax revenues can support significant and much needed increases in Federal transportation investment. In highways alone annual dedicated revenues would support a funding level of $26 billion per year through 2002. An additional $5 billion annual for mass transit programs could also be supported by these growing revenues, and spending down the balance in highway trust funds, which has been the National Governor's position for as long as I've been involved in it, would permit an additional $4 billion annual on top of these levels. Spending all fuel taxes, including the 4.3 percent tax that is not been presently used for deficit reduction, would add another $7 billion.

When the Congress created a transportation trust fund, it made a commitment to the American taxpayers that these receipts would be dedicated to maintaining and improving our national transportation system. Disinvesting in this system at a time when the user tax revenues are increasing dramatically and spending the user tax and other dedicated revenues for purposes other than transportation threatens to undermine the moral and legal commitment on which these taxes are based.

Congress must not delay the investment in our national transportation system. Nevada and the rest of the Nation depend on this commitment to prevent the further deterioration of its roads, increased congestion and lower economic productivity.

I would only clarify that my position on the 4.3 cent is personal. The National Governor's position, which I've testified in front of your committee on several occasions previously, suggested that be returned, but we take no position on the 4.3 cents, and believe that the dollar amounts that I outlined could be achieved without affecting that consideration. Thank you.

Senator REID. Governor Miller, are you able to stay until we finish with Senator Bryan because we have some questions.

Governor Miller. Yes.

Senator REID. OK.

Senator Bryan?

STATEMENT OF HON. RICHARD BRYAN, A UNITED STATES SENATOR FROM THE STATE OF NEVADA

Senator BRYAN. Thank you very much, Senator Reid, and let me say that Nevadans are indebted to you for your leadership as a very senior member of this committee. We greatly appreciate your having requested our friend, Senator Chafee, to join us here in Nevada for what we know as another day in paradise.

Mr. Chairman, it's nice to have you here. I might just say as an aside, I've just returned with Senator Graham from Panama, Columbia and Mexico under the jurisdiction of the Intelligence Committee, which we serve on together, and I will be very interested in sharing with you, when you have a chance, some of our observations from that recent trip.

Mr. Chairman, if I might, direct an opening comment to you to put this in some context. There are a few things that dominate the news in Nevada like our infrastructure needs. The population growth in Nevada continues to be staggering, and despite the efforts of all levels of government, State and local as well, we simply have been unable to get ahead of our infrastructure needs.

Just as one indicator of the kind of growth that we're experiencing here in southern Nevada, a new elementary school must open every 30 days—I'm talking about new classrooms—an entire elementary school must open every 30 days for the foreseeable future to accommodate the needs of educating our youngsters in the public school system here in Clark County. I think that is without precedent anywhere in America throughout the history of our country if that continues.

Having served as Chairman of the State Transportation Board for a number of years, I understand the challenges facing our transportation planners. While our Federal and State highway funding has increased in recent years, size, scope and cost of these projects currently being planned would have been unimaginable just a few years ago.

By way of example, we considered ourselves very fortunate during the first ISTEA authorization at the request of Senator Reid and the Congressional delegation to obtain almost $60 million to rebuild a major Las Vegas interchange known here as the "Spaghetti Bowl." Now, to put that into some context, the funding today the Governor has outlined included projects that cost over $300 million each. Among those that he has cited is the widening of U.S. 95, the extension of 395-south between Reno and Carson City, the Boulder Dam bypass, widening our highways between here and State lines on U.S. Interstate 15, and other highway priorities that we have.

I understand working with you as a part of that budget coalition on which you've provided so much leadership for our us at the national level in trying to work out a bipartisan budget agreement which enables us to realistically and honestly balance the budget by the year 2002 that you understand the pressures that we're all feeling in Washington to balance our budget. But I must say that we also have a responsibility, in my judgment, to increase the Federal commitment to a national transportation system.

Most of the attention on ISTEA has understandably been focused on the formula; that is, how we divide those Federal funds that are

collected by way of our gas taxes that are paid in and joining our Nevada delegation. I'll be participating in making sure that Nevada receives its fair share, but in a larger sense, we need to find a way to increase the overall level of funding; that is, to provide a larger pie so that each of us may enjoy a larger piece. We all pay gas taxes into the highway trust fund. In theory, these funds are supposed to be spent on transportation improvements. The Governor made reference just a moment ago in his opening testimony to a rather bizarre type of accounting practice that exist only at the Federal level, to my knowledge. All of the revenues collected through this gas tax revenue are not expended for purposes of our transportation needs. There is currently a $12 billion surplus in the trust fund.

One of the first things that I did arriving as a newly elected member of the U.S. Senate in 1989 was introduce legislation with fully committed moneys in the highway trust fund to be spent for transportation purposes. That legislation, as you know, did not proceed, but, hopefully, it is an idea whose time has come.

I suspect that the greatest battle, of course, will revolve around the donor-donee question; that is, whether or not a State will receive as much from the highway trust fund as it, and its citizens and visitors contribute by way of gas taxes paid within that State.

Nevada, as you aware, Mr. Chairman, and Senator Reid certainly knows, is in a fairly unique position. Historically, we've been a donor State—or rather a donee State. We have received more money coming in than we've paid out. As recently as 1990 when we first began considering ISTEA, Nevada was receiving $1.35 for every dollar paid into the highway trust fund. Last year for the first time, maybe an aberration, but Nevada for the first time became a donor State; that is, we receive less than we pay into in terms of gas taxes, approximately 97 cents to the dollar.

Let me just cut to the chase here and ask, if I may, Senator Reid, that the full text of my statement be made a part of the record, recognizing that we have a number of witnesses.

Senator REID. Without objection, that is the order.

Senator BRYAN. And let me just offer suggestions that I think would be constructive.

No. 1, the Federal Highway Trust Program must recognize the very special needs of high growth States. From 1990, the occasion of our last census, to 1998 Nevada's population will have grown by 50 percent, 1.2 million to 1.8 million. Relying on the 1990 census data base, obviously, puts us behind reality that we confront those who are part of our transportation planning at the State level, under Governor Miller's leadership, and with the local government as well. We need to consider some type of a formula in terms of the population that will more realistically reflect the size of the population and the States that are affected.

No. 2, let me also say to you, Mr. Chairman—I know that Senator Reid will be supportive of this as well—and that is that the I–4R discretionary program has been very helpful, and we have benefited from that. There's been some talk about eliminating that program. It has helped us in Nevada to avail ourselves of some discretionary funding, which we have been fortunate in securing, and I would hope that we could maintain that as well.

Because the State of Nevada, as Governor Miller indicated, 87 percent is under the jurisdiction or ownership of the Federal Government, public lands and highway programs have been very helpful, and Senator Reid has played a key role in securing the improvements to S.R. 160—that's our highway to Pakrump, which is one of the fastest growing areas in the southern part of the State, and to some extent has almost become a suburb of the Las Vegas metropolitan area.

I also suggest that there be some consideration in the reauthorization of the level of effort expended by individual States. Often times States and local government abuse the Federal Government by asking the Federal Government to provide more while they are providing less. Nevada is providing more, local governments are providing more; in fact, in terms of the total spending for highway needs, the State of Nevada spends more than the Federal share coming to us, and I am told, although I have not validated that, that perhaps Clark County as well spends more in terms of its highway commitments than the money it receives from the Federal Government.

My point being that we are stepping up to the plate and paying our fair share at the local level, and some factor ought to be worked into the formula rewarding States who themselves are doing what needs to be done at the local level.

And, finally, I would hope, Mr. Chairman, that the committee will resist the temptation to rely too heavily on Federal gas tax revenues as a factor in highway distribution formulas. This is, in my judgment, a poor approximation of needs for highway improvements, and equally inaccurate in relying on gas tax revenues is a factor in highway distribution. For example, there are innovative and competitive ideas to reduce fuel consumption and consequently improve air quality, which would be penalized if the gas tax revenue would be a lone criteria.

Again, welcome to southern Nevada. Thank you for taking time out of your very busy schedule, and look forward as always to working with you as one of our colleagues. You know you are one of our favorites, and we are very grateful for what you've done not only in terms of your national leadership, but the help you've provided us in Nevada with an issue that is of increasing importance to us, and that is the nuclear waste issue.

Thank you very much, Senator Reid.

Senator REID. Representative Ensign?

STATEMENT OF HON. JOHN ENSIGN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. ENSIGN. Good morning, Senator Reid, and Senator Chafee. Thank you for coming out here to our wonderful city. I think that the only way that the people can truly experience what we have going on here in southern Nevada is to be here. So I appreciate Senator Reid and your efforts for getting Senator Chafee out here. We had Chairman Shuster out here this week also, and our hope was that he would be able to experience U.S. 95 during rush hour, but he would not agree to that so maybe we can get you to do that some time during your stay here.

I want to, first of all, add my voice to a lot of the testimony that Governor Miller and Senator Bryan have emphasized this morning, and then, not to be too redundant, mention a few other things.

First of all, I think that it is important to continue to emphasize how fast we are growing here and how inadequate—if we just take the 1990 census numbers—how inadequate that would be for our State and how severely we would be penalized. The couple of factors that I was encouraged by in talking to Chairman Shuster this week about on the House side that he is considering, and that is a bonus formula for States to step up to the plate and contribute a higher share of the highway dollars, such as the State of Nevada is doing. So I was very encouraged by that, and I would urge the Senate to look at a similar type of a formula, but also a formula based on ISTEA that would reward—not reward States, but recognize that our demographics and changing as the population shifts from mainly the northeast to the south, at least the sunbelt type of States.

We are growing so fast that current formulas would certainly penalize us greatly. Just since 1991 our population has increased by 25 percent and we're increasing about 4.5 percent a year. If you look at the difference—most States down here are at zero or maybe losing a little bit, and then you have another set of States up here that are increasing by one or 2 percent, and then you have Nevada all alone up here, 4.5 to 5 percent a year. There are no other States in the country that even come close to the population growth that we have here in southern Nevada, our entire State but especially here in southern Nevada.

While we are looking at what we need here into the 21st century—and I strongly believe, Senator Reid, as I think everybody in the Nevada delegation does—is that we know the infrastructure needs that we have here and a lot of northeastern States have severe infrastructure needs as well, and it is absolutely critical that we take the highway trust funds and use them for what they were intended to be used for as well. I would add my personal concerns about the 4.3 cents a gallon, that I actually would like to see that be used for the highway trust fund. I think that if you're using user taxes, user fees, that that is what they should go for. It's a dangerous part of our budgeting process when we start just putting user fees on for something and then later on down the line we change those, and I would like to see us get back to exactly what the highway transportation trust funds were set up to be in the first place.

I would like to address something that nobody else has addressed today, and it has to do with air pollution. We have a local agency called the Desert Research Institute that has developed some very exciting technology, and I would like your subcommittee to be looking into this in the future because I think that it actually has some promise to solving a lot of our air quality problems in the United States, and it has to do with remote sensing. They've done some studies here, in two urban areas here in Nevada—the Desert Research Institute has—where they actually measure cars as they're going by through infrared, and they can tell which cars are doing the polluting, and, therefore, you target the cars that are doing the polluting. They can take an instantaneous picture of that car, send

them something in the mail that says, "You've got to bring your car in to get it fixed" because we know that it's a small percentage of the cars that are causing the vast majority of the pollution. Instead of—the EPA right now wants to come down on everybody and say, "We want everybody to go through a centralized station," and thank you, Governor Miller, for fighting the EPA's efforts on that. I think that's the wrong solution. We need to look for innovative 21st century type of solutions, and I think that technology like the Desert Research Institute is developing and testing is the type of technology that we need to be looking at in the future.

First, there's a couple of things—it's much more efficient; it provides people with a lot more freedom because not everybody has to be targeted. Most cars are not doing the polluting, and they shouldn't have to go get their cars tested every year, and it would actually focus on those cars that are polluting.

Finally, let me just talk about a few of the projects that I think are the most important, and I think that our State agrees on. The No. 1 priority is U.S. 95 and the widening from the current six lanes to 10 lanes. That is the most congested area in our entire State. There is no question that it causes the most pollution, it causes the most delays of getting kids to school or getting people to work, and that has to be our No. 1 priority for the State. We do have other priorities around the State, but that certainly has to be focused on as our No. 1 priority.

I would also like to say that—and you'll be hearing from other witnesses during the rest of the day—that hopefully we can come to some agreement here locally on the type of light rail system that we would like to develop and how exactly that's going to work, but I certainly would like your committee to look into the study of that and the authorization of the funds for the future, as we step up to the plate and are willing to put more than our fair share of that as a local and State government here.

I thank you for allowing me to testify this morning.

Thank you, Senator.

Senator REID. Thank you, Congressman.

We'll now hear from Jean Rice, who is the field representative for Congressman Jim Gibbons.

STATEMENT OF JEAN RICE, FIELD REPRESENTATIVE FOR HON. JIM GIBBONS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Ms. RICE. Good morning, Mr. Chairman, and Senator Reid.

It is an honor to be here on behalf of my boss, Congressman Gibbons. He regrets that he cannot be here this morning. However, I would like to submit the following policy recommendations and projects for inclusion in the authorization of the ISTEA project.

The first one is U.S. 395, Carson City bypass. The project's total cost is $150 million of which $67 million is anticipated to be federally funded. The scope of this project is the southern 5.2 miles of a freeway bypass around Carson City. This is the relocation of U.S. 395, which is now Carson City's main street to a corridor through the east side of Carson City.

Travel time from congested are significantly reduced. The traffic count on the narrow four-lane street in front of Nevada's State

House is 35,000 vehicles a day, with a high percentage of big trucks. This is the only route from South Lake Tahoe, Douglas County and California on the east side of the Sahara Nevada Mountains to the Reno metropolitan area and the important Reno-Tahoe Airport. I join the Nevada Department of Transportation, Carson City and Douglas County in supporting this important project.

The I–580 extension—the total cost of this project is $190 million of which $170 million is anticipated to be federally funded.

The public transportation project in Reno—on behalf of the RTC of the Washoe County in Reno, I am submitting a request for funding authorization of $17 plus million for public transportation projects in Reno, Nevada. This funding will allow the implementation of the automatic vehicular location and enhance communication technology. The purchase of 27 vehicles for expanded service to the community and the renovation expansion of three RTC facilities.

U.S. widening in Las Vegas—U.S. Highway 95 between downtown Las Vegas and the rapidly growing northwest portion of the Las Vegas Valley is the most congested freeway in Nevada. A major investment study is in the final stages for a $300 million widening of U.S. 95 from the current six lanes to 10 lanes. Although the construction for this project lays in the district of the senior member of the Nevada delegation, John Ensign, it will offer much needed relief to my constituents as they commute to the inner city of Las Vegas. I join Congressman Ensign in support of this important project.

The lane widening between Interstate 15 between Barstow, California, and Victorville, California—I support the project sponsored by Congressman Jerry Lewis to widen Interstate 15 between Barstow and Victorville, California, from four to six lanes.

The project involving the city of Reno and the Union Pacific-Southern Pacific Railroad—this will service notice that the city of Reno and the Union Pacific-Southern Pacific Railroad have mutually agreed in principle to construct and improve the transportation infrastructure within the cities of Reno and the Truckee Windows Basin on northern Nevada in an effort to mitigate the potential adverse impacts of public health, safety and environment that may be occasioned by the recently approved UPSP merger. The exact scope and details of this project are still being determined. At this juncture it is evident that the railroad right-of-way and the two U.S. highways will be intricately involved in the transportation improvement projects, creating a corridor of safe and efficient multi-module transportation for freight and passengers, as well as improved safety for pedestrian and vehicular crossing.

I want to say, Chairman, that there are other items of interest in this testimony from Congressman Gibbons, as well as an additional testimony from the city of Reno, Charles McNeely, and I would like to submit those both for the record.

Senator REID. We'll make sure that City Manager McNeely's statement appears and also that Congressman Gibbons' full statement will be made part of the record.

Ms. RICE. Thank you.

Senator REID. Senator Chafee and I have a number of questions that we would like to ask, and we've learned how to operate the machine here now and we're going to hold ourselves to 5 minute questioning.

First of all, Governor Miller, I would like to say that we don't hear a lot of good things in this modern world it seems about people in elected office and certainly less about people in appointed office who are in effect bureaucrats, and I would just would like to publicly tell you how much I have enjoyed working with Tom Stevens who is your Director of Highways. He, of course, is the Planning Director under Senator Bryan, but he has done an outstanding job. The transition has been good. I have found him available, and knowledgeable and it has been a pleasure for me and my staff to work with him.

Governor Miller, I was appreciative of hearing you speak about the highway trust fund and how important it is that we spend the money in the trust fund, but I would like to ask you how you feel about the Step 21 proposal that the Governors have talked about a little bit on the national level.

Would you talk to us a little bit here on the local level about how you feel about it?

Governor Miller. First, Senator, let me comment that I appreciate your comments about Mr. Stevens, and I certainly concur, but I also want to recognize that you and your staff and Senator Bryan whose staff for many years have been excellent to work with on these issues, as has Congressman Ensign and most recently Congressman Gibbons. I think Nevada is fortunate that we all try to work together.

I think Step 21 offers some advantages for a small bridge State like our own, but it is probably less advantageous than some of the other concepts like ISTEA Works or the STARS 2000 Program. It seems to have more advantages than, for example, the NEXTEA Program would, and at least the most important thing, I think, for our State is the continued recognition that there be a formula; that it not be money restricted to the individual State of origin, even though, as Senator Bryan pointed out, we have moved from donee to donor. I think in the long run States like our own and the country as a whole would be disadvantaged if we don't continue to recognize this as a Federal Highway Program, and with the amount of commercial transportation we have going through our State, which I think is a reason why we should receive some additional funding, that if you went to only the State of origin, State like our own would be traumatically imperiled.

So I, obviously, as I mentioned in my testimony, STARS 2000 is the most cognizant of the needs of a State like ours, but Step 21 does have some advantages.

Senator REID. Senator Bryan, I think that you painted a visual as well as could be done about the growth that has taken place here by having to build a new school every 30 days, and I would say, Mr. Chairman, that we hold the record in the United States. We dedicated 18 new schools here in 1 year—that kind of gives you the picture of some of the growth problems that we're having. In addition to that, Governor Miller has indicated to us that we're the

most densely populated State in America—most urban State, I should say.

Senator CHAFEE. I remember you're saying that in the committee, and I was dazzled. I wondered if I was hearing right.

Senator REID. Ninety percent of the people live in the two metropolitan areas, and, in addition to that, things are complicated, Mr. Chairman, because we're the most mountainous State in the Union except for Alaska. We have 314 mountain ranges in Nevada that, of course, we have to travel through. In addition to that, we have 42 mountains in the State of Nevada that are over 11,000 feet high.

So Nevada is a very unique State, and I think, Senator Bryan, you did an excellent job of projecting that visually.

Let me ask you this question, though, Senator Bryan. Eighty-seven percent of the State is owned by the Federal Government, and, as you know, the original ISTEA bill included provisions to recognize the importance of providing Federal support for the maintenance of highways traversing these lands. As someone who has dealt with the maintenance and improvement of these roads while you were Governor, and now as Senator, do you think that it is important to continue this program?

Senator BRYAN. Oh, I do, Senator Reid. As you know, we're all very much a part of this debate, in terms of redefining the roles of government and trying to determine what functions are best performed at the Federal level, what are best performed at the State level, what are best performed at the local government level.

Something that I know that you and Senator Chafee appreciate—we're talking about a national highway system. I, certainly, agree with your comment and that of Governor Miller in that the idea of a turned back or a devolution proposal just allowing each State to collect its own money and kind of do essentially what it wants to do is antithetical to what is a national highway system.

So I very strongly support the concept of that provision, as I know you do, and I think it is extremely important. It is important because, No. 1, it is the correct national policy. There are 50 States. You can't go from the border of one State to another and then all of a sudden another State has developed a different type of a highway network. That just doesn't make sense in terms of commerce, moving goods and services along our great system. One of the great strengths we have in America is that we do have an excellent transportation system—part of that is the highway system and part of that, as you know, Senator Reid, is a result of our commitment at the national level.

So I think very much so that we need to continue that, and I'm strongly committed to that. I know you feel the same way.

Senator REID. Congressman Ensign, I also want to compliment you for recognizing the Desert Research Institute. It is one of the finest institutions of learning anyplace in the world, and I wanted to make sure that Senator Chafee—that I underline and underscore that for him.

Senator Chafee is a member of the Environment and Public Works Committee, and they have done wonderful things for the environment. They've worked with the State of Israel on their drip irrigation system. They are as responsible as any other institution

for helping Israel help develop this drip irrigation system, which is now used literally all over the world, especially in Africa.

And I say this, Congressman Ensign—you mentioned DRI. That is the direction we must go in this legislation. We must look for different things to do, different ways of meeting the demands of American travel, so thank you very much for mentioning Nevada's perspective on what we can do to help alleviate some of the problems with traffic and the pollution that comes along with it.

Mr. ENSIGN. Senator Reid, let me just make one comment along those lines about different solutions because I think that we recognize the first funds that you all were involved with getting for the Spaghetti Bowl in 1987. The Spaghetti Bowl is not going to be done until 2000, streamlining the process as well on getting some of these new technologies and the bureaucratic process on getting the projects done for the Spaghetti Bowl. The amount of pollution that we're going to cause because we haven't had the Spaghetti Bowl widened a lot earlier is a tremendous burden on our whole valley here traffic-wise, pollution-wise and everything else. So part of the process also is new technology and also new processes and the bureaucracy.

Senator REID. Senator Chafee?

Senator CHAFEE. Thank you very much, Senator Reid.

I would like to say to the Governor and Senator Bryan that it is impressive, the statistics you gave, and I believe—I think Representative Ensign also touched on this—I think there is a lot to the fact that the formula should reflect one growth that is occurring in States, and, two, the point that the Governor and Senator Bryan made about this being a national piece of legislation. It can't be a system whereby you put in X dollars and you get back X dollars. If that were true, let's get rid of the Federal Highway Administration. Let's not even pass a bill, and we would save a lot of money by not having the money siphoned through Washington and then come back.

But we've decided, as Senator Bryan said, that we want a national transportation system, and it involves the 50 States. I feel quite strongly in opposition to the suggestion of you put in X dollars and you get 95 percent back or whatever it might be because the needs are different in the different parts of the country, and I think your needs are unique. Where would you have been if you had this system right from the beginning? As the Governor pointed out—or Senator Bryan—at one time you got back $1.35 for every dollar that you put in, and now you may be even; maybe you're getting back a little less, but you got back $1.35 because of various reasons, including your unique problems that you have here.

The highways or the transportation system is no different from any other. I was in Kansas City, Missouri, where they have high flood demands out in this part of this country, flood control demands out in part of this country. You have high irrigation demands. Now, if you went on a donor-donee system, Rhode Island would complain bitterly because we get nothing back from irrigation; we get nothing back from flood control, but I believe it's right that we spend money in those areas because we're a nation. So we can't get into a donor-donee, exact nickel back, nickel in nickel

back business, in my judgment. We've got to look at the Nation as a whole.

I was extremely interested, Representative, in what you had to say about the pollution. Now the Administration is coming forward with some new standards on air pollution, and, yet, we are not even enforcing the standards we've got now, and we've run in—I presume, there has been tremendous objection, as there is in our State, to everybody taking their car into a central place and that place can't repair it. So if you're not up to snuff, you have to go to another place to get it repaired, then come back the third trip or the return trip but the third stop to go to the original place to test again.

Now, I take it that your Administration, you, Governor, objected to that, but it seems to me the real solution from what you pointed out is some way of taking out the offenders and sending them off to being repaired and tested instead of every vehicle having to report to these stations.

Now, I think that's a very, very useful thing. Also, on the high technology, we're going to hear later on from Dr. Johnson who is the Director of the Intelligent Transportation System of the nation. I just came from California yesterday and we saw some of the things that they're doing there, which you pointed out. The whole idea—I'll just take one moment. Somebody pointed out to me that there hasn't been a major airport built in the United States in 25 years except for Denver, and, yet, in the existing airports they're moving far more traffic than they ever were in the past. Now, how are they doing that? They're doing that through technology and controls, and so our highways, if we applied the technology that we have available—the existing highways, it isn't always just building more and more highways. It's getting the traffic through the existing highways, and that's what we've got to learn to do. Obviously, in some places, as you've pointed out, all four of you pointed out in your testimony, that there are certain places that are real bottlenecks. I must say I wouldn't want to be in the Governor's office in Carson City where, what is it, 35,000 vehicles going by your door everyday, half of them trucks?

Governor Miller. Yes.

Senator CHAFEE. So I found this very, very helpful, and I want to thank everyone for their testimony.

Senator REID. Ladies and gentlemen, we're going to have a 5-minute recess. The next panel has 10 members so we're going to divide that into five and ask Deborah Redman, P.D. Kiser, Steve Teshara, Manfred Wackers and Glen Schaeffer to come forward and be ready to go in about 5 minutes.

The committee stands in recess.

[Recess.]

Senator REID. We're very happy to have with us today a group of witnesses who, I think, will throw a new light on transportation generally. We're first going to hear from Ms. Deborah Redman, who is a Senior Planner for the Southern California Association of Governments, and I would to indicate to you, Ms. Redman, how much I've appreciated working with the California authorities, especially those in the southern part of the State, in helping us with the last

ISTEA bill that we did and some of the good things that we've done here in southern Nevada.

STATEMENT OF DEBORAH REDMAN, SENIOR PLANNER, SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Ms. REDMAN. Thank you, Mr. Chairman, Senator Reid, and members of the subcommittee for the invitation to speak before you today on behalf of the value pricing pilot project of ISTEA reauthorization.

I am Deborah Redman from the Southern California Association of Governments, the Project Manager to a congestion pricing task force known as the REACH task force, and that stands for Reduce Emissions and Congestion on Highways.

Before I address the issue of market-based transportation pricing, I would like to respond to Senator Reid's request and tell you briefly about several initiatives of interest to the entire southwest area.

First, SCAG has initiated a southwest passage proposal intended to lead to integrated freight transportation infrastructure and development along the I–10 corridor, which connects major ports and intermodal facilities to ensure efficient movement of Pacific Rim and master related trade, along with local and regional trade and goods. We see the need for the regions and States, along with the private sector and the Federal Government to identify and enhance national trade corridors across the country.

Second, we are involved in an interstate clean transportation corridor project. This is a public-private partnership to accelerate deployment of alternative fuels and freight movement along corridors connecting the major non-attainment areas of California, Utah, Nevada and Arizona. There are also system issues between McCarran Airport and the airport system in southern California, which are detailed in the written testimony.

Turning to congestion pricing, in 1994 SCAG and TransCal secured a pricing study grant from FHWA under ISTEA Section 1012(b), the value pricing pilot project, then called congestion pricing, which sought regional implementation of transportation user fees, including variable fees, for road use and emission reduction. Traffic and air quality problems continue to burden our regional economy to the tune of about $12 billion per year, and we are running out of options. We're already using the freeway shoulders for car pool lanes; we're already in the front lines of ITS deployment, and look forward to the mobility and air quality increases in performance that those strategies will give us.

Still, we can't build our way out due to environmental and fiscal constraints, as well as capacity limitations on many freeways. And because we need a practical and stable replacement for the gas tax, we have been led to consider a politically difficult solution—transformation of the pricing funding system for transportation.

With the help of ISTEA's value pricing program the REACH task force conducted a 2-year study, which called for active regional discussion and public involvement on specific proposals relative to market-based reform. The 75-member REACH advisory task force concluded that longer term full scale implementation of pricing did have significant potential to solve air pollution and mobility prob-

lems and should be evaluated and tested on an ongoing basis. In the short-term recommendations called for additional implementation of HOT lanes—that is, high occupancy toll lanes where solo drivers are allowed to share express lanes with car pool drivers, with car pool drivers paying for that premium in savings and time.

This strategy is designed to build on the success of a number of currently operating HOT lanes, including the SR–91 in Orange County and the newly opened facility on the I–15 in San Diego. These facilities, according to our numerous polls, are supported by users and non-users alike, 65 to 70 percent support; our own studies reveal 62 percent of people support the concept and trends indicate increasing support as people become more familiar with the operations of HOT lanes. Other regions, including Houston and Lee County, Florida, also project partners, have implemented similar projects as a direct result of ISTEA support and involvement of the Federal Government.

However, even with a good base line support for HOT lanes, we need continued Federal involvement. Given the complex and controversial nature of new road user fees and vehicle emission pricing policies, and the implications with respect to requirements for transportation, air quality conformity and fiscally constrained regional transportation plans, we believe it is appropriate for the Federal Government to continue partnering with SCAG and other regional and State jurisdictions to advance analysis, testing and public dialog on pricing.

Market-based reforms are not simply a local matter. Air pollution and urban congestion affect not only their immediate environment, but those in adjacent air sheds and people in economies which depend on the timely and efficient movement of goods in and through urban centers.

If the current successes are to expand to other regions and develop into comprehensive and effective pricing programs, the pilot project areas need the continuity of funding, programmatic support and technical expertise so ably provided by the FHWA during these past 6 years. ISTEA has brought a dozen regions to significant milestones on the road to transportation pricing reform—don't leave us now.

SCAG strongly recommends that the program be reauthorized, as the Administration has proposed.

With that, I'll conclude and take any questions, Mr. Chairman.

Senator REID. We will have your full statement be made part of the record. It's an excellent statement; I've read it.

We will now hear from Mr. P.D. Kiser, Parsons Transportation Group.

STATEMENT OF P.D. KISER, TRAFFIC ENGINEERING MANAGER, PARSONS TRANSPORTATION GROUP

Mr. KISER. Thank you, Mr. Chairman, and Senator Reid.

I am P.D. Kiser. I am the Traffic Engineering Manager with the Parsons Transportation Group.

The Las Vegas Valley has experienced the most rapid growth of any metropolitan region in the country. Along with this phenomenal growth, has come increasing traffic problems and air quality concerns. Public officials have aggressively pursued an ambitious

program of public works improvements to address traffic demand. They have established a program for improving the effectiveness of the existing roadway network by upgrading and enhancing the Las Vegas area computer traffic system, better known as LVACTS.

LVACTS was established in 1983 as one of the only multi-jurisdictional centralized traffic signal systems in the United States. LVACTS is an agency that is jointly managed by the city of Las Vegas, Clark County, the city of North Las Vegas, the Clark County Regional Transportation Commission, the city of Henderson and the Nevada Department of Transportation. The existing control system has now reached its capacity, and many traffic signals now being constructed cannot be accommodated on the existing system.

Since that time the technology of traffic signal systems has improved dramatically. As traffic congestion has increased, so has the need for these expensed capabilities.

Based on the results of a feasibility study, the Regional Transportation Commission included the LVACTS upgrade project in the federally funded Congestion Mitigation and Air Quality improvement program, which was established as part of ISTEA. In 1993 the Nevada Department of Transportation, in cooperation with the LVACTS participants, secured the services of Barton-Ashman Associates, now known as the Parsons Transportation Group, to proceed with design. Construction of the system is now underway.

Traditional traffic signal systems have been designed from a traffic control center outward. The existing system is an example of this highly centralized approach. The central computer directs on a second-by-second basis the individual actions of all 475 plus traffic signals that are now part of the system. The new system follows an innovative approach where all the individual traffic signal controls is contained at the intersection using advanced transportation controllers. This decentralized, or distributed approach, will allow the system to provide reliable operation even when communication systems fail. Also, the distributed approach will allow the replacement of the existing mainframe computer with a network of inexpensive and easy to maintain microcomputers.

In addition to increasing the features the reliability of the traffic signal control system, the design concept has incorporated a video surveillance system. Closed circuit video will give operators the chance to observe traffic conditions and make adjustments from the downtown traffic management center. The video system will greatly increase the effectiveness of the LVACTS staff.

To provide the LVACTS operators with access to the intersection controllers and video cameras, system designers have devised a two-tiered communications network. The system has been divided into nine regions and all intersection controllers will be tied to a hub located in each region. These regional hubs will be connected to a backbone communication system using high frequency microwave.

Several different technologies will carry video and controller signals from the cameras and intersections to their respective hubs. These technologies include data radio, ultrahigh frequency microwave, fiber optic cable and special equipment designed to move video along the existing copper cables that are used by the existing system.

In total the upgraded LVACTS communications network will showcase the most advanced technologies available, traffic management systems.

An ironic note—a recent ruling by the Federal Communications Commission will remove from public access the 31 gigahertz radio band. This band was to be used on the LVACTS project for video surveillance communications. The FCC's rejection of the State's license application will have a significant impact on the reliability and efficiency of this new traffic signal system.

The purpose of the signal system is to provide the capability to move traffic as efficiently as possible. Traffic signals cannot add capacity, but they can allow traffic to make best use of the capacity by distributing it fairly to all movements.

The current system imposing constraints on the signal timing because of its limited capabilities. The new system will be capable of controlling an infinite number of intersections, able to maintain signal coordination during central system and communication network failures, improve overall traffic progression during off-peak and heavy traffic flow times, improve pedestrian crossing movements, permit system operators to make signal timing adjustments through the video surveillance system, and have the capability to be expanded for functions such as freeway management.

We urge you to continue the funding categories now available from the ISTEA bill that allow for traffic control systems such as LVACTS. This type of project is very cost-effective and has positive impact on air quality.

Senator REID. Thank you very much.

We'll now hear from Mr. Steve Teshara, Executive Director of the Lake Tahoe Gaming Alliance.

STATEMENT OF STEVE TESHARA, EXECUTIVE DIRECTOR, LAKE TAHOE GAMING ALLIANCE

Mr. TESHARA. Thank you, Senator Reid, and Senator Chafee. I appreciate the opportunity to come before you today.

The Lake Tahoe Gaming Alliance is an organization representing the hotel casino resorts on the South Shore of Lake Tahoe. The Alliance takes a very strong leadership role in our region on transportation issues.

There are several important principles that went into the drafting of ISTEA as originally adopted in 1991. We believe that these principles are extremely important to the reauthorization of ISTEA that Congress is now considering. Those principles would be as follows: maintaining a strong national commitment to transportation, providing transportation choices, protecting public safety and the environment, assuring accountability, a strong role for the States and local government, and community and public involvement.

Reauthorization of ISTEA should continue to focus on partnerships and on a level playing field between highway construction and other transportation projects. My testimony this morning will focus on those programs that we have found to be of particular value from ISTEA and importance to the Lake Tahoe region.

One of the most important for us is the enhancements program. This program has allowed us access to funding for the design and construction of very important water quality improvements along

our roadway network, which is very limited in Tahoe. These would include erosion control and drainage projects. Prior to ISTEA, as you know, there was little if any funding available for such projects and important considerations.

Enhancement projects at Lake Tahoe have also included the construction of bicycle and pedestrian trails and sidewalks. It is a consensus goal at Lake Tahoe that we build a vastly improved trail network, including a bicycle trail that goes completely around the lake. We note that just on one 17-mile section of our current trail system, over 400,000 people use that section of trail each year. So, clearly, we have a need and a demand that must be addressed.

We at Lake Tahoe do support proposals to increase the amount of ISTEA funding dedicated to enhancement projects here as well as in the rest of the country. We have a lot of work to do in enhancements.

I did, Senator Reid and Senator Chafee, submit some photos of some enhancement projects that we have done at Lake Tahoe for your review.

We also strongly support the continuation of adequate funding for scenic by-ways projects. Thanks to ISTEA and a lot of support, we have Highway 28 along the East Shore of Lake Tahoe in Nevada that has been designated a scenic by-way. We also support historic and cultural preservation programs in ISTEA, the improvements to highways that are provided and also for the access to public lands that was mentioned earlier in testimony. This item is particularly significant at Tahoe, as it is in Nevada, where in Tahoe we have more than 70 percent of the basin watershed owned by the Federal Government. When you place the State holdings in California and Nevada into that, it's more than 80 percent of the public lands there, and access to those public lands for recreation is particularly vital for us.

In fact, at Lake Tahoe we're working very hard to move the public land management agencies, Federal and State, in the direction of partnerships to increase transit access to public lands. We look to the reauthorization of ISTEA to help provide us the flexibility and resources to accomplish this goal effectively and efficiently.

The new ISTEA should also, in our judgment, increase support for projects based on the use of innovative technologies as a means to reduce congestion and improve economic competitiveness and quality of life. With funds that we have secured from the Federal Government just this past year, with strong leadership from Senator Reid and others, we have a great pot of money that we've generated locally. We've put those together on the South Shore of the Lake, and we're moving forward to the development and implementation of what we're calling the Coordinated Transit System Project, and this will be using the technologies of Automatic Vehicle Location, or AVL, Advanced Traveler Information, ATI, and Computer-Aided Dispatching, or CAD.

While each of these technical strategies has been proven to date in its own right, they've never been deployed together as a package as we plan to do in South Lake Tahoe. Consequently, our CTS will be a cutting-edge project. Unique features of this project will be both the availability of service to the community at large, not just Paratransit, and the immediacy of response to ride requests.

Through grants or similar programs, ISTEA should encourage and help fund such innovative projects, including ITS strategies. And, again, for the record we have submitted some technical descriptions of our CTS project for your consideration.

I would also note that Lake Tahoe, along with NDOT, Washoe County RTC, NHP, along with a number of entities in California, are involved in the TransCal field operational test. This is a test of various technologies up and down the I–80 and U.S. 50 corridors, which are vital to our area. We know that we will not likely see much new capacity so we're trying to do capacity management with technologies, and, again, we're involved in that TransCal FOT program.

As I think most of the folks in the room today are aware, Lake Tahoe is a very unique region. We're recognized as a national treasure and deserving of special planning and project considerations and a bi-State compact between the States of California and Nevada, which has been enacted by Congress as P.L. 96551. Each year more than two million people, many from metropolitan areas of the country, come to visit and recreate at Lake Tahoe. We ask the members of this committee and Congress to help us identify and explore how ISTEA might address the unique needs of Lake Tahoe, and, perhaps, Senator Reid will have an opportunity to do that at the Federal Summit at Lake Tahoe, which you are helping to spearhead later on this year.

I would ask that the full text of my remarks be made part of the record, and thank you for the opportunity to make this testimony.

Senator REID. That is the order.

We're next going to hear from the Transrapid International Corporation.

Chairman Chafee, the President of that company, Manfred Wackers, had a plane out of Dulles last night that is a direct flight to Las Vegas and it was canceled. Therefore, he will be unable to be here today, but one of his employees, someone who works with him, Wendall Hirschfeld, of Hirschfeld Steel—they manufacture maglev guideways—and he's going to read, as I understand it, Mr. Wackers' testimony.

Mr. HIRSCHFELD. That is correct.

Senator REID. Please proceed.

STATEMENT OF WENDALL W. HIRSCHFELD, VICE PRESIDENT, HIRSCHFELD STEEL COMPANY, INC., ON BEHALF OF MANFRED WACKERS, PRESIDENT, TRANSRAPID INTERNATIONAL

Mr. HIRSCHFELD. Mr. Reid, Mr. Chafee, thank you for giving me the opportunity to testify about the Transrapid Magnetic Levitation Transportation technology.

I am here on behalf of Manfred Wackers, President of Transrapid International, which is a consortium of Thyssen Industries, Siemens Corporation and Adtranz, the last being a partnership between ABB and Daimler Benz Companies.

We are engaged in efforts to Americanize, if you will, our technology in cooperation with several pre-eminent U.S. companies. Today we are joined by the AMG Group, which is Hughes Elec-

tronics, General Atomics, Booz, Allen Hamilton and Hirschfeld Steel Companies.

Transrapid technology was developed over a period of 25 years by unique private-public partnership. The Government of Germany funded research and development of competing maglev technologies and selected transrapid as a prototype to develop a 19-mile transrapid test facility, which was opened in Emsland, Germany, in 1984 and has traveled over 300,000 miles and carried more than 160,000 passengers to date.

The transrapid has been tested and is ready for deployment. German Federal Government has certified the transrapid for passenger service at speeds up to 310 miles per hour. In the United States the Federal Railroad Administration has completed all research and investigation necessary for U.S. certification and will provide that certification once a transrapid-based project has been selected.

The FRA certification is known as Rules for Particular Applicability, and is, therefore, contingent upon identification of the location for the application. Transrapid maglev technology is a simple system comprised of two main components—the guideway and the vehicle. The propulsion of the transrapid uses a series of electronic staider packs embedded in the guideway. The vehicle contains both levitation magnets, which lift the vehicle one-half inch above the guideway and guidance magnets to guide the vehicle. There is, therefore, no friction between the vehicle and guideway.

The long staider motor located in the guideway provides non-contact propulsion and braking of the maglev vehicle. The upgrade or elevated guideway constructed of steel or concrete is an integral part of the transrapid system. Its extremely flexible parameters and minimal land and space requirements allow it to be more easily integrated into the landscape than highways or railroads.

More than any other system the transrapid embodies the qualities of low-life cycle costs, high reliability and low environmental impact. Due to its applicability to climb steep grades at 10 percent and transit tight curbs, the transrapid guideway can be easily integrated into every landscape.

Expensive cuttings, retaining walls and tunnels can thereby be minimized, if not eliminated entirely, and the transrapid is extremely quiet. Its non-contact propulsion and levitation technology does not produce any rolling or mechanical noise. The extreme flexibility is also apparent in the train sets. Depending on the route and ridership requirements, the transrapid can be configured with two to 10 vehicles carrying 150 to 1,000 passengers or up to 20 tons of high value cargo per vehicle station. With a peak speed of over 300 miles per hour, the transrapid is not only super fast but it is also super safe.

Since the transrapid levitates without contact along its guideway, it produces no rolling noise even during braking and acceleration. Aerodynamic noise only becomes evident about 120 miles per hour. Its unrivaled low noise emissions make it ideal for urban applications.

At equal speed the transrapid consumes approximately 30 percent less energy than a modern high speed train. The transrapid is sought for many different applications—as a fast shuttle between

a city and its airport, as a fast and economical connection between two cities and as a key element in a sophisticated high performance transportation network.

Thank you again for the opportunity to appear before you, and I would be happy to answer any questions.

Senator REID. Mr. Chairman, the last time when we had a summit, not a hearing, as you heard me mention in my opening statement, we had Dr. Danvey to testify, one of the inventors of the system.

Mr. Chairman, we're very fortunate today to have representing the Nevada Gaming Resort Industry Glen Schaeffer, and I don't know how anyone better representative of the resort industry could have been chosen than Glen Schaeffer. He has a long and illustrious career in managing resort industries. Circus Circus Enterprises is the company that he is now President and Chief Executive Officer of, and has been innovative and progressive during its entire history in the State of Nevada.

We're very fortunate to have you hear and inform Senator Chafee and me about what we should tell the Congress as to what the industry is doing to help with these transportation problems in southern Nevada.

STATEMENT OF GLEN SCHAEFFER, PRESIDENT AND CHIEF EXECUTIVE OFFICER, CIRCUS CIRCUS ENTERPRISES

Mr. SCHAEFFER. Thank you, Senator Reid, Mr. Chairman. We're honored to have you with us in Nevada today.

I am Glen Schaeffer. I am the President of Circus Circus Enterprises and the Chairman of the Nevada Resort Association, which is the gaming industry's premiere trade group here in the State. I must confess at the outset that Circus has been a stimulus for some of this growth in Nevada. We are, as a company, the largest private employer in the State of Nevada with about 20,000 employees, and that's a figure that has tripled in the last 10 years.

Gaming is a robust industry. In 1997 Las Vegas will be the leading destination in the world for entertainment travel. By the year 2000, we will attract 40 million visitors annually to Las Vegas. The 10 largest hotels in the world are within four miles of each other on the Las Vegas Strip. The majority of those hotels have been built within the last 6 years. In two more years that number will be 13, and we'll have the 13 largest hotels in the world, expected to operate about 100 percent occupancy rate. The majority of new jobs in the State is created by the gaming industry, and the majority of taxes paid by this industry, as well.

As you may be aware, Nevada has been one of the leaders in per capita income growth in the 1990's.

My purpose here today is to present one of the critical transportation needs in the Nevada. We do have many urgent needs resulting from the tremendous growth in the State, many of which have been enumerated by other panelists. But from a commercial standpoint, we have in fact a regional issue and a regional transportation problem. Our greatest concern is for the Interstate 15 Nevada, California and Arizona Economic Lifeline Corridor project. The California Congressman Jerry Lewis has done outstanding work to help us try to solve what is the chief bottleneck between

Los Angeles and Las Vegas, which is a 27-mile stretch of Interstate 15 between Barstow and Victorville. This is a critical bottleneck not only to us and the tourism industry, but for those in the trucking industry who move goods interstate. This project received $47.8 million for the 1991 ISTEA, and that was for improvement to the I–15 Interstate 40 interchange and a limited amount of widening of I–15 in the immediate vicinity.

Yet, construction is only now getting underway on this important element, which will provide for greatly enhanced flow of services and goods in our economic region.

It is imperative that I–15 be widened between Barstow and Victorville. The proposal is to widen this segment from four lanes to six at a cost of approximately $130 million. We are already far behind the curve. Travel demand through the I–15 corridor continues to grow at an astounding rate. The current number of cars is about 30,000 per day and it is expected that 70,000 cars per day will travel on I–15 between Los Angeles and Las Vegas by the year 2015.

I can tell you that last year 10 million tourists were caught in this bottleneck. It is not uncommon on a weekend or peak holiday to find that a 4-hour commute is lengthened into an eight or 10-hour commute. It is also the case that a high percentage of this traffic is from heavy trucks.

The traffic flow along this segment of I–15 is currently measured at a service level of D, which is indicative of heavy congestion. From 1990 to 1995 accident rates increased 31 percent on this segment, including a 55 percent increase in fatalities. To worsen matters, the trucking industry has a current proposal to lift truck size and weight for these currently embodied in ISTEA, which would allow triple trailer trucks to operate along Interstate 15. This will greatly aggravate the safety and congestion problems, and will negate any improved capacity that the widening of I–15 would provide.

In summary, we must protect the substantial commitment of Federal funds, as well as the local and private contributions for the I–15 and I–40 interchange improvement.

Thank you very much.

Senator REID. Senator Chafee?

Senator CHAFEE. Thank you, Senator.

First, I want to say to Ms. Redman that I was very interested in what you had to say. Yesterday I had the privilege of visiting S.R. 91 in California, and there, as you point out, they've got a toll road but if you have three or more in your vehicle, you get to travel on the toll road free. There is no question that the toll road is a high occupancy—well, anyway, it's a toll road separated from the others so you can see the other vehicles plugging along at a slow rate. And if you pay the price or if you have two or more, beside the driver, you go right through. It was very attractive, plus I saw what they're trying in San Diego where they're doing this also in the high occupancy lanes. They've sold some, I think, it's 700——

Ms. REDMAN. Passes.

Senator CHAFEE.—passes, transponders, at a substantial price, it seems to me. I think it's $70 a month.

Ms. REDMAN. They had to raise it from $50 to $70, and they still have a 500 person waiting list.

Senator CHAFEE. I know, and the secret—the thing they have to balance is not to get it so crowded that people don't want to ride on it.

Ms. REDMAN. That's right.

Senator CHAFEE. But interesting things are happening. I guess that's the point that Mrs. Johnson or Dr. Johnson will talk about later on.

Let me ask you, Mr. Kiser, how do you get the funding for your system? Where does it come from?

Mr. KISER. The funding for this system here is through the Federal Highway Administration.

Senator CHAFEE. Is that the CMAQ?

Mr. KISER. Yes, CMAQ. Yes, it is from the Federal Highway Administration through the CMAQ funding.

Senator CHAFEE. Well, say that again so that everybody can hear it because the CMAQ funding, as you know, is under siege. People are saying, "We don't want that," as is the enhancement program. I'm glad to hear you, Mr. Teshara, talk about the enhancement program, and I'm very supportive of it but there are those who are saying, "Oh, no, let us just—give that money to us and we'll use it in the States for whatever we want to use it." But in the CMAQ program and the Congestion Mitigation Program the theory of it is that automobiles are causing this pollution. So, therefore, it's permissible to take from the highway trust fund moneys to try to mitigate the pollution. So that's what you've gotten in your thing there.

Why is the FCC removing the radio band you had?

Mr. KISER. The plan was to auction off that band to what they call the local multi-point distribution system users, the folks that want to expand cell-phones, and TV expansion and so forth. Basically, all we want is to use a portion of that band, which they have set aside a portion of the band now for perhaps government user, and we would like to just have our license approved so we can operate in that portion of the band.

Senator CHAFEE. Well, from what I know about radio bands could be expressed in less than one sentence, but I think it's worthwhile to take a look anyway as to why that's occurring. In other words, they've deprived you of this band so far, have they?

Mr. KISER. The band was—when we first started the design on this system, the band was available and it was very easy to get a license for it. We were in the middle of the design—in fact, we have already installed about 80 percent of the equipment that we're using that would operate on this band, and we're now stuck with about over $700,000 worth of equipment that has already been installed and if we can't get the license, we can't use it. It will have a significant impact on the operation of this system.

Senator CHAFEE. That may explain why people get distressed with the Federal Government on occasion.

I didn't get your name, sitting in for Mr. Wackers?

Mr. HIRSCHFELD. My name is Wendall Hirschfeld.

Senator CHAFEE. Oh, you're from Hirschfeld Steel?

Mr. HIRSCHFELD. Yes.

Senator CHAFEE. Well, I went over and saw that maglev transrapid train outside of Breman, and everything you say is true. We were going 521 kilometers per hour, which translates into 312 miles an hour, and it was amazing. It's everything you say—it's quiet, it can accelerate—actually it can accelerate a lot faster than they have it accelerate because they don't want you to jerk back too quickly. But it's going to be commercially—they're going ahead with construction between, I guess, Hamburg and Berlin.

Mr. HIRSCHFELD. That is correct.

Senator CHAFEE. I just think it is a terrific way of moving people. I don't know whether everybody understands, but it doesn't go across the ground. It's up on pylons. It's an elevated highway, or elevated platform, that the train stays on, and it's reassuring that it circles the bottom of the platform so that it won't fly off into space when it reaches these speeds.

But, in any event, I recommend it to everybody to go take a look.

Thank you, Mr. Chairman.

Senator REID. Mr. Chairman, we in the last ISTEA bill, as you will recall, provided the right-of-way down the middle of the freeway for these types of vehicles, and that should be a significant advantage.

Would you, Ms. Redman, explain what was done in Ventura because people disliked the concept of these HOT lanes more than other area communities. What was this? Why Ventura?

Ms. REDMAN. That was just one of the findings, and I included it for the record.

Senator REID. You really don't know why, huh?

Ms. REDMAN. Well, I think that research for the future—our consultants weren't able to figure it out. They just reported it, and to be fair across the board, I was trying to let you know that in places where they had mostly been tried and where people were more familiar with them, that may be the best explanation. Ventura is the farthest north county, and they may not have seen or used the S.R. 91—certainly, not probably the I–15.

Senator REID. I was in the San Diego area speaking to the Gold and Silver Institute this past Monday, and we took a drive on that toll road. There was literally just a few cars on there, and you could look and see the heavy traffic on the other part of the road, so it was interesting.

Mr. Kiser, everyone in this room would agree about the traffic problems we have in this Valley, despite the innovations that have taken place by Las Vegas Acts.

Could you give us, though, an indication of how much worse it would be without this system?

Mr. KISER. I guess the best indication is occasionally when the existing system breaks down, which it has done a few times. The number of phone calls increases dramatically, and I think people realize or start to realize that even the existing system is old but today still does a pretty admirable job of managing traffic in this Valley. Without even the existing tool that we've got, you're looking at much longer lines at these intersections, traffic not being able to progress along through a number of intersections. Those are the kinds of things that we would be facing even without the existing system.

Senator REID. One of the things we need to do is work with you to see what we can do to save that $700,000 in Federal money, and so our staffs are listening and they will be in touch with you to see if there is anything that we can do to help with the FCC in that regard, OK?

Mr. KISER. We certainly appreciate it.

Senator REID. Mr. Teshara, would you explain to the committee what the Alliance is all about?

Mr. TESHARA. The Gaming Alliance?

Senator REID. Yes.

Mr. TESHARA. It's a cooperative partnership between the resort properties on the South Shore. We work in the community and in the region on issues that require private sector leadership and the transportation issue is clearly one, environmental quality at Tahoe is another.

Senator REID. I wanted to state for the record and spread across the record that this is a good example of how the private sector has formed a partnership with State and local and Federal Governments to arrive at a common goal. I wish we had more such organizations around the State and around the country, and so I think it's been exemplary.

Mr. TESHARA. I appreciate that.

Senator REID. We've been able, working together, to accomplish a lot up there. I wish everyone could see these pictures and we're going to take these to Washington with us. When people start complaining about the enhancement program, we need to focus on the trails around Lake Tahoe. You said that it's a 17-mile stretch and 400,000 people used that last year?

Mr. TESHARA. That's correct.

Senator REID. It's incredible, and I think, yet, the more trail there would be, the figure would go up geometrically.

Mr. TESHARA. Absolutely.

Senator REID. Mr. Hirschfeld, assuming the United States is not the first nation to get maglev project operation, where do you think the first one would be built? Do you think the United States, Germany, Japan, the one that would be operational for moving large numbers of people because you've indicated that's been in existence since, I don't know, and it's only hauled a hundred and some odd thousand people; that's not very many?

Mr. HIRSCHFELD. You're saying assuming Germany built it first, then it would be the United States.

Senator REID. What do you see in Germany as to when they can build their facility?

Mr. HIRSCHFELD. I believe their operation was to begin for people to ride, it was something like 2008.

Senator REID. We certainly need to do better than that.

Mr. Schaeffer, would you be kind enough to inform the committee about some of the things the resort industry has done working with State and local government to alleviate traffic problems? I focus, first, on the overpass—tell us about that.

Mr. SCHAEFFER. Look, the busiest pedestrian corner in the United States, we believe, because by the year 1998 there will be more rooms at Tropicana Boulevard on the Las Vegas Strip than the entire city of San Francisco hotel rooms. We have an overpass system

on all four corners of Tropicana and Las Vegas Boulevard, and a current proposal at the four corners of Flamingo and Las Vegas Boulevard that there will be underpasses so that traffic flow and pedestrian flow can be conducted in a safe manner. It will also be the case that an alternative artery to the Las Vegas Strip, which will be called Resort Boulevard, which will run parallel to I–15, the first mile will be on property my company owns between Russell Boulevard and Tropicana. I think that we can look forward to that artery going at least three miles of the four miles in Las Vegas Strip in helping to alleviate a highly congested situation on the Strip proper.

Senator REID. As I indicated in my opening statement in introducing you, and in my opening statement at this hearing, I think that the resort industry is to be commended universally for the work that they've done in joining with government to solve some traffic problems—this is a good example.

As we're doing at Lake Tahoe, I think Nevada can be viewed as a place where we're doing things a little differently than they are doing in other places and I think it's a good example for other places.

So, Chairman Chafee, do you have anything else?

Senator CHAFEE. Just one quick question of Mr. Schaeffer.

You mentioned that I–15 received some money from the ISTEA legislation which was passed in 1991, but that they're just getting going on it? What's the matter?

Mr. SCHAEFFER. Yes, sir, it's been slow in coming. I'm not sure I can describe to you what the hold up has been. While we have in this area, let's say, in the tourism business, doubled our tourism counts in something under a decade, it has taken 6 years to get started with the work at the I–15 and I–40 connector, if you will, between Barstow and Victorville. Whatever the future of high technology transit systems will be, we're still the "American West on Wheels," and in Phoenix, Los Angeles and Las Vegas the vital corridors are I–15 and I–40, and that's the bottleneck, sir.

Senator REID. Mr. Chairman, if you would yield just a second.

Mr. Schaeffer talked about people wanting to come here, not being able to come here, trucks wanting to move freight and not being able to do that. But what he also didn't mention that is also imperative is millions of people live in that area. They can't move either. It has really interfered with not only interstate commerce, but people's way and ability to live a normal life.

Senator CHAFEE. Thank you.

Senator REID. Ladies and gentlemen, we thank you very much for your time here this morning.

We will now ask to come forward Mr. Dick Landis, Director of Transportation Programs, Heavy Vehicle Electric License Plate, Incorporated; Dr. Christine Johnson, Director of Intelligent Transportation Systems, Joint Project Office, Federal Highway Administration; Mr. Bob MacLennan, General Manager, Metropolitan Transit Authority of Harris County, Texas; Mr. Dick Howard, Director of Intergovernmental Relations, South Dakota Department of Transportation; and Mr. Pete Rahn, Cabinet Secretary, New Mexico State Highway and Transportation Departments.

We will ask Mr. Landis to have a seat and please begin.

STATEMENT OF DICK LANDIS, DIRECTOR, TRANSPORTATION PROGRAMS, HEAVY VEHICLE ELECTRIC LICENSE PLATE, INCORPORATED

Mr. LANDIS. Mr. Chairman, Senator Reid, I'm delighted to be here. Thank you for holding the hearing.

My name is Dick Landis. I am the President and CEO of HELP, Incorporated. I also serve as the Chairman of the ITS America Commercial Vehicle Operations Technical Committee, so my comments today are going to be related to technology and commercial vehicle operations and public-private partnerships.

Senator CHAFEE. Is HELP an acronym?

Mr. LANDIS. HELP is an acronym for Heavy Vehicle Electronic License Plate. It is a research project that was begun 12 years ago and now has matured to a point where we have a public-private partnership corporation established, and HELP is the acronym for the long name. It's a long easier.

What we are going to hear in my testimony is focusing on the fact that we can document, I think, tangible evidence of benefits that can result from the investment in Federal intelligent transportation system research efforts, and we are a product of that.

HELP, Inc., is a case study of the success of ITS—and I'll refer to Intelligent Transportation Systems as ITS as I do this—commercial vehicles operations, and the fact that we have an operating system—we have many customers who are using it now and we are proceeding in a self-sustained form of operation.

To the best of my knowledge, I think we're the only demonstration effort out there that can show that we have taken a Federal research ITS project into a commercially viable operation and moved forward with that.

HELP, Incorporated is a non-profit corporation that is established as a true public-private partnership. We are public-private in that the trucking industry, in particular and the State governments, are together serving on the Board of Directors and helping watching us move forward.

The second part is that we are the public-private partnership and have private sector venture capital involved in moving our technology forward as a result of the research effort that had been done. Our service is voluntary and our customers, which are States and the trucking industry, participate only because we add value to their operations, and the value added, I think, is very important to what we're doing.

In the case of our State customers, it allows them to focus enforcement efforts on areas that need attention—safety, regulatory problems—by removing from the traffic stream those who are operating safely and in compliance with regulations.

Second, the benefit value added is that it reduces capital and operating expenditures for weigh stations and ports of entry. On the motor carrier side of the equation, they receive benefits in increased operating efficiencies. We are seeing very high positive feedback and driver satisfaction, and, most importantly, lower operating costs for an industry that is so very vital to all of us in moving freight around this country.

The benefits are being realized because the Federal funds authorized by this committee many years ago were used to dem-

onstrate the viability of motion technology and automatic vehicle identification technology, and we have moved forward with those.

However, Mr. Chairman, the benefits are not being provided with ongoing subsidies at this point, and we believe that is important. Our service is self-sustaining, and that occurs because in 1993 when the research effort was done, the Federal Highway Administration and Dr. Johnson's folks wisely made the decision that deployment of technologies was needed but not at the expense of Federal investments at that point, and moved forward with the private sector public-private partnerships. And, as a result, that was the creation of HELP, Inc., which was established and now has 11 member States part of that.

Senator Reid, as a matter of information, Keith Mackey, who is here in the audience from the Nevada Department of Transportation, serves on my Board of Directors. Nevada is the most recent member of our organization. We're just delighted to have him as a part of that. New Mexico, with Secretary Rahn, has been very forward in moving New Mexico into deploying the technology and it works very well.

I think HELP is a tribute to the federally supported ITS efforts and needs to serve as that. However, I would point out a recent ITS America principle that was adopted related to ITS reauthorization, and that is a statement that says, "Federal funds should be reserved for those programs not being carried out by the private sector." I think we are an example to show that there is a transition that is very appropriate from research dollars to private sector involvement.

Senator CHAFEE. Mr. Landis, I don't understand what HELP is. What do you do?

Senator REID. I appreciate the question.

Senator CHAFEE. Do you inspect vehicles, is that it? It's sort of a good housekeeping seal of approval on a truck?

Mr. LANDIS. No, no, what we do is automate the truck highway operations. We automate the weigh scales, the ports of entry, those areas that are the choke points on the highway for the trucks to operate. Not far from here there are weigh scales located throughout California. We automate that process, the trucking industry subscribes to a service that provides all of the necessary credentials related to safety, related to registration, etcetera. When that is all in place, we use exactly the same transponder or the same type of transponder that you saw on the toll road to automate that function, and if everything is in order for that truck, then we provide the ability for that vehicle to not stop in that facility. He goes on down the road; he doesn't even slow down.

Senator CHAFEE. I don't want to interrupt you, but I'm not sure I understand. Let's say a truck is going from San Diego to Chicago. Does it first start off and come by your place, is it, and get a transponder saying, "We're safe; we're not overloaded and so forth?"

Mr. LANDIS. Mr. Chairman, yes. He would subscribe to the HELP system, a service called Prepass, which is operated on behalf of the States. He would then provide all the credentials and information, which is verified. Then when he comes to the State-operated facility——

Senator CHAFEE. You say, "Which is verified." When he's going to start off on this trip, does he call you up and say, "I'm going?"

Mr. LANDIS. No, it's all down on the fly. The system recognizes him in a computer data base, and the transponder identifies him. When he arrives——

Senator CHAFEE. Suppose he's a liar; suppose he has told you false facts; suppose he says, "I've got 80,000 pounds," and instead he's got 100,000?

Mr. LANDIS. No, we weigh him.

Senator CHAFEE. So he physically comes to a facility of yours?

Mr. LANDIS. He comes to a State facility, not our facility. He comes to a weigh station in—let's use your trip; the vehicle leaves Los Angeles. He will arrive at a weigh station, inspection station, in California that is operated by the California Highway Patrol. Before he gets to that station, we will automatically weigh him on the highway——

Senator CHAFEE. Who is "we," HELP?

Mr. LANDIS. The State through HELP, the system that we deploy on behalf of the State. He is weighed on the highway, away from the weigh scale, a mile before he gets there.

Senator CHAFEE. So you have a——

Mr. LANDIS.—a scale in the pavement before he gets to the weigh scale, yes.

Senator CHAFEE. He stopped at one State place, before he stops at the next one? He doesn't even slow down?

Mr. LANDIS. He doesn't stop. He keeps on proceeding down the road. We verify everything while he's driving down the road. That is the wonder of the research that was done in putting together——

Senator CHAFEE. You weigh him while he's going?

Mr. LANDIS. Absolutely, on the fly, at highway speed.

Senator CHAFEE. That's pretty good.

Now how do you know he is a safe vehicle?

Mr. LANDIS. We verify through the existing data bases that exist at the Department of Transportation, existing data bases that exist within the California Highway Patrol, for instance. They have their own safety recording system. We have the electronic connection with those data bases that make a determination that he has a satisfactory safety rating, and we——

Senator CHAFEE. How do you know his brakes in the truck are good?

Mr. LANDIS. Well, at that instant you don't, but what you have is a pattern of safety data that is collected over a period of time through the safety inspection program that is conducted by the State and the Federal Government. They have a data base that can make a determination of who is the safe carrier, who are the best carriers, who are the problem carriers, and we use that existing information.

Senator CHAFEE. By company?

Mr. LANDIS. Usually, yes.

Senator CHAFEE. Problem carriers?

Mr. LANDIS. Certainly, yes.

Senator CHAFEE. OK, so he gets this seal now. He has gone over your——

Mr. LANDIS. He has gone over the scale. We use a transponder to identify him. That transponder says, "I am truck No. 1, 2, 3, 4, 5." That goes into a data base that is located in the weigh station. It electronically verifies his credentials, his registration, his tax information, his safety record. If it is all in order, we send a signal back to that same transponder, a green light, that says, "Don't stop; continue to go down the road."

Senator CHAFEE. So all the way to Chicago he can go right——

Mr. LANDIS. Ultimately, all the——

Senator CHAFEE. Go right through the——

Mr. LANDIS. Ultimately, yes. Right now it's the early stages of deployment of the technology that will get there. The intent, and our desire—of course, my desire, for everything that we're working with is to have a seamless transportation system all the way across the country. That truck should be able to go from Los Angeles to Chicago and not stop, if he does what he is supposed to do, if he complies with what we want.

Senator CHAFEE. I'm sorry, I took part of your time.

Senator REID. Also, if he stopped on the weigh stations even today, they wouldn't know if his brakes worked or not.

Mr. LANDIS. In many cases not, but they might. There are inspection places in place that work with that. If I might finish, I understand there is a red light and I will provide testimony that will——

Senator REID. We will make all your testimony part of the record.

Mr. LANDIS. OK, part of the record.

Senator REID. We'll have some questions for you, thank you very much. That was very enlightening.

Mr. LANDIS. Thank you.

Senator REID. We'll now hear from Dr. Christine Johnson.

STATEMENT OF CHRISTINE JOHNSON, DIRECTOR, INTELLIGENT TRANSPORTATION SYSTEMS, JOINT PROJECT OFFICE, FEDERAL HIGHWAY ADMINISTRATION

Ms. JOHNSON. Mr. Chairman, Senator Reid, as a fellow westerner, I'm glad to be back amongst some familiar people. I also thank you for the opportunity to testify on behalf of NEXTEA. I will focus my remarks exclusively on Intelligent Transportation Systems, which we believe will be an important part of the bridge that we've talked so much about today to the 21st century.

Intelligent Transportation Systems (ITS) range from very familiar things like advanced signal control that you've heard about in the LVACTS system today, to things that are less familiar, including vehicles that will prevent automobile accidents rather than just protect us as an air bag would when an accident occurs, and to the pollution sensing technology that we heard about earlier this morning.

After about 6 years of ITS supported research in this area and over 80 operational tests, the potential for these technologies has become overwhelming. In metropolitan areas, very much as Senator Chafee indicated, ITS will function as a ground traffic control system, much as the air traffic control system. We have found that deployment of ITS has been cut by 35 percent, the cost of providing

the capacity that we need to support the kind of growth that has been talked about here in this metropolitan area.

ITS can also improve safety. If all the vehicles were equipped with just three of the elementary ITS collision-avoidance technologies, that could avoid one out of every six of the crashes that occur today. That would bring us to a point where we were in fatalities in World War II—stunning—and it can save us tax dollars, which in this day and age is important, by streamlining government operations. You heard one example from Dick Landis; another example we have found that just one of the ITS technologies applied to transit properties can save between $4 billion and $7 billion in the next decade. That is the equivalent of one annual authorization for FTA every year.

It was because of this tremendous potential in virtually all aspects of surface transportation, that last year the Secretary set a goal to deploy this infrastructure across the United States in urban and rural areas within the next decade. And I want to assure you that we are on the way to achieving that goal.

We have heard the example here in Las Vegas of a state-of-the-art surface transportation management system, and there are rural examples as well, with a road weather information system here in Nevada that sets an example in getting real time accurate weather and highway condition information to motorists. That technology, we've estimated, could save $2 billion a year for highway operations.

Weather and highway conditions information has been linked to a travel information system known as TransCal in the corridor between San Francisco and Lake Tahoe that not only provides the road and weather information for regular travelers like us, but also traveler services, like, where the gas stations are, where the restaurants are, where lodgings are and that type of thing.

And you've heard of the application to the commercial vehicle industry. I think yesterday some of your staff visited the Saint George port of entry. This is a similar kind of technology that has cut the waiting time that ordinarily occurs at those weigh stations from 30 minutes down to a 2-minute transaction time. Obviously, this has streamlined operations at the port and improved the effectiveness of the State personnel associated with it.

It is because of these kinds of benefits in virtually every aspect of surface transportation that we have included a three-pronged proposal in the reauthorization bill. One is for a very modest incentive program that would provide about $100 million a year to jump start the deployment of this technology across the United States, in metropolitan areas, rural areas and for the CVO infrastructure.

Second, a research program that would build on what we've learned in vehicles that can help us avoid accidents, but also focus on developing the standards, providing the training that we need for our State and local partners, and the technology guidance.

Finally, the third prong of this proposal will provide legislative changes that will give State and local officials the flexibility to use existing Federal aid for ITS infrastructure deployment. We believe this is an important piece of the NEXTEA proposal that will enable the vision of the ISTEA—management of the existing transportation infrastructure—to take place. It will cut congestion, reduce

accidents, and reduce costs, our government costs, and, by the way, it will add to our quality of life. I think that is important.

I look forward to working with you.

Senator REID. Thank you, Dr. Johnson.

We'll now hear from Dr. Bob MacLennan from the State of Texas. We welcome you to Nevada.

STATEMENT OF BOB MAC LENNAN, GENERAL MANAGER, METROPOLITAN TRANSIT AUTHORITY, HARRIS COUNTY, TEXAS

Mr. MACLENNAN. Thank you, Senator.

Chairman Chafee, Senator Reid, members of the staff, thank you very much for the opportunity to speak to you on the reauthorization of ISTEA. I have submitted written testimony and ask that they be included in the record.

Senator REID. That will be made part of the record.

Mr. MACLENNAN. I'm the Chairman of ITS America, but in daily life I'm the General Manager of the Transit Authority in the Houston general area, and I would like to speak to you from the viewpoint of one of those who live each day where literally a lot of rubber meets the road.

The fact is with your very important assistance provided through ISTEA, we're an example of a place where we think there has been a significant amount of progress made in addressing what was once considered among the worst congested cities in the country. In fact, as a result of your help and with a good deal of local—even with local growth but with a lot of local participation, traffic congestion in Houston has declined over the past decade, unlike that of most major cities.

It demonstrates the value of the flexibility of ISTEA and the advantages of the use of advanced technology, intelligent transportation type of activities in challenging the congestion problem. At home in that sunbelt city, metro is the region's single mass transit provider, but the State saw fit to broaden metro's powers to the point where we now act as an equal partner, in some cases as a leader, in developing and implementing programs and projects benefiting general traffic, as well as public transportation. We also design and build some of the highways and major streets in the Houston area and manage traffic on them.

We work very closely with the highway department, the city, the county and the private sector as equal partners to that end.

We've been focused on putting into place what we call the Regional Bus Plan. As the largest bus only system in America, we've played our hand in attempting to develop a mass transit system that can work very cost efficiently in a large geographic area with a low population density, albeit a large population. It hasn't been an easy challenge. Our program is a comprehensive plan focused on the use of advanced technology but with major benefits for all rubber tire vehicles as well as the transit vehicles. Each project provides immediate benefits as it's completed.

You and your colleagues have been instrumental in funding the Regional Bus Plan under a full funding grant agreement through the Federal Transit Administration from which we are receiving some $500 million of the program's $1 billion cost. Metro is providing the matching $500 million from local resources.

A keystone of the current Regional Bus Plan is our high occupancy vehicle lane network. This 104-mile network is already two-thirds completed and operational. Buses, vans and car pools are operated in those various separated HOV lanes in the center of the region's major freeways.

We receive rail level performance by frequent service and direct access from suburban park and ride lots through the HOV lanes to the major activity centers. During peak traffic periods, vehicles on those lanes move at the speed limit—55 to 70—alongside much lower traffic on the main lanes.

Another key feature of the Regional Bus Plan is the rebuilding of the region's traffic signals into a centrally monitored and controlled regional computerized traffic signal system. Metro, with the Federal Transit Administration funding, is rebuilding those signals and is impacting not only bus operations but also its working to the benefit of all rubber tire vehicles using those roads.

The Texas Department of Transportation and other local governments are at the same time rebuilding non-bus related signals. They're all tied together in a central control facility that we call Transtar. We're very proud of that state-of-the-art facility and the close multi-agency and private sector cooperation of which literally it is a concrete example.

Not only does Transtar afford the opportunity to monitor and direct traffic, but it permits instantaneous computerized real time adjustment to signals through corridors and cross corridors to respond to traffic needs.

Incident response is also coordinated from Transtar as our all emergency management functions, including hurricane and flood control evacuation and others. Metro even dispatches its buses and police traffic from that facility.

As a result of projects like these, not only have travel times decreased steadily but mass transit use has increased. During peak periods, HOV lanes carry the equivalent of two and a half to three times the traffic, the passenger traffic, on the adjacent main lanes. Since they are reversible, they negate the need to build six more lanes on those freeways.

The Regional Bus Plan relies on ITS concepts and technology to achieve this high level performance. A small example is we're developing a Smart Bus, which, among many other things, provides real time location and schedule information to waiting passengers at transit centers ahead. Better informed patrons are more frequent riders.

In addition, we've been a participant with Los Angeles MTA and the development of the next generation bus, lighter and more fuel efficient and operated less expensively and with less demands on the freeway system. We are also a leader in the application of alternative fuel technology, having chosen liquified natural gas as our choice.

We would like to thank you for the opportunity to speak to you today, ask for your continued support in the future, and would suggest that with your help ISTEA and ITS can produce many more success stories in the days to come.

Thank you, sir.

Senator REID. Thank you very much.

We now welcome to the State of Nevada the Director of Intergovernmental Relations from the State of South Dakota, Mr. Dick Howard.

STATEMENT OF DICK HOWARD, DIRECTOR, INTERGOVERNMENTAL RELATIONS, SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

Mr. HOWARD. Thank you, Senator Reid, and Senator Chafee, for the opportunity to be here.

I am Dick Howard, Director of the Intergovernmental Relations for South Dakota. Prior to this, I served 10 and a half years as Secretary of the Department of Transportation in South Dakota.

I'm here today not only speaking for South Dakota but also on behalf of the Departments of Transportation in Idaho, Montana, Nebraska, North Dakota and Wyoming.

Legislation establishing the future, size and shape of the Federal Highway Program is of critical importance to the Nation and to this region of the country. So we're very pleased to have this opportunity to present our views, and we thank you again for allowing us to participate.

Before I describe our position, I want to take a moment to say how much we appreciated Senator Reid's contribution to the development of the current highway program. Six years I testified in Washington before Senator Reid and other senators in very strong support of a bipartisan bill, which Senator Reid, Senator Baucus and Senator Bryan and eight others introduced. It was known as the Reid-Baucus Bill, and I think if you look back at that bill in 1991, you'll find that many parts of the core program of ISTEA were contained in that initial bill, which was introduced by Senators Reid and Baucus.

Senator Reid, certainly his efforts made a positive contribution to the final legislative outcome. So I want to take this opportunity again to thank you, Senator Reid, for your participation then, and we know that you're going to continue to be a strong player this year, as will Senator Chafee.

Our basic position of our States is that we strongly support the Surface Transportation Authorization and Regulatory Streamlining Act, which has been called STARS 2000. Its proposal, which is being prepared for introduction by Senators Baucus, Kempthorne and Thomas—and we understand that it will be introduced during the week following the concurrent Congressional Easter recess. These senators deserve great credit for their work. We believe that STARS 2000 is an excellent proposal, which will address the needs of the Nation and our States in a thoughtful way.

I might also add that it would provide a highway funding level and program share for Nevada, which far exceeds that which would be provided under any other proposal.

I have a table, which I will hand out later, that shows the State of Nevada's share of the Federal highway funds would increase by an amount of $60 million to $80 million per year more than the current ISTEA amount. Plus, there is a larger Federal lands program, which would substantially benefit Nevada, as well as the other States which have significant portions of their land area under Federal ownership.

Basically, in my testimony I want to discuss major recommendations dealing with reauthorization of the Federal Highway Program, and I will list those now:

No. 1, it should increase funding levels to as high as the highway account for the Highway Trust Fund can sustain; No. 2, it should emphasize investment in the National Highway System; No. 3, it should achieve a distribution of funds among the States that is fair and based on the national interest; No. 4, it should provide States greater flexibility to determine how to invest transportation funds while retaining some Federal program emphasis areas; No. 5, it should reduce regulation of States by the Federal Government; and, No. 6, continue many aspects of present law, such as provisions requiring planning and public involvement in planning.

I will go into a little bit of detail on each of these. In terms of increasing the Federal Highway Program levels, I'm not going to dwell on this. We believe that the overall highway program funding levels should be maintained at a level which would fully utilize the income coming into the highway trust fund, plus interest on the balance and a gradual draw down of that balance. As has been testified earlier this morning, that would be in the range of $26 billion to $27 billion per year.

I am aware that something over 60 senators signed letters and submitted to Chairman Domenici of the Budget Committee recommending higher levels of funding for the transportation program in future years. Also, as Governor Miller mentioned this morning, the MGA has strongly supported that, and I think that a letter signed by, like, 40 Governors was recently submitted to the Budget Committee.

In terms of distributing the funds, we propose, basically, that there be two core programs—the National Highway System and a Surface Transportation Program—and that the factors which go into these should be based on extent and usage of these systems. The NHS factors that we propose would include lane miles, vehicle miles of travel and a special fuel—a diesel factor. The STP formula would include a Federal eight-system lane miles and VMT, plus bridge surface area, including factors such as Federal lands, air quality and population density.

I have a map that I would like to hand out, if I could very quickly, Mr. Chairman, which shows—this map deals with the proposed formulas. The first map shows the number of States which would do better under the STARS 2000 proposal than they would do under the 6-year average of ISTEA, and, as you can see, there are 33 States that would do better under STARS 2000 than ISTEA.

Forty-seven States would actually get more dollars under STARS 2000 than under ISTEA——

Senator REID. One of the problems with this, though, is that Rhode Island isn't one of those States that does better?

Mr. HOWARD. I know, but I'll show the second map then, Senator. The second map shows the percentage comparison of program shares under the current reauthorization proposals, which includes STARS 2000 Step 21 and NEXTEA, which is the Administration's proposal.

STARS 2000 is shown in red, those States which would get more under STARS 2000; blue is Step 21; and, green is NEXTEA. If you

will notice, Mr. Chairman, Rhode Island is a color combination of red and blue, meaning that——

Senator REID. We appreciate that. We'll have some questions for you.

Mr. HOWARD. And then attached to that is a table which shows the percentage for each State.

Senator REID. Thank you very much for your testimony.

Mr. HOWARD. Thank you.

Senator REID. We will now hear from Mr. Pete Rahn, Secretary of the New Mexico State Department of Transportation.

By the way, I was with Secretary Lujan this morning, and he said to be sure and tell you hello.

Please proceed.

STATEMENT OF PETER RAHN, CABINET SECRETARY, NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

Mr. RAHN. Thank you for the opportunity to address you.

Mr. Chairman, our nation currently possesses a global economic advantage because of our efficient and safe transportation system, and we believe that the movement of people and goods must drive any reauthorization bill that looks at surface transportation within the country.

To give you an idea of where New Mexico is as far as the sizes of State, New Mexico, located within the Rocky Mountain West, is well aware that the entire Rocky Mountain time zone has less than 6 percent of the nation's population but over 25 percent of the land mass, and we are reminded of this every time that a national TV program announces what time they're going to display a show because they always leave out the Mountain time zone when they tell you what time it is. So, apparently, the 6-percent population within the time zone is not worth the 2-seconds that it takes to tell us what time a program comes on.

However, Mr. Chairman, transportation is a distance issues, as well as a population issue, and New Mexico's highway system serves as a bridge between the population and manufacturing centers of California, Texas and the rest of the sunbelt while deriving very little direct benefit from that function.

In size New Mexico is our nation's fifth largest State. You could place the States of New York, Pennsylvania, New Jersey, Maryland, Delaware, Massachusetts and Rhode Island all within the designated rural portion of the State of New Mexico and still have 1,600 square miles to spare.

New Mexico ranked 48th in per capita income in 1995. Our unemployment rate is well above the 5.4 percent national average. Our highway system possesses five of the 20 most dangerous roads in the country, and all of this combined with the fact that New Mexico—our citizens pay the second highest per capita dollar amount into State transportation taxes in the country. New Mexico, according to the Federal Highway Administration's figures from 1995, ranked second only to Washington, with $294 per capita being paid by our citizens into the State transportation taxes.

I would add that the State of Nevada ranks sixth in the country as far as the proportion or per capita rate in which their citizens pay into State transportation taxes.

Mr. Chairman, New Mexico's existing highways system——

Senator CHAFEE. Could I just ask one question on that? On our per capita income, the unemployment rate and so forth, is that distorted by the Indian population substantially? In other words, if the Indian population were excluded, and I'm not suggesting that it be but I'm just curious, the New Mexico per capita income, I presume, would come up rather substantially, would it or wouldn't it?

Mr. RAHN. Mr. Chairman, Senator, I don't believe it would come up substantially. It would rise but it would not rise substantially because we have a problem with employment throughout the State with the exception of two metropolitan areas. With that exception, there is little employment in the outer rural regions of our State.

Senator REID. Is New Mexico—I'm sorry, I may have missed that even though when you walk back, you can still hear your testimony—is New Mexico still growing?

Mr. RAHN. Yes, Mr. Chairman, New Mexico is growing. In fact, we're second—the projections are for the year 2015 that we will have experienced the second highest growth rate as a State in the nation, second only to California.

Senator REID. Why do people continue to move there if there is no work?

Mr. RAHN. The city of Albuquerque or the metropolitan area of Albuquerque is attracting employment, but it is centrally located and is not spread out outside of the city of Albuquerque.

Mr. Chairman, New Mexico's existing highway system has deteriorated due to the lack of resources and increased traffic volume. Today we have nearly three times the traffic on our system that we had just 10 years ago. New Mexico, as a bridge State, has 93 percent of its heavy commercial vehicles that travel on the interstates are neither bound for, or originating in, New Mexico, and 50 percent of all of the vehicles traveled in the State are not originating from or destined to New Mexico other than to pass through it.

Mr. Chairman, I will attempt to skip through some of this. The important issue I would like to address is the idea of donor-donee, and, Mr. Chairman, that is a peculiar concept to us because it only applies to the highway portion of the trust fund. It does not apply to transit, and if the calculation were made on all surface transportation expenditures, many States that are currently listed as donee States would in fact be donor States and New Mexico is one of those.

A couple of issues under ISTEA, Mr. Chairman, if I could, very quickly try to deal with it. I would like to, first, mention that New Mexico, along with many other States, is very disappointed in the Administration's proposal for NEXTEA, and I will finish, Mr. Chairman, in mentioning ITS. ITS, we believe, has some successes and New Mexico has been involved with two of those—one of those is, as I describe to you, through the HELP process; another one was Crescent. However, those were very small programs, and, in general, we believe that ITS is focused too much on urban and eastern States and areas, and that the rural areas of our country

have not seen the benefits from ITS that are possible if the program were more balanced.

Senator REID. Thank you very much for taking the efforts to be here today.

Mr. Landis, who pays for these transponders and things that are buried in the pavement as you drive by?

Mr. LANDIS. Under our current structure, as a public-private partnership using venture capital, we have a partner which in our case is Lockheed Martin IMS, who is providing the capital investment that includes transponders, computers and other devices to make the system operate.

We provide those devises up front. The system becomes self-sustaining on a user-fee basis, if you will——

Senator REID. What does Lockheed get out of it?

Mr. LANDIS. Lockheed will ultimately achieve, hopefully, a return on their investment, as any other venture capital.

Senator REID. Selling the equipment?

Mr. LANDIS. I'm sorry?

Senator REID. Tell me how Lockheed makes money on the arrangement then.

Mr. LANDIS. We have the system operate on a transaction fee basis. That generates revenue which comes to HELP, which pays back the venture capital. It's a very typical approach.

Senator REID. I understand.

Now, someone is leaving from Los Angeles with a truck load of beds or whatever they haul. There would be various places on their route to Chicago where you have these transponders in the pavement, and they would not have to stop if their vehicle met the standards when necessary until they came to a place that wasn't using this smart technology, is that right?

Mr. LANDIS. That is correct.

Senator REID. And the way it is now at least they would have to stop it in every State, at least once?

Mr. LANDIS. Not in every case, but conceptionally I think that is correct, Senator.

Senator REID. And so what we would try to do is avoid the half hour that coming into Saint George and a trip across from Chicago would amount to with 8 or 9 hours worth of stops that would be necessary normally?

Mr. LANDIS. What we are dealing with is really incremental costs, and I'll give you an example.

Westway Express, a company where the President of that company recently estimated that his trucks on a cross country trip by not stopping at weigh stations and ports of entry can safe somewhere between eight and thirteen dollars. That's not much on an individual trip but——

Senator REID. I'm surprised that's all it is considering—I can't believe that's what it would be.

Mr. LANDIS. I honestly think it's higher, but that is his estimate.

Senator REID. Eight dollars—I mean, if somebody said that coming into Saint George is a half an hour, unless you're paying a truck driver 50 cents an hour across the country, those figures don't add up.

Mr. LANDIS. I fully agree with you. I think the cost is higher, but——

Senator REID. I wouldn't use that example again.

Mr. LANDIS. Well, still, no, it's still appropriate. That is somebody who has taken the time to determine that there are real savings to be achieved——

Senator REID. But, Mr. Landis, that doesn't make sense. You have a huge semi-truck stopping for a half an hour; that's more than eight dollars right there, I would have to say, with the time of the truck driver.

Mr. LANDIS. I agree with you.

Senator REID. Dr. Johnson, I don't want to minimize the eight dollars or thirteen dollars, but wouldn't you save more money than that?

Ms. JOHNSON. We believe so. We have two or three other of these types of operations in the United States. I–75 going from Florida to Ontario has estimated savings of an hour, an hour and a half to 2 hours; multiply that times $60 an hour. Any individual trip is saving substantially.

What is happening in the United States is because of downsizing State government and weigh stations, so the random probability of a truck having to stop isn't at every weigh station.

Senator REID. I see. So you see these places along the way, most trucks do not stop. They do it when it just doesn't look right.

Ms. JOHNSON. Right, so our effectiveness in safety is going down.

Senator REID. I understand, that's a very good point and I appreciate that.

Ms. JOHNSON. And we believe this will not only help the truckers but substantially heighten our safety.

Senator REID. If the public officials here in Nevada had enough money, what programs do you believe could be implemented to address some of the congestion-related problems?

Ms. JOHNSON. I think that the starts that are being made in Las Vegas with traffic signal systems is a good start. The next step that probably ought to be made is automatic vehicle location system on their transit system, and to the extent that they have a paratransit system, the type of thing that was talked about in Tahoe, we have to include that with automatic dispatching. Freeway systems ought to have—whatever you end up doing with the freeway system, it ought to be built smart so that you can manage on and off, as well as communicate and have surveillance.

All of those systems then should be linked by the type of thing that Senator Chafee was talking about. Essentially, a ground management system that is intermodal.

Senator REID. Chairman Chafee?

Senator CHAFEE. Thank you, Mr. Chairman.

Mr. MacLennan, it sounds like you've had some real success in Houston with the increase in ridership. As you know, I'm a public transit advocate, and I do find—just say in south California, they were indicating—I don't know whether it was just pertaining to San Diego or not, but they were indicating that regrettably they've seen their ridership go down in actual numbers, even though the population has substantially increased.

What are you doing differently? Is it your HOV lanes, your special lanes, that permits your buses to move so swiftly? Is that the secret?

Mr. MACLENNAN. I think it's a composite. Certainly, the HOV lanes are a significant part of that. The fact is they can whisk by—people are mainly using transit to get to and from work, although there are a lot of other uses but that's a predominant use, and if they can whisk by the traffic at the speed limit, 55 to 70, instead of sitting in traffic, that's going to encourage them to get on.

If they are also then not blocked up in the downtown areas or the other major activity centers after they get off of the HOV lanes, that's also going to encourage them to stay on the bus system. We have seen significant growth of the years. We're double where we were when we started into operation in 1979.

Senator CHAFEE. In your ridership?

Mr. MACLENNAN. In our ridership, yes.

Senator CHAFEE. Now, obviously, this is costing you some money. It's subsidized but by doing this you are avoiding having to build additional lanes. As you indicated, the cost of those are very, very substantial.

Mr. Howard, I'm not sure I understand STARS 2000 totally. Are the western States exempt from the—treated in some special fashion or how does that work? I know that some of the States have a 95 percent return on contributions.

Mr. HOWARD. Senator Chafee, you're referring to the formulas and how the funds are distributed?

Senator CHAFEE. Well, yes, I am, the STARS 2000 that you've discussed.

Mr. HOWARD. OK, basically, the program would be set up with a large national highway system program of 60 percent of the core program; 40 percent of the core program would be a more flexible surface transportation program such as we have now under ISTEA. There would be some—equity adjustments would be applied to the program. As I recall, in the calculations, first, you go through the formula based on extent and usage factors, which were included I think in the written testimony, but then there is an adjustment for the small States and the sparsely populated States and the small north eastern States to assure that they all get the same percentage that they got under ISTEA, recognizing the unique aspects of the west and of the north east in terms of the way they were treated under ISTEA.

Then we apply the 95 percent minimum allocation, which is desired by the Step 21 States. Then there is another adjustment which represents the—puts more emphasis on the size and extent of the program, which we call a core adjustment, and then a final adjustment is made, again, to guarantee that the sparsely populated States and small States in the north east which have small transportation systems but lots of people would get at least what they got under ISTEA.

So the formula—when the calculations are completed, about 53 percent of the program is distributed as NHS funds or 55 percent—33 is STP and there's 12 percent that go to the States under these equity adjustments that we believe make the program fair and universal to all States.

Senator CHAFEE. Obviously, we'll take a look at it. I must say I confess that I don't totally understand it, but it's a serious proposition that has been advanced and it's worth a look at.

OK, Mr. Chairman, I don't think I have any other questions.

Senator REID. That has been an extremely interesting panel, and, as Chairman Chafee indicated, especially your information, Mr. Howard. Having worked with you in the last ISTEA bill, we're going to take a close look at that.

Senator CHAFEE. I wonder if you might provide me the details. You have something written out or could you on it, on the STARS 2000?

Senator REID. How you arrived at those numbers.

Mr. HOWARD. I don't think I have anything with me, Senator, but I'll send it for the record.

Senator CHAFEE. I don't mean now but you can send them along.

Mr. HOWARD. Yes, I will.

Senator CHAFEE. Good, thank you.

Senator REID. Thank you all very much—oh, I'm sorry.

Senator CHAFEE. I just want to join and say that, Dr. Johnson, I think there are some wonderful things being done. One of the things I saw yesterday, Mr. Chairman, you might be interested in is they've put down the middle of a highway—or, no, not in the middle but in a lane of a highway in the middle of lane they've drilled in and put these magnets there. And then there's a magnet arrangement underneath your vehicle in the front, and so you get in this lane and then you just take your hands off the wheel and go zooming along, and this keeps you exactly—makes the turns and apparently——

Senator REID. Where is this?

Senator CHAFEE. This is in San Diego. It's just a sample.

Dr. JOHNSON. We're going to invite you, Mr. Chairman, and Senator, to a demonstration that Congress asked us to do in 1997, the automated highway. This is the leading edge of research which is close to the more practical kinds of things that we're doing right now.

Senator CHAFEE. And so you go—apparently, you can't react mentally with your hands as swiftly as this—keep in your lane as well just driving as you can with these magnets underneath. So you take your hands off and wave to the crowd and the car goes right down the lane, and then when you get the next step, there is a computer step up on radar so that you can go along at 60 miles an hour behind 13 feet from the car in front of you.

Senator REID. So you don't worry about tailgating.

Senator CHAFEE. Well, I would worry about it.

[Laughter.]

Senator CHAFEE. But apparently this radar can react much faster on the brakes, hit the brakes faster than you could, and so it's the whole system of getting more cars through a limited—in a specific amount of time in a lane; in other words, moving the vehicles faster and more efficiently.

Senator REID. I wish Pat Moynihan were here to listen to this.

Senator CHAFEE. Well, it was pretty impressive. I didn't do it with the radar. I did it with just the magnet.

Senator REID. Mr. Chairman, if I could ask one question of Mr. MacLennan, why have buses worked in Houston and usually people aren't satisfied with buses? They want subways or some type of people moving equipment that's a little more glamorous than buses. Why are buses working in Houston?

Mr. MACLENNAN. The practicality of the use of those HOV lanes, I think, allows folks to overcome that initial feeling. Those HOV lanes do not have stops every mile or two. You get on a bus and without stopping you're 20 miles away into the downtown area, and you've done it at 50 to 70 miles an hour.

I would love to just comment in that test of the automated highway system, in August we will have a couple of buses in that system, mixed in with the automobiles, performing exactly as those automobiles do.

Senator CHAFEE. One other question—is it not true that if you provide service—or put it the other way, if to save money you reduce service, then your ridership goes down? Then you reduce more service and your ridership goes down, so it's a self-defeating situation? And does it work the other way—if you provide more service, do you get more ridership?

Mr. MACLENNAN. To some extent the answer is yes; and to the first example that you put on the table, very easy to get into a graveyard spiral once you start into that reduction in service.

Senator CHAFEE. And regrettably that apparently is happening with Amtrak is that they cut service all over the nation, and then, of course, it spirals.

Senator REID. That's too bad.

Thank you all very much for your testimony.

Senator REID. Our last panel today is last but not least in importance. Mr. Chairman, you're going to hear from some of our finest. We will have the Chairman of the Clark County Commission, Ms. Yvonne Atkinson Gates; we will have Mr. Bruce Woodbury, who is a County Commissioner who has been a pioneer in originality and developing our highway transportation system in southern Nevada; and Ms. Celia G. Kupersmith, who is Executive Director of the Reno Regional Transportation Commission; and the Honorable Jan Laverty Jones, who is the Mayor of the city of Las Vegas, and who—I understand her testimony will be read today by Commissioner Matt Calister.

Would you all please come forward?

We understand that Matt Calister who was patient in waiting for us became impatient. He had other things to do, and we're going to hear from the Mayor's Executive Assistant, Cathy Hanson.

We'll first hear today from the Chairman of the Clark County Commission, Yvonne Atkinson Gates.

I would just say, Mr. Chairman, that the Gates family are really public servants. Chairman Gates' husband is a judge, a clerk of unlimited jurisdiction, a District Court Judge here in Nevada.

STATEMENT OF YVONNE ATKINSON GATES, COUNTY COMMISSIONER, CLARK COUNTY COMMISSION

Ms. GATES. Thank you, Senator Reid.

Good morning, or should I say good afternoon, Chairman Chafee and also Senator Reid. I am Yvonne Atkinson Gates, the Chairman

of the Board of County Commissioners, and also I am a member of the Executive Board of the National Association of Counties.

Thank you for the opportunity to testify on the reauthorization of ISTEA as it relates to Clark County, Nevada. We are facing challenges of growth unprecedented in the Nation and worthy of special attention.

First, I want to provide some background about our fundamental phenomenal growth, the affects of this growth on the transportation infrastructure and then provide you with some ideas of the resultant issues that must be addressed.

We are the fastest growing metropolitan area in the country. In 1987 there were about 655,000 people residing in Clark County. Today, 10 years later, our population is over 1.2 million and it is anticipated to be 2.4 million before the year 2020.

Each year about 80,000 people move to the Las Vegas area. Our transportation system must also accommodate a large visiting population. We attracted more than 30 million visitors last year, greatly stressing the transportation facility in the resort corridor. Tourism continues to grow and it is the lifeblood of the county and the State economy. Most of the States' revenue is generated in Clark County via tourism and visitors are totally dependent upon our local regional transportation network system in order to move about.

The specific patterns of residents' and visitors' growth has stressed the transportation system beyond the carrying capacity. Today, about 200,000 residents are employed within the resort corridor, while 93 percent of those populations live outside of that area. Forty-six percent of our total trips in Clark County are to and from and through the resort corridor, and the capacity of the transportation system serving the resort corridor will have a significant expansion in order to accommodate travel demands. The result corridor is geographically and economically the center core of the Las Vegas metropolitan area. Outside of the resort corridor much of our highway infrastructure was constructed back in the early 1960's and 1970's, and is in grave need of further expansion.

The regional transportation plan for 1995 through the year 2015 identifies $3.4 billion in program improvements for the major streets and also highways over the next 20 years, but despite that, this level of planned investment, congestion is expected to continue in this valley. Transportation projects indicate that the total roadway capacity in the valley will be unable to maintain a balance between supply and demand, resulting in motor vehicle gridlock.

We are feeling the growing pains of a new community. We do not have the refinement or historical commute pattern and administrative background of a 50 or 60-year old transit system. Our public bus system simply did not exist a few years ago; yet, the bus system ridership has had an annual increase within its time of 44.7 percent over the last 4 years, and we will continue to see that system expand as Federal funds remain available. Valley-wide only 1.8 percent of the 1995 total daily persons' trips are made by transit, and the level of services far below the desired level, of course.

As the growth continues, every new single home that is built here that are added to our community adds about 10 trips per day

to our transportation system and approximately 1.6 new vehicles on our roadway system.

There continues to be great competition for limited funds, for police and fire services, schools and drinking water systems, waste water and sewer systems, libraries, parks, community facilities and maintenance of our older neighborhoods. This competition for public service delivery greatly impacts our ability as local governments to fund regional transportation projects. The stress on our transportation system affects our quality of life for our residents and also for our visitors. We are faced with longer commutes, both in distance and in time; increased costs for capital improvements and maintenance, greater delays at intersections, coupled with the inflexible system to absorb, disrupt, due to accidents and construction. It also impacts the quality of our air.

Continuing daily growth of vehicle trips anticipated over the next 20 years complicates the challenges of clean air. Carbon monoxide and air pollution is almost entirely generated based upon motor exhaust and post-significant risks not only to our visitors but also to our community.

As the roadway becomes congested and vehicle speeds up and reduces, carbon monoxide emissions are greatly increased. Past Federal transportation funds have been used for projects for synchronizing traffic lights and provide separated pedestrian pathways, which result in measurable air quality improvements. However, much needs to be done in terms of cleaning up our air.

Federal transportation funds, coupled with clear direction and guidance toward air quality improvements, are key and important to maintaining a national health standard for air pollutants.

The ISTEA formula has been very responsive to our special needs and challenges, resulting from this unprecedented growth. However, we face special challenges in funding our buses and guideway systems, and our transportation demands management system. ISTEA funds have enabled local governments emission solutions to meeting our demands. We continually—our continued vitality, economic health and environmental quality hinges upon continued Federal funding for regional transportation projects. Local governments just don't have the resources needed to address these regional transportation programs alone. We must continue to have Federal partnerships with the Federal Government through the expansion of ISTEA funding, and as a member of NACO, I want to say to you, as a member of the Executive Board, that we strongly support the four-core program of ISTEA. And, as a county official, we would like to see a broader role for local governments when ISTEA is reauthorized.

I also want to say, Mr. Chairman, that as a member and as a Chairman of the Air Quality Committee for NACO, I support your position also on PM2.5, and I want to say that I really appreciate your allowing me the opportunity to speak to you and also to share with you some of the challenges that we face here in Nevada in terms of trying to solve our problems that we have here, as it relates to transportation.

Thank you.

Senator REID. Thank you.

Mr. Bruce Woodbury?

STATEMENT OF BRUCE WOODBURY, COUNTY COMMISSIONER, CLARK COUNTY COMMISSION

Mr. WOODBURY. Thank you, Mr. Chairman, Senator Reid.

I am Bruce Woodbury, a member of the Clark County Commission and Chairman of the Clark County Regional Transportation Commission.

I appreciate the invitation to provide testimony. I would like to offer written testimony from Kurt Weinrich, our regional transportation commission director, if I might.

Senator REID. That will be made part of the record, as it's given.

Mr. WOODBURY. Thank you, and I also have some handouts that we can distribute to you regarding our local master transportation plan.

Commissioner Gates has described for you the unprecedented growth that we have experienced in this community, and, Senator Reid, of course, you're very familiar with that. That growth has created tremendous pressure on our State and local agencies to provide the——

Senator REID. Excuse me, Bruce, do you want us to look at this?

Mr. WOODBURY. Yes, thank you.

We are pressured to provide the infrastructure needed to keep pace with the needs of our citizens.

Two years ago we decided that the Federal and State dollars and the funding formula associated with our transportation plans at that time just were not capable of providing the program required to keep up. So to meet that challenge the county and the RTC knew it would have to exercise some leadership and develop a plan of its own.

In 1990 we placed before the voters a non-binding referendum called Question 10, a question support for a multi-modal master transportation plan. Our voters approved that by an overwhelming margin. This has produced what is now a $150 million per year revenue package paid for in improving our local roadways and public transportation services.

For the Question 10 fair share funding program everyone who benefits in one way or another from the transportation improvements also contributes a fair share of the costs. For example, the different funding programs involve jet aviation fuel tax, a tax on new development a motor vehicle privilege tax, hotel and motel room tax, sales tax, and, of course, motor vehicle fuel tax.

The master transportation plan, though, is a lot more than just a set of new taxes. It's really a regional attempt to address our growing transportation and related air quality needs. The plan brings together all transportation entities in southern Nevada; it ties together all of our road-related strategies and provides the means for constructing our infrastructure improvements.

It's quite clear that no single project in this program stands alone. Improvement of traffic capacity and air quality are dependent upon the implementation of the entire plan. This integrated approach has created a framework for the construction of a series of transportation projects that fall into various broad categories, and I'll just a few of those: major improvements to Interstate 15 where we have, of course, appreciated a good deal of Federal funding, resort corridor road capacity improvements where there has been a

combination of some Federal funding to go along with our local funds; a new beltway around the Las Vegas Valley; increased traffic capacity and other local arterials; major expansion, as described by Commissioner Gates of our public transit system; congestion management by upgrade of our computerized signal system where, again, we've appreciated the Federal funding; and, multi-modal comprehensive planning using major investment studies.

In all of this we've had great cooperation and tremendous assistance from the Congress, especially Senator Reid and our Congressional delegation, and we truly appreciate that partnership.

I can recall just a few years ago when you, Senator Reid, chaired a transportation summit meeting, which really helped us focus our efforts in a coordinated and comprehensive way.

Following on that partnership philosophy, the county in cooperative relation with other local agencies, began construction of the southern leg of the beltway. This is the first part of a 50-mile beltway around the southern, western and northern parts of the Valley, costing well over $1 billion. Funding has been locally generated—that's really a unique concept here in southern Nevada for a county, as opposed to the State, to undertake a freeway improvement project of that nature.

We have just completed approval of an acceleration plan where we will have a continuous functional beltway 10 years earlier and the complete beltway could be provided.

You mentioned earlier the computerized traffic signal system. It's one of the truly regionalized system of that nature in the western United States. It was formed in 1983, and it is currently undergoing an expansion utilizing state-of-the-art intelligent transportation technologies, and can be the core of our regional advanced transportation management system. Again, Federal funding has helped us to accomplish this.

In the spirit of multi-modalism major investment studies are currently underway in the resort corridor and along U.S. 95. The transportation improvements that have been discussed include a fixed guideway people mover system, transit enhancement and traditional highway improvements.

Approved as a locally preferred alternative for the fixed guideway system, it is estimated to cost over $1 billion. The RTC and local entities in the State are seeking Federal funds so that this critical project can proceed.

We have also developed a public-private partnership for a large number of projects that have been developed through a lot of private donations of right-of-way, as well as funding to go along with the State, local and Federal funds that we have obtained. These include new freeway interchanges, pedestrian bridges and tunnels at major intersections, and major arterials in the resort corridor area.

I want to just briefly mention a few of the four major issues and five super projects that the RTC and the county commission support for your immediate consideration.

A resolution passed at our March 18th meeting recommending that the projects proposed by the State of Nevada to the Congress for favorable consideration as a part of the reauthorization. A few of those projects are the widening of U.S. 95 in north west Las Vegas, I–15 widening, U.S. 93 Boulder City bypass, and we also

have included four major issues to include in the ISTEA funding. They have a substantial impact in addressing our transportation needs. They include the U.S. 93 Hoover Dam bypass, transit improvements in Clark and Washoe County, including the fixed guideway system that I mentioned.

A unique thing for Nevada is the system interchange at I–15 and I–40 between Barstow and Victorville in the State of California, which impacts our community substantially.

Finally, let me just say that transportation issues are of tremendous importance in our community. We have taken steps to ensure that local and State governments has assumed as much responsibility as possible, and we hope that in assuming that responsibility that that is the approach that you are encouraging and acknowledging in the Federal funding determinations.

We support the spirit of ISTEA, as exemplified by all the initiatives that Senator Reid is well aware of here, and we respectfully ask for your consideration of these projects that we mentioned in the reauthorization legislation.

Thank you, again, Mr. Chairman.

Senator REID. Thank you, Commissioner.

We will now hear from Celia Kupersmith.

STATEMENT OF CELIA G. KUPERSMITH, EXECUTIVE DIRECTOR, RENO REGIONAL TRANSPORTATION COMMISSION, WASHOE COUNTY, NEVADA

Ms. KUPERSMITH. Good afternoon, on behalf of the Regional Transportation Commission of Washoe County, which is in northern Nevada in Reno, I appreciate the opportunity to testify today on the reauthorization of the ISTEA legislation.

At the outset, Mr. Chairman, I would like to thank you for holding this hearing today here in the State of Nevada, and also for your very clear leadership, both in the original ISTEA, as well as in its reauthorization.

The Regional Transportation Commission, known as the RTC, in Reno brings a unique perspective to ISTEA reauthorization discussions, due to our threefold mission: we are the builders, maintainers and rebuilders of the regional road network with an annual work program totally $34.6 million; we are also the metropolitan planning organization for the Reno Sparks area, and then, third, we provide public transportation services to over eight million passengers on an annual basis.

We are supportive of the adjustments to the CMAQ funding program that would allow maintenance areas to remain eligible for CMAQ funds.

Speaking as the MPO Director, continuation of the ISTEA planning and project selection process is critical. Approving of projects by both the MPO and the State ensures that transportation projects which meet both local and State objectives are completed in a coordinated and comprehensive fashion.

With respect to proposed funding levels, we applaud provisions that retain the Federal role in the nation's surface transportation network. It is clear that the balance of highway and transit funding must remain a level playing field, with roughly a 4 to 1 ratio between highway and transit funding.

The use of new and innovative Intelligent Transportation Systems, or ITS, technology is critical to moving people and improving air quality. ITS technology is particularly important in an area like Reno, which is a top tourist attraction, which, at the same time, is very prone to emergencies such as floods, earthquakes and very severe winter storms.

Four years ago the TransCal field operational test project linking San Francisco with Reno along the Interstate 80 corridor was funded with ITS funds. Last year saw ITS funding approved for an innovative public-private partnership of transit services in the south shore of Lake Tahoe.

In ISTEA reauthorization we are seeking authorization in Reno of an ITS system, which will produce significant traveler benefits and ensure that Reno is fully able to participate as a partner in these two existing ITS projects that are right there at our borders.

Our system, requiring $3.7 million in Federal funds, is based on an automatic vehicle location system, and would use ITS technology to improve traffic flow, customer convenience and overall efficiency of the transit network in Reno.

The Regional Transportation Commission also supports the return of the 4.3 cents Federal gas tax now used for deficit reduction, provided that after any allocation is made for Amtrak, that the balance is split 80 percent for highways and 20 percent for transit. Taking the trust fund off balance is also supported, certainly in light of our goal, which is to take full advantage of all available resources to meet the transportation needs.

Highway funding is critical to the western State of Nevada. Our top priority in northern Nevada in the Reno Sparks area is Federal funds for the extension of the U.S. 395, what is also known as the I–580 corridor, from Reno to Carson City, which is the State capitol, located approximately 30 miles south of Reno. Carson City, as mentioned earlier, is one of the very few State capitols not connected to the interstate transportation system. This project would build eight and a half miles of freeway and connect existing freeway sections just north and south of the Carson area.

In reference to the issue of formula allocation of gas tax revenues, also known as the donor-donee issue, as has been pointed out earlier, Nevada is clearly on the borderline between being in either one of those two designations. It is certainly our hope in Reno that whatever happens with the formula allocations, that our position is improved as an outcome.

In conclusion, the Regional Transportation Commission strongly supports a continued Federal role in transportation and the continuation of successful ISTEA legislation and its flexible funding provisions, increased focus on ITS technologies, emphasis on intermodalism and State, local and Federal partnerships are keys to successfully solving our future transportation challenges.

Again, thank you for the opportunity to testify, and I do have written testimony that would like to ask be entered into the record.

Senator REID. We will make that part of the record, as it's given in its entirety.

Before I turn it over to you, Mr. Chairman, for questions of this final panel, while the two county commissioners are here, I want to express the appreciation of the Environment and Public Works

Committee for making this hearing possible. County employees have been tremendously helpful and courteous in allowing us to not only use this facility but assist us in setting up this hearing. So your county staff has just been remarkably good.

Mr. Chairman—oh, I'll be darned. We forgot Cathy, sorry about that.

STATEMENT OF CATHY HANSON, ON BEHALF OF HON. JAN LAVERTY JONES, MAYOR, CITY OF LAS VEGAS

Ms. HANSON. Chairman Chafee and Senator Reid, my name is Cathy Hanson, and I'm appearing on behalf of Mayor Jan Laverty Jones. The Mayor thanks you very much for holding these hearings in southern Nevada and regrets not being able to attend in person today because of a previously scheduled out of town trip. But, Mr. Chairman, I do have some written testimony from the Mayor that she would like entered into the permanent record.

Senator REID. That will be the order.

Ms. HANSON. Thank you very much.

Just briefly, Senator, there are more than 40 miles of congested roadways in our northwest. In fact, during rush hour both U.S. 95 and the surrounding side streets often resemble one large parking lot. U.S. 95 serves the fastest growing area in the fastest growing city in the United States.

Our population doubled between 1970 and 1983, and then doubled again from 1983 to 1996. Experts are now predicting we will hit the two million mark in the year 2009; however, the Mayor believes with our current growth rate, we could hit two million by the year 2000. And, of course, more people means more cars, up to 50 more cars a day, everyday on our roadways, and the task of moving these cars as people drive back and forth to work is becoming increasingly complex with each passing year.

That is why the widening of U.S. 95 is so critical to the Las Vegas Valley. The county and other cities in the Valley have come together to endorse NDOT's proposal for the expansion of U.S. 95 and their ranking of the project as the most essential in the State.

Besides serving as Mayor, Jan Jones also is a regional transportation commissioner and a mother of three children living in the north west. So she is very familiar with the burden shared by all the families in the Valley as they transgress that roadway.

Mayor Jones believes the additional lanes for U.S. 95, along with the additional high occupancy vehicle lanes, will cut traffic congestion, as well as improving air quality in the Valley.

I think Commissioner Gates has already covered the challenges of growth we face in the Valley, and Commissioner Woodbury has told you about our local plans for funding, but we still request your help in transferring the 4.3 cents gas tax to the highway trust fund in support of widening U.S. 95.

Thank you.

Senator REID. Thank you very much.

Senator Chafee?

Senator CHAFEE. Thank you, Mr. Chairman.

Commissioner Gates and Ms. Kupersmith, you both touched on CMAQ, which is the congestion mitigation funds, and I was pleased that you both gave that a good plug. I think it's important that you

do that because those funds are under attack, and I—here is a chance to say it again, if you want.

[Laughter.]

Senator CHAFEE. Just so that everyone will hear.

Commissioner Gates. I would love for that element to be in tact, to remain in tact. It is important not only for southern Nevada but also for other major counties within the United States. It is an important element that certainly should be considered.

Senator CHAFEE. And I think it's—let me see if I've got this straight—in your testimony, Ms. Kupersmith, you say that you think it is very important to keep them separate; in other words, it's a category.

Ms. KUPERSMITH. Yes, sir.

Senator CHAFEE. Could you amplify that a little bit?

Ms. KUPERSMITH. Well, the way the CMAQ program works today is that it is separated from the other sources of funds, or the pots of money, for highway spending. It makes it available to be used very aggressively for both transit and highway solutions. Within the northern part of Nevada and the Reno Sparks area, we have used CMAQ funds both for transit projects such as the example I gave where we bought buses with CMAQ money. We've also used it for signal type of work where we've come in and do things that can be done to improve the signal coordination. As was spoken to earlier, there has been a real success with these types of projects up in the South Lake Tahoe area using CMAQ funds.

CMAQ is critical; it needs to be continued in the format in which it currently exist as an individual pot of money. We feel very strongly that it needs to stay as an individual pot of money versus taking the same dollars and just putting them into the highway funding that could then be spent for projects that are not necessarily geared at improving air quality and reducing congestion.

Senator CHAFEE. Do you agree with that, Commissioner Gates?

Ms. GATES. I sure do, absolutely. We've been able to use it here.

Senator CHAFEE. And I think the point you made about providing the CMAQ funds to those who have achieved the maintenance is also a fair thing because—and that came up with a hearing we had in St. Louis, Missouri—Kansas City, Missouri—that those—you don't want to work against those who have been good stewards and have made the effort, and have now achieved it. So we want to work out that somehow, and so the point you made was a good one, both of you.

Ms. KUPERSMITH. Thank you.

Ms. GATES. Thank you.

Senator CHAFEE. I'm very glad you came.

One other quick question, if I might, to you, Commissioner Gates. Why is there such tremendous growth around here?

Ms. GATES. Well, good question. Actually, to be real honest with you——

Senator CHAFEE. I mean, do the resorts grow so people come thus? But not everyone is working for the resorts.

Ms. GATES. No, but we have a good quality of life. I mean, although we have our problems, we do still have a good quality of life. Our tax structure is very good. We don't have a high crime rate. We do have—when you look at the economy, we do have a

very sound, pretty much sound, economy where people can afford to live. Our tax structure, again, is wonderful, and not only that, we have beautiful days like today.

Senator CHAFEE. Well, it is amazing. I was in Florida not long ago where they pointed out with some pride that 800 people a day move into Florida—was it a day?

Senator REID. I think so.

Ms. GATES. Between six and seven thousand people move here a month—7,000 people move here a month. Not only that, the government here, we don't—we have a good local government system here. People just love to live here.

Senator CHAFEE. Let me correct that, in Florida it's a week, 800 a week.

Senator REID. Yes.

Senator CHAFEE. Have I——

Senator REID. I'm not too sure that's right. I think it may be——

Senator CHAFEE. No, because I figured it out. It was 52,000 a year.

Senator REID. No, we do better than that.

[Laughter.]

Ms. GATES. Yes, we do.

Senator CHAFEE. Well, after listening to some of the problems that come with it——

Ms. GATES. The good thing about that, Senator, is that we're at a stage where we're growing but we have an opportunity to make sure that that growth continues but it continues on the right path. And with ISTEA reauthorization and with some of the things that my commission, Commissioner Woodbury and myself and other local elected officials, are trying to do is try to keep on track with our infrastructure and solve a lot of our problems before it gets away from us.

So we're working very diligently to do that.

Senator CHAFEE. Commissioner Woodbury, I was very impressed with what you've done on taxes, and, as was pointed out earlier, one of the factors that I do indeed believe we should consider in this formula is those communities or States that are making the effort. Certainly, in this list here you are clearly making an effort. I guess these are county, are they? These are all county efforts?

Mr. WOODBURY. Well, no, part of it's county; part of it is through the Regional Transportation Commission, which includes the cities; part of it is through the State. We have a real working partnership with the NDOT, and they are concentrating on the freeway system, but on several projects we have actually funded them together where they would do one phase and we would do another phase.

Senator CHAFEE. What you've done on the jet fuel, and room taxes, and mass transit and gasoline taxes, you've really done your part.

Thank you very much, Mr. Chairman.

Senator REID. Mr. Chairman, thank you.

I direct this to both of our county commissioners. One of the things we have to be aware of is that the laws that have been proposed to us by the President says that for census purposes we'll use the best available current data. That will be the 1990 census. What has been the growth of the State of Nevada since 1990?

Mr. WOODBURY. I don't know the percentage, but it has been phenomenal here in southern Nevada, and I assume for the whole State.

Senator REID. So we have to watch that very carefully because if we use the 1990 census, we have grown by hundreds of thousands of people. I think the figure is around—by the time we do this bill either this year or next year, there will be about 500,000 people statewide. So that's a lot of people that have problems that should be accounted for.

County Commissioner Woodbury, about the beltway—it's proposed to be 50 miles. How much of it is done now?

Mr. WOODBURY. What is completed now is what we call the airport connector that connects the McCarran Airport with I–15 and then that goes out to about Warm Springs Road. Since then two additional segments have been completed out toward the Henderson area where it is now out to eastern, not too far from Lake Mead Boulevard that you are aware of. Other segments are under construction, heading out in the Henderson area and the interchange at I–15.

About a year and a half from now, the entire southern segment will be completed. I mean, we are well underway into the western and northern segment where we have already now bound right-of-way into the design, working with the cities, and so by the year 2003 we will have, not to full freeway standards, but a complete beltway built around this community where part of it will be full freeways, part will be half freeways and others will be simple two to four-lane highways. And then we'll go back in the ensuing years and put in the full freeway features. It's moving forward at an incredible rate.

Senator REID. Ms. Kupersmith, you gave one statistic indicating that with the buses that we have in Washoe County and in the Reno Sparks area, did you say how many million people rode on them last year?

Ms. KUPERSMITH. We carried over eight million passenger trips last year, and, Senator, getting back to a point that was made with an earlier speaker about sometimes you end up cutting your transit services and you run off riders, while our growth has not been substantial in terms of ridership in the last several years, because of some funding crises, some reduced operating assistance that we've been receiving in the past, we have been in a position of cutting our bus service almost 18 percent in the last 3 years and our ridership is actually up a percentage point. So we have been—if we had been in a position to maintain the service that we did not cut, our ridership growth would have been really stupendous. And, as I said, we're currently carrying over eight million passenger trips a year in spite of those reductions in service. People have stayed with us and we've been getting more and more riders.

Senator REID. The reason I wanted to pick out that figure is because we still have in the audience the maglev representatives who came and talked to us, and the example they gave is their trains carry 100,000 people. We've got to do a lot better than that if we're going to move large numbers of people, and, certainly, a relatively small area like Washoe County to carry eight million people in a year is unbelievable.

Do either commissioners know how many we carry in the CAT system?

Mr. WOODBURY. There has been a tremendous increase. Kurt Weinrich can quickly answer that for you, if you would like.

Senator REID. Could you do it from up there, Kurt?

Mr. WEINRICH. About 40 million a year.

Senator CHAFEE. What is that?

Senator REID. What is the acronym for CAT?

Ms. GATES. Citizens Area Transit.

Senator REID. Citizens Area Transit. We call it the CAT system, and it's a bus system around the Las Vegas area, and last year they carried 40 million people.

Senator CHAFEE. In fairness to the maglev, all they do—it's a demonstration. It's out in the country and——

Senator REID. Oh, I understand. I think it's wonderful that they're doing that.

Senator CHAFEE. It makes a loop. In other words, you go—he said it's 20 miles, but maybe—well, he said it's 20 miles; I thought it was 10 miles and then you make a loop and come back—maybe you count it twice and then make another loop.

[Laughter.]

Senator CHAFEE. The only people that ride it aren't people that are trying to go somewhere.

Senator REID. It's people like you and me.

Senator CHAFEE. You and I who come—visiting firemen who come for a trip.

Senator REID. But the reason I brought that up, Mr. Chairman, is between Las Vegas and Los Angeles, if we had a maglev system, we would not be hauling a few thousand; we would be hauling millions of people through that corridor alleviating traffic on the highways and in our congested airports. So that's the direction that we have to go.

Thank you all very much.

Senator CHAFEE. Could I just ask one other question?

Was it you, Chairperson Gates, that said that—or was it earlier testimony? I guess it was—that you have here the 10 largest hotels in the world?

Ms. GATES. That is correct.

Senator REID. That was the Circus Circus representative.

Ms. GATES. Right, from Circus Circus, Glen Schaeffer.

Senator REID. Glen Schaeffer said that we now have the 10 largest hotels in the world, and in 3 years we will have the 13 largest hotels in the world. He didn't mention this because he wasn't here representing his company, but his company announced a week ago today that they're going to build 14,000 new rooms starting immediately. We have more hotel rooms than any city in the world and we continue to build more.

Ms. GATES. In fact, on the corner of Tropicana and Las Vegas Boulevard there are more hotel rooms on that corner than there are in San Francisco.

Senator CHAFEE. Well, you've got me impressed.

[Laughter.]

Senator REID. I was talking to your staff earlier today. I hope that before he leaves out of here today he will have an hour or two

that he can go see our gun battle on the ocean where people fall out of these big ships and the cannons go off, and, of course, he's got to be able to see the volcano that's on the Strip. He can go see the trapeze artists, and Circus Circus and a few other things, just to keep his interest perked during the afternoon.

Senator CHAFEE. OK, thank you. I just want to join you, Mr. Chairman, in thanking all of our witnesses. They've all been excellent, and this has been a very useful hearing.

Senator REID. Mr. Chairman, let me say this again publicly. This has been a real sacrifice for Chairman Chafee to come here to do this hearing, and I'll be ever grateful to him for doing this. This hearing, we hope, will add a great deal to the ISTEA legislation, but, personally, I'm grateful to you for coming here and bringing the committee with you.

Senator CHAFEE. Thank you.

Senator REID. The committee stands in adjournment.

[Whereupon, at 1 p.m., the subcommittee adjourned, to reconvene at the call of the Chair.]

[Additional statements submitted for the record follow:]

STATEMENT OF GOVERNOR BOB MILLER, STATE OF NEVADA

Mr. Chairman, members of the committee, I am pleased that you have come to Las Vegas to discuss the reauthorization of the Intermodal Surface Transportation and Efficiency Act (ISTEA). As the fastest growing city in the nation, Las Vegas is the ideal location to witness some of ISTEA's greatest successes and also see some of the Acts shortfalls. Nevada's demand for more road capacity, more advanced technology for highway systems, and better rail and commuter services is ever increasing. It is essential that Congress pass a new transportation bill that goes beyond the original ISTEA and increase funding to accommodate Nevada and the nation's transportation needs.

Population growth in the Las Vegas metropolitan area has exceeded 50 percent every 10 years since World War II. There are certainly no signs of this growth slowing in the near future. To accommodate the existing and projected congestion, it is essential that we widen two of the major highways through Las Vegas. I have requested that Congress provide for the addition of four lanes to U.S. 95 and two lanes to I–15 through Clark County. In addition, U.S. 95 should be designated as part of the Interstate System.

Nevada's capital should also be connected to the Interstate System. Carson City is one of four capital cities in the Nation that is not linked to the rest of the state by a major highway. Only the construction of nine miles, from Reno to Carson City, remains to be completed to connect the city to the rest of the state. I have requested that Congress provide for this overdue project.

Carson City is not the only Nevada city that has insufficient highway access. Nevada rural communities are separated by cast areas of open space and must not be overlooked when reauthorizing ISTEA. A strong Federal transportation program is necessary to connect these cities and towns.

Special consideration should be given to Interstate maintenance. Nevada and other western states serve as a "bridge" for interstate trucking from the Pacific coast to the east. In fact, over 40 percent of the vehicles on rural Interstate 80 through northern Nevada are trucks.

In these capsule descriptions of Nevada needs may be seen some of the state's characteristics, most important for the reauthorization of ISTEA.

Nevada is:

- One of the largest states in the area and one of the smallest in population.
- One of the most rural, measured by population density, and the most urban, measured by concentration in urban areas.
- The state with the largest percentage of land owned by the Federal Government, 87 percent, and thus the smallest private land ownership.
- The fastest-growing state, containing the fastest-growing urban area.

For these reasons, Nevada is not only a transportation bridge state, but also a transportation policy bridge state. The basic structure of ISTEA has served Nevada

well, but there is much in STARS 2000 that is directly responsive to Nevada's distinctive characteristics and special needs.

One of the most frequently used north/south highways through Nevada is US 93, which crosses the Colorado River at Hoover Dam. The 60 year old, two lane road across the dam is overburdened and will fail to accommodate the projected traffic. It is the primary commercial route between not only Arizona and Nevada but also Arizona and Utah. The time is long overdue for the Federal Government to construct a bypass bridge.

A commitment to Intelligent Transportation Systems must also be reaffirmed by the next ISTEA. We should take advantage of 21st century technology to modernize our urban street and highway systems and get more value for the taxpayers.

We are already taking steps in the Las Vegas metropolitan area to modernize the traffic signals. The Las Vegas Area Computer Traffic System is currently being upgraded with the latest technology. TV cameras are being placed on 60 foot poles throughout the area to monitor traffic and, through electronic technology, adjust the traffic flow appropriately. New control modules are being placed at 500 signalized intersections and the equipment at the central control center is being replaced. The Las Vegas Area Computer Traffic System is one of the few joint effort traffic control systems in the country. It is a cooperative effort between the Nevada Department of Transportation, Clark County, the City of Las Vegas, the City of North Las Vegas, and the City of Henderson.

Development is underway to deploy a freeway management system along the congested US 95 freeway to include video monitoring, ramp meters, changeable message signs, radio information, and service patrols. These systems work and should be utilized in other parts of Nevada and the nation.

Nevada's highway and transit demands go far beyond the priorities I have listed, and Nevada is certainly not the only state that requires increased funding from the ISTEA reauthorization. Indeed, the nation's needs are great, and regardless of what funding formula is selected, sufficient funding must be made available for our Federal highway system. As Chairman of the National Governors' Association, I have worked with the nation's Governors to reach a collective agreement that a minimum of $26 billion a year for highways and $5 billion a year for transit is required to meet the nation's demands.

As I stated to a joint Congressional Budget Committee hearing earlier this month, America's transportation needs far exceed current expenditures. Highway capacity has not kept pace with the rapid increase in highway use mileage by the nation's passenger and commercial fleet. The administration's studies reveal that total transportation spending by all levels of government would need to be increased by $18.2 billion annually, or more than 40 percent, simply to maintain current highway, bridge, and transit conditions and performance, while a total of $86.8 billion, or nearly double current annual spending by all levels of government, would be required to achieve needed improvements to national transportation systems.

Both the President's 1998 budget and the 1997 Congressional Budget Resolution would reduce Federal transportation spending through 2002. Under the President's proposal, total funding would drop from $19.8 billion in 1998 to $19.0 billion in 2002. The 1997 Congressional Budget Resolution reduced total transportation spending by 15 percent from 1998 to 2002. In constant dollars, this drop is even more dramatic.

During the same time that Congress and the president propose to disinvest in our national transportation system, revenues generated through the transportation user taxes will rise sharply. Annual fuel tax and other trust fund receipts to the highway account will increase by more than 10 percent, from $24.6 billion in 1998 to $27.2 billion in 2002, while annual revenues to the Highway Trust Fund from all sources will increase by more than 15 percent over this period.

These steadily growing user-tax revenues can support significant and much-needed increases in Federal transportation investment. In highways alone, the annual dedicated revenues could support a funding level of $26 billion per year through 2002; an additional $5 billion annually for mass transit programs could also be supported by these growing revenues. Spending down the balances in the Highway Trust Fund would permit an additional $4 billion annually on top of these levels; spending all fuel taxes, including 4.3 cent per gallon tax not for deficit reduction, would add another $7 billion.

When Congress created the transportation trust funds it made a commitment to the American taxpayers that these receipts would be dedicated to maintaining and improving our national transportation system. Disinvesting in this system at a time when the user-tax revenues are increasing dramatically, and spending the user tax and other dedicated revenues for purposes other than transportation, threatens to undermine the moral and legal commitment on which these taxes are based.

Congress must not delay investment in our national transportation system. Nevada and the rest of the Nation depend on this commitment to prevent the further deterioration of its roads, increased congestion, and lower economic productivity.

STATEMENT OF HON. JOHN ENSIGN, U.S. REPRESENTATIVE FROM THE STATE OF NEVADA

Good morning, Senator Chafee, and my colleague from Nevada, Senator Reid. I appreciate the tremendous work you do on behalf of our national transportation needs. Thank you for arranging to have a field hearing in southern Nevada and welcome.

This morning, I want to briefly discuss the main concern among residents in the Las Vegas Valley—growth—and how it can be addressed in the reauthorization of ISTEA. Also, I want to bring your attention to some innovative technology under development by the Desert Research Institute and how the technology can be applied to address urban environmental concerns across the nation.

Mr. Chairman, as your committee puts together an ISTEA reauthorization bill which will set the framework for Federal infrastructure investment into the 21st century, we know we have to look beyond the traditional modes of transportation and carefully examine the nation's mobility requirements into the next millennium. The current ISTEA—with its integrated approach and increased flexibility—laid a strong foundation to do just that.

As we near the turn of the century in southern Nevada, the main obstacle to mobility, maintaining quality of life, and the efficient movement of goods, is our phenomenal growth. Las Vegas' economic vitality and healthy tourism industry are attracting 5,000 new residents each month. Nevada's permanent population is increasing at a rate which exceeds that of any other state in the nation. Since the current ISTEA was enacted in 19' 91, Nevada's population has increased by 25 percent. The state's population is growing by about 4.5 percent each year. In southern Nevada, the growth rate is even higher at 8 percent. No other state in the Nation is coping with a population boom of this magnitude.

In order to build and maintain the roads and highways we need to manage this unparalleled growth, Nevada's focus, out of sheer necessity, has been to devote its resources to increasing capacity. Because our local, state, and Federal dollars are used disproportionately to increase road and highway capacity, Nevada has fallen behind other states in the development and application of high-tech solutions to traffic management and Intelligent Transportation Systems. While Clark County has become an active partner in an Intelligent Transportation System consortium, southern Nevada still lacks the resources to implement the latest technology in conjunction with capacity building. We know that simply building more roads without looking at other solutions is not a comprehensive answer to our growing pains.

FORMULA

In order for Nevada to take advantage of the practical use of technology, I think the most important factor in determining if Nevada will move into the 21st century is the funding formula which governs states' allotments. ISTEA set each state's share of funding based on the historical share of funds the state received from major programs before ISTEA was enacted. If the reauthorization of ISTEA focuses on protecting states' historical share of funding, there will be no recognition of demographic shifts add such a move would penalize the citizens of growing states like Nevada where infrastructure needs are proportionately higher.

When we talk about transportation and the 21st century, I think we have to fundamentally look at regional concerns, demographics, shifts in population, and allocating resources around the Nation according to need. Data from the Federal Highway Administration indicates that Nevada is currently in transition from donee to donor status. This transition doesn't necessarily mean that Nevada would be first on the bandwagon to demand a complete return on its contribution to the Highway Trust Fund. Nevada has much in common with northeastern states which are struggling with gridlock and an inadequate infrastructure system. Nevada's roads were built to accommodate traffic when the state had a population of 600,000, not the 1.6 million residents we have today. I think Nevada would benefit by a fair formula which recognizes our growth and is based on need.

Accordingly, Nevada would be equitably served if you authorize a "bonus" funding category, separate from the regular apportionment process, that compensates states which have greater than average infrastructure needs. This approach would serve several states well.

A fair formula will allow Nevada to address capacity and simultaneously devote meaningful resources to implement the technology of the 21st century.

AIR QUALITY TECHNOLOGY

An issue which we can address through technology in a bipartisan fashion is that of air quality. The serious air quality problem in the Las Vegas Valley poses a threat to the health and well being of one million Nevadans. The Environmental Protection Agency would very well impose sanctions on the Las Vegas Valley because allowable levels of Carbon Monoxide and PM–10 currently exceed Clean Air Act standards. Growth is the major factor in the deterioration of air quality.

Clearly, on a national basis, new strategies must be employed to improve the air quality in fast growing urban areas such as Las Vegas. New strategies are especially urgent in light of the Administration's new proposed air quality standards. In my view, instead of heavy-handed EPA sanctions, technologies and public/private partnerships are a preferable way to accurately pinpoint the sources of pollution. The data generated can guide policymakers to devise effective, cost-efficient pollution prevention strategies.

A division of the University and Community College System of Nevada, the Desert Research Institute, is equipped to conduct air quality research of national significance. DRI has been a leader in this area. In 1994, DRI used an innovative remote sensory devices to identify high-polluting vehicles as they pass through an infrared beam. This experiment was conducted in Nevada's two urban areas with the help of General Motors, the EPA, the Nevada Department of Motor Vehicles, local air pollution control divisions, and the University of Denver. The groundwork and research performed could serve as the basis of developing a technology-based approach to air quality deterioration. I urge you take a careful look at DRI's leadership in air quality issues and utilize their expertise as part of the ISTEA reauthorization.

PROJECTS

Recently, I testified before the House Subcommittee on Surface Transportation if favor of high priority projects in my congressional district. The House is expected to designate projects for Federal funding in its reauthorization bill. When the Senate and House work out the issue of high-priority projects in the final reauthorization bill, there is one project in particular I want to highlight. The widening of Highway 95 between northwest Las Vegas and the Spaghetti Bowl Interchange—which is the most congested section of highway in Nevada—is the No. 1 priority in Nevada. I strongly support this project and hope you will give it your full consideration as a candidate for Federal funding.

CONCLUSION

Finally, Mr. Chairman, the President's $600 million proposal to assist welfare recipients gain increased access to transportation has generated significant interest. I urge you to buildupon the successes of federally designated empowerment zones and enterprise communities as part of this proposal. Here in the Las Vegas Valley, the Southern Nevada Enterprise Community has made great strides in attracting private investment to economically distressed neighborhoods within its borders. Using the existing framework of empowerment zones and enterprise communities is a way to refine the President's proposal and focus Federal dollars where we know there will be people moving from welfare to work.

Thank you, again, for the opportunity to appear before your panel. I would be happy to answer any questions you might have.

STATEMENT OF P.D. KISER, P.E., TRAFFIC ENGINEERING MANAGER, PARSONS TRANSPORTATION GROUP

AN IMPROVED TRAFFIC SIGNAL SYSTEM FOR THE LAS VEGAS VALLEY

Introduction

The Las Vegas Valley has experienced the most rapid growth of any metropolitan region in the country. Along with annual growth rates over 15 percent, have come increasing traffic problems and air quality concerns. Public officials have aggressively pursued an ambitious program of public works improvements to address increasing traffic demand, including the construction of new roadways and the expansion of existing roadways. These improvements increase the supply of roadway capacity. Other improvements, such as the expansion of transit services, are designed

to manage demand for the roadways by transferring travelers to more efficient transportation modes. Finally, officials have established a program for improving the effectiveness of the existing roadway network by upgrading and enhancing the Las Vegas Area Computer Traffic System (LVACTS).

LVACTS was established in 1983 as one of the only multijurisdictional centralized traffic signal systems in the United States. LVACTS is an agency that is jointly managed by the City of Las Vegas, Clark County, the City of North Las Vegas, the Clark County Regional Transportation Commission, and the Nevada Department of Transportation. At the time of its formation, LVACTS installed a computerized system which centrally controlled all the traffic signals in the metropolitan area. The existing system has now reached its capacity, and many traffic signals now being constructed cannot be accommodated on the existing system.

Since that time, the technology of traffic signal systems has improved dramatically. As traffic congestion has increased, so has the need for these expanded capabilities.

Recognizing these critical needs, officials at the LVACTS participating agencies hired a consulting firm in 1992 to study the feasibility of upgrading the existing system. The results of this study indicated that a signal system upgrade would cost about $6 Million, and would pay for itself nearly 20 times over in the life of the new system. Based on the results of this study, the Regional Transportation Commission included the project in the federally funded Congestion Mitigation and Air Quality improvement program, which was established in the Intermodal Surface Transportation Efficiency Act of 1991. In 1993, the Nevada Department of Transportation, in cooperation with the LVACTS participants, secured the services of BartonAschman Associates, Inc. (Parsons Transportation Group) to proceed with design. Construction of the system is now underway.

The New Las Vegas Computerized Traffic System

Traditional signal systems have been designed from a traffic control center out. The existing system is an example of this highly centralized approach. The central computer directs, on a second-by-second basis, the individual actions of all 475+ traffic signals that are now part of the system. This approach requires a large central mainframe computer and demands a very reliable communications capability between the central computer and the intersection controllers.

The new system follows an innovative approach where all the individual traffic signal control is contained at the intersection. This decentralized, or distributed, approach will allow the system to provide reliable operation even when the communications system fails. Also, the distributed approach will allow the replacement of the existing mainframe computer with a network of inexpensive and easy-to-maintain microcomputers.

Local Intersection Control

The distributed approach requires a very powerful traffic signal controller at each intersection. The new system will be the first large-scale implementation of the Advanced Transportation Controller, which has been under development around the country since 1991. The new controllers are based on powerful and reliable industrial microcomputers now proven in the process control and communications industries. These controllers will be installed at all traffic signal locations within the jurisdiction of the LVACTS participating agencies during 1997.

Video Surveillance

In addition to increasing the features and reliability of the traffic signal control system, the design concept has incorporated a video surveillance system. Closed-circuit video from 43 critical locations around the Valley will give operators the chance to observe traffic conditions and make adjustments from the downtown Traffic Management Center. Also, the LVACTS agencies will be able to monitor traffic from jurisdictional traffic management centers located at each agency. By allowing system operators to view more than one location, and by eliminating much of the driving time now required for traffic observation, the video system will greatly increase the effectiveness of the LVACTS staff.

Communications

To provide the LVACTS operators with access to the intersection controllers and video cameras, system designers have devised a two-tiered communications network. The system has been divided into nine regions, and all the intersection controllers within each region will be tied to a hub located within the region. These regional hubs will be connected into a backbone communications system using high-frequency microwave. The microwave hub sites will consist of small high-performance microwave antennas mounted atop conventional steel utility poles. Unlike lower fre-

quency long-haul microwave equipment used by the telecommunications industry, the LVACTS microwave components use very low power transmitters feeding small antennas. The antennas are much smaller than those used for cellular telephones which are located at frequent intervals throughout the region.

The Nevada Department of Transportation has selected a contractor to begin construction of the $3.5 Million backbone communications system. Construction on the system began in late spring of 1995, and is scheduled for completion later this year.

Several different technologies will carry video and controller signals from the cameras and intersections to their respective hubs. These technologies include data radio, ultra-high-frequency microwave, fiber-optic cable, and special equipment designed to move video along the existing copper cables that are used by the existing system. In total, the upgraded LVACTS communications network will showcase the most advanced technologies available for traffic management systems. NOTE: A recent ruling by the Federal Communications Commission (FCC CC Docket No. 92–297), will remove from public access the 31 Ghz radio band. This band was to be used on the LVACTS project for video surveillance communications. The FCC rejection of the license applications will have a significant impact on the reliability and efficiency of this new traffic signal system.

Traffic Operation

Of course, the purpose of a traffic signal system is to provide the capability to move traffic as efficiently as possible. Traffic signals cannot add capacity, but they can allow traffic to make best use of the capacity by distributing it fairly to all movements. The current system imposes constraints on the signal timing because of its limited capabilities. With the new system, these constraints will be resolved and the system operators will therefore have the opportunity to systematically improve the operation of the area's busiest arterial streets. The ongoing project includes a major work element to collect detailed traffic data and develop new signal operations within the new system. This work is scheduled for late 1997 and early 1998.

Summary

We urge you to continue the funding categories now available from the ISTEA bill that allow for traffic control system such as LVACTS. This type of project is very cost effective and has positive impacts on air quality.

STATEMENT OF STEVE TESHARA, EXECUTIVE DIRECTOR, LAKE TAHOE GAMING ALLIANCE

PERSPECTIVES FROM LAKE TAHOE

Good morning members of the Subcommittee, staff, ladies and gentlemen. For the record, my name is Steve Teshara, Executive Director of the Lake Tahoe Gaming Alliance, an organization representing the hotel/casino resorts on the South Shore of Lake Tahoe.

Being successful at Lake Tahoe is all about partnerships. The Gaming Alliance is involved in numerous partnerships—three specific to transportation issues—the Tahoe Transportation Coalition, the South Shore Transportation Management Association, and the Truckee-North Tahoe Transportation Management Association. It is my privilege to serve as chair of each of these community-based organizations.

There are several important principles that went into the drafting of ISTEA as originally adopted in 1991. We believe these principles are extremely important to the Reauthorization of ISTEA:

- Maintaining a National Commitment to Transportation
- Providing Transportation Choices
- Protecting Public Safety and the Environment
- Assuring Accountability
- A Strong Role for the States & Local Government
- Community & Public Involvement

The Reauthorization of ISTEA should continue to focus on partnerships, and on a level playing field between highway construction and other transportation projects. Our testimony will focus on those programs we have found to be of particular value and importance to the Lake Tahoe region.

One of the most important is the Enhancements Program. This has allowed us access to funding for the design and construction of important water quality improvements along our roadway network, including erosion control and drainage projects. Prior to ISTEA, there was little if any funding available for such important projects and considerations.

Enhancement projects at Lake Tahoe have also included the construction of bicycle and pedestrian trails, and sidewalks. It is a consensus goal at Lake Tahoe to build a vastly improved trail network—including a bicycle trail circling the entire Lake. We note that on just one 17 mile section of our existing network, over 400,000 people use the trail each year. Clearly, the need and demand must be addressed.

We at Lake Tahoe support proposals to increase the amount of ISTEA funding dedicated to enhancement projects. Here, as well as elsewhere in the country, there is much work still to be done.

We also strongly support the continuation of adequate funding for Scenic Byway projects (Highway 28 along Tahoe's eastshore in Nevada has been designated a Scenic Byway thanks to funding support from ISTEA); for historic and cultural preservation, for improvements to Forest Highways, and to improve access to public lands. This last item is a particularly significant issue at Lake Tahoe, where more than 70 percent of the Basin watershed is owned by the Federal Government—more than 80 percent of the Basin is in public ownership when you add those areas owned by the States of Nevada and California.

We at Lake Tahoe are working very hard to move the public land management agencies—Federal and state—in the direction of partnerships to increase transit access to public lands. We look to the reauthorization of ISTEA to help provide us the flexibility and resources to accomplish this effectively and efficiently.

The new ISTEA should also increase support for projects based on the use of innovative technologies as a means to ret' uce congestion and improve economic competitiveness and quality of life. With funds secured from the Federal Government last year, combined with significant local dollars, the South Shore of Lake Tahoe is moving forward with the development and implementation of a Coordinated Transit System project, using the technologies of Automatic Vehicle Location (AVL), Advanced Traveler Information (ATI), and Computer-Aided Dispatching (CAD).

While each of these technical strategies have been proven in their own right, they have never been deployed in the format which is planned for South Lake Tahoe. Consequently, CTS will be a "cutting edge project." The unique features of CTS will be both the availability of service to the community at large (the general public, not just a limited paratransit market), and the immediacy of response to ride requests (within minutes, not hours requiring advance bookings, as is typical of most paratransit systems). Through grants or similar programs, ISTEA should encourage and help fund such innovative projects.

As you are aware, Lake Tahoe is a unique region—recognized as a national treasure and deserving of special planning and project considerations in a Bi-State Compact between the States of Nevada and California, enacted by Congress, as set forth in Public Law 96–551. Each year, more than two million people—many from metropolitan areas of the country—come to visit and recreate at Lake Tahoe. We ask the members of this Subcommittee to help provide us an opportunity to explore how ISTEA might address the unique needs of Lake Tahoe. We hope the upcoming Federal Summit at Lake Tahoe, involving members of our Bi-State, BiPartisan Congressional Delegation, the Clinton Administration, and our State partners, will provide another opportunity to explore how we may focus on the specific needs of Lake Tahoe, as we work cooperatively to address the mandates we have to preserve and protect our water and air quality, and other environmental standards. Transportation plays a large and pivotal role in this effort.

Before closing, let me say that as a rural area by most definitions, but with visitation and many other urban pressures, we at Lake Tahoe are extremely sensitive to the transportation issues faced by our neighbors and colleagues in the more traditional rural and metropolitan areas. We believe that the reauthorized ISTEA should continue the Congestion Mitigation and Air Quality (CMAQ) Improvement Program. CMAQ should have an increased level of funding to permit the development and operation of cost-effective Transportation Demand Management programs which contribute to local and state efforts to reduce congestion and improve mobility.

The vital role of Metropolitan Planning Organizations (MPOs) should be continued and strengthened. Small metropolitan areas and rural communities should be allowed a greater voice in decisionmaking.

Led by a strong national commitment to transportation, local people who best know local issues and challenges, should be given the maximum flexibility, along with funding and technical assistance, to devise appropriate solutions. Using this approach, the new ISTEA can bring even more partners, resources, and increased public support to transportation solutions.

We realize that Congress and the Administration face a significant challenge with many issues to address and resolve in the ISTEA Reauthorization process. We urge you to persevere and move forward. In researching and preparing the context for our testimony on these issues, we found most helpful a publication prepared by the

Surface Transportation Policy Project entitled "A Blueprint for ISTEA Reauthorization." We respectfully commend it to your review and consideration.

Thank you for the opportunity to provide this testimony.

STATEMENT OF MANFRED WACKERS, PRESIDENT, TRANSRAPID INTERNATIONAL

Mr. Chairman, Senator Reid, thank you for giving me the opportunity to testify about the transrapid magnetic levitation transportation technology.

I am Manfred Wackers, President of Transrapid International, which is a consortium of Thyssen Industries, Siemens Corporation and Adtranz, the last being a partnership of ABB and Daimler Benz companies.

We are engaged in efforts to "Americanize"—if you will—our technology in cooperation with several preeminent U.S. companies. Today we are joined by the AMG Group, which is Hughes Electronics, General Atomics, Booz, Allen, Hamilton and Hirschfeld steel companies.

The transrapid technology was developed over a period of 25 years by a unique public-private effort. The government of Germany funded research and development of competing Maglev technologies, then selected transrapid as the prototype to develop. A 19-mile transrapid test facility was opened in Emsland, Germany in 1984, and has traveled over 300,000 miles and carried more than 160,000 passengers to date.

The transrapid has been tested and is ready for deployment. The German Federal Government has certified the transrapid for passenger service at speeds up to 310 miles-per-hour. In the United States, the Federal Railroad Administration has completed all research and investigation necessary for U.S. certification, and will provide that certification once a transrapid-based project has been selected. The FRA's certification is known as "rules for the particular applicability", and is therefore contingent upon identification of the location for that applicability.

The transrapid Maglev technology is a simple system, comprised of two main components—the guideway and the vehicle—the propulsion of the transrapid uses a series of electric stator packs embedded in the guideway. The vehicle contains both levitation magnets, which lift the vehicle one-half inch above the guideway, and guidance magnets to guide the vehicle. There is therefore no friction between the vehicle and the guideway.

The longstator motor located in the guideway provides non-contact propulsion and braking of the Maglev vehicle. The at-grade or elevated guideway, constructed of steel or concrete, is an integral part of the transrapid system. Its extremely flexible parameters and minimal land and space requirements allow it to be more easily integrated into the landscape than highways or railways.

More than any other system, the transrapid embodies the qualities of low life-cycle cost, high reliability, and low environmental impact. Due to its ability to climb steep grades (10 percent) and transit tight curves, the transrapid guideway can be easily integrated into every landscape. Expensive cuttings, retaining walls and tunnels can thereby be minimized if not eliminated entirely. The transrapid is extremely quiet. Its non-contact propulsion and levitation technology does not produce any rolling or mechanical noise. The extreme flexibility is also apparent in the train sets. Depending on the route and ridership requirements, the transrapid can be configured with two-to-ten vehicles, carrying 150 to 1,000 passengers, or up to 20 tons of high-value cargo per vehicle section.

With its peak speed of over 300 miles per hour, the transrapid is not only super fast but it is also super safe.

Since the transrapid levitates without contact along its guideway, it produces no rolling noise even during braking and acceleration. Aerodynamic noise only becomes evident above 120 miles per hour. Its unrivaled low noise emissions make it ideal for urban applications.

At equal speeds, the transrapid consumes approximately 30 percent less energy than a modern high-speed train.

The transrapid is suited for many different applications:

- as a fast shuttle between a city and its airport:
- as a fast and economical connection between two cities; and,
- as a key element in a sophisticated, highperformance transportation network.

Thank you again for the opportunity to appear before you. I would be happy to answer any questions.

STATEMENT OF GLENN SCHAEFFER, CIRCUS CIRCUS ENTERPRISES, INC.

My name is Glenn Schaeffer. I'm president and chief financial officer of Circus Circus Enterprises, Inc. and chairman of the NRA.

I appreciate the opportunity to testify before this committee on the reauthorization of ISTEA (Intermodal Surface). My purpose here today is to present some of the critical transportation needs in Nevada. We have many urgent needs resulting from the tremendous growth in this state particularly in the south. But greatest concern is for the Interstate 15/40 Nevada, California, Arizona Economic Lifeline Corridor project.

I–15 is in need of repair and improvement throughout its length from Las Vegas to southern California. However, the focus today is to highlight the most deficient portion of this economic lifeline. In order to protect and enhance the economies of Nevada, California and Arizona, I-l 5 between Barstow and Victorville, a mere distance of 27 miles, must be immediately improved. This project received $47.8 million through the 1991 lSTEA for improvement to the I–15/40 interchange and a limited amount of widening of I–15 in the immediate vicinity. Yet construction is only now getting under way on this important element which will provide for greatly enhanced flow of services and goods in our economic region.

For purposes of both safety and commerce, it is imperative that I–15 be widened between Barstow and Victorville. The proposal is to widen this segment of I–15 from four lanes to six at a cost of approximately $130 million. We are already far behind the curve. Travel demand through the I–15/40 corridor continues to grow at an astounding rate. Current traffic in the area is expected to more than double from 30,000 to 70,000 cars per day by the year 2015. A high percentage of this traffic is from heavy trucks.

Traffic flow along this segment of I–5 is currently measured at a (level of Service) "D"), which as you know is indicative of heavy congestion. Additionally, from 1990 to 1995, accident rates have increased 31 percent, including a 55 percent increase in fatalities. To worsen matters, the trucking; industry has a current proposal to lift truck size and weight freeze currently embodied in ISTEA, which would allow triple trailer trucks to operate along: I–15. This will only aggravate the sadly and congestion problems and will negate any improved capacity that the widening of I–15 would provide.

In summary, we must protect the substantial commitment of Federal funds as well as the local and private contributions toward the initial I–15/40 interchange improvement. With so many needs competing for very limited resources, it is difficult to see how a project of this magnitude could be fielded without a special independent authorization of Congress. We ask for your support in this endeavor. We also ask for your help and consideration in pacing the 4.3 cent fuel tax, currently used far deficit reduction, into the Highway Trust Fund. We need to increase authorization levels to the maximum that the H.T.F. can support and to provide matching obligation authority. This will allow us to fund many of the much needed transportation projects that support the economic vitality of this region.

Thank you.

STATEMENT OF RICHARD P. LANDIS PRESIDENT, HELP, INC.

Good morning Mr. Chairman and Senator Reid: Thank you for the opportunity to comment on the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA). My testimony today documents the tangible benefits which can result from the investment of Federal Intelligent Transportation System (ITS) research funds.

HELP, Inc. is a case study of success in the ITS commercial vehicle operations arena:

- Those responsible for motor carrier regulation are enthusiastic about our technology initiatives;
- Those who are regulated—motor carriers—are enrolling in our service by the thousands (over 40,000 trucks to date) and are requesting we deploy additional ITS services; and
- We are a self-sustaining enterprise.

To the best of my knowledge, we're the only demonstration that has successfully grown into a commercially viable enterprise.

Today, HELP, Inc. is a not-for-profit corporation which deploys ITS technology with private sector venture capital. We compete in the free market for state and motor carrier customers. Because our service is voluntary, customers participate only when we add value to their operations.

Our first service offering is PrePass, which allows motor carriers with proven safety records, appropriate credentials and legal weight to bypass open weigh stations at highway speed.

Our state customers see great value in PrePass because it enables them to:

- Focus enforcement efforts on the motor carriers most likely to be non-compliant, while those with safe operating records bypass;
- Improve highway safety because weigh station entrance and egress is reduced;
- Make a meaningful contribution to air quality and energy conservation by reducing unnecessary and inefficient truck idling;
- Export the cost of technological obsolescence because HELP provides and upgrades technology; and,
- Reduce capital and operating expenditures for weigh station facilities and ports of entry.

Our motor carrier customers similarly realize value, including:

- Increased equipment utilization and improved on-time deliveries;
- Higher driver satisfaction and driver retention; and,
- Lower operating costs which translate into savings for America's shippers.

Last week, Jeff Martin, president and CEO of WestWay estimated that PrePass produced a cost savings of between $8 and $13 per cross country trip for each vehicle in his fleet.

These benefits are being realized because Federal funds authorized by this Committee many years ago were used to demonstrate the viability of weigh-inmotion and automatic vehicle identification technology.

However Mr. Chairman, the benefits are NOT being provided by ongoing Federal subsidies. Our service is self sustaining. This occurred because, upon completion of the federally funded demonstration project in 1993, the Federal Highway Administration wisely chose NOT to provide further funding for deployment.

Instead, they encouraged participating states and motor carriers to organize a public-private partnership and seek venture capital to deploy a technology whose success was demonstrated by the Federal project.

As a result in 1994, the federally supported HELP project was re-established as HELP, Inc. Today we have 11 member states, including Nevada.

Senator Reid, as a matter of information, Keith Maki, Research Division Chief for the State of Nevada Department of Transportation and Daryl Capurro of the Nevada Motor Transport Association represent Nevada's interests on HELP's Board of Directors. In addition, over 75 percent our truck customers travel in your state.

The motor carrier customers finance the service. Participating carriers pay a user fee—less than a dollar—for every successful bypass. These user fees fund system deployment and operation, as well as a providing a return sufficient to attract the venture capital necessary to create the service.

With over 40,000 vehicles currently in our program representing 37 states, and a projected enrollment in excess of 100,000 vehicles by the end of 1997, we hope the day we can begin returning funds to our member states is not far off.

HELP is a tribute to what federally supported ITS efforts can achieve if:

- Projects are carefully focused and of limited duration; and,
- Government has the courage to allow the marketplace to separate self sustaining projects from those not commercially viable and to discontinue Federal funding for those which are commercially viable.

ITS America recognizes the limits of Federal funds. On January 16, 1997 ITS America's Board adopted 9 ISTEA reauthorization principles. Principle 7 states:

> " Federal funding should be reserved for those ITS purposes not being carried out by the private sector."

HELP strongly supports this ITS America position. Without adherence to this principle, the transition from demonstration to deployment may be seriously biased in favor of perpetual government programs.

Given the remarkable success HELP is today enjoying, this would indeed be an unfortunate outcome for industry and the tax paying public.

In conclusion, I would suggest that HELP is a successful model for how the Federal ITS research effort can move from demonstration to deployment. HELP is committed to the belief that this "seeding process" will more rapidly deploy value-added technology, which Mr. Chairman, is our mutual long-range goal. Further, we are also committed the belief that HELP's public-private partnership approach to ITS technology—today primarily concentrated on preclearance systems—can be equally successful in many other ITS applications.

I would be pleased to answer any questions the Committee may have and cordially extend an invitation to any Members wishing to visit one of our PrePass sites.

In addition, Mr. Chairman, I'd like to submit a copy of our 1997 Report to Members for inclusion in the hearing record and the ITS America Reauthorization Principles.

ITS AMERICA ISTEA REAUTHORIZATION TASK FORCE

ISTEA REAUTHORIZATION PRINCIPLES

These Principles regarding Intelligent Transportation Systems in national surface transportation reauthorization legislation were prepared by the ITS America ISTEA Reauthorization Task Force and were approved on January 16, 1997 by the ITS America Board of Directors andforwarded to the U.S. Department of Transportation as utilized Federal Advisory Committee formal program advice.

1. ISTEA II should support the National Surface Transportation Goal for ITS, which is to complete deployment of basic ITS services for consumers of passenger and freight transportation across the Nation by 2005. This goal should be supported by providing that an amount equivalent to at least 5 percent of total surface transportation outlays be invested in ITS applications unless the appropriate officials (non-Federal) formally waive or modify the goal for their area.
2. ISTEA II should continue to support an aggressive Research and Technology program. This program should emphasize system integration of ITS vehicle and infrastructure technologies for all modes.
3. The Intelligent Transportation Systems Program should be structured in such a manner as to maximize long term predictability and stability.
4. To create maximum flexibility, ISTEA II should clarify and expand the eligible uses of program category funds to allow for training, operations and maintenance of ITS technology, in addition to ITS capital expenditures.
5. ISTEA II should require regular reports to Congress on the status of deployment toward achieving the National Goal. The report should address specific progress as well as performance and effectiveness.
6. ISTEA II should encourage the use of innovative financing techniques, especially public/private partnerships, in the deployment of ITS, including construction, operations and maintenance.
7. Federal funding should be reserved for those ITS purposes which are not being carried out by private investment.
8. ISTEA II should eliminate barriers to ITS deployment by encouraging the use of innovative and flexible methods for procurement.
9. ISTEA II should continue a targeted Federal role, in partnership with the private sector, in the rapid development of consensus-based ITS standards, stimulation of ITS markets, and essential research and development. To ensure interoperability, Federal funding should only be eligible for ITS systems with components that are consistent with the adopted model architecture and, where they exist, conform to adopted standards.

STATEMENT OF TRANSPORTATION DEPARTMENTS OF IDAHO, MONTANA, NORTH DAKOTA, SOUTH DAKOTA, WYOMING, SUPPORTING THE SURFACE TRANSPORTATION AUTHORIZATION AND REGULATORY STREAMLINING ACT (STARS 2000)

Chairman Chafee, Senator Reid: Good afternoon. I am Richard Howard, Director of Intergovernmental Relations, the South Dakota Department of Transportation. I am here today on behalf of my own State and also on behalf of our own States and also on behalf of the Transportation Departments of Idaho, Montana, Nebraska, North Dakota, and Wyoming.

Legislation establishing the future size and shape of the Federal highway program is of critical importance to the Nation and to this region of the country. So, we are very pleased to have this opportunity to present our views on how the forthcoming legislation can meet the needs of both the Nation and of our States. We thank you, Senator Chafee, and you, Senator Reid, for allowing us to participate in this hearing today.

Before describing our position, I want to take a moment to say how much we appreciate Senator Reid's contributions to the development of the current highway program. Six year ago, I testified in Washington, on behalf of a number of western States, in very strong support of the bipartisan bill (6 Republicans, 5 Democrats) which Senator Reid, Senator Baucus, Senator Bryan, and 8 others introduced. Senator Reid's efforts made a positive contribution to the final legislative outcome. So, I want to take this opportunity to again say, thank you, Senator Reid. I know that

my State and the other States whose testimony I am presenting today look forward to working closely with Nevada and with its Senators this year as well.

Overview

Senators, our basic position is that we support strongly the Surface Transportation Authorization and Regulatory Streamlining Act (STARS 2000) proposal being prepared for introduction by Senators Baucus, Kempthorne, and Thomas. These Senators deserve great credit for that work. STARS 2000 is an excellent proposal which will address the needs of the Nation and of our States in a thoughtful way. I might also add that it would provide a highway funding level and program share for Nevada which far exceeds what would be provided under any other proposal.

Legislation reauthorizing the Federal highway program should achieve several key results.

I. It should increase funding levels to as high as the Highway Account of the Highway Trust Fund can sustain.

II. It should emphasize investment in the National Highway System.

III. It should achieve a distribution of funds among the States that is fair and based on the national interest. Such a distribution absolutely must reflect the national interest in the ability of people and goods to move across the rural areas of this nation, between our population centers. It must also reflect that, in States like ours, with relatively few people and large Federal land holdings, substantial Federal investment is required in order to support the long stretches of national interest highways within our borders. In short, States like ours should receive an enhanced share of the Federal highway program.

The legislation should also—

IV. Provide States greater flexibility to determine how to invest transportation funds, while retaining some Federal program emphasis areas;

V. Reduce regulation of States by the Federal Government; and

VI. Continue many aspects of present law, such as provisions requiring planning and public involvement in planning.

In the balance of our testimony we will explain those and our positions on some additional issues in further detail.

I. INCREASE FEDERAL HIGHWAY PROGRAM LEVELS

On overall highway program funding levels, the law must allow States to invest the full level of funding which the Highway Account of the Highway Trust Fund can sustain.

There are a host of reasons why this is the right policy, including that—

Highway and transportation investments are investments; they help facilitate economic growth and help keep American business internationally competitive.

The program is supported by user taxes. Highway users have paid these taxes with a reasonable expectation that the money will be put to work promptly for transportation purposes. A substantial increase over current investment levels is necessary to meet those reasonable expectations, and to "put trust back into the Trust Fund."

Good transportation improves the personal mobility and quality of life of our citizens.

The needs of our transportation network are vast and are not being met within current program levels. At present levels of Federal investment we are not able to maintain, much less improve, the current condition of our NHS and Federal-aid highway systems.

Our understanding is that, considering current income into the Account, interest on the balance in the Account, and a gradual draw down of that balance, the Highway Account can sustain investments of $26–27 billion annually. If the 4.3 cents of motor vehicle fuel taxes currently dedicated to the General Fund of the Treasury were to be redirected—as it should—to the Highway Trust Fund, an even higher program level could be sustained.

We are also pleased to note that support for this basic position is not limited to our transportation departments. It receives strong support from all over the nation. We were particularly pleased when, earlier this year, the National Governors' Association adopted a Surface Transportation financing resolution, urging that:

the 4.3 cents per gallon of fuel tax currently being used for General Fund purposes be deposited in the Highway Trust Fund and used for transportation purposes; and

all dedicated user fees and the interest accrued on Trust Fund balances be promptly distributed.

We are very pleased that the STARS 2000 proposal would set program levels as high as the Highway Account can sustain (assuming no reduction in the taxes dedicated to the Account). Senator Warner's bill also takes that position. Senator Reid, we know you have been a supporter of increased highway investment. The STARS 2000 proposal included an additional feature that proposal would authorize apportionment of additional funds if it should turn out that current estimates of Highway Account revenues are too low, such as if some or all of the 4.3 cents is directed into the Account. This is commendable.

We are, of course, very disappointed with the low funding levels proposed by the Administration. We urge the Congress to, instead, adopt the much higher funding levels which we and so many others recommend.

II. EMPHASIZE INVESTMENT IN THE NATIONAL HIGHWAY SYSTEM (NHS)

We would give greatest program emphasis to the NHS, allocating 50–60 percent of total apportionments to the NHS program category. This is not as high a percentage of the program as it might seem when the NHS program is defined as including Interstate maintenance and bridges on Interstate and other NHS routes.

The NHS, Mr. Chairman, represents the extremely strong Federal interest in ensuring that the entire nation is well connected. It is the principal grid upon which people and goods move safely and efficiently across the country. These routes make up only 4 percent of the nation's roads, but carry 40 percent of all traffic and 75 percent of commercial truck traffic.

Not only are these roads clearly important, studies show that a great deal of money is needed to maintain them, perhaps $18 billion annually, which translates to $14–15 billion a year for a Federal NHS program. More would be needed to improve the NHS. So we strongly recommend that program emphasis be given to these important roads.

III. THE DISTRIBUTION OF FUNDS MUST REFLECT THE NATIONAL INTEREST IN HIGHWAYS IN THIS REGION

While there are significant transportation needs across the nation, there are a number of reasons why the Nation will be well served if States like ours receive a significant net influx of Federal highway funds under the forthcoming legislation.

First, the entire nation benefits from the fact that there is a national network of first-class highways, enabling people and goods to move, for example, between Chicago and the West Coast, over the plains and mountains. Major Interstate and National Highway System routes in this region were not built principally to connect places such as Twin Falls, Idaho and Bozeman, Montana, and Gillette, Wyoming. While those roads do connect those towns, they also meet NATIONAL needs. They benefit the great population centers of our nation; they allow people and goods to move from Chicago and points east across the country to Seattle, Portland, and California.

We want to emphasize that the national need for investment in this region, to achieve these benefits, continues even though the Interstate highways have been built. We are now entering a period where major reconstruction of the Interstates is upon us. In addition, we note that maintenance of those routes is solely a State responsibility, and an expensive one for lightly populated States like ours.

Highways in States like ours also enable agricultural products and natural resources to get from source to metropolitan markets, and enable manufactured goods to move from metro areas to rural consumers. They also provide the nation's citizens with access to the country's national parks and the great outdoors.

In short, it is clear that investments of Federal highway funds in this region help the nation, not just the States in which the investments are made. The funding formula must reflect this.

Second, rural States are not able to pay for the Federal-aid system of roads without a significant net influx of Federal funds. We have very few people to support each lane mile of highway. For example, in Idaho we have approximately 51 people per lane of Federal-aid highway; Montana, 27, New York, 278. Virginia is about at the national average of 126 people per lane mile of Federal-aid highway.

Also, while per capita income in this region is below the national average, our citizens pay considerably more per person into the Highway Trust Fund than the national average.

Thus, while there is sometimes a clamor in Washington because some States are "donors" under the Federal highway program (putting relatively more into the Highway Account than they get out) and others, including our States, are "donees", our citizens, per person, are putting more of their income into the Highway Trust Fund

than the national average. Our citizens are definitely carrying a heavy load, Mr. Chairman. We understand that this is the case for Nevada citizens as well.

Another consideration is the high percentage of land in this region which is either owned by the Federal Government or held by it in trust. States with a very high percentage of their land under such Federal control face a number of difficulties. In particular, Federal lands are generally not open for commercial or residential use, depriving a State of part of its tax base.

In States with large Federal land holdings, like Idaho, this is a significant impediment to the State's ability to raise revenue. Yet, those States still maintain significant Federal highway systems, which serve national interests, and which lead to, cross, or are adjacent to these Federal land holdings.

We want to emphasize that this is a problem distinct from those addressed by the Federal Lands Highway Program. That program principally serves to develop roads within Federal Lands, such as highways within National Forests or on Indian Reservations, or on adjacent roads. Those are direct Federal expenditures for Federal purposes. Our point here, is that, in addition to the national need to continue and improve a Federal Lands Highway Program, the general apportionment formula should reflect the special burden faced by States which must ensure transportation across or adjacent to Federal Lands.

For reasons such as these, we believe that States like ours should receive both more dollars and a higher share of the program than under current law.

Approaches to Distributing Funds

Clearly, the kind of overall result which we support could be achieved through a variety of formulas. We do suggest, however, that the national interest would be well served by a funding distribution formula which takes the following approach to providing an increased program share for our States.

Emphasize extent and use of the Federal-aid highway system particularly the extent of Interstate and NHS routes. One of the provisions of ISTEA required the Secretary of Transportation to undertake a functional classification of our nation's roads, to determine which were important enough to be "Federal-aid highways," those eligible for Federal assistance. Congress also directed the Secretary to propose routes for inclusion in the National Highway System and that system has now been designated.

We think it is clear that there is a higher Federal interest in the Interstates, NHS routes, and other Federal-aid highways than in other roads. These are the roads which do the most to serve national interest needs. Thus, we believe that the extent and usage of these routes, as opposed to all roads, deserve recognition in a funding formula. Particular emphasis should be given to the extent of our premier systems, the Interstate and the NHS. If the extent of those systems is not given weight in the distribution and allocation of funds, a risk is created that the resources won't be there to maintain those key roads.

Take Low Density and Ability to Pay Into Account. We also believe that the overall formula should provide increased funds to States with low population densities and/or few people per lane mile of Federal-aid highway, and with a high percentage of land subject to Federal ownership or trusteeship. All of these factors tend to reflect the inability of rural States to pay for the national interest routes which are within their borders—routes which provide tremendous benefits to the Nation generally, not just to the residents of the States where they are located.

Achieving Balance. Certainly, the overall scheme for distributing highway funds must make sense for the Nation as a whole. It must take into account the concerns of other areas and provide an appropriate minimum allocation. However, we are confident that this can be done while meeting the national interest in providing an increased share for this region.

STARS 2000 Strikes a Good Balance. Our confidence that this can be done is validated by the formula information that Senators Kempthorne, Baucus, and Thomas have circulated describing the distribution of highway funds under the STARS 2000 proposal. Under their proposal, with both its increased funding and its formula:

- 47 States would receive higher annual funding than today, and
- 33 States would receive a higher percentage of funding than under present law (and another one the same percentage).

We also believe that, head-to-head, against other new proposals which have been revealed—namely the ISTEA Integrity Restoration Act and the Administration's bill—STARS 2000 compares favorably. In short, while no one proposal could be the best for all States, STARS

2000 is the proposal that does the most for the most. It is balanced. It treats both our region and the Nation fairly.

Concerns With Other Funding Distribution Proposals and Factors.

Before leaving the topic of funding formulas, we offer a few more points regarding funding formulas and factors proposed by others.

We were disappointed with the Administration's funding distribution proposal. It is the only one that has been offered which would reduce the share of funding provided to our States. We don't think that there is anything more to say about it. That says it all.

Let us also note our position on some specific aspects of formulas. We have trouble with proposals to continue the so-called "reimbursement program." This category of funding distributes funds based on the presence of the Interstate routes in a State prior to 1956. We all know there were few or no such routes in this part of the country in 1956. We believe that any overall proposal which continues that program category, and apportions those funds on the basis of activity over 40 years ago, has a big strike against it, a strike which could be overcome in our eyes only if other factors in the overall proposal would help our region a very great deal.

The present CMAQ (Congestion Mitigation and Air Quality) Program is another one which distributes a very low percentage of its funds to our States. We believe that program should be de-emphasized. Any overall proposal which includes substantial CMAQ funds, again, would have to have other extremely attractive features before it could be attractive to our States. We also note that the current formula for allocating bridge program funds is not a helpful one for our States. The current formula for allocation of these funds does not include an incentive to maintain bridges. Under it, the worse a State's bridges get, the more bridge funds it receives. All our States have a higher percentage of the nation's square footage of bridge deck surface area than we receive of today's bridge program funds.

IV. ACHIEVING A MORE FLEXIBLE PROGRAM STRUCTURE

We turn now from funding allocation to the issue of program structure. Here, we see the task in front of the Congress as one of striking a balance between letting States decide how to spend the money apportioned to them and telling them exactly how to spend it.

We strongly recommend that, compared to today, the legislation place allocation of a greater percentage of overall funding within the discretion of State officials, so that they can better implement the priorities identified through their planning process, which involves receipt of comments from the public. This is not to say that the legislation need be totally deferential to States. We think that legislation can continue to require States to emphasize certain types of investments. In general, however we strongly recommend that the overall result leave more of the funding open to dedication in accordance with the priorities identified in the planning process. Thus, transportation officials could emphasize urban or rural investments, safety investments, capacity investments, transit investments, transportation enhancements, bridges, or whatever else the planning process prioritizes.

As to how, specifically, we would strike the balance, it would be to have two basic categories of funds, an NHS Program, and a Surface Transportation Program, with several program emphasis areas worked into that structure.

National Highway System (NHS). For the reasons noted earlier, we would give greatest program emphasis to the NHS, allocating 50–60 percent of total apportionments to the NHS program category. We recognize, however, that some States would prefer to not give so much emphasis to the NHS. Thus, we also support continuation of the ability in law today for a State to transfer a portion of its NHS funds to other program categories.

Safety. We think it appropriate for the program to continue to set aside funds for railroad highway crossings and hazard elimination—in amounts similar to under today's program. We suggest some greater program flexibility in this area, however, such as allowing some transfers between the two and eliminating restrictions within each of those programs.

Transportation Enhancements. We support continuation of some set aside for transportation enhancements. However, we cannot subscribe to any view that the Federal Government should require States to give them increased dollars or emphasis. As a time when total Federal investment levels in highways and transit fall far short of what is needed to maintain the condition of our roads and transit systems, and further short of what is needed to improve them, we suggest that the dollar guarantee for transportation enhancements out of the highway program be slightly reduced. Transportation enhancements have a role but, beyond a modest point of guaranteed funding, they should have to compete in the planning process with other demands for transportation dollars.

Set Asides for Metropolitan Areas. We support continuing a set aside of funds, within the "surface transportation program" category of the highway program, for metropolitan areas of over 200,000. We would not reduce the dollar in that set aside. To the contrary, we would allow the dollar value of that set aside to grow with the program.

We would oppose, however, proposals to provide specific set asides of funds for smaller metro areas. In taking this position we note that, today, every metro area in each of our five States has a population of less than 200,000. We certainly spend funds in and around the largest cities in our States. We always will. What is at issue is flexibility within the State to address varying needs and the ability of the State to effect an overall statewide plan. For that reason, on this issue we would maintain the balance in present law, which provides funding set asides only for metro areas of over 200,000.

Congestion Mitigation and Air Quality (CMAQ) Funds. We want to make clear that we view issues regarding funding of CMAQ activities not as raising any question of whether officials should try to meet transportation needs in a manner which is sensitive to air quality—they should. We see issues as to the future size of the CMAQ program principally as a funding formula issue. This is because the present formula for distribution of CMAQ funds favors only a few States.

We would prefer to reduce the CMAQ program because we believe that its main impact is to shift funds from most States, including our States, to a very few States. In short, our recommendation that funding for the CMAQ program be Reemphasized stems from our desire to increase overall funding for the citizens of our States, even for CMAQ activities, whether they live in our cities or smaller towns.

Bridges. We believe it is reasonable to set aside some funds for bridges, both on and off the Federal-aid system. However, we stress that this can be done in a way which decouples a requirement that each State spend some funds on bridges from today's bridge program funding formula, a formula which is not helpful to us.

Obligation Ceiling Rules Should Maintain Program Balance. While not always thought of as a program structure issue, we want to note our view that rules for any "obligation ceilings" should help maintain the program balance which appears on the face of an authorization bill. Frankly, this doesn't usually happen, but it should.

As a preliminary point, let us be clear that we hope that the Congress will allow the investment of the full amount of funds which the legislation authorizes. However, in the past, there has almost always been an "obligation ceiling," which limits the extent to which authorized funds can be spent.

We want to make two specific points about rules for obligation ceilings. First, we object to any rules under which the type of apportionments which go to our States receive second class treatment under an obligation ceiling. Under today's system, obligation ceilings give a financial preference to minimum allocations and special projects. Compared to States as a whole, we receive relatively little money in those categories. On that basis alone, we would not give preference to them under a scheme for parcelling out funds in the event that not all funds can be distributed. However, our general point is that all funds apportioned to States should be treated equally under obligation ceilings.

Second, the rules should maintain balance in the program structure. This does not happen when set asides are expressed in terms of apportionments, but obligation authority—real cash—is less than apportionments. For example, if a set aside is worded as constituting 10 percent of apportionments and obligation ceilings are regularly less than apportionments, the real effect is that the set aside will become more than 10 percent of the actual program. This distorts the program and a mechanism should be developed so that, when obligation ceilings are imposed, set asides are reduced pro-rata, and program balance is maintained.

STARS 2000 Strikes the Balance. Again, Mr. Chairman, we believe that the STARS 2000 proposal does an excellent job of striking the balance between reducing program categories and maintaining reasonable Federal program emphasis areas. STARS 2000 emphasizes the NHS and maintains reasonable requirements for expenditures on bridges, safety, and enhancements, and in large metro areas. This is a good balance.

V. REDUCE REGULATION OF STATES

In general we urge Congress to take appropriate steps to reduce Federal regulation of States. Congress took many excellent steps in that regard in 1995's National Highway System Designation Act. Elimination of many "management system" requirements, of "crumb" rubber utilization requirements, and other rules were wel-

come. Mr. Chairman, you, Senator Baucus, and Senator Kempthorne were very effective in reducing regulations as that bill developed. We thank you for those efforts.

We look forward to working with the Congress so that this year's legislation will further reduce Federal regulation of State governments—and also preclude increases in regulation.

At this point, we have some concern that there may be proposals to establish, or allow the executive branch to establish, "performance standards". We are concerned that these proposals could turn into an effort to have Washington tell States how to set their priorities, regardless of what our citizens tell us in comments during our planning processes.

We also note that the American Association of State Highway and Transportation Officials (AASHTO) has developed a series of recommendations on how to streamline and ease regulatory requirements. We support the thrust of those suggestions and urge the Committee to include provisions in the legislation which respond to those concerns.

In taking this general position, we want to emphasize our view that Federal regulation of States should be disfavored. We consider ourselves to be full partners in our Nation's Federal system of government. We already strive to determine the public interest and to serve it. So, we think there should be stronger direction from Congress to Federal agencies to simplify and reduce rules and other requirements imposed on States.

VI. CONTINUE PLANNING AND PUBLIC INVOLVEMENT REQUIREMENTS

We support continuation of State and metropolitan area planning requirements and the decisionmaking and consultation roles currently provided to local governments. We support continuation of public comment rights. Basically, we would not try to change the balance between States and other governmental units in the current planning and project selection process.

VII. ADDITIONAL ISSUES

Federal Lands Highway Programs Should Grow With the Program and Be Improved

Under present law, approximately $450 million annually is authorized for investments in Federal lands highways. This includes investments in Indian Reservation Roads, roads within parks, forest highways, and a discretionary public lands highway program.

Roads in and adjacent to Federal enclaves are a unique Federal responsibility and the Federal highway program should continue to provide funding for them. We recommend that, overall, highway investments concerning Federal lands grow at the same rate as the overall program. We also urge some reform of these programs, to ensure that Federal lands highway funding is more likely to go into areas where there are substantial Federal lands.

We particularly object to that aspect of section 1015(a) of ISTEA which penalizes States which apply for and receive Public Lands Discretionary funds. Under that provision, a State which receives a discretionary grant has its surface transportation program funding reduced in the following fiscal year. This provision punishes States with public lands and serves as a disincentive for them to apply for those funds. The provision also hurts Native Americans by penalizing States which attempt to improve BIA and Tribal roads by using public lands highway funds. Such "penalties" upon States should not be a feature of the Federal lands highway programs as the entire Nation, not just the residents of the State in which particular projects are located, benefits from Federal lands highway program investments.

We also recommend creation of a new category of Federal lands highway investments (to fit within the overall level of funds for all of Federal lands highway programs). The purpose of such a program would be to provide greater likelihood that the Federal Government will choose to invest Federal lands funds in those States with the greatest percentage of Federal lands. Mr. Chairman, in recent years, we have seen States like Idaho and Nevada, with massive Federal lands holdings, be denied Federal lands discretionary funding. Other western States have not even bothered to apply, due to the hold harmless provision we mentioned. This is not good policy. Most of the nation's Federal lands are in this region, and new legislation needs to better ensure that the Federal lands highway program directs funding where the Federal lands are.

Given these positions, we are enthusiastic about the Federal lands highway provisions included in the STARS 2000 proposal. The STARS 2000 proposal would increase the overall level of Federal lands highway investments by the same rate of growth as the overall program, and make needed reforms to help direct the funding where the Federal lands are.

In addition, we would object to proposals which would dilute the effectiveness of the Federal lands program by having part of the Federal lands program funding be switched to support of roads that are currently financed out of the General Fund of the Treasury.

"Turnback" Proposals Represent A Wrong Turn on the Path to Good Policy

Mr. Chairman, one further point on the overall funding level. In supporting a program level as high as the Highway Account can sustain, it is implicit that we strongly oppose so-called "turnback" or "devolution" proposals. These proposals would repeal or reduce Federal fuel taxes and leave it to State and local governments to finance highway and transit programs either on their own or with much less Federal money than today. Enacting "turnback" would be a catastrophic mistake.

State and local governments already provide the bulk of transportation funding in this country. So, Mr. Chairman, most transportation funding in this country already is "turned back." And, on a national basis, as important as transportation is, hard pressed State and local governments are not going to be eager to increase State fuel taxes by 10 or 15 cents per gallon, or even 5 cents, to replace Federal fuel taxes that would be repealed or turned back under these proposals.

So, turnback creates a serious risk of national disinvestment in transportation at a time when, instead, that investment should be increased.

We know, Mr. Chairman, that you and our Senators have determined to oppose turnback—and we are glad. But, we just wanted to make clear today our very strong opposition to those types of proposals.

Transit Program Funding

While we understand that this Committee does not have jurisdiction over the transit program, transit will certainly be included in the overall surface transportation program legislation Congress is now beginning to develop. Let us make a few points regarding transit.

First, we support continuation of a transit program.

Second, we believe the ratio between the size of the highway and transit programs, based on recent appropriations levels, is about right.

Third, to the extent that the ratio between the two programs should be changed at all, we favor a relative gain for the highway program. There are two reasons for this. The highway program is a modern, multimodal transportation program. It provides for and has effectuated billions of dollars in transfers to transit purposes. (We support continued eligibility for transfer of highway funds to transit; we know it can make sense in many States). The transit program, by contrast, supports only transit. Transfers of transit funds to highway projects simply have not happened.

In addition, distribution of funds among the States is far more equitable under the highway program than under the transit program. As you know, Mr. Chairman, under the highway program there is a substantial minimum guarantee to each State. There is no such guarantee under the transit program. Under the transit program there are a handful of States which are substantial donees, a few which are near break even, and the majority are big donors. Our States are about the biggest transit donors on a percentage basis. Our States' citizens get back, on average, roughly a quarter or less on a dollar of attributable user taxes paid into the Transit Account. So, while we support a substantial transit program, the relative weight between the two programs should give more emphasis to the more equitable, more flexible highway program.

Fourth, we want to note that we are potentially interested in the formula for allocation of transit funds. As a policy matter, we view the allocation of funds on a combined program basis, taking into account both highway and transit programs. In the context of a satisfactory allocation of highway program funds, we may not press hard for change in the allocation of transit funds. However, in the context of an unsatisfactory highway funding formula, such as the Administration's proposal, we may well support a substantial minimum allocation under the transit program as a means of recovering some overall funding for the citizens of our States.

Don't Make Mistakes In Amtrak Financing

We know that one issue under considerable discussion in Washington is whether Amtrak should have access to money from the Highway Trust Fund and, if so, how. Because there could be a lot of money at stake, we want to share our views on this topic.

We prefer continuation of present law, under which Amtrak receives financing out of the General Fund of the Treasury. There is no shortage of projects nationally which are already eligible for Highway Trust Fund moneys. Addition of eligibility

for any costly item weakens the ability of States to advance what our citizens have already put on the lengthy "to do" list.

Going beyond our preference, however, we want to be clear that we do not have equal views on other ways of financing Amtrak. The Administration's proposal, in particular, is highly objectionable to us. It would fund Amtrak out of the current stream of Highway Account revenues—to the tune of approximately $4.7 billion over 6 years. Assuming the State program shares called for by STARS 2000, displacing $4.7 billion for highways with $4.7 billion for Amtrak would reduce our ability to serve our 5 States by roughly $215 million over the 6 years. That is a non-starter, Mr. Chairman.

Financing Amtrak with a small amount of funds out of the 4.3 cents of fuel tax currently going into the General Fund is a little different, however, as Amtrak already receives General Fund revenues. So, as a Federal bookkeeping matter, this approach is more in the nature of changing account labels.

But, even that approach raises the question of possible unfairness to highway users, who are paying these taxes, but generally not riding Amtrak. So, we suggest that, to be fair to highway users, Congress consider financing Amtrak with fuel tax revenues only in the context of a larger approach under which the remaining 3.8 cents of the 4.3 cents would go to the Highway Account of the Highway Trust Fund.

The Highway Account Should Be the Destination of the 4.3 Cents

Apart from any deduction that might be made for Amtrak, we feel strongly that the 4.3 cents of fuel taxes paid by highway users and currently going to the General Fund should be directed to the Highway Account of the Highway Trust Fund. There are several reasons why this should be done.

First, as noted earlier, the highway program is a modern, multimodal transportation program. The transit program is a single purpose program that essentially does not allow consideration of highway uses. So, putting the money in the Highway Account is the way to advance flexibility, multimodalism, and allowing States to choose the projects that show highest in their plans, be they highway or transit projects.

Second, the Highway Account is financially fairer to States as a whole, with a far more even distribution of funds between the States. Third, the balance in the Transit Account of the Highway Trust Fund is much higher, in relation to the size of the transit program, than is the size of the balance in the Highway Account, compared to the Federal highway program. So, the Highway Account needs the infusion more.

Recreational Trails

We support funding out of the Highway Account for the Recreational Trails program, at the $30 million annual level proposed by Senator Kempthorne.

Demonstration Projects/Discretionary Grants

We will not dwell on it today, but want to note our opposition to Congressional earmarking of highway project selection, sometimes called the funding of "demonstration projects." In general, we believe that the vast majority, if not all highway funds, should be distributed on a formula basis. Certainly, demonstration projects and discretionary grants should receive less emphasis in the new legislation than they do today.

Infrastructure Banks

Related to the question of discretionary grants are proposals to fund various types of infrastructure banks. We have no problem with efforts to increase use of "innovative financing" techniques, like infrastructure banks. What we are concerned about is the source of the Federal seed capital for them. We believe that States should finance these banks out of their own apportionments. This would enable the use of these banks as an innovative financing technique.

We oppose, however, proposals which would have USDOT reserve funds "off the top" of the Highway Account for credit programs, and distribute the funds at USDOT's discretion. This approach creates winners and losers among the States. We urge that the Congress choose ways of promoting innovative financing and financial leveraging other than through "off the top" discretionary credit programs.

Intelligent Transportation Systems

Expenditures for so-called ITS technology are growing and little of this money has found its way to rural America. This needs to change.

CONCLUSION

Mr. Chairman, Senator Kempthorne, Senator Baucus, we have covered quite a few points here today but this legislation is truly important and addresses many issues. Fortunately, we can sum up our position very simply—"follow the STARS." The STARS 2000 proposal sets forth a very balanced and thoughtful approach to the highway program issues. It is a proposal that we very strongly support.

Among its key provisions are those:

- increasing the level of Federal investment in the highway program; providing an appropriate increase in program share to our States while providing a fair distribution of funds nationwide; and
- streamlining the program structure. We urge the Congress to follow that approach as the legislative process advances.

That concludes our statement. At this time, we'd be pleased to respond to any questions the committee may have.

STATEMENT OF PETE K. RAHN, SECRETARY, NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

Senators Chafee and Reid: Good morning. I am Pete K. Rahn, Secretary of the New Mexico State Highway and Transportation Department. I am here today on behalf of the State of New Mexico and the New Mexico State Highway and Transportation Department regarding Federal legislation reauthorizing funding for surface transportation in our country.

I am very pleased to have this opportunity to present New Mexico's views on legislation that is so critical to our nation and my state.

Mr. Chairman, I would like to begin by recognizing first that the concept of fairness is a relative term when all the states and special interests are attempting to increase their share of a Federal program. Therefore, I would like to propose a definition to help you understand my comments about a national interest in a surface transportation system. Our nation currently possesses a global economic advantage because of our efficient and safe transportation of goods and people within our borders. The movement of people or goods must drive the focus of any surface transportation reauthorization proposal.

New Mexico, located within the Rocky Mountain west, is well aware that the entire mountain time zone has less than 6 percent of the nation's population but over 25 percent of the land mass. This would normally greatly diminish our ability to influence a national issue. However, transportation is a distance issue as much as it is a population issue. Just as a road that comes to a river is useless without a bridge, the coastal populations of our country need a bridge that crosses the vastness of the Rocky Mountains. New Mexico's highway system serves as a bridge between the population and manufacturing centers of California, Texas and the rest of the Sunbelt, while deriving little direct benefit from this function.

BACKGROUND

New Mexico is our nation's fifth largest state with 121,666 square miles. The states of New York, Pennsylvania, New Jersey, Maryland, Delaware, Massachusetts, and Rhode Island could all be placed within the federally designated rural portion of New Mexico, with over 1,600 square miles to spare. To travel from Farmington, NM in the northwest corner of the state to Hobbs, NM in the southeast corner is 513 miles, or roughly the same distance as Detroit, Michigan to Washington D.C.

In 1995, the state's population was just over 1.64 million residents; we are the 36th most populous state in the nation. One third of the state's population resides in the Albuquerque metropolitan area. Population density outside of the state's three metropolitan areas of Albuquerque, Las Cruces and Santa Fe is among the lowest in the United States. The seven states listed above have a combined population in excess of 53 million people.

New Mexico shares 175 miles of it's border with the states of Chihuahua and Sonora, Mexico.

New Mexico ranked 48th in 1995 per-capita income and has an unemployment rate of 6.6 percent, well above the 5.4 percent national average.

New Mexico collects $105.80 per capita more than the national average in state transportation taxes. This is a heavy burden for a poor state. As derived from the U.S. Department of Transportation Federal Highway Administration's 1995 Highway Statistics manual, New Mexico's 1995 state revenue contribution to transportation per capita was $294.36. The only state that had a higher per capita contribution than New Mexico was the state of Washington. For comparison, California's

was $220.11, Florida's was 168.76, and New York's was near the bottom at $126.06. Mr Chairman, I submit to you that the national average state contribution per capita was $188.56. The details of per capita contributions are attached to my presentation that I am providing to you.

New Mexico has 1,000 centerline miles on three Interstate Highways and the National Highway System in New Mexico has 2,932 centerline miles. Due to its size, low population density and for the most part, financially hard-pressed local governments, New Mexico's 27,911 lane-mile state system is relatively large when compared to many other states, but is in line with other large rural states such as Montana (the country's fourth largest state)with 26,261 lane miles.

New Mexico is also one of the fastest growing states in the nation. Projections place New Mexico behind only California for the percentage of expected growth by the year 2015. This growth is painful for our state since there is not a large or wealthy population base to absorb the cost of expanding infrastructure to accommodate this influx of people.

New Mexico's existing highway system has deteriorated due to a lack of resources and an increased traffic volume of 292 percent since 1986. The major increases in traffic have been on the Interstate and the National Highway System. In New Mexico the NHS carries 66.23 percent of the traffic volume on the state highway system and 44 percent of the total vehicle miles. About 93 percent heavy commercial vehicles on these routes originated and are destined outside the state. Further we estimate that about 82 percent of the vehicle miles of travel on the state's east-west interstate routes are for traffic moving across the state to out of state destinations. It is estimated that over 50 percent of the vehicle miles of travel on the non-interstate National Highway System is also traffic moving across the state to out-of-state destinations. We have observed significant increases in the number of heavy commercial vehicles moving on the non-interstate national highway system, due to increased movement of commercial goods to destinations where our interstate system is not the most direct route.

This increased travel on New Mexico highways, especially by heavy commercial vehicles, has played a major role on the conditions of highways in the state. New Mexico's deficient pavement road miles (bad roads) have increased by 1,509 miles to over 43 percent of our system in the last 10 years; and if funding does not change in the next 10 years the deficient road miles will increase by another 1,640 miles to over 55 percent of the system. Current deficient mileage places us 2nd to Rhode Island for the highest percentage of bad roads in the country.

In addition, New Mexico is very concerned about the effects of possible increased weight limits as a consequence of NAFTA might have on our fragile highway system. I would add, New Mexico welcomes any increased economic activity due to NAFTA, but the Federal Government must recognize the cost to our state infrastructure when it is impacted by national policies such as NAFTA.

ISTEA represents an important policy decision by our nation. It forced many states, New Mexico being one of them, to consider and inter-relate all feasible modes of transportation when making decisions. This has been beneficial to our state. The general perception however, that ISTEA was a windfall to the states is wrong. While ISTEA brought additional funds to the New Mexico, with it came additional responsibilities. Funds were not only for roads. Prior to ISTEA, funds from the highway account were primarily dedicated to roads. In ISTEA new investments such as the Enhancement and Congestion Mitigation programs were introduced and funding formulas required a higher proportion of funds to urbanized areas. ISTEA also stressed inclusion of funds for Intermodal and alternative modes of transportation.

CONCEPT

Mr. Chairman and Senator(s), New Mexico, until recently, had not joined any group that had developed positions regarding ISTEA Reauthorization. The reason for this is that we feel that the primary goal of those proposals is to keep existing funding advantages or to gain new ones without regard to national interests. Apparently, heavily populated states want to devaluate the national program by creating an urban-oriented program with some support even for the devolution of a Federal interest in transportation. Further, heavily urbanized states are pushing for higher subsidizing of their transit systems by rural states, while arguing they no longer wish to be "donors" to highway systems in those rural states. Indeed, the definition of "donor" and "donee" is only applied to the highway account. If such a calculation was made on the sum of all transportation expenditures, many of the so called "donees" would in fact be "donors"!

New Mexico's principle in choosing to support a legislative proposal is simple. Our state recognizes the need for a strong national surface transportation system. The

nation benefits most when the major components of that system are adequately funded prior to other expenditures that can be categorized as being politically popular but have the real effect of diluting the efficiency and effectiveness of a national transportation system.

I hope to provide you today an explanation of why the major components of a national transportation system should be given priority in this legislation.

To better serve the nations needs, there are several key issues I feel need to be brought forth:

The National Highway System should be the focus of the Federal-aid highway program. Given the huge volume of commercial traffic carried by only 4 percent of all roads in the country, it is evident that the NHS is most important to the nation's economy.

Overall funding for surface transportation should be increased to address the deterioration of transportation infrastructure in all regions of the nation.

Distribution of funds among states should be fair and based on the national interest. The issue of donor/donee relationship should be considered in the context of all surface transportation expenditures.

States should be granted flexibility to address different needs as faced by that state.

Streamline and consolidate the program to effectuate timely results by reducing regulations, mandates and set-asides.

Provide equity to states in the funding distributions by addressing needs based on formulas and consider issues such as: 1. eliminating demonstration project funding. While demonstration project funding is sought for constituent purposes, it distorts the concept of national funding of national transportation interests (If the dollars that went into demonstration projects had instead been distributed by the existing ISTEA formulas, 36 states would have received more funding and only 14 would have received less. New Mexico would have received $56 million more dollars based on allocation formulas provided under ISTEA.); and 2. recognize that access to and across Federal lands is a national interest that when ignored only penalizes those states least able to cope with the impacts of large Federal land holdings, and reauthorization should include those holdings as a criteria for distribution of Federal lands funds.

I would like to use the rest of my testimony to present to you New Mexico's choice in the reauthorization proposals of ISTEA which we believe comes closest to the above principles and to provide you information that explains our issues further.

NEW MEXICO'S ISTEA REAUTHORIZATION PROPOSAL CHOICE AND SUPPORT

As I indicated to you earlier, New Mexico had not, until recently, supported any proposal. We have reviewed many proposals including STEP 21, the Ohio proposal, DOT's NEXTEA, ISTEA Works, AASHTO, WASHTO, and others. In our final analysis, the proposal that we feel best supports the national interest and is fair to all the states is the Surface Transportation Authorization and Regulatory Streamlining Act ("STARS 2000") being prepared for introduction by Senators Baucus, Kempthorne, and Thomas.

The STARS 2000 proposal sets forth a balanced and thoughtful approach to the highway program issues. This proposal 1) puts highway user taxes to work for taxpayers; authorizes highway program levels as high as the Highway Account of the Highway Trust Fund can sustain; 2) emphasizes investment in the National Highway System (NHS) and gives investment in the NHS greater emphasis than would be the case under other proposals; 3) provides states greater flexibility to determine how to invest funds while retaining appropriate program emphasis areas; 4) reduces regulation; 5) achieves a fair national interest distribution of funds among states; and 6) continues the role of local governments, but also provides flexibility to states and localities in the use of funds by allowing them to develop multi-modal and intermodal transportation systems.

STARS 2000 by reaffirming the national interest in Federal investment in highways and transportation facilities, represents a complete rejection of so-called "turn back" or "devolution" proposals. Although no one proposal we reviewed is the best for all states, the STARS 2000 proposal does the most for the most states and the nation. It is balanced and treats the Nation fairly; it strikes the balance between reducing program categories and maintaining reasonable Federal program emphasis areas; it emphasizes the NHS while maintaining reasonable requirements for expenditures on bridges, safety, enhancements, and for urbanized areas of 200,000 population. This is a good balance.

As a final note about STARS 2000, New Mexico's strong belief about Federal lands highway provisions are recognized. STARS 2000 will increase the overall level

of Federal Lands Highway investments by the same rate of growth as the overall program and make needed reforms to help direct the funding where the Federal Lands are located.

ON THE ISSUES:

1. Investment in the National Highway System (NHS)

It is important that the greatest program emphasis be given to the National Highway System as it is the NHS that ensures that the entire nation is well connected; it is the principal grid upon which people and goods move safely and efficiently across the country. While these roads make up only four per cent of the nations network, they serve 43 per cent of all traffic and 75 per cent of heavy commercial vehicles.

While it is clear that these roads are extremely important to the Nation as a whole, it is also known that a great deal of money is needed to maintain them and even more will be needed to improve the NHS.

Therefore, New Mexico recommends that great emphasis be given to these important roads and through our analysis we find that STARS 2000 does that.

2. Increase Federal Highway Program Levels

Simply stated, the accepted proposal should allow states to invest the full level of funding which the Highway Account of the Highway Trust Fund can sustain. There are many reasons for this statement, but some important ones include:

Investment in highways and related transportation facilitate economic growth, bring additional revenues to the states as well as the Federal Government through that investment and help keep American businesses internationally competitive.

The Highway Account of the Highway trust Fund is supported by user taxes. Highway users have paid these taxes with a reasonable expectation that the money will be put to work for transportation purposes.

Good transportation improves the personal mobility and quality of life of our citizens.

The needs of our transportation network are vast and are not being met with current funding levels as I indicated before when identifying the growth in deficient miles in New Mexico. At present levels of Federal investment we are not able to maintain, much less improve, the current condition of our NHS and Federal-aid highway systems.

It is our understanding that the current income of the Highway Account, interest on the balance in the Highway Account, and a gradual draw down of that balance, the Highway Account can sustain investments of $26 to $27 billion annually. Additionally, if the proposal made earlier this year at the National Governors' Association is adopted, the 4.3 cents per gallon of fuel tax currently being used for General Fund purposes will be deposited in the Highway Trust Fund and used for transportation purposes; then the Highway Trust Fund can sustain an even larger investment annually. Like many other states we have spoken to, New Mexico is very disappointed with the low funding levels proposed by the Administration. We urge the Congress to adopt much higher funding levels which we and so many others desperately need. Here again we find that the STARS 2000 proposal supports our position on this issue.

3. Distribution of Funds to Reflect the National Interest in Highways

There is clearly a need to emphasize that the national need for investment in our region continues even though the Interstate highways have been built. We are now entering a period where major reconstruction of the Interstate is upon us. It is known that maintenance of those routes is solely a state responsibility, and an expensive one for New Mexico which has 2 percent of the nation's Interstate system and low population density. These highways enable agricultural products and natural resources to get from source to metropolitan markets and enable manufactured goods to move from coast to coast. They provide the nation's citizens with access to the country's national parks and the great outdoors. Clearly, investments of Federal highway funds in this region help the nation, not just the states in which the investments are made. Funding formulas must reflect this ideal.

Rural states, while they provide connectivity to the national interest, are not able to pay for the Federal-aid system of roads without an influx of Federal funds. Rural states have few people to support each lane mile of highway; however, per capita income in our region is below the national average, our citizens pay considerably more per person into the Highway Trust Fund than the national average. Even though the argument about "Donor" (putting more into the Highway Account than they get out) and "Donees" (getting more than they put in) continues, it is the so called donee states like ours whose citizens, per person, are contributing more of

their income into the Highway Trust Fund than the national average and it is our citizens who are carrying a heavier load on a per-capita basis for the national interest.

Another item that needs to be considered in the distribution of funds to serve the national interest is the high percentage of land in this region which is either owned by the Federal Government or held in trust. Federal lands are generally not open for commercial or residential use, depriving a state of part of its tax base and in New Mexico this is a large per cent. Thus, states with large Federal land holdings have a significant impediment to the their abilities to raise revenue. These states still maintain significant Federal highway systems in and through Federal lands, which serve national interests. The point is that in addition to the national need to continue and improve a Federal Lands Highway Program, the general apportionment formula should reflect the special burden faced by States which must ensure transportation across or adjacent to Federal Lands.

We agree with the STARS 2000 proposal in its approach to distributing funds of the Highway Account of the Trust Fund, which will be well served by a funding distribution formula which takes the following approach:

Emphasizes extent and use of the Federal-aid highway system, particularly the extent of the Interstate and NHS routes. With Congress having directed that a National Highway System be designated, it is clear that there is a higher Federal interest in the Interstate and NHS than in other Federal-aid routes.

Provides increased funds to States with low population densities and with a high percentage of land subject to Federal ownership or trusteeship. All of these factors tend to reflect the inability of rural States to pay for the national interest routes within their borders.

Retains the mechanism for distributing highway funds to ensure that the Nation as a whole is served and to take into account the concerns of all areas by providing an appropriate minimum allocation.

4. Flexible Program Structure

To serve the national interest, the authorization proposal approved by Congress should contain a balance between the different programs. There needs to be a balance between permitting States freedom to decide how to spend the money apportioned to them and telling them exactly how to spend it.

As proposed, metropolitan planning funds will ensure that the urban and regional planning requirements under ISTEA are met.

While the CMAQ program is eliminated as a separate category, projects remain eligible under the surface transportation program which is an appropriate mechanism for achieving the goals of this program.

Bridges provide vital links of the transportation network and are an important factor in allocating transportation funds to insure needs are met. The proposal uses bridge deck area as a factor and makes these projects eligible under the Surface Transportation Program.

5. Obligation Ceilings

Obligation limits unevenly penalize highway dependent states since they only apply to the highway program and not transit programs. Authorization in the new legislation should be closely matched to anticipated spending (obligational authority) to assure that all states are treated equally. Also, the practice of higher authorization limits than accompanying appropriations is a disservice to the citizens and the states since it leads the public into believing that the Federal Government is solving problems that should and could be addressed locally if the truth were known.

6. Regulation of States

Regulations of states by the Federal Government should be reduced, not increased. States and the Federal Government have been moving to partnerships on issues. This has been working well and should continue; it is an effective way to handle issues in a positive way. Regulations tend to attempt to address issues of all states by assuming that states have the same roles, problems and needs, while in fact, they do not. It is well known that regulations are needed, however, when induced into most aspects of most programs, they become burdensome, ineffective, and prolong the time lines for states to accomplish their mission for effective and efficient transportation.

AASHTO has developed methodologies to streamline and ease regulatory requirements. We believe that the AASHTO approach is correct and should be given strong consideration.

7. Additional Issues

I have addressed the issue of demonstration project/program funds and the way they were awarded in ISTEA; however, I bring it up again because I feel it is important to realize the adverse impact the distribution of these funds had on New Mexico and many other states.

We do not dispute the need for a national transit program, however, the goals should be better defined to assure that it fulfills a national purpose.

8. Intelligent Transportation Systems (ITS)

In New Mexico, we have had some opportunities to participate on ITS programs. New Mexico obtained $1.985 million for research of what is known as the EURICA project, an Urban-Rural Intelligent Corridor Application. The purpose of this project was to research implementation of an integrated, regional, multi-modal intelligent transportation system that would combine transportation management and data collection functions, create a regional multi-modal transportation information system, provide a traveler information system, improve the efficiency of the transportation system, enhance the quality of public transportation, and improve the safety of the transportation system for its users.

ITS can be successful. New Mexico participated in the HELP (CRESCENT) program to identify and implement technology to support pre-pass of heavy commercial vehicles through states using transponders on heavy commercial vehicles and electronically reading information off of the transponders to provide registration and other needed information by the CRESCENT states to provide a pre-pass to ports of entry. By our use of weight-in-motion devices, heavy commercial vehicles are given a green light to pre-pass a port of entry helping the trucking industry by keeping its vehicles moving with minimal delay. This ITS project has gone from a demonstration to full production with more than 10 states participating. The future funding will be provided by users of this technology.

New Mexico received an ITS grant of over $1 million to study technology applications at international ports of entry to determine if technological initiatives could be utilized in the processing of commercial goods through international ports to effectively save time at crossings. This study has recently begun and the research work is being performed.

Other than the HELP/CRESCENT program, these ITS grants have been the exception rather than the rule. ITS has been a political rather than a technical process. ITS is not structured in a way that it is readily identifiable to the states of what is available for projects and/or programs. Future ITS funding should be allocated to benefit rural states as it now does states with large metropolitan areas.

CONCLUSION

Senators, I have covered quite a few items on the issue of reauthorization for transportation and infrastructure. Again, New Mexico's initiative is simple; keep the focus on the national interest, keep programs functional as needed by states, provide as much funding as possible, consider both the highway and the transit account in determining formula distributions, and make fair and equitable distribution of funds.

With that, Mr. Chairman, I conclude my statement and will be pleased to respond to any questions the Committee may have.

STATEMENT OF CELIA G. KUPERSMITH, EXECUTIVE DIRECTOR, REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY, NEVADA

On behalf of the Regional Transportation Commission (RTC) of Washoe County in Reno, Nevada, I appreciate this opportunity to testify on the reauthorization of the Intermodal Surface Transportation Efficiency Act, known as NEXTEA. At the outset, Mr. Chairman, I would like to thank you for holding this hearing in the state of Nevada and for your clear leadership on the original passage of ISTEA legislation in 1991 and its reauthorization in 1997.

The Regional Transportation Commission of Washoe County brings a unique perspective to the subject of ISTEA reauthorization due to our threefold mission. We are the builders and maintainers of the regional road network, with an annual work program totaling $34.6 million. We are also the Metropolitan Planning Organization (MPO) for the Reno area. Third, we provide public transportation services to eight million passengers per year, using 57 fixed route buses and 33 paratransit vans on 23 routes. In this multimodal arena of roads, transit, and transportation planning, we have worked closely with all major aspects of ISTEA.

As stated by earlier speakers, the transportation problems associated with rapid growth in Nevada are tremendous. Significant multimodal infrastructure investments are needed to catch up with this growth curve and move forward.

I will speak first to the structure of NEXTEA and then to the funding levels of the bill.

Structurally, ISTEA works well. The ability to flex dollars to achieve both transit and highway solutions provides an excellent mechanism to address and solve problems. In Reno, we have successfully flexed $4.8 million in Congestion Mitigation/Air Quality (CMAQ) funds for bus purchases. Key to this successful flexing of funds is keeping CMAQ funds separate from other highway categories. We also support adjustments to the CMAQ program that would keep "maintenance areas" eligible for CMAQ funding.

Speaking as the MPO director, continuation of the ISTEA planning and project selection process is critical. Approval of projects by both the MPO and the State ensures transportation projects which meet both state and local objectives in a coordinated and comprehensive fashion.

With respect to proposed funding levels, we applaud provisions in the President's NEXTEA and FY98 budget proposals that retain the strong Federal role in the nation's surface transportation network. It is critical that the balance of highway and transit funding remain a "level playing field", with roughly a four-to-one funding ratio between highway and transit programs.

The use of new and innovative Intelligent Transportation System (ITS) technology is critical to moving people and improving air quality. ITS technology is particularly important in an area like Reno, a top tourist attraction, which is prone to emergencies such as floods, earthquakes, and severe winter storms. Four years ago, the TransCal ITS project linking San Francisco with Reno along the I–80 corridor was funded with ISTEA Intelligent Transportation System funds. Last year saw ITS funding approved for an innovative public-private partnership of transit services at the South Shore of Lake Tahoe. In NEXTEA, we are seeking authorization of an ITS system which will produce significant traveler benefits and ensure that Reno is able to fully participate as a partner in the I–80 corridor and South Lake Tahoe ITS projects. Our system, requiring $3.75 million in Federal funds, is based on an Automatic Vehicle Location system and would use ITS technology to improve traffic flow, customer convenience, and overall efficiency of the transit network in Reno. The Regional Transportation Commission also supports the return of the 4.3 cent Federal gas tax now used for deficit reduction provided that, after allocating one-half cent to Amtrak, the balance is split 80 percent for highways and 20 percent for transit. Taking the trust fund off-balance is supported to the extent that funding levels for transit and highway programs are not reduced as a result of this move. The goal is to take full advantage of all available revenues to meet the needs.

Highway funding is critical to our western state. Our top priority for Federal highway demonstration funds is the extension of the I–580 corridor from Reno to Carson City, the state capital located thirty miles south of Reno. Carson City is one of the very few state capitals not connected to the Interstate highway system. This $170 million project would build eight and one-half miles of freeway which would connect existing freeway sections just north and south of this missing link.

In reference to the issue of formula allocation of gas tax revenues, also known as the donor/donee issue, Nevada is on the borderline between the two. In Reno, it is our hope that NEXTEA will place Nevada in the donee category or at least not worsen our present position.

In conclusion, the Regional Transportation Commission strongly supports a continued Federal role in transportation and the continuation of the successful ISTEA legislation and its flexible funding provisions. Increased focus on ITS solutions, emphasis on intermodalism, and local, state, and Federal partnerships are keys to successfully meeting future challenges. Again, thank you for allowing me this opportunity to testify. I would be glad to answer any questions at this time.

STATEMENT OF ROBERT G. MACLENNAN, GENERAL MANAGER, METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS

Mister Chairman and members of the Subcommittee, my name is Bob MacLennan. I am the General Manager of the Metropolitan Transit Authority of Harris County, Texas, better known as Houston METRO.

I appreciate the invitation to appear before you today to comment on the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA) and to tell you of the success Houston METRO and its governmental partners in the Houston region have had with the assistance provided by the current act in addressing

what at one time a number of years ago was generally conceded to be the worst traffic congestion in the nation. Texans have a reputation for bragging but, as they say, if it's true it isn't bragging. I am here to tell you a true story of how we in the Houston area have developed a cooperative approach to regional mobility that is efficient and effective.

Let me illustrate with this first graphic [#1].

What this graphic denotes is the distance one could travel in a fixed period of time. This is a reasonable proxy for measuring traffic congestion in Houston. Note how the distance has grown in recent years, indicating that traffic congestion has been successfully addressed. In fact, statistics compiled by the Texas Transportation Institute at Texas A&M University indicate that traffic congestion in Houston has declined steadily over the past decade unlike that of most major cities. How has this been accomplished? Our approach has been somewhat unconventional but it demonstrates the flexibility that ISTEA has afforded and for which you and your colleagues should be commended.

First, the governmental entities responsible for transportation in the region were galvanized by the enormity of the congestion problem in the mid-eighties to develop a cooperative, coordinated approach to solving the problem. Brought together and mentored by the Greater Houston Partnership, the region's chamber of commerce organization, the Texas Department of Transportation, Harris County, the City of Houston and METRO participated in developing a conceptual approach known as the Regional Mobility Plan. The parties then agreed to assume responsibility for various components of the plan.

METRO is the region's mass transportation provider but the Texas Legislature saw fit to broaden METRO's powers to where it could become not only a participant but actually a leader in developing and implementing programs and projects benefiting general traffic as well as public mass transportation.

METRO's role has been focused on putting into place what we call the Regional Bus Plan. This is our response to providing efficient, cost effective mass transportation in a large geographic area with relatively low population density—clearly a very difficult situation in which to provide mass transit. The next graphic [#2] illustrates the components of the Regional Bus Plan. It is a comprehensive mass transit program comprised of approximately 25 individual projects, whose independent utility provides for incremental improvements in facilities and services as projects are completed and immediately come on line. You and your colleagues have been instrumental in funding the Regional Bus Plan under a Full Funding Grant Agreement with the Federal Transit Administration for $500 million of the program's $1 billion cost. METRO is providing a matching $500 million from local resources.

A keystone of the Regional Bus Plan is the High Occupancy Vehicle lane network as illustrated on the next graphic [#3]. This 104 mile network is approximately 64 percent completed. Buses, vans and carpools operate in the barrier separated HOV lanes in the medians of the region's major freeways [photo #4]. Rail system-like performance is achieved by frequent service and direct access from the park&ride lots to the HOV lane [photos #5 & #6].

Another key feature of the Regional Bus Plan is the rebuilding a the region's traffic signals into a centrally monitored and controlled Regional Computerized Traffic Signal System or RCTSS. METRO, with Federal Transit Administration funding, is rebuilding those signals impacting on METRO's bus operations. The Texas Department of Transportation and the other local governments are rebuilding non-bus related signals and they are tied together in a central control facility we call TranStar. We are very proud of this state-of-the-art facility and the multiagency cooperation of which it is, literally, a concrete example [photo #7]. Not only does TranStar afford the opportunity to monitor traffic but it permits real time adjustment of signals to respond to situations. Incident response is also coordinated from TranStar as are emergency management functions. METRO dispatches its buses and police from the this facility [photo #8].

Not only have travel times decreased steadily in Houston, but mass transit use has increased. For example, daily passenger trips on the HOV lanes have risen from 65,400 in 1991 to 81,300 in 1996—a 24 percent increase. During peak hours, the HOV lanes are carrying up to the equivalent of 2 1/2 times the passengers of the adjacent main lanes. Put another way, without the HOV lanes the freeways would have to be six lanes wider to carry the same load. Houston's HOV lanes have been built at an average cost of $7 million to $10 million per mile. Compare this to $30 million to $300 million per mile for light rail or subway construction and you can see the bargain the HOV lanes represent.

The Regional Bus Plan relies on Intelligent Transportation System, known as ITS, concepts and technology to achieve rail-like performance at a fraction of the cost. For example, METRO is developing the "smart bus" [photo #9] to give real time lo-

cation and schedule information. Better informed patrons are more frequent riders. In addition, METRO is a participant with the Los Angeles Metropolitan Transportation Authority and Northrup/Grumman in development of the Next Generation Bus. This carbon fiber bus is lighter and more fuel efficient than current vehicles so that it may be operated less expensively than current models and is not as destructive of the streets. METRO is also an industry leader in application of alternative fuel technology to mass transit. In our case this is with Liquefied Natural Gas buses [photo #10]. While this technology is not currently cost competitive with conventional diesel buses, we are confident further development will reduce the cost differential and provide a cleaner burning, lower emissions vehicle.

The Regional Bus Plan has proven to be the right transit solution for Houston. Houston's total transit ridership is greater than the combined bus and rail ridership of Atlanta or Miami or San Diego—cities with comparable characteristics but with expensive rail systems in addition to their bus systems. The Regional Bus Plan is drawing worldwide attention as a model of how to serve an increasingly suburbanized area efficiently and at reasonable cost. Even older European cities such as London and Paris have sent representatives to study METRO's approach, as have delegations from Moscow, Beijing, Mexico, South America and Australia. The old expression is "build a better mousetrap and the world will beat a path to your door." We believe the Regional Bus Plan is that "mousetrap" for Sun-belt communities such as ours.

As satisfied as we are with the success of the Regional Bus Plan, we are not resting on our laurels. We are actively developing what we call the Advanced Regional Bus Plan to address our region's transportation needs to the year 2020 [photo #11] . We will build on today's Regional Bus Plan and take advantage of technology development such as that fostered by the Automated Highway System Consortium to provide faster, more efficient and less costly solutions to our transportation needs. We have submitted testimony in both the House and Senate on our specific program and are seeking an earmark in the next surface transportation act to continue this program. We would appreciate your favorable consideration of our request.

In closing, I would re-emphasize that an essential element of the Houston region's program is what may be an unprecedented level of intergovernmental cooperation. We have put aside our parochial interests and learned to work together as a team. That may have initially been the fortuitous circumstance of Houston's current mayor, Bob Lanier, having served at various times as chairman of the Texas Transportation Commission, chairman of METRO and now chief executive of the City of Houston. Bob Lanier has put us together but we have learned that it works and I believe it is a situation that is now institutionalized and will continue long after Mayor Lanier, me and others have moved into retirement.

Thank you again for your support and for the opportunity to tell our story. I hope you don't think I was bragging—I'm just very proud of what we have done and are doing.

As you consider the reauthorization of the next surface transportation act, you can look with pride at what ISTEA and its predecessors have accomplished and know that if you continue on the path it has set you will have others appear before you in the future with success stories to tell.

STATEMENT OF KURT WEINRICH, REGIONAL TRANSPORTATION COMMISSION OF CLARK COUNTY, NEVADA

Mr. Chairman, Senator Reid, Members of the Subcommittee, I am Kurt Weimich, Director of the Regional Transportation Commission of Clark County, Nevada. I thank you for the opportunity to testify on project and policy issues related to the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and I wish to have my remarks entered into the record.

BACKGROUND

The Regional Transportation Commission of Clark County, Nevada is a public entity created under the laws ofthe State of Nevada with the authority to operate a public transit system and administer a motor fuels tax to finance regional street and highway improvements. In addition, the RTC was designated by the Governor as the Metropolitan Planning Organization (MPO) for the Las Vegas Valley. The RTC is not only a multimodal planning entity, but also a multimodal service provider. As well as funding well over $100.0 million annually in new roadway construction, the RTC operates a mass transit system that moves more than 3.0 million passengers a month and recovers nearly 50 percent of its operating and maintenance costs from the farebox. (See Exhibit A).

Over the last several years, the Las Vegas metropolitan area has experienced phenomenal growth. As shown in Exhibit B. between 1980 and 1996, population and employment increased well over two-thirds and current projections indicate that population will exceed 2.0 million residents and employment will exceed 750,000 by the year 2015. Currently, over 5,000 new residents move to the Las Vegas Valley each month. With Nevada's positive business climate, strategic location, and reputation as a tourist destination, it is clear why Las Vegas is the fastest growing urban area in the United States. The historical trends demonstrate that the RTC's task of planning, funding, and operating a multi-modal transportation system is becoming increasingly more complex from year to year.

PROJECT REQUESTS

Since Congress approved ISTEA of 1991, the RTC has made substantial progress toward developing a multi-modal transportation system. In 1992, the RTC initiated the Citizens Area Transit (CAT) system, which was the largest single startup of new bus service in an urban setting funded entirely with local funds. CAT has proven extraordinarily successful. Between 1993 and 1996, annual CAT ridership has grown from 14.9 million riders to 35.0 million; an average annual growth rate of 44.0 percent (See Exhibit C). This rate of growth is faster than the growth in population, employment, hotel rooms, visitor volumes, airport passengers, vehicles miles traveled, auto registrations, and new home sales in the same time period. In summary, CAT eldership growth leads the regional indicators for economic and population growth. This clearly and unequivocally leads one to conclude that Las Vegas has, in fact, embraced mass transit.

Despite the dramatic growth and expansion of CAT, the Las Vegas Valley continues to experience rising congestion levels, especially in the area known as the resort corridor. Currently, over 50 percent of regional employment is within the resort corridor, yet 93 percent of the area residents live outside this area. In 1996, 70 percent of all trips in the Las Vegas Valley either traveled to, from, or through the resort corridor. To meet projected levels of travel demand without adding new mass transit services, the Las Vegas Valley would need to add 18 lanes of arterial capacity in the north-south direction and 21 lanes in the east-west direction.

To frame the solutions to these growing problems, the RTC has fully utilized the planning provisions of the ISTEA. Specifically, the RTC, as the public transit authority and the MPO, sponsored a Major Investment Study (MIS) for the resort corridor to evaluate the effectiveness of multi-modal solutions to regional mobility issues. The MIS process led to the RTC adopting a Master Transportation Plan that includes a fixed guideway element and an enhanced bus element. The RTC also participated in the preparation ofthe U.S. 95 Major Investment Study which evaluated alternatives for moving people between the Resort Corridor and the rapidly growing Northwestern areas of the Las Vegas Valley.

The proposed fixed guideway system (depicted in Exhibit D) contains 18.4 miles of double track, all elevated, automated guideway, providing service to 28 stations and three major terminal stations. The system includes a core system and an extension to McCarran International Airport. The core system consists of 15.6 miles of guideway, 25 stations and two major terminals.

The objective of the fixed guideway system is to provide residents and visitors with environmentally clean, cost effective public transportation services that will meet the dramatically increasing transportation needs of the Las Vegas Valley. Specifically, the project is designed to provide the necessary transportation infrastructure and service needed to accommodate increased trip making demands that will occur in the Las Vegas Valley by the year 2015, such that levels of congestion and mobility opportunities do not deteriorate below the conditions experienced in 1995. The RTC is seeking an authorization in the ISTEA legislatiomn being developed by Congress of $405.57 million over a 5 year period for this project. Given a total project cost of $1.141 billion, the amount requested represents a significant local overmatch.

The second project defined by the MIS is an expansion of the CAT system. Even with the overwhelming success of CAT, only 36 percent of the current routes operate more frequently than once per hour. Many routes operate well in excess ofthe 150 percent capacity standard. Additionally, with the continued growth and development of the Las Vegas valley, many new residential developments are not yet included in the service area. While the demands for the service seem to increase daily, the RTC is severely constrained by a lack of rolling stock. Simply stated, additional vehicles are necessary to increase service within the community.

To meet this need, the RTC is seeking an authorization in the ISTEA legislation being developed by Congress of $75.25 million to increase the current bus fleet by

300 revenue vehicles and to develop a maintenance and storage facility for those additional vehicles. The additional vehicles will be used to extend existing routes to connect residential and employment centers, increase frequencies on all routes, and add express limited stop and community circulator services. The MIS estimated that the increased system will carry approximately 350,000 riders per day when fully implemented.

The RTC respectively requests that Congress authorize both the Resort Corridor Fixed Guideway System and the CAT bus expansion program in ISTEA legislation at the requested levels of funding.

In addition to the projects sponsored by the RTC, the RTC also fully supports the efforts of the Nevada Department of Transportation to widen U. S. 95 between SummerlinParkway and the Spaghetti Bowl. This segment of freeway is the most congested freeway in Nevada and the NDOT proposes widening this facility to 10 lanes, including HOV lanes for use by transit and carpools.

POLICY ISSUES

The RTC believes that the metropolitan planning processes outlined in the Intermodal Surface Transportation Efficiency Act of 1991 are fundamentally sound and should be retained in the reauthorization process. Indeed, for Nevada, the MPO element of ISTEA has clearly proven itselfuseful in the completion ofthe two Major Investment Studies that have outlined the projects contained herein. The MIS process has served as an excellent tool to help coordinate consensus, develop appropriate financial plans, and establish the locally preferred alternative.

The RTC also supports the tenants ofthe Surface Transportation Program. The decisionmaking authority allocated to MPOs has proven effective with respect to RTC leveraging STP funds with local funds for regionally significant projects. The RTC believes that the STP's broad statutory mandate should remain and that an increased emphasis should continue on the flexible use of funds in the reauthorization proposal. In fact, the RTC, working cooperatively with the NDOT, is now in the process of"flexing" $1.4 million of STP funds for mass transit expansion in the Las Vegas Valley.

The RTC encourages the Subcommittee to consider a reauthorization proposal that leaves the option of whether to transfer funds from the STP to the FTA capital program a local and state decision as it pertains to project implementation. Specifically, we would recommend that a transit agency and a State DOT be permitted to move forward with project financing without having to take the steps of transferring funds to the FTA capital program and then subsequently applying for those funds through the FTA grant process. The advantages of this strategy include reducing administrative burdens and the facilitation of a streamlined approach for the development of creative financing schemes through mechanisms such as infrastructure banks, certificates of participation or state revenue bonds.

Furthermore, we recommend that the Subcommittee require that such a flexible approach only be allowed after the completion of an MIS, local adoption of a preferred investment strategy, and creation and execution ofthe appropriate financial arrangements between the State DOT and the public transit authority. By coupling project financing requirements to the MIS, Congress will improve the strength of the MIS process, encourage intergovernmental cooperation, and assure that Federal requirements are included at the earliest stages of the planning process. Already, FTA and FHWA are active participants in the MIS process and therefore both agencies have ample opportunity during project development to ensure that STP funds are expended in a manner that meets local, state, and national objectives.

Currently, many state DOTs use Federal funds to back bonds sold to support roadway improvements. By encouraging direct STP financing of transit projects through a state DOT, public transit authorities may be better positioned to lower their financing costs for major investments. This would be possible because the transit agency will benefit from using the creditworthiness and bonding capacity of state government.

Thank you for your consideration and your continued support.

EXHIBIT A

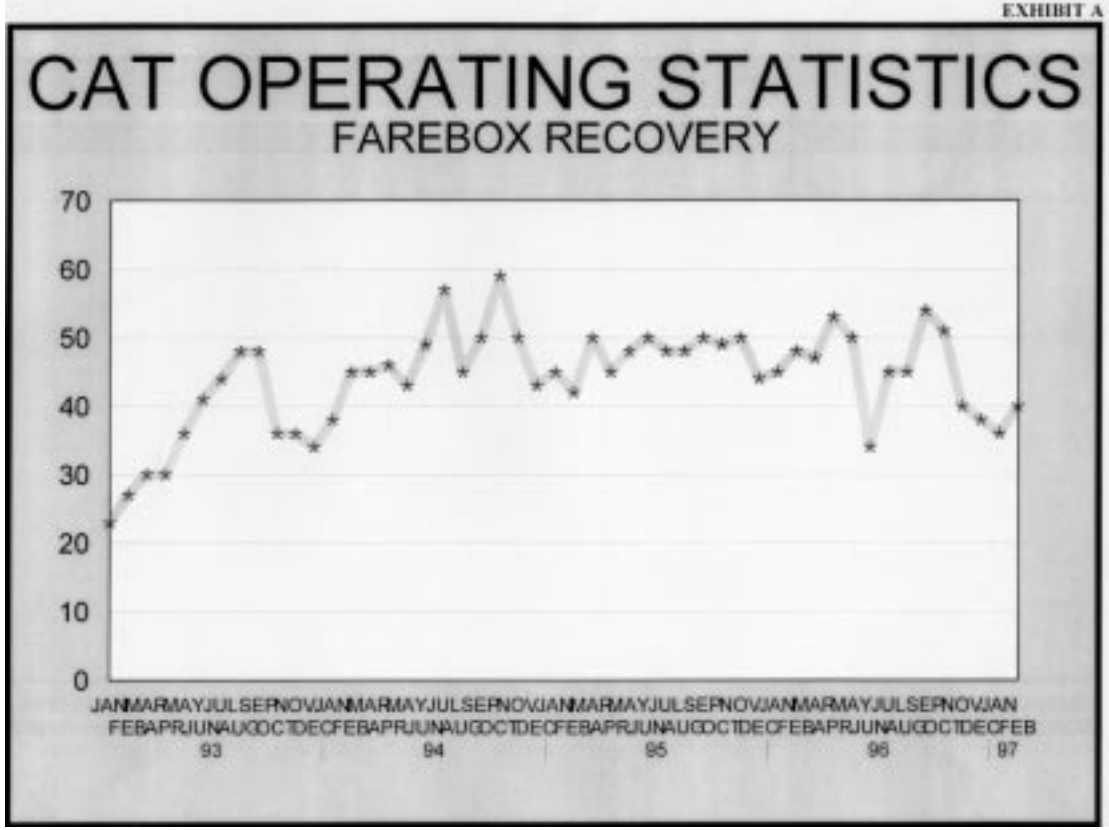
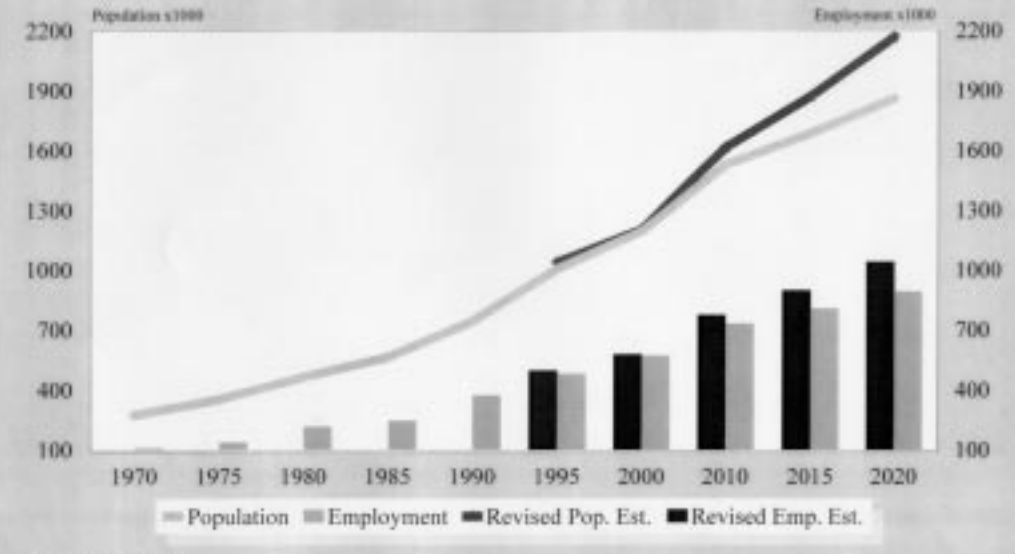
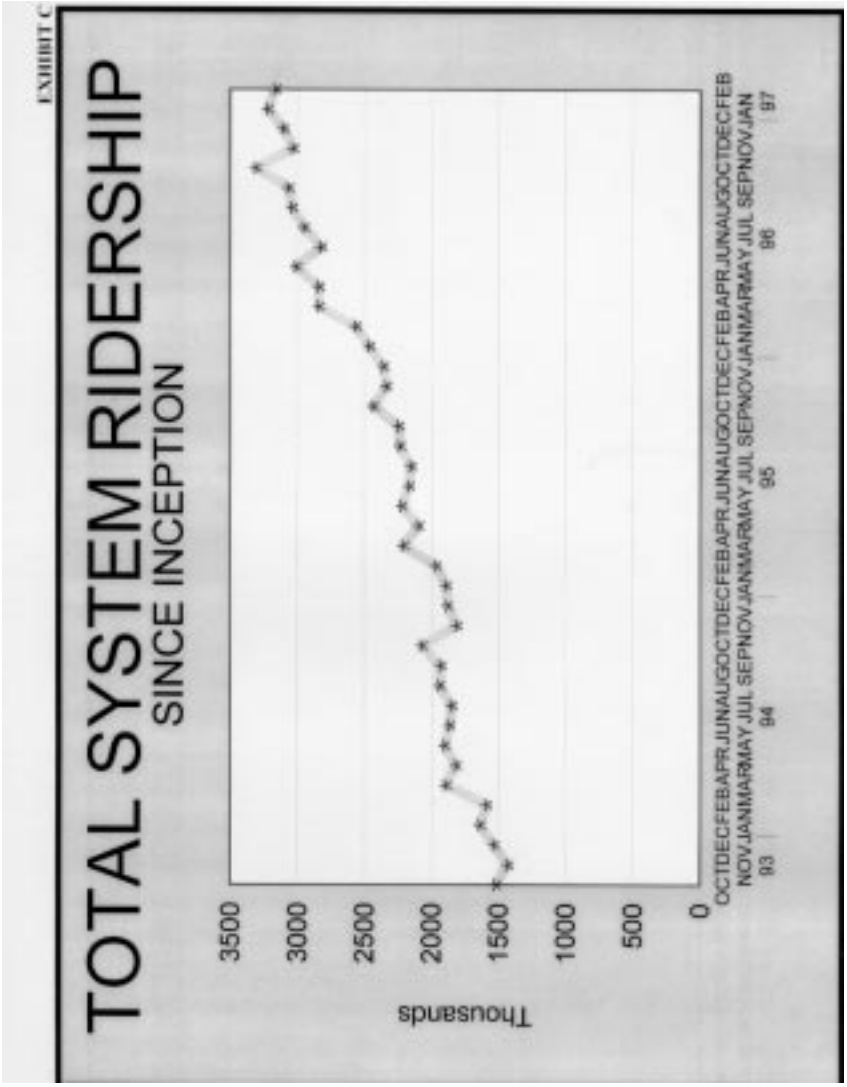

CAT OPERATING STATISTICS
FAREBOX RECOVERY
70
60
50
40
30
20
10
0
JAN MAR MAY JUL SEP NOV JAN MAR MAY JUL SEP NOV JAN MAR MAY JUL SEP NOV JAN MAR MAY JUL SEP NOV JAN
FEB APR JUN AUG OCT DEC FEB APR JUN AUG OCT DEC FEB APR JUN AUG OCT DEC FEB APR JUN AUG OCT DEC FEB
93
94
95
96
97

EXHIBIT B

POPULATION and EMPLOYMENT PROJECTIONS
CLARK COUNTY, NEVADA



Adopted by RTC 10/96



STATEMENT OF THE FMC CORPORATION, LITHIUM CHEMICALS DIVISION

FMC appreciates the opportunity to provide testimony to the Committee concerning ISTEA reauthorization and the use of concrete in building and rebuilding our nation's infrastructure. In particular, FMC would like to bring to the Committee's attention the benefits Lithium compounds provide in preventing cracking and deterioration of concrete, thus reducing durability, caused by alkali silica reactivity (ASR).

Alkali Silica Reactivity (ASR) in Portland cement concrete occurs when alkalis in the cement react with certain reactive aggregates in concrete to solubilize silica. This silica forms complexes or gels, which swell in the presence of moisture, creating large internal pressures which result in cracking of the paste and deterioration of the aggregates. As this cracking occurs the semi-fluid gel can migrate into cracks and voids, combining with additional moisture. This causes the cracking to spread,

causing the concrete structure to expand in the direction of least resistance. The cracks themselves can weaken or degrade the condition of the structure, negatively impacting strength and durability. In addition, the cracks allow the ingress of moisture and salts in the concrete precipitating more traditional damage due to effects such as freeze-thaw, corrosion of reinforcement, and sulfate attack. Traffic loading and environmental conditions precipitate the degree of damage to the structure which can ultimately result in premature failure.

Studies sponsored under the National Cooperative Highway Research Program found deterioration of infrastructure at a faster pace than expected—in other words, the full life-cycle of roads, bridges, and decks constructed with concrete over the course of the interstate system was not being realized. In the 1987 ISTEA reauthorization, Congress recognized the need to address these problems. Thus, the Strategic Highway Research Program (SHRP) was founded as a unit of the National Research Council to take a more technical in-depth look at the problem. SHRP recognized that alkali silica reactivity (ASR) is a problem encountered in concrete in almost every state and that it is a major cause of concrete deterioration. Under SHRP, ASR was more clearly defined, methods of testing were developed, and potential solutions identified.

The most effective solution to prevent ASR identified in the SHRP program involved the addition of Lithium salts to concrete. Under this study it was determined that the best Lithium salt to use was Lithium Hydroxide Monohydrate. It was theorized that Lithium works by reacting with the soluble silicates to form a gel that does not absorb water and does not swell, thus preventing any cracking. This was shown to be very effective in the laboratory and in one test in the field in Albuquerque, NM. Tests under the SHRP program also indicated that if Lithium is allowed to penetrate into concrete, it will stop the reaction thus stopping any further cracking. However, funds for the project were exhausted before this system could be optimized.

SHOP also reviewed the use of Class C and F fly ash as materials to mitigate ASR. These results and those of many other researchers have determined that Class C fly ash alone had little effect on preventing ASR, and in fact in many cases can exacerbate the problem. The use of Class F fly ash alone seemed to slow down ASR deterioration. In addition, testing indicated that Class F fly ash effectiveness was greatly reduced in the presence of salts such as those used as deicing agents. However, when Class C or F fly ash were used in combination with Lithium salts, even in the presence of high deicer salt loadings, expansion was fully controlled.

Having completed research on prevention of ASR, demonstration projects utilizing Lithium are currently underway in several states (NV, NH, PA, SD, VA, WY) supported through a mix of Federal (FHWA), State and private dollars. Preliminary results show that concrete made with Lithium salts do not suffer ASR, while control areas (without Lithium salts) are cracking due to ASR. However, the need to develop a statistically significant data base on Lithiumbased ASR prevention continues. In addition, FMC has funded additional research at a number of Research Centers determining that Lithium Nitrate is actually the preferred Lithium salt to use, and is studying further enhancements obtained by combining this material with fly ashes.

Additional research and demonstrations on means by which to mitigate ASR in existing structures, thus extending useful life, must also be undertaken. Such research would ultimately save Federal and State governments by extending the useful life of pavements that would otherwise need replacement. To date, SHRP has dedicated only $2 million to ASR research and development; FMC has provided an additional $3 million.

As part of ISTEA reauthorization, FMC encourages the Committee to continue SHRP with funding designated specifically for ASR prevention demonstrations and ASR mitigation research and demonstrations, as it relates to concrete durability. Additionally, research needs to be conducted to determine effects and prevention of ASR in high performance concrete, where ASR cracking could be considerably more critical that in standard pavement. Specifically, FMC would emphasize the identified value of Lithium salts in combating ASR and requests that the Committee direct SHRP to conduct additional Lithium based demonstrations in both prevention and mitigation efforts.

FMC is anxious to work with Federal and State highway managers to promote the use of concrete in highway construction and to insure the durability of this material to achieve the best life-cycle cost available to the industry today. Achieving the full life-cycle of concrete in this application ultimately will reduce the nation's dependence on short-term solutions and significantly reduce maintenance and repair costs. The material cost increase of using Lithium salts to prevent ASR is approximately $8–14 per cubic yard, depending on the cement used. This is a small percent-

age of actual materials cost (5–10 percent), and negligible when calculated against total project costs. Thus, the value of using Lithium salts to achieve the full life-cycle of roads (25–40 years) and bridges (50–75 years) is extremely cost effective. Additionally, Lithium salts are the only concrete admixtures which preserve local producers flexibility to compete in the concrete market by allowing the use of local sources of cement and aggregates.

STATEMENT OF THE CITY OF RENO, NV: CHARLES MCNEELY, CITY MANAGER

March 28, 1997

THE HONORABLE HARRY REID
United States Senator
Reno, Nevada 89501

DEAR SENATOR REID: Please accept this letter as a statement from the City of Reno for the record being developed at the field hearings of the Subcommittee on Transportation and Infrastructure of the Senate Committee on Environment and Public Works, held Friday, March 28, 1997, Las Vegas, Nevada, on issues involved in reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 ("ISTEA").

The City's purpose in submitting this statement is two-fold: First, to publicly express appreciation to you and Senator Richard Bryan for your leadership and continued encouragement to achieve a negotiated solution for mitigation of adverse impacts to public health, safety and environment in the Reno/Sparks/Truckee Meadows Basin resulting from railroad operations of the Union Pacific/Southern Pacific (UP/SP) merger approved by the Surface Transportation Board ("STB") in Decision No. 44, entered August 12, 1996, in Finance Docket No. 32760; and second, to report for the record, again with attribution to your efforts, that the City and Railroad have reached an agreement in principle calling for (1) depression of the railroad tracks in the existing right-of-way through the City, thereby eliminating some 10 grade crossings, at a current estimated cost of some $180 million, (2) funding contribution by UP (UP's present offer is $35 million), and (3) joint efforts to secure necessary additional funding from public and private sources. [1]

During the recent March 20th meeting in Washington with you, Senator Bryan and Congressman Jim Gibbons (represented by Steve Swan), representatives of the City and UP reported on the progress of their negotiations and identified the various funding sources and mechanisms being considered. The discussion lead by you and Senator Bryan was marked by fair and frank dialog among all involved. It served to more clearly define finance issues and focus the parties' energies. It was a positive and constructive session.

As a followup on the next day, March 21 st, the City conferred at some length with Federal Railroad Administration ("FRA") Administrator Jolene Molitoris, Deputy Administrator Donald Itzkoff and staff. Discussions with FRA emphasized the trade and transportation corridor impacts of the Reno/Sparks/Truckee Meadows situation. Positioned on the Central Corridor of rail transportation linking the West Coast (and particularly the Port of Oakland) with the Midwest, it has been noted that the unresolved mitigation of adverse merger impacts in the Reno/Sparks/Truckee Meadows Basin effectively acts as a barrier to achieving safe, economic and efficient rail service in the Corridor just as do the physical height limitations of the rail tunnels in the Sierras between Reno and Sacramento.

Because of the UP/SP merger, the transit distance in the Central Corridor will be shortened by some 400 miles between northern California and Chicago, correspondingly, the transit time also will be shortened and operating efficiencies gained. Additionally, bi-directional flows of rail traffic will expand Corridor capacity. The expansion plans to facilitate Pacific Rim import/export trade through the Port of Oakland are in large measure dependent upon intermodal rail transportation through the Central Corridor. As a consequence, mitigation of merger-related impacts should not be viewed as merely a parochial concern of the Reno/Sparks/Truckee Meadows Basin, but as one involving trade and transportation between the West and the Midwest over the Central Corridor. In sum, the local Nevada character of the merger impact clearly has regional and national implications, as well for domestic interstate and foreign commerce.

---

[1] The City shares the view that a negotiated solution is better than a litigated result. Although a satisfactory written Memorandum of Understanding ("MOU") is anticipated, in the meantime the City has continued to pursue judicial review of the STB Decision. The City also continues to participate in the 18-month study ordered in Decision No. 44.

Discussions with FRA were encouraging that for a variety of reasons, not the least of which include public benefits in adequate protection of health, safety and environment (air-water-noisecongestion), energy conservation, as well as enhanced land use and economic development, there may be Federal funds or funding mechanisms to assist the project through options that may be available under the National Economic Crossroads Transportation Efficiency Act of 1997 (NEXTEA), offered by the Administration, the successor reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).[2] The City and FRA's approach will be to explore new or additional funding criteria that will not jeopardize completion of existing infrastructure projects in the State of Nevada's Transportation Improvement Program ("TIP") and its overall Transportation Plan. FRA has committed to work closely with the parties to pursue innovative funding alternatives at both Federal and state levels. In FRA discussions the public/private partnership between the City and Railroad in this project was also highlighted, as was the potential for "win-win" solutions and mutual benefits, in the proposed mitigation.

Further meetings with the Department of Transportation ("DOT"), particularly Associate Deputy Secretary of Intermodalism Michael Huerta, and the Federal Highway Administration ("FHWA") are being scheduled for the near future; with the former, to emphasize the project's relation to integration and connectivity of trade, transportation infrastructure and port activity; and with the latter, to point out the project's impact on two U.S. highways with the view of better preservation, maintenance and management of the system.

The City has been working with Governor Miller's office, the Nevada Department of Transportation ("NDOT"), Washoe County and the City of Sparks to have the Reno/Railroad project become an "included project" within the State TIP and to evaluate funding options and strategies available within the state to implement the project. The leadership and members of Nevada's legislature, now in session, when apprised of the consequential merger impacts and proposed mitigation, demonstrated their support and cooperation. In addition, the private sector businesses benefited by the proposed mitigation plans have stated their willingness to participate in the resolution in order to enhance the economic development of the area.

All in all, the City is confident that the agreement with the Railroad for proposed mitigation, contribution of funds and joint efforts to identify and secure additional funding will produce a completed project which in the long term will not only benefit the interest of the City and the Railroad, but Nevada and the Nation as well.

Be assured the public/private partnership you have helped forge will not disappoint your efforts. Periodic reports on progress will be provided to you and other members of the Nevada Congressional delegation.

The City appreciates the opportunity to present this statement. Thank you.

Sincerely,

CHARLES MCNEELY,
Reno City Manager

STATEMENT OF DANIEL B. LOVEGREN, NATIONAL ASSOCIATION OF RAILROAD PASSENGERS

The National Association of Railroad Passengers (NARP) is an alliance of railroad passengers and citizens who want a transportation choice in this country. NARP is the only national organization speaking for the users of passenger trains, and works for the retention, improvement, and expansion of the passenger rail alternative in the United States. NARP Region XII represents the users and supporters of passenger train services in California, Hawaii, and Nevada.

The Senate Environment and Public Works Transportation and Infrastructure Subcommittee is urged to support the following items:

1) The creation of a gas-tax half-cent capital trust fund for Amtrak, and

2) Flexibility for states to use some of their National Economic Crossroads Transportation and Efficiency Act (NEXTEA) money on passenger trains if they choose.

To underscore these recommendations, it is important to note that in May, 1995, NARP commissioned questions for inclusion in one of the weekly nationwide telephone polls conducted by Bruskin Goldring Research. This poll found 63 percent support both for earmarking a full penny of the gasoline tax for intercity passenger rail and for giving states the right to spend their flexible Federal transportation dollars on intercity passenger rail.

---

[2] Congressman Gibbons has included consideration of the Reno project in his February 25 letter to Chairman Petri, of the Surface Transportation Subcommittee of the House Committee on Transportation and Infrastructure.

It is appropriate for the Senate Environment and Public Works Transportation and Infrastructure Subcommittee to conduct a field hearing in Las Vegas, as Las Vegas is scheduled to lose all Amtrak service after May 10 of this year. The loss of the Los Angeles-Las Vegas-Salt Lake City-Denver-Chicago Amtrak route will represent a serious blow to the concept of Amtrak as a national service. Amtrak cannot be considered a viable national system when it fails to serve Las Vegas, the entertainment capital of the nation.

It is inconceivable that one of the United States' most attractive tourist destinations will be without rail passenger service, with only a slight possibility that trains may return at some time in the future. Other parts of the country are enjoying improvements in Amtrak service at the expense of the residents of the southwestern United States. Florida's Disney World and its environs is a specific example.

Las Vegas has worked hard over the past decade or so to become a world-class family destination, and attracts visitors from all over the globe. Many millions of dollars have been invested in McCarran Airport to accommodate the influx of tourism. As an alternative, Amtrak service should not be left out of the transportation choices equation.

Finally, although the aforementioned "flexibility" provision will help, local governments such as Clark County, the City of Las Vegas, or the State of Nevada should not be expected to shoulder the full burden of continued and improved rail passenger service to Las Vegas. Due to Las Vegas' nature of attracting visitors from all over the country, rail transportation improvements in Las Vegas constitute a benefit to the entire United States.

TESTIMONY OF RONALD D. BYRD, CHAIRMAN, ACEC'S TRANSPORTATION SUBCOMMITTEE ON ISTEA

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to be with you today to testify on the reauthorization of the Intermodal Surface Transportation Efficiency Act. My name is Ronald Byrd. I am the Executive Vice President and part owner of SEA, Incorporated. SEA, Incorporated is a Consulting Engineering design firm with offices in Reno and Las Vegas, Nevada and Phoenix, Arizona employing approximately 150 people. SEA, Incorporated has provided consulting design services for the Nevada Department of Transportation, the Arizona Department of Transportation and many local and regional highway agencies. Today however, I represent the American Consulting Engineers Council (ACEC).

ACEC is the largest trade organization of its kind, representing approximately 5,000 consulting engineering firms from across the country, employing some 200,000 people. Our members are consultants to public and private entities, and furnish professional services in planning, engineering, maintenance, and operation of our nation's transportation systems.

It has been said, Mr. Chairman, that the wealth of our nation did not build our transportation system, but rather, our transportation system created the wealth of our country. Consulting engineers understand and appreciate this basic relationship between infrastructure and industry. We have been involved with planning, designing, constructing, maintaining, and enhancing these infrastructure projects. We also planned and designed the projects that accompanied the massive economic development triggered by the resulting arteries of commerce and prosperity.

For years, our nation's transportation system has been the envy of leaders and businesses around the world. However, as each year passes in which we fail to maintain our infrastructure we are, in effect, withdrawing from our long-term investment and leaving a deficient transportation system for the next generation. In an era of scarce Federal resources to fund transportation projects, we simply must do better with the funding we have if our nation is to continue to prosper and grow in the 21st Century.

Last year, ACEC was asked and accepted your challenge to look at how we can accelerate the delivery of transportation projects. We believe we can improve the delivery of transportation projects at a reduced costs to the taxpayer while, at the same time, enhancing public input, achieving the environmental goals set forth under the National Environmental Policy Act and other laws, and improving quality. We accepted this challenge Mr. Chairman and I am pleased to present to you and the Members of this distinguished Committee, ACEC's vision for ISTEA II.

ACEC's report is divided into four section: Funding for the Future, Partnerships for Quality, Accelerating Project Delivery, and Quality Through Competition. I will limit my remarks to the recommendations contained in the Accelerating Project Delivery section of the report since these proposals focus directly on environment and planning issues. I encourage you to read the entire document which contains addi-

tional recommendations and I will be pleased to answer any questions that you may have on the other sections of the report.

I believe we can all agree that it is taking too long to deliver badly needed transportation projects to the American public. On average, it takes 10 years to plan, design and construct a major transportation project. We believe this time can be reduced by 30 percent.

Currently, there are delays in issuing permits after environmental documents have been certified. There are unnecessary, duplicative and burdensome regulations that impact the day-to-day work. Finally, there are numerous levels of government that are enmeshed in an institutional and organizational web where accountability is frequently unclear and where resources do not necessarily follow responsibilities. Mr. Chairman, we have included examples of these with our testimony but I suspect that you may have some of your own examples of projects that go on for years at tremendous cost to the taxpayer.

To improve the planning component of project delivery we propose to:

Establish inter-agency environmental units in each state.

In order to avoid delays associated with this bureaucratic quagmire, ACEC recommends that inter-agency environmental units be established in each state empowered to directly and expeditiously address environmental issues. These environmental units, that would be funded by transportation revenues and housed near Federal and state DOT offices, would focus their resources to issue a single approval. In addition, incentives should be provided for the state agency to accomplish its work on time, on budget, and according to standards.

Through a series of cooperative interagency agreements between state and Federal environmental agencies, this unit would be empowered to administer, review and approve environmental documents. Specific situations may require that the unit would directly contact a source agency to resolve a particular issue. Acting as a surrogate staff of the agency, the environmental unit manager would know the detailed local situation, who to contact in the Federal agency, and be able to expeditiously coordinate followup activities. We believe this management realignment alone could save a significant amount of the time required to prepare an environmental document.

Our proposal is not intended to change the goals set forth in the National Environmental Policy Act or other related environmental laws. We wholeheartedly support a strong environment. Our goal is to address the process issues which end up adding substantial time and cost to the transportation projects.

Enhance Public Involvement

The current delays encountered in the existing stop-and-start process associated with public involvement are further exacerbated by the NEPA process. Milestone documents are required to be published and circulated with one—or two—month review times for the public. Subsequently, a written response must be prepared and documented for each concern or for similar concerns. While this occurs, the work on the project is all but halted. Often the environmental documents provided to the public for review are voluminous and complex, and describe the project in technical terms not easily understood by the general public. As a result, the documents are read and understood by only a limited number of people.

The public involvement process required by the existing regulations could be simplified and shortened if information were provided in smaller packages at more frequent intervals in an informal process. Smaller public meetings to focus on specific local issues would also enable planners to better address the well-defined needs of specific locations. Additionally, increased use of the Internet to disseminate information about a project should be encouraged. This low-cost method of providing information to a large number of people would benefit both the public and the planners by reducing or eliminating the existing stop-and-go process.

Centralize Digital Mapping Products

Good base maps are the single most critical element of environmental infrastructure and land use planning. The U.S. Geological Survey's quadrangle maps are used by civil engineers, water resource scientists, environmentalists, geologists, and the general public to answer a myriad of questions. Many other Federal and state agencies possess paper and digital mapping products they have developed for their agency's use. Maps currently available to the public provide value far beyond the cost to produce them. The USGS maps have been in use for many years and are available in paper form from the US government.

ACEC supports acceleration of the National Digital Orthophoto Program (NDOP) to ensure completion of a nationwide inventory of high-resolution, accurate, digital imagery to supplement and update existing USGS topographic maps for transpor-

tation planning. The NDOP, which is administered by the U.S. Geological Survey's National Mapping Division, is a collaborative effort between government and the private sector.

The NDOP pools funds from several Federal agencies, and state governments, including some state transportation departments, and relies on private contractors, using the qualifications-based selection (QBS) process, to develop and maintain this critical layer of geospatial information for the nation.

Timely completion of this digital inventory would be a significant benefit to state and national efforts relative to transportation planning. By making available to transportation planners pre-existing standardized national digital mapping products developed by various government agencies, transportation planners can hit the ground running on a planning project rather than wait for months and spending thousands of dollars for new mapping to be developed.

There are other examples of how time may be saved in the development of planning transportation projects in the report attached to my testimony. Taken together, we believe our recommendations can reduce the time it takes to deliver transportation projects by as much as 30 percent while at the same time, protecting the environment, enhancing public participation, and designing high quality roads, bridges and transit systems for the American people.

These briefly stated suggestions summarize only a portion of our vision for the reauthorization of ISTEA. We commend this Subcommittee for the hard work and dedication to this important task. Your efforts are apparent to all of us in the transportation industry. We stand ready to serve you, and the American people, in any capacity you deem necessary as you chart the course of our transportation system for the coming years.

Thank you Mr. Chairman for this opportunity to testify.

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

MONDAY, APRIL 7, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
New York, New York.

NORTHEASTERN REGIONAL ISSUES

The subcommittee met, pursuant to notice, at 10 a.m. at Alexander Hamilton U.S. Custom House, One Bowling Green, New York, New York, Hon. John W. Warner (chairman of the subcommittee) presiding.

Present: Senators Warner, Moynihan, Baucus, and Lautenberg.

Also present: Senator D'Amato.

OPENING STATEMENT OF HON. JOHN W. WARNER, U.S. SENATOR FROM THE COMMONWEALTH OF VIRGINIA

Senator WARNER. The hour of 10 having arrived, we will commence the hearing.

I'm John Warner of Virginia. I'm flanked by my distinguished colleague, Mr. D'Amato; the ranking member of the subcommittee, Mr. Baucus; and our distinguished host today, the distinguished senior Senator from New York. And we're hopeful that our colleague from New Jersey will be joining us shortly.

Out of deference to Senator Moynihan, who is the great patron of ISTEA 1991, Senator Baucus and I will yield to have our distinguished colleague open the hearing, to be followed by our other distinguished colleague from New York, Senator D'Amato, who is chairman of the Banking Committee and has a very central part of the overall bill that will go forward.

Senator Baucus, would you like to say a few words?

Senator BAUCUS. Not at this time.

Senator WARNER. Senator Moynihan?

OPENING STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, U.S. SENATOR FROM THE STATE OF NEW YORK

Senator MOYNIHAN. Mr. Chairman, I do appreciate this courtesy, and I have the great pleasure to welcome you all, as does Senator D'Amato, to the Alexander Hamilton Building, formerly the United States Custom House here on the site of Fort Amsterdam.

At the time this building was erected in 1906, approximately half the revenues of the Federal Government came from Customs col-

lected in the port of New York, and we've been seeking some compensation for all those centuries of maintaining all the armies.

[Applause.]

Senator MOYNIHAN. But, just at a topical note, in 1807 at the Senate's request Jefferson asked for a Treasury report on the opportunity and the Constitutionality of Federal assistance for roads, the national road being his principal object in mind, and there were some pro and some against. The westerners, as you won't be surprised, were in favor of a road. Here in New York the people who collected all those tariffs, paid all those tariffs, said, "Our tariff money will just go to Montana." Well, I guess it wasn't Montana at the time, but they had something like that in mind.

This agreeable discourse has been going on for two centuries, and I look forward to joining with you this morning in continuing it.

[The prepared statement of Senator Moynihan follows:]

STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, U.S. SENATOR FROM THE STATE OF NEW YORK

Welcome to New York and this historic and beautiful Beaux-Arts building. Until the establishment of an income tax in 1913, the Federal government was financed mainly through the imposition of customs duties. New York being the busiest port, this Custom House became the nation's largest collector of such funds. The hundreds of millions of dollars in Federal taxes collected here were widely distributed to finance the development of the rest of the country. We were the ultimate donor State and much more. The interstate highway system was first envisioned in New York at the GM Futurama exhibit at the 1939 World's Fair, and then advanced in 1944 by President Roosevelt. The New York State Thruway was the system's first segment.

In 1991, working with my House counterpart Robert A. Roe of New Jersey, chairman of the Public Works Committee, we crafted legislation that addressed this nation's imbalance in transportation investment in favor of an intermodal, economically-efficient, and environmentally-sensitive approach. ISTEA also included a provision to pay New York, New Jersey and other states back for their contributions to the interstate system. ISTEA was the most important transportation bill since President Eisenhower's Federal-Aid Highway Act of 1956.

I thank my colleagues, Senators Chafee, Lautenberg, and Lieberman, for their advocacy of ISTEA, and Senators Baucus, Warner, Bond, Kempthorne, Reid, and Inhofe, who have publicly stated their support for its principles. This Subcommittee has held field hearings in Coeur d'Alene, Kansas City, and Las Vegas. This is, essentially, our first opportunity to hear from the 60 percent of the nation's population living east of the Mississippi. I look forward to the testimony.

Senator WARNER. Thank you very much, Senator.

Senator D'Amato?

STATEMENT OF HON. ALFONSE D'AMATO, U.S. SENATOR FROM THE STATE OF NEW YORK

Senator D'AMATO. Mr. Chairman, let me join in welcoming you to New York to this historic building, and to take the testimony on this most historic legislation that is about to be and hopefully will be reauthorized. ISTEA 1991 was probably one of the best pieces of legislation authored by Senator Moynihan as it relates to transit needs, particularly in urban areas.

It recognizes that the congested areas of America, the metropolitan areas, have unique problems. It recognizes that by making prudent investments we can get people to use mass transportation, not only eliminating much of the traffic, but also the pollution that we are concerned about.

I look forward to co-sponsoring what I think is a wonderful bill, the bill which Senator Moynihan, Senator Lieberman, and Senator

Lautenberg are introducing, that is the ISTEA legislation which will protect the formulas which are so important.

Need is the basic by which we attempt to operate on the Federal system. It is not per capita. It is not who has the most people, but where is the need for a particular program.

I think we have to look at that. I know some of my colleagues are saying, "Well, we want to take the gas money and distribute it on certain formulas with no relation or little relationship to need as it relates to mass transportation." Why, I suggest that there are various areas of the country that have certain unique needs that New York has little for as it relates to building great hydropower systems and dams, etc., and we have over the years financed that.

Indeed, Senator Moynihan has put forth and does every year a very interesting analysis as it relates to the amount of taxes collected and paid by New York residents per capita to the Federal Treasury. I must say that, while we collect a lot of money and send it down to Washington, we generally get back about $17 to $18 billion a year less than what we pay.

So if we were going to run everything on per capita, I'd take that. We'd get about $18 billion more.

So I'm just suggesting we had better be pretty careful if we are going to continue the unique Federal relationship between States and Federal Government and look to need.

We have 30 percent of the mass transit users nationwide—30 percent—and we get about 18 percent of the funding.

So I want to thank my dear friend and chairman for holding this very important hearing, because this is critical to our tri-State region, the ISTEA reauthorization. It is critical in moving hundreds and hundreds of thousands, probably 400,000 people that I can think of, or close to that, on just two lines, the Long Island Railroad and the Metro North. I think the Long Island Railroad moves close to 200,000; Metro North slightly less. But we're talking about lots and lots of people.

So when I begin to hear this business we ought to be guaranteed so much back from the gas tax, maybe we should author legislation we want to be guarantied so much back from the basic dollars we send to Washington. Let's get right to it. Give us back 95 percent of the money we send down there. We could do away with all these formulas.

But that's not the way we have been operating this country. We have been operating on the basis of need.

I ask my full statement be placed in the record.

[The prepared statement of Senator D'Amato follows:]

STATEMENT OF HON. ALFONSE D'AMATO, U.S. SENATOR FROM THE STATE OF NEW YORK

Good morning. I would first like to take the opportunity to thank Senator Warner and the members of the subcommittee for giving me the chance to participate in today's hearing. I would like to give special recognition to my colleague and friend Senator Moynihan, whose efforts in the area of Federal transportation policy have benefited New York and the nation.

The Senate Banking Committee, which I chair, has jurisdiction over the mass transit portion of the Intermodal Surface Transportation Efficiency Act of 1991 or "ISTEA." This critically important transportation legislation is due for reauthorization this year. We will be working closely with members of the Environment and

Public Works Committee in the coming months so that we may craft the best possible transportation bill.

Under ISTEA, we have continued construction on such vital projects as the 63d Street Connector. This tunnel will benefit millions of people who use New York City's Subways. It will provide increased capacity and reduce rampant overcrowding on some of the most crowded trains in the world.

We can continue this success with the funding of the Long Island Rail Road East Side Access Project, which Senator Moynihan and I have proposed. This project will bring the LIRR into Grand Central Station and reduce commuting time for millions of people traveling between Long Island and Manhattan. East Side Access would use the surplus capacity at Grand Central Station to relieve the rush-hour crunch at Penn Station. It would eliminate 94,000 daily crosstown trips, including 12,000 daily automobile trips. This would improve air quality and decrease gridlocked rush-hour traffic in midtown Manhattan.

I firmly believe that ISTEA was good transportation policy in 1991 and it remains good transportation policy in 1997. It sets an appropriate role for the Federal Government to continue to invest in the nation's transportation systems. Therefore? I will cosponsor the ISTEA reauthorization bill developed by Senators Moynihan, Lieberman and Lautenberg. This bill continues the basic ISTEA structure and its needs-based formulas, while updating those programs and allocation formulas that are outdated.

Recently, the President submitted his proposal for ISTEA reauthorization. The President's bill contains a 10 percent increase in highway spending and new Finding for Amtrak, but reduces mass transit funding by $1 billion. This is penny-wise but pound foolish. Mass transit is the most efficient and environmentally friendly mode of transportation, and I would like to hear why the President's budget doesn't emphasize mass transit.

There are some who propose to base highway funding formulas on the amount of Federal fuel taxes that each state sends to Washington. This proposal would reward increased fuel consumption and lead to increased congestion and air pollution. It would reward states for increased use of foreign oil. It would penalize areas like New York that have invested in efficient mass transit systems. That's not the way to go.

New York State sends $18 billion more to Washington in taxes than it receives in Federal spending. Per capita, New York ranks 11th in the Nation in Federal taxes collected and 42nd in Federal spending. No one can deny that New York pays its fair share. It would be wrong to penalize my state for having an efficient mass transit system. Senator Moynihan and I will fight to make sure New York gets its fair share.

ISTEA has also linked Federal transportation policy to environmental policy. The results have been impressive. The Congestion Mitigation and Air Quality Improvement Program or "CMAQ," has provided Federal money to localities for the purpose of implementing transportation programs to reduce vehicle pollutants.

In New York State, $400 million in CMAQ money has been used since 1991 for such projects as improving the New York City subways and purchasing fleets of clean-air buses in both urban and rural areas. I am proud to say that, since 1988, I successfully fought for an additional $75 million to purchase 208 clean-air buses and related facilities throughout New York State. These projects have gotten commuters out of their cars and onto mass transit. This has had an immense positive impact on air quality in New York State, while improving our transportation system. We must continue to encourage states and localities to utilize clean-air technology to benefit the environment.

ISTEA was landmark legislation that established a partnership between Federal, state and local governments to improve our Nation's transportation system. Local Metropolitan Planning Organizations or "MPOs" were given an equal voice in deciding where and how transportation projects were implemented. This partnership has been the cornerstone of transportation policy since 1991, and we must build on it if we are to continue ISTEA's success.

I want to thank you again, Mr. Chairman, and our ranking member, Senator Baucus, for taking of your time to be here, and congratulate Senator Moynihan for calling this hearing, and also for, once again, coming forward as it relates to the reauthorization of this important legislation.

Senator WARNER. Thank you very much, Chairman D'Amato.

This is a very impressive list of witnesses. Senator Baucus, the ranking member, and I made the decision that we would take this

very critical issue to America, and this is our fourth hearing outside of the Nation's Capitol.

Senator Baucus?

OPENING STATEMENT OF HON. MAX BAUCUS, U.S. SENATOR FROM THE STATE OF MONTANA

Senator BAUCUS. Thank you, Mr. Chairman.

Mr. Chairman, first I want to say I know you join me in how honored we are to be with two of the Senate's premier Senators, Senators Moynihan and D'Amato, here in New York City. It's an honor for us to be here.

Second, as I'm sure most in the audience know, this subcommittee has held a good number of hearings around the country. One is in Coeur d'Alene, Idaho, another in Nevada, a third in Missouri, and here we are now in New York.

As everyone might guess, each part of the country has its own specific, unique needs, and I'm sure that here today we are going to hear more of the specific, unique needs of New York City, New York State, and particularly the northeast region.

I might say, too, that it's very appropriate that we're holding the hearing today. I'm often reminded by the senior Senator from New York of the 1939 World Fair, the Futurama exhibit which laid the seeds for later conception and development and construction of our interstate system. The Futurama, of course, at that time, 1939, suggested something along those lines. It wasn't then financially or technically feasible, but it was the beginnings and it's just another example of the kinds of references that the Senator from New York makes about needs for the future. He's always ahead of the rest of us, and that was just another example of how he was very prescient in developing the interstate highway system at a later date.

ISTEA, as we all know, is a pretty good bill. The current highway transportation program we have works pretty well. It gives various parts of the country significant flexibility. In the west, for example, I can testify that we rely very much upon highways. ISTEA enables us to make best use of the programs in ISTEA for highways. We have such long distances to travel, such open space, so few people. On the other hand, here in New York you rely proportionately much more on mass transit. You have other unique needs that we do not have in Montana. ISTEA does allow a lot of that flexibility.

So essentially, Mr. Chairman, I'm here to learn. I'm here to listen. Just as a young lieutenant in 1919, in the U.S. Army, Dwight Eisenhower, learned when he traveled across the country about the need for a national interstate system, I am here to listen and learn about the unique, specific, and important needs of the northeast.

I thank you very much for having this hearing here.

Senator WARNER. Thank you very much, Senator. Again, you will be pivotal in the decision that will be made final on this bill, and I'm delighted to work with you.

We now have been joined by another member of the committee, the distinguished Senator from New Jersey, Senator Lautenberg.

OPENING STATEMENT OF HON. FRANK R. LAUTENBERG, U.S. SENATOR FROM THE STATE OF NEW JERSEY

Senator LAUTENBERG. I thank you very much, Mr. Chairman.

I don't want to say why it is that I was late this morning.

[Laughter.]

Senator LAUTENBERG. But it's a perfect coincidence with the subject at hand. It's called traffic.

We are delighted to be here this morning with colleagues not from the region so that they can get a look at what it is that's happening here.

We're delighted to welcome you to New Jersey's favorite suburb.

[Laughter.]

Senator LAUTENBERG. I'd like for just a moment to focus on our State and our region. We are inextricably intertwined. What happens to one of our States happens eventually to both of our States in terms of infrastructure and transportation.

ISTEA, which was adopted 6 years ago, was good for New Jersey, good for the region, and, frankly, good for the entire Nation because it affects the way our commerce functions, the way our products are exported, the competition that exists between us and other parts of the globe, and it's an ever-shrinking domain.

New Jersey happens to be a corridor that links commerce and travel to the northeast and the rest of the country. The challenges that we face are challenges that the entire Nation has faced and will face again.

Too often there are jokes made about where do you live in New Jersey, what exit. We don't see the humor in that, as a matter of fact, but we do see the result, the congestion, the pollution, the delays, all of that.

If it weren't for the fact that we had ISTEA with its flexibility, Mr. Chairman, and my dear close friend from across the river, we wouldn't be able to function at all.

Again, the penalty would be national, not just local or regional.

Well, thanks to ISTEA New Jersey is at the forefront of improving the speed of national and international commerce. From the moment goods arrive at the ports of Elizabeth and Newark, they're loaded onto rail cars or on trucks, distributed to the rest of the country. In fact, goods traveling just 24 hours on a truck from New Jersey will reach a market of 40 percent of the populations of the United States and Canada, over 100 million people.

We know ISTEA has worked for the country because it has worked in New Jersey and it has worked in other places. I've gone out to Montana, to my good friend Senator Baucus' State. We hear lots of jokes that they make about New Jersey and New York, but I can tell you—and I've said this to you before, Senator—look at the distance that you can see. You get up in the Empire State on a day like this and you can see quite a distance compared to those mountains that have nothing in front of you except space.

[Laughter.]

Senator LAUTENBERG. New Jersey has its densely populated inner cities, planned communities, sprawling suburban, rich farmland, and vast protected open space; miles and miles of roads, rails, runways, bike trails, and coastline.

My good friend, Pat Moynihan, likes to say ISTEA stands for intermodal, which means connections through every mode of transportation.

No State is more intermodal than mine or New York State or California. Well, not enough in California, but we'd like to see that change.

New Jersey is also a commuter State. Millions of New Jerseyans face serious commutation problems every day. There are more cars per mile on New Jersey roads than any other State in the country. But, like so many other areas in the country, there is no place else to lay more concrete, so we cannot simply build ourselves out of congestion. I think the Governor is certainly aware of that.

That's why States like mine, like ours, are so heavily dependent on mass transit. For example, we recently opened a direct line called "Midtown Direct," simply enough—an urban core project which was inaugurated just 8 or 9 months ago. That line now goes direct to Manhattan without intermediate stops. Within weeks the ridership doubled in its projections. Transit in New Jersey is well-used and, frankly, much beloved.

ISTEA's focus and its flexibility to move goods and people efficiently has given States and localities more free reign to decide what transportation systems worked best for them, and that, again, is a testimony to the wisdom and the clarity of the vision of Senator Pat Moynihan.

What transportation works best is what the States ought to be able to have a chance to choose.

New Jersey, for example, has enthusiastically opted to use over $163 million of ISTEA highway funds for transit over the life of ISTEA, and I don't know what it matters to those States who don't have the same transit need.

We say, "Use your money for highways. Use it as you see fit. But let us use it where it's most efficient."

Other States use their funds as they see fit, and that's the way it ought to be. So ISTEA couldn't have a better laboratory than New Jersey, than the region. ISTEA has worked for our cities, our counties, our environment, and for our economic well-being.

Let us build on the success of the past and not turn back the clock on transportation progress.

I thank you very much, Mr. Chairman, for the opportunity to be here.

Senator WARNER. Thank you very much, Senator.

You mentioned your tardiness as occasioned by mass transit. Chairman D'Amato, that's your section of the bill. What's your answer to getting him here on time in the future?

Senator D'AMATO. Continued transit aid and enough money for new starts to continue the projects that we have envisioned.

[Applause.]

Senator D'AMATO. But, Mr. Chairman, let me say that the mass transit part of the bill, the jurisdiction falls under the Banking Committee, and I look forward to having our two committees, the Banking Committee and the Environmental Committee, work together so that we can continue to keep that important relationship and the proper balance of highways, mass transit, and, of course, to deal with the issue of how do we move these millions of people

in the most cost-effective manner in a way that environmentally is the soundest?

We have a project, the East Side Connection project, for example. It will take literally thousands of car trips it will eliminate across town at the present time. It will make it possible for 50,000 commuters who now find themselves in one part of New York and then have to take a taxi or subways over to the other part of the city, and at the end of their day's work come back again—will save them, at today's rates, $3 a day, almost close to an hour a day in transportation. That's the kind of investment that will pay great dividends, and those are the kinds of things we are looking for.

I look forward, Mr. Chairman, in a cooperative effort of our two committees working together, to protecting the needs of all of our people.

Senator WARNER. Thank you, Senator. We will do that.

I'd just like to take a few minutes first—particularly I'll refer to the Governor momentarily, but to welcome all who have taken of your time to join us today.

I had an opportunity to visit with some in the back rows there from the Engineer's Union, and therefore I'd like to just give you a little background on this particular piece of legislation, its importance not only to New York but to the entire country.

First, it is the second-largest money bill that will be addressed by Congress this year of unrestricted funding—that is, outside of the entitlement area and other legislative mandated budgetary requirements on the Congress. It's the second-largest, the first being the Department of Defense. That gives you some idea of the magnitude and the dynamics of the politics brought to bear on this issue.

When you speak politics, immediately you think republican and democrat. There is no republican/democrat politics in this bill. There is no conservative/liberal politics in this bill. This is each Member of Congress, be he or she in the Senate or the House, fighting vigorously for the interest of their State primarily, the interest of their region secondarily, but I hope overall that we will come together, probably not before late September, to decide what's in the best interest of the United States of America.

I underline that because here we are in the greatest financial district of the world. It's a crossroads of commerce. And we're in a one-world market today, competing with the entire world.

Transportation gives us the needed leverage to compete, and compete in many areas successfully. As Senator Lautenberg said, when that truck leaves his plant, those goods are on the counter of that merchant the next day or that night, and those in Asia and Europe cannot compete with that. But that can only continue if we lay down the infrastructure, building new, yes—but, Governor, you know how important it is to refurbish what you now have. That's the key, my good friends.

There is one element of politics, and I address my distinguished friends and colleagues on the left, and that is I frankly fault the President of the United States in not recognizing the need to get additional funding out of the highway trust fund into the hands of the several States for their discretion as to how best to spend those funds. It's as simple of that.

There is an accumulated surplus in that highway trust fund now. The Department of Transportation, the President's own Secretary of Transportation, has testified repeatedly before this subcommittee and the Congress that the $20 billion or $21 billion, whatever may come out in the final President's bill, is simply inadequate. We need to be putting $40 to $50 billion into our infrastructure nationwide in order to just maintain where we are today and get that margin of research and development, modernization in areas of safety, modernization in improving the impact on the environment, which is very critical, of the transportation.

So I say to my friends: help us as we deal with the President and his Secretary of Transportation to get this funding up and to release from bondage the dollars that have been paid through the gas taxes by the American workers.

Thank you very much.

[Applause.]

Senator WARNER. Now, Governor, we will put your entire statement in. I'm anxious to hear your remarks. It was a beautifully written statement, and I have to tell you I leave hear learning a bit of history. You said the Brooklyn Bridge was 1883. That was the year in which my father was born. That got my attention. My father later went to New York Medical School and was a practicing surgeon in this great community of New York City for many years. So you got my attention.

We welcome you, Governor. We see our second Governor has arrived. We'll have the distinguished Governor of New York lead off.

Governor Pataki?

STATEMENT OF HON. GEORGE E. PATAKI, GOVERNOR OF NEW YORK

Governor Pataki. Thank you very much, Chairman Warner. We are very grateful that you've taken the time to hold these hearings across the country and come to New York today. Ranking member Senator Baucus, we very much appreciate your participation and your interest and your being here.

Just as an aside, as you'll hear from the comments, as Senator Warner indicated, the year the Brooklyn Bridge was built was 6 years before Montana even became a State.

[Laughter.]

Governor Pataki. And today it is still taking thousands and thousands of people every day across its spans, and it points out the need for us to continue to reinvest in the infrastructure that was put in place.

Senator Lautenberg, thank you for being here. I'd apologize for your being late, except I'm sure the traffic delays occurred on the other side of the river and not here in New York.

[Laughter.]

Governor Pataki. Senators Moynihan and D'Amato, I cannot thank you enough because I don't think any State in America has two Senators who are more committed or more tenacious in fighting for the interests of the people than you have been. We thank you on behalf of the people of New York for that.

Senator Warner, if I might, before I read part of the comments—I'll try to skip some of it so we don't take too long. You began by

saying that, of course, the Senators are representing the interests of their States more than a partisan or ideological fight in the ISTEA reauthorization, the interest of the regions.

I want to stress that while, obviously, my testimony reflects the needs of the State of New York and the people of New York and the region of the northeast, that I have no doubt that reauthorization of ISTEA in the manner that it presently exists is not just in our personal interests here in New York but in the national interest, and will allow us, as you indicated, to continue to generate the economic activity, to be the center of commerce, to be the center of finance, the center of media, not just for America but for the world, so that we can continue to generate those revenues that provide that $18 billion surplus from what New York sends to Washington.

So I truly believe that reauthorization of ISTEA is critical to the national needs as well as to the State of New York.

Let me just pause to introduce Senator John Daly, Commissioner John Daly, former State Senator, former DOT commissioner, who is spending full time traveling around the States and to Washington making the case for the reauthorization of ISTEA because it is so absolutely critical for the future of New York State.

ISTEA is an historic and effective approach to national transportation policy. Its basic principles of shared responsibility for national transportation interests among Federal, State, and local agencies, the encouragement of public participation in the planning process, and the promotion of environmentally sound intermodal transportation projects must be retained.

ISTEA represents a dramatic shift in the way the Federal Government finances transportation improvements, recognizes how inter-dependent the States' economies are, and contains flexible programs to benefit the entire Nation as a whole.

Senators I CONGRATULATE YOU. ISTEA has worked for the Nation and it has worked for New York. The programs embedded in the existing law must be continued with some streamlining that will make this good law even better.

The needs-based formulas in ISTEA should be continued with some updating to reflect modern factors. State, local governments, and regional organizations have invested significant time and resources implementing this landmark legislation, and we have made it work.

ISTEA does not need a major overhaul. The ISTEA reauthorization proposal cosponsored by Senators Moynihan, Chafee, Lautenberg, and Lieberman, which keeps the innovative programs intact and updates allocation formulas, is the right approach and one New York State strongly supports.

Past investments in transportation infrastructure have failed to provide improved safety and mobility, promote interstate commerce, and enhance the environment.

The Federal Government must continue to be a strong partner with the States to assure that these investments are not wasted as a result of a diminished Federal commitment to the Nation's infrastructure.

Let me emphasize that a continued Federal role does not remove or lessen the responsibility that States have in utilizing State assets to maintain and improve our own transportation systems.

I point proudly to the high level of effort in New York State. New York State is currently implementing a 5-year capital program which will invest $24 billion—$12 billion for highways and $12 billion for mass transit—in our transportation system.

In New York, 75 percent of our transportation capital program and 60 percent of our highway and bridge capital program is funded with State and local funds, the highest level of State and local effort in the Nation. We are not asking you to do something for us that we have not committed to do for ourselves. We simply want your continued help.

Certain States are allocating Federal funds be based on gasoline tax. This is wrong. Where the funds are raised should not be the major consideration in distributing funds to rehabilitate roads, to replace deficient bridges, replace deteriorated public transportation equipment, or reduce congestion and provide cleaner air.

Distributing Federal transportation dollars primarily based on where the gas tax is collected is simply devolution in disguise, and it's the first step toward eliminating the Federal role in transportation funding.

If we're simply going to give the States back the taxes generated in those States, why is there a Federal role necessary at all, and why do we have a Federal policy? The next step would be to eliminate that Federal role and lose the national benefit that has come from programs like ISTEA.

Opponents don't recognize that transportation systems do not end at the State line, and therefore the Federal Government must play an important role in ensuring that the Nation's transportation network operates effectively and efficiently. And this is particularly true in some of the more rural States of America where, if it were left simply to the taxes raised by some of those rural States, they could not have the necessary mass transit or Federal interstate highway system necessary so that we can get from one region of the country to the other.

There is a critical Federal role, and that Federal role would be obviated if we simply went and gave back to the States what was raised within those States.

I realize that some will claim that New York and other States support ISTEA because we're receiving more in Federal transportation funding than we collect in gasoline taxes; however, as Senator D'Amato pointed out, the JFK School study from Harvard that Senator Moynihan has had done every year shows that New York State sends $18 billion more to the Federal Government than it receives each year.

You cannot in fairness take one program and say that New York does disproportionately well in this program and thus should lose funds without looking at the totality of what we do to support the Federal Government and the Federal programs. ISTEA should not be allowed to be isolated and separated in that way.

New York, due to its older infrastructure and colder weather, has greater transportation needs than States with warmer climates or more modern infrastructure. In fact, many of New York's bridges were built in the 19th century, and we talked about the Brooklyn Bridge, which was built at a time when there were only 38 States in the Union.

Today, as I indicated, that bridge still carries tens of thousands of people a day into the city, helping generate the commerce and the tax revenues that support the Federal Government.

Proposals that base funding distribution on gas tax collections would also penalize New York State for a strong transit program, which is a major contributor to achieving Federal transportation, air quality, and energy goals. Their approach would punish those States that emphasize good public transportation by reducing Federal aid, contrary to the national policy that encourages the use of public transportation.

New York State is undoubtedly the most intermodal State in the Nation. It is home to one-third of the Nation's transit riders on systems that range from the massive New York Metropolitan Transportation Authority right here to one-or two-bus rural transit systems that provide critical mobility in the rural parts of our State.

Over 6.7 million people enter the Manhattan central business district each day, 2.3 million by auto and 4.4 million by mass transit.

New York's transportation system is not just important to New York; in fact, over 450,000 from neighboring States come to Manhattan to earn their living. But just think of it: 4.4 million people a day coming here by mass transit, and those from out of the State, alone, making 900,000 interstate trips, enough to fill 70 freeway lanes.

In the northeast we face the dual problems of congestion and pollution, but we're finding they can be tackled simultaneously. ISTEA has helped us to improve air quality and the environment. The law established the innovative CMAQ program to help meet air quality standards in many of our large cities and to help maintain air quality improvements that have been made over the last 6 years in other communities.

Let me briefly discuss an equity issue that affects New York and many other States, and this is something that Senator Moynihan has brought to the attention of Congress time and again.

An important part of ISTEA was the fulfillment of a promise made 40 years ago by Congress to repay States that constructed interstate highways without Federal funds. While many southern and western States benefited from 90 percent Federal funding, other States in the northeast and midwest had already built much of their interstate network with local funds.

Congress knew of this, and in 1956 called for a study to see the cost, to reimburse States for donating those segments to the interstate. Through the efforts of Senator Moynihan, Senator D'Amato, and others, ISTEA has begun this repayment.

Congress must not back away from this commitment. The Federal promise to those States must be kept in the reauthorization of ISTEA. This is our equity program.

New York is one of 17 States belonging to the ISTEA Works Coalition. This broad-based Coalition involves States from every part of the United States that support retaining the core programs, including the bridges program, the congestion mitigation and air quality, CMAQ program, the interstate reimbursement program, and continuing the Federal commitment to improving public transit.

The Coalition also supports maintaining the Federal Government's role as a key transportation partner to help fund highway, bridge, and transit projects, as well as to provide a national focus on related national goals, such as improved air quality, economic competitiveness, and improved quality of life.

While I can sympathize with the desire of other States to increase Federal funding for their States, robbing Peter to pay Paul is not the answer. New York and the northeast have documented transportation needs and have been willing to raise State and local funds to help pay for these needs. The FHA has a report that compares the level of State and local effort of the 50 States. New York has the highest level of effort, while many of the so-called "donor States" are among the lowest.

Our level of effort creates to a 96-cent gasoline tax. If you combine the highway tolls, the fares that people pay, the bridge tolls, our level compares to a 96-cent gasoline tax. Delaware is the second State, with a 61-cent comparison, and Georgia, one of the most vocal of the so-called "donor States," is last at 12 cents. A State like Connecticut, which also has the high level of effort, highest gas tax in the Nation, should not be forced to raise its gas tax further to offset Federal funds that would be transferred to those States with a low level of effort.

Let me just summarize in closing here, Senators, that ISTEA has worked. It's supported by 17 Governors, the League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the American Public Works Association, the metropolitan planning organizations, transit systems, environmental groups, and many, many others.

When you go back to Washington and make the critical decisions facing Congress and this country, you, of course, represent your States. But, Senator Warner, you said the most important thing, that while you represent your States and your regions, the national interest must come first. Reauthorizing ISTEA as is presently constituted is not just in the interest of New York and the northeast, it is in the national interest and should be achieved by Congress this year.

Thank you very much. Thank you for the opportunity.

Senator WARNER. Thank you very much, Governor.

[Applause.]

Senator WARNER. My understanding is that the Governor of New York and the Governor of New Jersey are about to yield to allow the mayor of New York City to testify before we proceed with your testimony and such questions as the panel may have.

Do I understand the mayor is present?

Thank you, Mr. Mayor. Glad to have you.

[applause.]

Senator WARNER. Thank you, Mr. Mayor. The entire statement which you are about to give will be placed into the record, and you may proceed as you wish.

STATEMENT OF HON. RUDOLPH W. GIULIANI, MAYOR OF NEW YORK CITY

Mayor Giuliani. Thank you very much, Senator. Welcome to New York City.

I want to extend my thanks to the Senate Committee on Environment and Public Works and its Transportation and Infrastructure Subcommittee for inviting me to speak at this very important field hearing on the reauthorization of the Intermodal Surface Transportation Efficiency Act.

In particular, I'd like to thank you, Senator Warner, the subcommittee chairman, Senator Baucus, the ranking member of both the committee and subcommittee, our esteemed Senators Moynihan, D'Amato, and Lautenberg for all of the attention that you are paying to this. I appreciate it for the people of the city of New York.

I want to thank Governor Pataki for the leadership that he has shown on this issue for the good of the people of the city and the State, and Governor Whitman for the cooperative spirit and understanding that this is something that affects an entire region and is important to all of us.

As Congress engages in the debate on the reauthorization of ISTEA, I urge you to consider New York City's perspective on this landmark legislation and its particular impact on the city of New York, the surrounding region, and, in particular, on cities and urban centers nationwide.

Since its enactment in 1991, ISTEA has been a catalyst for projects and initiatives that are designed to meet the important objectives of enhancing transportation mobility, improving environmental quality, and increasing economic development. Preserving the fundamental structure of ISTEA is essential in order to continue developing a national intermodal transportation system that effectively secures America's leading role in the global marketplace.

In fulfilling this policy goal, the most important feature of ISTEA for New York City has been the flexibility that it has given us in determining transportation solutions for what is an enormously complex transportation system in the city of New York.

In a city the size and density of New York, the transportation system is the lifeblood of our economic vitality. Sometimes it's critical for reasons of saving lives, the ability of emergency vehicles to be able to move through the city of New York quickly, safely, efficiently. And it's also vital to creating a hub that maintains both the city's economic vitality and the quality of life for its citizens.

I often refer to the city of New York as the capital of the world, and for reasons that I think are apparent. We're significant, and the world's most significant business center, a center for finance and commerce. We're home to six of the world's top ten security firms. Ninety-three of the world's top one hundred banks have their principal office or a main office in the city of New York. We're a major retail and fashion center and advertising and communications center.

As the leading United States destination for overseas visitors, much of the economic vitality of the United States and a lot of the reputation of the United States is developed by what people think of the city of New York.

What makes this concentration of economic activity possible is the Nation's most complex transportation system. In a very small geographic area, really, that can be summarized as three islands and a peninsula, we move over a million cars a day, well over five

million riders from three States, at least, in mass transportation. And, while our transportation infrastructure is enormously extensive and has been described by a number of people as a manmade natural resource, it is also old and aging and in need of significant rehabilitation.

ISTEA recognizes that there are many components of the transportation network and that an essential policy goal is to create and improve existing intermodal connections that provide key regional links for the city of New York and for other urban areas in the United States.

A primary focus has been the need for capital investment in what already exists, the infrastructure that already exists of bridges and roadways and transit systems.

As America's economy becomes more international, our cities become more important to us than they ever were before, and in that respect our largest city, New York, becomes even more important, not only to all of us who live here, but to the entire country, as a way in which we are going to effectively compete with countries around the world.

Investing in the transportation infrastructure of our urban centers to improve access and mobility means not only investing in them but investing in the ability of America to compete with European cities and Asian cities and cities in South America and other parts of North America.

We need to realize what many European and Asian nations realized a long time ago: that an investment in the principal cities in those nations is an investment in the nation's economy; that this isn't an either/or game that we're playing here. If we invest in New York City, we're investing in America.

The Governor, quite correctly, has emphasized the numbers and the analysis done, I think beginning 20 years ago by Senator Moynihan, which shows that New York State contributes far more to the Federal Government than we receive back.

New York City is a very substantial portion of that deficit. But what that does show is this is a source of great wealth and a source of great capital for America, and preserving its infrastructure is necessary if we expect that 20, 30, and 40 years from now New York City, New York State, this region, New Jersey, Connecticut can produce as much.

Over the next decade, the city will have to spend over $4 billion to maintain and repair hundreds of bridges and elevated structures. In particular, the East River bridges are among the Nation's oldest and busiest spans, and they're truly intermodal. They carry some of the Nation's most crowded subway lines, as well as cars and trucks and just about every means of transportation—passengers and bicycles, as well.

To preserve these vital links and reduce repair needs, New York City's Department of Transportation has successfully used ISTEA funds to introduce a comprehensive program of preventive maintenance so that these bridges do not in the future fall into the disrepair that they did in the late 1970's and 1980's and into the early 1990's.

At the same time, however, New York City has to meet the transportation needs of the future and of the 21st century.

My Administration has taken steps to assure New York City's future role in international commerce by advancing the construction of a freight rail tunnel across our harbor, along with the development of a hub port to handle the megaships of the future.

We've also strongly supported the long overdue creation of direct rail links with the airports so that New York City can move into the 21st century as a transportation center.

New York has been among the national leaders in the introduction of advanced transportation technology. Given the heavy congestion of our roads and rails, along with the fiscal constraints on all of us, we need to sensibly manage our roadway network and transit systems.

Along with my testimony I'm submitting a report that's prepared by a city-wide inter-agency task force that outlines New York City's perspective on what has been accomplished under ISTEA, and it really is considerable. The report highlights the successful innovations using funds for enhancing the movement of goods, promoting high-speed ferry service—if we are three islands and a peninsula, which we are, we should be using our waterways more, and we're successfully doing that, with your help—extending our bicycle and pedestrian network, and encouraging the introduction of clean-fueled vehicle taxis and buses.

In closing, I want to reemphasize that cities are the Nation's economic centers, and in an increasingly competitive world economy, cities are going to be even more important to us than they have been in the past. It's time for Washington to invest substantial resources in the success of America's cities.

This program has been one that has moved us in the right direction. Our transportation infrastructure, our roads, our bridges, our tunnels, our rail links are key to America's economic future.

Washington's responsibility for regulating interstate and international commerce should extend, as it does now, but it should continue to help maintain and improve our transportation infrastructure. In fact, by providing funds to upgrade transportation links with America's cities, the Federal Government will realize a great dividend in terms of increased commerce and increased trade and an increased share of the international economy.

Cities are the way America competes in the global marketplace, to a very large extent, and there is no better way to ensure America's future than to invest in the infrastructure that already exists in our city to move people and goods.

I thank you again for the opportunity to present New York City's views and concerns. I thank you very much for holding this hearing here, because it's of great significance to us. And I hope to work with you toward the reauthorization of ISTEA during this Congressional session.

Thank you very much.

Senator WARNER. Thank you, Mayor Giuliani.

Senator MOYNIHAN. Mr. Chairman, before our distinguished guest, Governor Whitman, speaks, I think it would be appropriate to note we've heard so many nice remarks about the legislation we're proposing to reauthorize. The principal author, Bob Roe of New Jersey, is in the audience, and I'd like him to be recognized.

[Applause.]

Senator WARNER. Well-deserved recognition.

I remember the conference. I was then in the back row then; the next conference I'm in the front row. But you treated us very fairly.

Senator MOYNIHAN. It was a unanimous conference.

Senator WARNER. Thank you.

Governor, we appreciate your indulgence. We're delighted to have you today. Thank you. Please proceed as you wish. Your entire statement will be admitted to the record.

STATEMENT OF HON. CHRISTINE TODD WHITMAN, GOVERNOR OF THE STATE OF NEW JERSEY

Governor Whitman. Chairman Warner, members of the subcommittee, good morning and thank you very much for the opportunity to speak before you this morning.

On behalf of the residents of the State of New Jersey, let me just say that I urge you to reauthorize the Intermodal Surface Transportation Efficiency Act without substantive change.

Six years ago the Congress demonstrated remarkable leadership and vision in crafting ISTEA. Truly a piece of landmark legislation, ISTEA charted a course for a new transportation era in America, and I urge you to build on its accomplishments, not to abandon them.

Reauthorization of the Nation's highway and transit program is one of the most important issues facing the 105th Congress. Our ability to sustain and to strengthen the national transportation system is the cornerstone of our Nation's prosperity into the next century. The reauthorization of ISTEA must ensure that all States can meet the challenge of moving people and goods safely and efficiently.

New Jersey is one of the most critical links in the Nation's transportation infrastructure system. Located between two great metropolitan areas and situated in the middle of the northeast corridor, New Jersey's roads are the most heavily used in the Nation. Some 60 billion vehicle miles are traveled on the State's roads annually. Vehicle miles in New Jersey have increased 170 percent in just the past 30 years, while our population has only grown by 27 percent.

New Jersey, through its rail, maritime, and aviation facilities, is a critical gateway to the global marketplace of U.S. industries. New Jersey is the heart of the Nation's largest market. It is within 1 day's travel of 100 million consumers. Of the Nation's total freight, 10 percent either originates, terminates, or passes through New Jersey—850 million tons a year. Of this tonnage, 59 percent is strictly through-traffic—freight having neither its origin nor its destination in New Jersey.

New Jersey's roads are under enormous strain. Of New Jersey's roadways, 30 percent are congested during peak commuter hours. Most of our highway network is over 30 years old. Of the 2,500 State bridges, 44 percent are functionally obsolete or structurally deficient. Of our road pavement, 30 percent is in fair or poor condition.

Infrastructure investment to meet these challenges is one of my highest priorities and a longstanding commitment of the New Jersey Legislature. While this subcommittee's jurisdiction does not in-

clude public transportation, I'd like to mention the important role public transportation plays in New Jersey.

Over 1.1 million daily riders use New Jersey's public transit network, which was originally built by the private sector. During peak hours, 87 percent of all commuters going from New Jersey to Manhattan use public transit, as do more than one out of every two commuters from New Jersey to Philadelphia. Bringing our public transit network into good repair will require an investment estimated at $2 billion.

In 1984, New Jersey established a dedicated transportation trust fund. From 1990 to 1995, the State trust fund investment was $565 million annually, and since 1996 the State trust fund investments have increased from that $565 million to $700 million annually. And in fiscal year 1998, which begins on July 1 for us, we will be asking for a one-time increase in the cap to allow us to spend $900 million.

In fiscal year 1998, 50 percent of the State's highway capital investment will be funded by New Jersey dollars. Combining our trust fund with our toll roads and public transit investments, New Jersey spends over $2 billion in non-Federal resources on its transportation system every year. Yet, as the subcommittee can see, we still have tremendous needs.

The concerns that I have raised are not unique to New Jersey, but they demonstrate a key reason why the distribution of Federal highway funds should be based on need. Any formula considered by Congress must recognize that New Jersey, the northeast, and port cities like Norfolk and Chicago have older, more heavily used, and more multi-modal transportation systems than in other States.

I believe that the distribution of Federal highway funds should be based on the age and condition of the State's infrastructure, the State's traffic density and congestion levels, total freight movement on the State system, each State's total transportation investment, and the air quality goals to be met.

The one factor that should not determine the allocation of funds is where motor fuel is sold. You may buy gas in New York and drive to Virginia, but you go through New Jersey.

Let me also address the issue of why air quality and the congestion mitigation and air quality program are critical.

Air quality and transportation are inextricably linked. Because States like New Jersey, New York, and Connecticut are burdened with air pollution from States in the midwest, we are required to spend millions of dollars in additional transportation improvements to help us meet Federal clean air standards. Mobile source emissions contribute greatly to our air quality problems. The CMAQ program directs funds to the Nation's most polluted areas based upon the population affected by that pollution.

Discussions are underway to modify that formula to include the severity of the pollution problem. New Jersey supports those discussions. Those who argue that New Jersey receives a disproportionate share of highway trust funds must also concede that we receive a disproportionate share of the Nation's dirty air.

At the same time, the formula should assist other States that are seeking to improve their transportation networks—States like Mis-

souri, which is struggling to address a traffic fatality caused in part by the State's many two-lane roads.

Further, we must be sensitive to small population States with large land areas such as Montana and the Rocky Mountain States. Distribution formulas have to recognize their unique concerns, as well.

While each State should be guaranteed a minimum allocation, this guarantee should not and cannot result in a dramatic shift of funds from one region of the country to another. We are one Nation with common goals and common wealth, not a commonwealth of 50 nations. That is why New Jerseyans send $17 billion more to Washington than we receive back in Federal benefits, which places us 49th out of all the 50 States.

New Jerseyans contribute to the Nation's common wealth in greater proportion than we draw from that wealth except in transportation, where our needs exceed our contributions to the highway trust fund. But it is also true that our transportation system keeps America's economic engine going.

America's transportation goals should be to ensure the best, the safest, and the most competitive transportation network that this Nation can afford. To achieve this, we must direct our finite resources where they are needed the most.

The reauthorization of ISTEA must recognize and fund investments that are strategic to the Nation's economy, help our Nation to better compete in the global environment, and ensure the infrastructure renewal of our existing transportation systems.

Setting aside the formula issues, the basic program structure of ISTEA is sound and should be preserved.

ISTEA directs funds to ensure system preservation and economic growth. ISTEA increases State funding flexibility, encourages intermodalism, promotes regional decisionmaking, and links transportation investment to air quality objectives.

Simply put, ISTEA works.

Streamlining can be achieved largely through regulatory change. I urge this subcommittee to identify specific areas of regulatory change and direct U.S. DOT to implement these necessary changes.

I am committed to supporting these changes and will support the subcommittee with my recommendations and provide them with my recommendations in subsequent material that we will send to you.

The bottom-line goal of ISTEA reauthorization is to make our Nation strong. To achieve this, we must direct resources to bring our existing infrastructure into a state of good repair; provide congestion relief so that we reduce the cost of shipping goods and increase the productivity of Americans who are otherwise stuck in traffic; improve access to our ports, airports, and rail terminals; encourage each State to maximize its total transportation investment, while recognizing that some States are not in a position to spend enormous resources due to their small populations and large land areas; provide resources to address the air quality goals of our Nation.

Mr. Chairman, members of the subcommittee, thank you again for the opportunity to testify.

I neglected to introduce at the beginning but I would like now to introduce my Commissioner of Transportation for the State of New Jersey, John Haley.

Senator WARNER. Thank you very much, Governor.

[Applause.]

Senator WARNER. We'll now proceed to questions, and the Chair is going to have these lights. Each Senator has 5 minutes, and that includes the asking and the receiving of the answer, because we've got a very, very impressive array of witnesses, and we want to stay on schedule.

My question to each of the three witnesses is the same. Senator Baucus said most correctly we're here to learn, and you have given us good statements—excellent statements, I may say. But I'd like to have you succinctly tell me what, if you were king or queen for the day and could write into this bill provisions, what's the first, second, and third priority that you would put into this bill?

Governor Whitman, I'll lead with you because you twice said that it's sound, let's preserve it. But I do believe that flexibility, which is one of my personal goals—greater flexibility to our chief executives of the States, safety, environment. And I don't think we should, in my judgment, spend a lot of time on this formula issue. We're learning, as we go along—I've learned a good deal already in studying these statements and listening to you about the complexities of the transportation system in this nexus of four States right here. I'll take that into consideration.

So I would not, in my time, deal with the formula. So, putting aside the formula, one, two, three. Governor Whitman?

Governor Whitman. Senator, I would begin with flexibility as the most important characteristic of this program that has really enabled it to work.

I would then add something that I didn't have in my testimony as we look at the importance of the transportation system, and that would be the second point, that it is a national transportation system and must be remembered to be such, and that is the safety and ability to move in times of national crisis. We need to have an infrastructure that is prepared to move goods and people when we need to so do in times of emergency.

Third, I would also emphasize, as you did, the importance of air quality. Importance again gets back to that flexibility to move dollars into transit systems that allow us to take people off the roads, and, where we do have roads and bridge infrastructures, to move people quickly along them.

Senator WARNER. Thank you, Governor. That's very clear.

Governor Pataki?

Governor Pataki. Let me just be very brief.

First are the bridges. I certainly agree with Governor Whitman that flexibility for the States is absolutely critical, but, as we indicated, we're dealing with bridges more than 100 years old and other infrastructure that has to be upgraded that is still being used, so that program is absolutely critical.

Second is mass transit. When you look simply at gas taxes paid, you are absolutely ignoring the tremendous commitment of money and the tremendous impact that mass transit has, as Mayor

Giuliani indicated, in the cities that are even more important as you look to the 21st century and the global economic competition.

We spend billions. We have a $12 billion mass transit capital program. Certainly, the Intermodal Surface Transportation Efficiency Act should look at mass transit as an important part of that, and if you looked at the gasoline tax, only, it would be totally irrelevant.

The third is on the environment, because we have been able to do things because of the CMAQ program, like invest in clean fuel buses and other things that will help us clean the air of New York City.

As Governor Whitman properly indicated, New York and New Jersey both get a lot of pollutants from other parts of the country that end up here, so we're out of compliance and we have to make the investment in things like clean-fuel buses to allow us to become in compliance with the federally mandated standard.

So certainly the flexibility is critical, but those three programs are essential to New York.

Senator WARNER. Thank you, Governor.

I want to ask one little follow-on, just a yes or no. Do you support repealing the 4.3 cents that now goes to the general revenue and restore it to the highway trust fund? Governor Whitman?

Governor Whitman. The New Jersey delegation has been supportive of that. That's obviously a final decision for Congress to make.

Senator WARNER. Fine. Yes, that's very clear.

Governor Pataki?

Governor Pataki. Yes, we do.

Senator WARNER. Fine. Thank you very much.

Mayor Giuliani?

Mayor Giuliani. Well, I agree with both Governor Whitman and Governor Pataki. I think they're absolutely right. But flexibility, moving us into the 21st century with regard to the environmental standards that we're going to have to deal with, emphasizing bridges and tunnels.

I guess one final point, which is that this is one method of helping cities maintain themselves and grow. America, as a Nation, does not fund its major cities the way the nations that we compete with do, which puts us at a disadvantage because a lot of the competition in the international marketplace is between and among cities, and when England and Italy and France and Germany and the countries of Asia are funding the infrastructure needs of their major cities, they have a more advanced understanding than we do that this is putting them in a very strong competitive position. And the pressure becomes greater as we become more international.

Senator WARNER. Let me ask a question to you which you are specifically well-qualified to answer. As we transition with our welfare laws into hopefully greater employment for those persons who heretofore in one way or another were so dependent on welfare, don't you feel that added funding by the President to this highway measure—and hopefully the Congress will do it—well help in the transition and the creation of jobs for many of those people?

Mayor Giuliani. There's no question that it will. And since the displacement there is largely to our urban areas—in other words,

those are the areas that are going to have to be able to produce significantly more jobs than has been the case in the last 10 or 15 years—it also puts an emphasis on public transportation.

If we expect poor people to transition from welfare to work, many of them are not going to be driving automobiles; they're going to have to be using public transit.

Senator WARNER. Your point is well taken. Thank you very much.

I yield back the balance of my time.

Mr. Baucus?

Senator BAUCUS. Thank you very much, Mr. Chairman.

Governors and Mayor, I think I speak for all of us when I say how much we appreciate your underlining the importance of greater infrastructure spending in this country.

As I think we all know, Japan spends about four times what the United States does on infrastructure as a percent of their GDP. The Europeans spend, I think, twice as much as we do.

Now, it is true that our tax incidence is slightly lower than those other countries. There's more revenue spent in those other countries on lots of measures, including infrastructure. But the point is: I think that we are neglecting infrastructure.

I was also very interested—Mayor, you talked about, I think, high-speed water shuttle. I took the water shuttle this morning over from LaGuardia here to Battery Park. It took 40 minutes and wasn't too bad. But somebody on your staff—maybe the Governor's staff—mentioned that you're trying to come up with even a faster, higher-speed ferry service here, and I commend you for it.

Mayor Giuliani. How did you like the view, Senator?

Senator BAUCUS. The view is terrific. And I commend you also on such wonderful weather. It was great this morning.

Mayor Giuliani. It's always like this.

Senator BAUCUS. I know it is.

[Laughter.]

Senator BAUCUS. Just like Montana.

Mayor Giuliani. Right.

Senator BAUCUS. Every day is wonderful.

I join, too, the chairman of the subcommittee—I think most of us do—in attempting to get more funds spent on the highway program. The highway trust fund will now support about $26 billion annually for the next several years. I think every one of those $26 billion in the highway trust fund should be spent under whatever highway program we come up with, and I urge you in various ways to help us make that happen.

The question I have for all of you goes to the question of flexibility. This week I will be introducing a highway bill which will essentially reduce many of the current categories that are now contained in the highway program in order to give to States and localities much more flexibility than they now have.

Currently, portions of one account can be transferred at the request of a State or a city to another account. For example, bridge dollars or highway maintenance dollars or NHS, National Highway System dollars, up to 50 percent at the request of the State and with the concurrence of Federal Highway administrator can be

transferred to some other use, say to the surface transportation account.

So there is some flexibility, and considerable flexibility under current law.

Nevertheless, I'm trying to find ways to provide even more flexibility than currently is the case. I'd like each of the three of you to basically tell this subcommittee where you think you can use and where additional flexibility would make more sense, or whether additional flexibility wouldn't make more sense. Maybe you think it's sufficiently flexible. But I'm trying to give you more flexibility.

Governor?

Governor Whitman. Senator, we love flexibility. I would just say that, under the current program, New Jersey has moved or flexed, to use the term of art that they like to use, about $163 million from some of the highway programs and CMAQ programs into the current need to be we have at the time to allow particularly for more emphasis on mass transit. We have then come in with State moneys to make up the deficit and have used it very well. The current system has worked well for us. I would not comment.

Obviously, we always love increased flexibility, but the ability to move programs now within the recognized categories that exist has been very useful, and we have done it quite extensively.

Senator BAUCUS. Mayor, I would be interested in your views.

Mayor Giuliani. I think I would agree with the Governor, which is that flexibility has been very valuable to us. If flexibility means that we have more discretion and it doesn't mean any reduction in the amount of money that's available, then that's something we would support.

Senator BAUCUS. Governor?

Governor Pataki. Senator, we've, over the course of the first 6 years of the program, flexed—again, to use that word—about 17 percent of the total funds we've gotten under ISTEA, over $700 million, primarily moving it to mass transit, because that is such a pressing need in New York State.

To the extent we have greater flexibility to be able to utilize those funds from one program under ISTEA to another, it allows us to meet the unique needs.

As you know, there was a group out there urging devolution of the highway tax funds. We think that is very much the wrong approach because you have to have a Federal program. But within the context of that Federal program, the needs of New York City and New York State and New Jersey may be very different from the needs of Montana or Idaho. So the greater the flexibility, the more we can meet the needs of our local constituents.

Senator BAUCUS. It's just my understanding that even though a State now or city can transfer from one account to another, there still is considerable red tape and a lot of hoops you have to go through, and I'm just trying to figure out a way to minimize all that.

Governor Whitman. Senator, I think you've touched on—I've testified and talked about the kind of regulatory change that could be made. That's precisely the kind of regulatory change that I think can be made. There can be a streamlining of the red tape and what

we all have to fill out and go through in order to be able to move funds.

Senator BAUCUS. I also appreciate your statements on how much your States and city contribute to transportation programs here in your various areas.

We in Montana have, I think, the third-highest gasoline tax. It has to be that high to support our highway system in our State. We, like New York, are a donee State, but we also have extremely high gasoline taxes, and all of it is used for transportation. There is one State that has a higher State gasoline tax, but a good portion of their highway taxes are used for purposes other than transportation.

My main point is that we all have needs, and I might just summarize, Mr. Chairman, and point out that the Department of Transportation in Washington has done an assessment of States around the Nation and determined that about half of our needs aren't even being met under the current bill, and that's true not only in New York—though very much in New York, as I could tell by the testimony here—but also in other parts of the country.

Senator WARNER. Thank you very much, Senator.

Senator Moynihan?

Senator MOYNIHAN. Sir, I would certainly—I'm sure Bob Roe joins me in satisfaction of hearing the distinguished witnesses say this program has worked. It had a very specific origin, which was the proposition that the era of the interstate highway program was over, that we had built those roads.

Unfortunately, the Department of Transportation couldn't think of anything else to do, and so they thought we'd build them a second time. They had a big roll-out from the executive office and President Bush came in and sat in front of a big map of the country with red lines all over it, and he asked, "Are these new roads?" They said no. It looked like, as much as anything else, something you might see in a Museum of Modern Art, abstract.

But we said we had to think of, first, the aftermath of the interstate system, which emptied the cities of their jobs, of their manufacturing capacity. It was just as clear in 1956 as can be, when we said it was broken, that it would take manufacturing out of cities. Indeed, it was thought that would be a good thing, not understanding who would be left behind, and that's something we have been dealing with ever since.

These are problems that national policy created and we would try to reverse.

We also assumed that mass transit and such were essential.

We had another idea, and I'd just like to see if it ever got down anywhere. The section 1036 of the statute is the national high-speed ground transportation programs, for which the first is the national magnetic levitation prototype development program.

Now, maglev was invented on the Frog's Neck Bridge. A nuclear engineer from out in Brookhaven was going back to MIT for a beer party or something and he slowed down before he paid his toll and thought up maglev. If you're 28 years old and a nuclear engineer, you can do that. By 30 it's too late.

[Laughter.]

Senator MOYNIHAN. It's the first new mode of transportation since the airplane, and extraordinary in that it is a form of ground transportation that does not rely on friction. So all of the—half the air pollution—a third of the air pollution in New Jersey and New York is just rubber tires' residue getting into the air.

It worked extraordinarily. You can cruise at 280 miles an hour. You could have a maglev connection with—New York City is the only major city in the world to not have a rail connection to its airport. We could have a maglev that would go to Penn Station, JFK, LaGuardia, and back in about 11 minutes. That's what works.

Now, the Germans—this is our problem. We think these things up and other people use them. The Germans are now about to open a maglev connection between Hamburg and Berlin. The Japanese are in their third generation. But that's the one thing that never seemed to happen under this statute was the maglev project.

Have any of you encountered it? Has anybody in Washington sort of said, "Would you like to try it?"

Governor Pataki. You know, Senator, I'm reluctant to say this, but back when I was in the State Assembly I offered an amendment to the budget to add $1 million for maglev research. I was laughed off the floor of the Assembly at the time, but I thought it was something where we should look to the next generation of technology to see what can happen. But it hasn't happened as of yet.

We have built the first inter-city high-speed rail system in the first train set in New York. It's not maglev; it relies on an upgrade or retrofit of the old technology.

Senator MOYNIHAN. A good 1830 issue.

[Laughter.]

Governor Pataki. Yes. That's correct. It's something that obviously has not happened. But if the technology is out there, if other countries are using it, we certainly would look at it.

Senator MOYNIHAN. I hope the day doesn't come when we have to import them from Japan.

[Applause.]

Senator WARNER. Thank you very much.

Senator Lautenberg?

Senator LAUTENBERG. Thank you very much, Mr. Chairman.

I, too, want to commend the Governors and the mayor for their excellent statements. By sheer coincidence, it reinforces my point of view.

I want to say this to you: we can talk about flexibility forever because we are all in agreement, at least I think it's fair to say those of us from the region would agree on the essential need to preserve and perhaps expand flexibility in the use of our transportation dollars.

But is there any one of you who thinks that we don't have to enlarge the pie in order to have the distribution be more satisfactory?

And by taking part of what it is that we get in the transportation programs and moving that off to recasting formula, and so forth, in my view, is not only poor timing but, frankly, poor planning.

If we were to use that theory, then we would take the airport taxes that we get on our tickets and redistribute airport trust funds differently based on the origination of where the dollars are.

I think that Governor Whitman said it correctly as she restated the use and, frankly, the abuse that goes along with it because these tires are pounding away at our highways and the need for repair, the need for traffic control is mammoth.

We ought to, in some way, be compensated for the use of our roads differently than we would if we were just confined the using the lesser dollars that might come as a result of shift.

So I would ask: what do you think we can do, any one of you, to encourage more funding availability?

Now, I recognize we in the Congress have that responsibility, but, frankly, I've got to tell you, we need your help desperately because, as long as that pie stays small, there's a very tiny piece for all of us.

We are, as Senator Baucus said, so deficient in the amount of money we spend relatively on infrastructure.

So I would say to you that if you have any ideas on what we ought to do about getting more funding besides simply taking it from other programs that have their advocates and have their need, can we rally those who you know in the Congress to help us make the funding pie larger?

Anybody want to say anything about that?

Mayor Giuliani. Senator, I would encourage you to make it greater. I think the point that Senator Baucus made before, that we do not invest in our infrastructure as a national government the way our competitors do, will hurt us as a country, as a nation, as we compete with them.

I also think that we have to consider the fact that the whole movement in Washington, most political parties, to return more power to State and local governments and to give us more control and to move away from unfunded mandates is a valuable one, but that there do remain areas of national responsibility.

Our interstate commerce, interstate transportation is an area of national responsibility. No single city or state can really handle that responsibility.

If the Federal Government doesn't invest in it, then we really can't make up the difference, so we get hurt as a Nation.

I think we need a better understanding of what the partnership is between the national government and the State and local governments. I believe that, where willing, nowadays local governments and States need to take over a lot more accountability, a lot more responsibility, including financial. But the Federal Government has to also analyze its area of core responsibility, and national transportation, interstate commerce, international commerce—we can't do that alone. We need your help.

Governor Whitman. Senator, one thing that I would say is transportation dollars for transportation needs is one way to address the problem.

I would also say that, as you look at the formula, looking at a formula that's based on the age of the infrastructure, the congestion, the freight and air quality that goes through, as well as the level of effort the State puts in again may lead us to a more-equitable situation that takes into account some of the needs of the smaller States or States with smaller populations, larger land mass

that needs to be addressed without significantly trying to find huge amounts of other dollars.

Governor Pataki. Senator, if I might, just a couple of points.

One, we are trying to get that support. Commissioner Daly has been around the country meeting with Federal officials and local officials.

Just as one example, in the State of Georgia, while the State officials are looking to change the system, you have the Atlanta metropolitan region, where they are very supportive of our efforts to maintain mass transit funding, so we are trying to get them to argue with their Federal officials to support ISTEA, particularly the mass transit pieces, and we're trying. The Senator has been doing that across the country with a great degree of success. We are trying to work for that.

But I'd like to just—I know the red light is on. One brief point. We would support moving that 4.3 cents to the Federal highway program, but we don't think that should be used simply to buy off States that are out there saying, "Give us more because we have high taxes." You have to look at the local commitment, the local effort, and the total picture of what a State is sending to Washington in exchange for what they're getting back.

Senator LAUTENBERG. Thanks.

[Applause.]

Senator LAUTENBERG. Mr. Chairman, I want to just say this: Mayor Giuliani said it, supported by colleagues on the right and left—the fact of the matter is that we have to focus on the nationality, on the national mission that transportation dollars have in our region just as much as we do on environment, just as much as we do on defense, just as much as we do on many other national programs.

They're seen perhaps in one area, but the effects are national. We have to continue to focus on that.

Thank you very much.

Senator WARNER. Thank you, Senator.

Senator D'Amato?

Senator D'AMATO. Mr. Chairman, let me make an observation.

Under the proposed budget of the Administration, we would lose about $1 billion over the next 6 years. Now, that's not making progress. That is just simply going backward.

I'll address some questions to Secretary Downey with respect to this, but if he were operating a system as he did previously, I don't think he'd be supportive of that.

Second, I want to commend both the chairman, Senator Warner, and Senator Lautenberg for touching on a point, and Governor Pataki, and that is as it relates to the 4.3 cents a gallon which is now going for deficit reduction.

Here we have a huge deficit that continues to increase as it relates to the roads and the bridges and the highways and the mass transit and the infrastructure, and we're supposed to have a dedicated source—that is, the moneys that people are paying and taxes—to go for transportation and/or for infrastructure that makes that transportation possible.

Why not take that 4.3 cents, make it available to the States, and you might even want to make it available on the basis of some type

of compromise because compromise is, after all, an essential ingredient in a democratic form of government. You don't have one person who can impose his or her will. We represent varying and different constituents, and we have obligations to them.

So why not consider taking the 4.3 cents—and, by the way, a penny generates between $1.4 billion to $1.5 billion a year, so if we take the $1.4 billion, multiply it by 4.3 cents, we're talking about a significant pool of money, about $6 billion. That's at the low side. That's $6 billion annually.

But if you distribute that in a form of an infrastructure bill over and above the present allocation, you will be giving a leverage of anywhere from $40 to $60 billion a year to local States as they bond out those bridges, as they bond out those projects, because they don't spend on the same system that we do.

Therefore, it would seem to me an infrastructure bill utilizing that $6 billion could be leveraged into anywhere from seven to ten times the amount.

Imagine $40 billion a year worth of construction that the States determine whether it be highways, whether it be tunnels, whether it be schools——

[Applause.]

Senator D'AMATO.—whether it be roads. I would suggest that the mayors and the Governors know best the allocation. Give them that flexibility with these dollars—total flexibility. In one community you've got bridges that are falling down. They'll build bridges.

By the way, if you have educational plants that are falling down, schools, and you need those dollars, why not allow the State and local governments to make those choices?

Senator Dodd and I are working on legislation to do that, and I'd like to ask the Governors and the mayor what they might think. Could they be supportive of that kind of legislation?

Governor Pataki. Senator, let me just say that we have been enormously encouraged by the change in attitude that gives more authority to the States. We want to see that continue, and we want to see it expanded as we go forward.

From our standpoint, the ISTEA program has worked because, one, it has recognized need; two, it has recognized local commitment; and, three, it has allowed us the flexibility to provide for local needs.

We want to see that continue as we go forward. We want to see that opportunity exist.

You are quite right in pointing out that what we've been able to do is to make a legitimate capital investment by bonding. Our $12 billion mass transit program and our $12 billion highway program allow us to invest in infrastructure that will have a life of 30 years or more.

With respect to education and schools, it is obviously a priority of the mayors of mine that we move forward on this. I don't know whether or not using ISTEA funds and giving us even that——

Senator D'AMATO. Not ISTEA. I'm talking about the 4.3 cents that now goes into deficit reduction, to include that over and above, which would be anywhere from $6 to $7 billion more available in the pool.

Governor Pataki. Senator, we would love it, and we will use it wisely, and we will use it to invest in the future of the people of this great city and State.

The broadest possible flexibility obviously would be the most helpful to us at the State level.

Governor Whitman. Senator, if I could, certainly flexibility is the critical issue with us, and we have been talking today, all of us, about the fact that we have a national transportation infrastructure that needs to be recognized as we move forward with this particular subcommittee's hearings and your deliberations.

Obviously, any Governor will say that we know how to use moneys and we know how to use them well, and we appreciate the change that has taken place in Congress recently, but I do want to reiterate what I said before—that I do believe transportation moneys for transportation needs, and that would include the 4.3 percent.

Infrastructure is important, and there are a lot of different infrastructures. We are committed to our school system and its improvements in the State of New Jersey and have made significant new contributions to that. We could always use dollars. But we do have a national transportation need that needs to be recognized, and the flexibility under ISTEA has allowed us to direct our dollars to meet a number of different national goals.

And I certainly support the 4.3 being allocated to transportation needs as a first step, and if there's something that can go further to give States additional flexibility, we're always ready to step up to the plate.

Senator MOYNIHAN. Mr. Chairman, may I make one point?

Senator WARNER. Go ahead.

Senator MOYNIHAN. It fell to me as chairman of the Senate Finance Committee to enact this 4.3 gasoline tax for purposes of deficit reduction, and I can recall that it took 1 week in room 301 of the Senate to get Senator Baucus to go from 4 cents to 4.3.

[Laughter.]

Senator MOYNIHAN. We got to 4.1 on Tuesday, 4.2 on Thursday, and finally he had to come back to Montana so we settled for 4.3. But we did that as deficit reduction at a time when it had to be done.

I think that time in this sense has passed. We have a primary surplus. We have debts to pay off, but we are not incurring debt. It's a saving for interest.

I think this money—I always assumed it would be a one-time event for the purposes of deficit reduction and then resumed its role as a form of transportation investment. I think we can do that in our committee. It will come to the Finance Committee, too, and Senator D'Amato and Senator Baucus and I are there. We've got three votes already.

[Applause.]

Senator BAUCUS. Mr. Chairman, this 4.3 cent issue is a very important one. In fact, during the last several weeks I have been drafting legislation and will introduce legislation next week or the following week which will divert that 4.3 cents to the trust fund. Actually, it takes 3.8 cents out of the 4.3 for the highway trust fund and the remaining nickel, remaining five cents, for Amtrak.

I'm doing that in part because I think that these dollars should go to infrastructure, not to general deficit reduction.

As you all know, it was sort of smoke and mirrors the way we come up with budget deficits as we strive to zero balance. But also because I think it's wrong under the Administration proposal to take dollars off the top of the highway trust fund to finance Amtrak, I think that's wrong because it lowers the dollars that are otherwise available to be allocated among the States for highway needs.

So instead of the total 18.3 cents we now have of Federal gasoline tax, 12 cents for highway trust fund, 2 to mass transit, 4.3 to deficit reduction, we take that 4.3 and, as I said, divert the balance of it to the trust fund, highway trust fund, and the other nickel for Amtrak, which is extremely important, as we all know, to the northeast, as well as to other parts of the country.

I think we're—I'm very hopeful that we can get most of that passed.

I want to followup a bit on Senator Lautenberg's point. We all can help each other here. We're trying to help, frankly, our Nation, generally, and helping meet your needs, as well as needs of other parts of the country, but you can help, too, through the National Governors Association or through the League of Cities and Towns or other organizations, Mayor, that you belong to, in talking with members of the House and Senate Budget Committees and Appropriations Committees to help make this happen.

By "this" I mean not only the diversion of 4.3 to the trust fund, but also the full $26 billion out of the highway trust fund used and spent for transportation, highway transportation purposes.

We need your help, too.

Senator LAUTENBERG. Mr. Chairman, I'm sorry to do it, but equal time.

Senator WARNER. Go right ahead.

Senator LAUTENBERG. I just want to say this: each of us, as I'm sure all of you know, wears several hats. Senator Moynihan, Finance Committee, Senator Baucus, Senator D'Amato. And one of the hats that I wear is the senior democrat on the Budget Committee.

Now, we have a task at hand, and I'm sure that the sound may not reverberate just as pleasantly as we go up the ladder here, but the fact of the matter is we are committed to trying to balance the budget in the next 5 years, and if we take the 4.3 cents and we direct it—and I would like to see it. When it comes to transportation, I don't think that we can invest enough money wisely to get the job done that's required.

But we would be adding roughly $6 billion a year to deficit, and, taken over a 5-year period, that's a fairly significant chunk.

Now, included in that 4.3 is the proposition by the now-chairman of the Finance Committee to fund Amtrak, which in my view is an integral part of our formulation for mass transit. It's one of the most critical items in our transportation need, and that is high-speed rail service. We're like Looney Tunes when it comes to what's happening, as Senator Moynihan said, compared to other countries.

And so I salute more money for transportation, but I say, for those of you who want to see a balanced budget by the year 2002,

that if we kind of carry this forward we're looking at a $30 billion contribution to the budget deficit each year, and I think that has to be considered.

Senator WARNER. Thank you very much. We've had an excellent presentation by our distinguished excellencies, one and all.

Did you indicate, Governor Pataki, you had a point?

Governor Pataki. I just wanted to respond to Senator Lautenberg.

We've been trying to help balance the Federal budget by reducing the cost of Federal entitlement programs here in New York State, with Mayor Giuliani's enormous leadership. We've done that. In fact, this year, for the first time in the modern history of the State, we are spending less Federal funds than we did the year before because of some of the changes.

That just allows hopefully Washington to do things like transfer that 4.3 cents to transit needs.

Senator WARNER. Thank you very much.

The subcommittee will now hear from panel two after about a two-and-a-half minute stretch.

Thank you very much.

[Recess.]

Senator WARNER. Thank you very much.

The subcommittee will now hear from The Honorable Mortimer L. Downey, Deputy Secretary, U.S. Department of Transportation; Mr. Thomas M. Downs, chairman, president, and chief executive officer of Amtrak; Mr. James Sullivan, acting commissioner, Connecticut Department of Transportation.

Mr. Secretary, we're delighted to have you with us today.

We've had the opportunity of having Secretary Downey appear before the subcommittee this morning, and it would be my hope, Mr. Secretary, that you could orient your comments today with respect to what you have learned from the very distinguished panel that preceded and how that could well affect the thinking of the Administration. That's just my view. There may be others.

Thank you very much, Mr. Secretary.

STATEMENT OF HON. MORTIMER L. DOWNEY, DEPUTY SECRETARY, U.S. DEPARTMENT OF TRANSPORTATION

Mr. DOWNEY. Thank you, Mr. Chairman, Senators. I appreciate the opportunity to be here this morning on behalf of the Administration.

Senator WARNER. We are going to have a 5-minute rule, gentlemen, and try to thereby continue our hearing on schedule.

Thank you.

Mr. DOWNEY. I particularly appreciate being in this historic building. It's the first time I've been here since 38 years ago when I was sworn into the Coast Guard. It's seen a lot of work since then.

I'd like to talk about NEXTEA, the Administration's proposal, and in fact the way that it addresses many of the issues that have been raised by the previous panel. I have a longer statement that I would like to submit to the record.

Senator WARNER. It will be admitted in its entirety.

Mr. DOWNEY. NEXTEA would raise overall transportation authorizations by 11 percent to $175 billion, including increases in the core highway programs and 17 percent increase in major transit investments, such as the Queen's Connector and the Hudson-Bergen Light Rail Line. So there is additional funding.

These two projects now underway in this region are among 17 full funding grant agreements executed in the last 4 years. These agreements, worth about $6 billion in Federal funds, are also leveraging an additional $5 billion in non-Federal investment, producing overall a 100 miles of new rail lines around the country.

Additional funds have been made available, nearly $3 billion dollars worth, through flexibility—the kind of flexibility that we've heard is a high priority from all of the panelists this morning—and we want to continue this flexibility, and strengthen the ability of planners to target funds to projects which make sense for local communities.

We've also proposed changes to the apportionment formulas to ensure that they will use current and valid data. In order to avoid disrupting ongoing programs, we've proposed adjustments that would ease the transition toward a sounder and more logical basis for apportioning funds.

If Congress funds NEXTEA at the levels we've proposed for the next 6 years, it would mean nearly $12 billion for New York State, nearly $5 billion for New Jersey, and more than $2.7 billion for Connecticut.

The construction and other work generated by this plan could support a million jobs nationally, including 75,000 here in New York.

Our transportation system is not just about moving people and products efficiently, as important as that is to our prosperity; it's also about enabling people to travel safely. It is, indeed, about saving lives, and we've heard that this morning—the importance of safety in our highway investments.

The President's proposal would increase highway safety funding authorizations by more than 25 percent, targeting to those areas that would have the biggest safety pay-offs.

NEXTEA would also protect the environment, increasing by 30 percent funding to help communities clean up their air through projects such as the Red Hook freight barge, and it also sustains support of the transportation enhancements program.

The President's plan addresses other national priorities. NEXTEA would reduce the barriers faced by those moving from welfare rolls to payrolls by encouraging affordable transportation to jobs. It includes a $600 million program of flexible, innovative alternatives to get people to where the jobs are.

And NEXTEA looks to the future, with investments in technology, research and development, with continued support of our Bureau of Transportation Statistics and with other investments in the future.

Finally, NEXTEA would apply common sense to transportation operations, focusing on results, not on process, cutting red tape and streamlining requirements, promoting innovation, such as new ways to pay for roads and transit systems, and giving State and local officials even greater flexibility to target Federal funds to

projects, including Amtrak projects which best meet community needs.

NEXTEA, in summary, would give Americans what they told us during our year-long outreach they want: transportation that's sensitive to environmental concerns and enables them to get to their destinations safely, conveniently, and on time.

NEXTEA continues the many Federal programs which work, refines those which haven't yet fully realized their promise, and creates new initiatives to meet the challenges of the new century.

Secretary Slater and I look forward to working with you and your colleagues in Congress to make this legislation a reality, to fit it in with the imperatives of balancing the budget, and to see that it will provide for the kind of investment that will improve our transportation system into the next century.

Thank you.

Senator WARNER. Thank you very much, Mr. Secretary.

Senator WARNER. You've played a pivotal role in the development of this bill. You also were privy to the statements by members of this subcommittee and our colleague, Mr. D'Amato, about the need to get the President and the Administration up in this dollar figure. It would be my hope that you'd carry that message back to the Secretary.

Thank you.

Mr. Downs?

STATEMENT OF THOMAS M. DOWNS, CHAIRMAN, PRESIDENT, AND CHIEF EXECUTIVE OFFICER, AMTRAK

Mr. DOWNS. Thank you, Chairman Warner, Chairman D'Amato, Senators Baucus, Moynihan, Lautenberg.

I was just thinking, as I was listening to the comments of the previous panel and your comments, in return, that perhaps there is one thing that links east and west, north and south, about this debate. While we can have lots of debate about donor and donee, I think I've had conversations with each of you on an individual basis about Amtrak in your jurisdiction, your State, and the role that it provides there.

I know, Senator Baucus, we've had conversations about the importance of Amtrak in Havre and Cut Bank and Whitefish; and, Senator Moynihan, about the great Farley Penn Station project and the future of high-speed rail; Senator Lautenberg, about the capital that goes into the north end of the corridor to develop high-speed rail; Senator Warner, service in Danville, Alexandria, Richmond, and high probability at some point of developing higher-speed rail to Richmond; and, Senator D'Amato, about appropriations for Amtrak and the role that Amtrak plays in New York City and New York State.

I think we have tried to be a partners in this process about developing national transportation policy with one hand tied behind our back and with a crutch. Amtrak has been outside of the debate for a generation, at least, and probably since its inception.

Let me say a little bit first about what we do locally and why Amtrak is important to New York and New Jersey and this region.

We carry 70 percent of the air/rail market between Washington and New York. I'm going to say that again—70 percent of the com-

bined air/rail market is on Amtrak. It would increase substantially with the delivery of the 150-mile-an-hour high-speed train sets.

Right now we are about 20 percent of the market between New York and Boston. It would probably increase to about 55 percent. We currently have 18 trains a day to Boston out of New York, and it would increase to 50 trains a day.

Currently we run 110 trains a day in and out of New York, and the impact of that is about eight million riders in and out of New York City every year.

We carry the equivalent of 27,000 automobiles a day. We carry over a year's period of time the equivalent load of 7,500 fully loaded 757s.

It is, though, oftentimes not fully understood that this corridor lives economically on the east coast, with 23 percent of the population of the United States and about 25 percent of the economic activity of the United States, lives and breathes, literally, with Amtrak rail passenger service.

It is a capital-intensive service. It always has been. The impact of drastically under-funding capital is that it is in a sorry state of affairs.

One of those that we let slip away in terms of capital was Penn Station, the gorgeous structure that was torn down by the Penn Central Railroad to build the garden. Now I think the term is, instead of entering New York like a god you slouch into——

Senator MOYNIHAN. Slither.

Mr. DOWNS. I'm sorry, Senator. Slither——

[Laughter.]

Mr. DOWNS.—like a rat, a snake.

This terminal carries more passengers than most airports in the United States. It has more economic activity generated than most airports in the United States. It carries more traffic than more interstates ever would think of.

With the coming of high-speed rail and New York as a hub, it requires a focus on what is necessary to make this most essential part of Amtrak's national system work.

Of our ridership, 40 percent comes in and out of New York every day.

To get that capital, ultimately—Senator Baucus has mentioned and others have mentioned the dedicated half-cent gas tax trust fund for Amtrak, and I believe that it's in draft legislation that has been proposed by a number of you as a future solution to our funding problems, and I want to say that I think that it is a part of a consensus that can bind east and west. The interest is diverse, as Senator Baucus' in Montana and Senator Moynihan's in New York and Senator Lautenberg's in New Jersey are all bound into that capital trust fund. It makes the national system of Amtrak work much better.

The last piece—and I know the light is off. I've always been struck with the power of that red light—the last piece is funding flexibility.

Senator Moynihan mentioned Chairman Roe. He and I talked about building Amtrak into the original ISTEA. There was one reason why it was not. It was a jurisdiction issue in the House between Chairman Roe and Chairman Dingell that could not be re-

solved. Everyone agreed that there needed to be funding flexibility. It was in Senator Moynihan's bill, but it died for lack of a jurisdiction agreement.

Ironically, States can spend money on bike trails, snowmobile trails, scenic easements—everything but Amtrak. Legally, States are prohibited by law from spending these funds for Amtrak.

I've talked to a number of Governors around the United States. There was a test vote in the Senate that passed by a two-thirds vote, bipartisan, endorsing funding flexibility for Amtrak. And I would encourage this committee to do the two things that I think will help Amtrak survive as a national system. One is funding flexibility; the other is the creation of the trust fund, itself, or half cent for Amtrak.

Senator WARNER. Thank you, Mr. Downs.

Senator WARNER. Mr. Sullivan, we welcome you. Our colleagues, Senators Dodd and Lieberman, are very active in the progress that this concept of legislation is moving along, and we welcome the participation of Connecticut.

Thank you very much.

STATEMENT OF JAMES SULLIVAN, ACTING COMMISSIONER, CONNECTICUT DEPARTMENT OF TRANSPORTATION

Mr. SULLIVAN. Good morning, Mr. Chairman and members of the committee. I want to thank you for this opportunity to speak to the committee concerning Connecticut's perspective as a State.

Let me start off by saying that ISTEA has changed the way we look at transportation, this industry. It has refocused the idea of how we want to approach the issues of transportation. It has effectively changed the direction of the Federal surface transportation policy. It has provided for flexibility in funding that addresses the transportation infrastructure system preservation, intermodalism, and system efficiency. We support this idea.

The funding flexibility provided by ISTEA has provided positive impact on Connecticut's transportation program by granting program options that did not exist under previous rules of our previous highway bills.

Connecticut has been a national leader in establishing aggressive transportation rehabilitation programs. ISTEA funding has been critical in addressing Connecticut's transportation needs.

The accomplishments achieved throughout the life of the act greatly advance Connecticut's goal of a safe, efficient, well-maintained transportation system. A combination of ISTEA funding and State commitment of its own resources have helped Connecticut to complete its interstate system; rehabilitate, reconstruct many of our old, aging bridges; resurface and rehabilitate hundreds of miles of State highways; improve urban and rural highway systems; reconstruct many local bridges; as well as improve the rolling stock and facilities of our transit system.

The national perspective on transportation must continue to be advanced. Unlike other States, Connecticut does not hold that national transportation appropriations should be tied to the amount of money a State sends to Washington.

To base appropriation of Federal funds on how much money a State sends to Washington is to counter the concept of national priorities. We are not 50 individual States but a nation of 50 States.

Surface transportation's vital role in interstate commerce and national defense warrants a Federal role and presence. This Federal role is essential in supporting our national economic growth, global competitiveness, and a substantial quality of life.

Distribution of Federal transportation dollars should first and foremost be based upon system needs, the State's level of effort, volume of usage, and the relative difference of cost in doing business from State to State. This is especially critical in the northeast States, which have some of the most densely traveled facilities which, through age and usage, have the highest demand for preservation and enhancement.

Let us not forget in our discussion concerning the authorization the essential needs of transit programs. We believe there is a continuing need for both capital and operating Federal assistance for our transit systems.

As the debate on reauthorization continues and intensifies, I believe that continued and increased support for reauthorization of ISTEA with modest improvements will carry to its enactment.

We should look to build those aspects of the act which work well and are beneficial to both the national and the States' interest. The fundamental structure of ISTEA is sound and should be preserved.

State, regional, local, and other stakeholders have invested heavily in making ISTEA work, and those efforts should not be wasted, as proposed by some advocates.

Connecticut also supports the priority corridor program, in general, and the I–95 Coalition, in particular. In the northeast, as in many congested urban areas, technology can enhance the safety and capacity of the existing highway and transit systems.

While we support reauthorization of ISTEA, we also recognize that it's not perfect and support proposed modest modifications.

As part of an extensive review and discussion undertaken with fellow ISTEA Works Coalition representatives, better than 20 recommendations have been submitted, which we believe will improve the administrative procedural processes in ISTEA.

We also fully support access to highway trust fund revenues. Our State transportation system, like those around the country, continues to show that infrastructure needs far exceed available funds.

In addition, we strongly support the continuation of a national rail transportation system. Dedication of a half cent of the 4.3 cent diversion is critical to ensuring broad-based support for this system.

In summary, let me say that ISTEA has been a positive initiative in developing a seamless intermodal transportation system to serve the Nation, State, and local needs. We believe, with modest changes to its requirements and funding, it will adequately serve the transportation community and stakeholders in the next century. Federal involvement is crucial to ensuring national transportation objectives and connectivity of the system in providing equitable funding based upon need, usage, and State level effort.

Again, let me thank you for the opportunity to present Connecticut's perspective on reauthorization. Governor Rowland and the

Connecticut Department of Transportation stand ready to help you in the process.

Senator WARNER. Thank you very much, Mr. Sullivan.

Senator WARNER. I say to my colleagues, given that we are running slightly behind, I'm going to limit my questions to just a minute or so.

Mr. Downey, just basically a statement. We're going to work very hard in this committee and others to streamline programs in such a way that it doesn't take 9 years from concept to delivery of a system.

Formally, informally, or otherwise, I would hope that the Secretary or yourself would step up and work with us to try and improve whatever legislation comes out. There will be legislation, obviously.

Mr. DOWNEY. We have some experience in some demonstrations and studies we've done around the country that show how that can be done, and we'd be glad to share that with you.

Senator WARNER. I once said it takes 9 years to build an aircraft carrier. I think it's slightly more complex than some of the transportation jobs.

On Amtrak, Mr. Downs, obviously you've got financial problems, and I'm going to join with Senator Baucus on his piece of legislation.

But if Amtrak receives this additional funding, will these dollars be used to pay off debt or to make capital improvements?

Mr. DOWNS. Senator, they have to be made around capital investments. The only thing that will save us over the longer haul is making investments that have a high rate of return: improvements on track, improvements on stations, improvements on information systems, ticketing systems that help us reduce cost over the long haul.

So the answer is they have to be made on the highest rate of return.

Senator WARNER. Clear. Thank you.

Mr. Baucus?

Senator BAUCUS. Thank you, Mr. Chairman.

Mr. Downey, I just hope that the Administration relents in its opposition to the current levels of appropriated dollars that the Administration has so far presented in its budget on highways. I think it's inadequate. I think most Members of Congress find it inadequate. I just hope that the Administration joins in with us in increasing those appropriated dollars.

Mr. Downs, I want to thank you very much for all your services of Amtrak. We will have—I think now do have daily service back up on the High Line of Montana. We very much appreciate that. And I commend you and others in developing high-speed rail in the northeast.

I very much would like to have the United States have a state-of-the-art and the best high-speed rail service in the world. Even though we in Montana won't be able to ride on it except when we visit, we'd be very proud as Montanans to have you and others develop that and we'll do what we can to help make that happen.

Mr. DOWNS. Thank you, Senator.

Senator BAUCUS. Thank you, Mr. Chairman.

Senator WARNER. Thank you.

Mr. Moynihan?

Senator MOYNIHAN. Just for the record, sir, it is Vincent Scully, professor of architecture at Yale, who said, "In the days of Penn Station one once entered New York City like a god, and today you slither in like a rat."

[Laughter.]

Senator MOYNIHAN. But it may be we can recreate that experience and I think Mr. Downs has shown how central this nexus it to whole Amtrak program. We thank you, sir.

And you're absolutely right. The Senate was entirely prepared to include Amtrak in the funding, automatic funding. It was just jurisdictional old bull behavior in the House that prevented that.

Mr. DOWNS. Senator, my recollection is the old 20th century rolled out a red carpet, didn't it?

Senator MOYNIHAN. Yes, sir.

Senator WARNER. Thank you very much.

Senator Lautenberg?

Senator LAUTENBERG. Thanks very much, Mr. Chairman.

In the interest of expediency, I will just ask Mr. Downey whether you see any opportunity through ITS, intelligent systems, to advance the value of the dollars that we spend on transportation that are going to be significant in the future if we make the investments now.

Mr. DOWNEY. As we all know, there is a lot more to be done than any of our resources can do. We view the use of Intelligent Transportation Systems as one way to make those dollars go further.

You and I visited earlier this year at the opening of the Transportation Control Center in this region.

Senator LAUTENBERG. We did.

Mr. DOWNEY. That's the kind of thing that can make the system work much better.

Experience in Minneapolis, for example, reduced congestion with an ITS system, and this has increased freeway speeds by 35 percent. Fare collection and toll collection is happening much quicker where electronics have been put in place.

We just see this as a way to make the system work. Overall, our estimates are that there's an eight-to-one benefit-cost ratio in ITS investments, so we in our bill propose that any of the core program funds can be used for ITS, and there's a special program to try to pull the investments together to make it work in a coordinated fashion.

Senator LAUTENBERG. I would just ask one other thing, and that is, Mr. Downey, that as you do your planning for the next iteration of ISTEA, that we not ignore the safety requirements that mean so much to all of us, every family in America. That includes, in this Senator's view, controlling truck weights; controlling longer combination vehicles, not having them on roads that can't support their particular configurations; and, last, to continue to pursue the fight against drunk driving in this country. Don't give up on those things.

Thank you, Mr. Chairman

Senator WARNER. Thank you.

Senator D'Amato?

Senator D'AMATO. Thank you, Mr. Chairman.

I think that my colleagues have made the point, Senator Baucus. On one hand the budget says we're going to increase spending under NEXTEA by 11 percent, but you don't appropriate the money. That is just smoke and mirrors, and I've seen that over the years in past Administrations. We've been as guilty as others. But it's just not acceptable.

I hope that we would recognize it.

Second, I note that there wasn't even an attempt at smoke and mirrors when it came to mass transportation. They were cut a billion dollars over the 6-years, even in the authorization. So if you cut it a billion in the authorization, what's it going to wind up in the appropriation?

I would hope that we would recognize that. When I said that we were going to take a cut of $1 billion over 6 years that was factual. The fact is that you don't have an 11 percent increase if you haven't provided the appropriation for it.

Again, I reiterate what Senator Baucus has indicated. That's just going in the wrong direction. That's one thing I think all of us—those of us who want to preserve formulas as it is, those who want some change, we all agree that you at least have got to spend at the same levels and increase it and spend the money that we're collecting. It's just not fair. American people are paying for the bridges, for the tunnels, for the highways, for mass transit, so let's see that it gets out.

I just share that thought with you.

Thank you, Mr. Chairman.

Senator WARNER. Thank you very much, Senator.

Gentlemen, if there's nothing further we'll thank our distinguished panel and proceed to the next panel.

Thank you very much.

We have now Mr. Robert E. Boyle, executive director of the Port Authority of New York and New Jersey; Mr. E. Virgil Conway, chairman, Metropolitan Transportation Authority; J. William Van Dyke, chairman, North Jersey Transportation Planning Authority; and Janine G. Bauer, executive director, Tri-State Transportation Campaign.

Mr. Boyle, the executive director of the Port Authority of New York and New Jersey, we welcome your testimony. Thank you.

STATEMENT OF ROBERT E. BOYLE, EXECUTIVE DIRECTOR, THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Mr. BOYLE. Good morning.

Mr. Chairman, distinguished Senators, at a point in time in these hearings where redundance may become acute, I appreciate your attention and your patience.

Senator WARNER. We're going to put all the statements in the record, and I think you could make it most profitable if you could draw on what you've heard today and add it with your own thoughts.

Mr. BOYLE. I will attempt to make my presentation brief.

I cannot help but pile on the opposition that most of the witnesses here have exhibited and stated to the idea of sourcing ISTEA funds from whence they came.

As the operator of four airports in this area, I would have to tell you that if we used sourced aviation funds in the same fashion, that we would not have a national aviation plan or a national aviation system.

ISTEA's basic principles have great meaning in this region: rebuilding infrastructure, reducing congestion, improving mobility and intermodal connectivity, promoting safety, protecting the environment, planning regionally, and making the country ever more competitive in the global marketplace.

I'd like to take a moment to explain why Federal investment in the metropolitan area is both critical to the national interest and money well spent.

With a population of 15.7 million people and personal income approaching $500 billion, this is one of the Nation's most economically dynamic regions. In 1996, over $150 billion in international trade moved through this region's port and airport gateway facilities. Almost one out of every four dollars of international trade by water or air moved through this region.

Retail activity exceeding $100 billion annually reflects the volume of goods that must be transported from the American heartland and from overseas.

Over $90 billion of imports enter the United States' economy through the New York and New Jersey gateways, generating Customs collections estimated at $5 billion. Per capital personal income which approaches $32,000 is one of the highest in the Nation.

Just considering Federal Customs and income tax receipts, the bi-State region is one of the most significant contributors to the Federal Treasury.

Investment in the transportation infrastructure will largely determine whether this region—and, for that matter, others such as Senator Warner's Hampton Roads—remains a thriving and competitive international gateway for the United States.

The demand on the U.S. transportation system generated by ever-increasing international trade is requiring more and more from our infrastructure. The Port Authority is both a transportation provider, through its international gateway facilities, interstate crossings, and transit connections, and a consumer of other agencies' transportation services through its mission to support regional trade and commerce. Transportation facilities in this region are elements of a multimodal network.

While the Port Authority receives little in ISTEA money, Federal funding for State and local projects improves our ability to move passengers and cargo through our airports and through the Port of New York and New Jersey.

Likewise, our investments benefit the regional transportation network. For example, the Port Authority's Board of Commissioners recently authorized $24.3 million to install intelligent transportation system technology at the George Washington Bridge to improve the traffic flow of goods and passengers along the northern corridor.

In addition, our board approved a $23 million expenditure for a new roadway at Kennedy Airport, which will aid in improving traffic flow on airport and along the southern corridor. This will also

increase the efficiency of goods and passenger movement throughout this region.

In addition, we have partnered with our colleagues in the State Departments of Transportation and other agencies to build coalitions to improve the vast transportation network that defines our Nation's largest market and global gateway.

Simply stated, ISTEA works. As you move forward in the ISTEA debate, the primary aim should be to make a good law better, an improved blueprint for transportation decision-making.

We believe emphasis should be placed on achieving an efficient transportation system. Just as we are in total agreement with the positions of our States, we also make recommendations outlined in my printed statement that would enhance regional mobility goals.

Key among them are: to strengthen ISTEA to encourage true intermodal planning, to promote regionalism by creating incentives for States to fund projects of regional significance, to incorporate airport and seaport access and development into planning guidelines with funding allocations, to require metropolitan planning organizations to include all major transportation operators as voting members on their boards, and to retain emphasis on national environmental goals.

ISTEA's greatest success is that, in addition to improving the Nation's transportation system, it is improving the quality of people's lives.

We urge swift reauthorization of ISTEA so the momentum can be continued.

Thank you.

Senator WARNER. We thank you very much, Mr. Boyle.

Senator WARNER. Mr. Conway?

STATEMENT OF E. VIRGIL CONWAY, CHAIRMAN, METROPOLITAN TRANSPORTATION AUTHORITY

Mr. CONWAY. Chairman Warner, Senators Moynihan, Baucus, Lautenberg, distinguished members of the committee, and our dear friend, Senator Al D'Amato, chairman and member of many other committees, it is a pleasure to join you today to discuss the impacts of ISTEA reauthorization on the Metropolitan Transportation Authority.

When ISTEA was first adopted by the 102d Congress, it marked an important moment in the development and maintenance of our Nation's public transportation facilities because ISTEA recognized that transportation is not simply about moving vehicles, it's about moving people.

No organization moves more people more efficiently than the MTA. The MTA is the largest public transportation provider, by far, in the western hemisphere. Every day 5.5 million people travel on the MTA facilities, and annually more than 1.7 billion customers use our rail or bus service.

Our significance is based not only on the number of people we move, but also on the economic importance of our region. That is why we are particularly concerned with the outcome of this year's ISTEA reauthorization process and how it will affect the Federal transit investment.

But I did not come here today looking for a handout. The MTA has a proud history of local effort. To begin with, virtually our entire transit network—estimated value of $300 billion—was built with private and State and local dollars long before Federal funding existed for these needs.

Today, while Federal funding is a critical component of some of our most important projects, it accounts for 28 percent of our overall capital program. It's the largest public works rebuilding effort in the Nation's history.

Perhaps this explains why we have taken such dramatic steps to improve the efficiency of our operation.

Our current operating financial plan calls for a reduction of more than $3 million in operating expenditures and increases revenues by $308 million. But even while we have dramatically improved the operations of the MTA, making ourselves more self-sufficient, there are still substantial capital needs that must be addressed to ensure the continuing growth and success of our region.

I might say at this point that we have been fortunate, indeed, to receive 50 percent of the funding amount we needed for the 63rd Street Connector to date through the efforts of Senator D'Amato and others, Senator Moynihan. They both spoke so eloquently. We promise to continue this connector and complete it. I made a personal promise to Senator D'Amato, which I plan to keep, that we'll have a shovel in the ground to continue that project by 1998, and that we will complete it early, if possible.

Senator Moynihan, we thank you for what you did in connection with that.

We applaud the effectiveness and direction of ISTEA legislation under the transit title, and we are also concerned that the flexible fund category be maintained.

The MTA, between 1992 and 1996, received $352 million under flexible funds for congestion mitigation, air quality, and surface transportation funding. Many projects that were very important could not have been completed and would have been under-funded.

Even the 63rd Street Connector, which got the lion's share of its funds from other ISTEA sources, received $45 million of the congestion mitigation funding. That has been named, of course, as one of the most cost-effective new starts by the FTA, and once it is open it is going to benefit over 400,000 taxpayers.

Flexible funds were also used in the Grand Central Terminal's sky ceiling restoration. We have roughly 500,000 commuters that pass through there each day.

Flexible funds have been used for many other sources that are very important to our transportation system.

Governor Pataki strongly supports the initiatives and the number of improvements that are likely to be made in the future that are excellent candidates for ISTEA flexible funding.

Before concluding, I'd like to speak briefly about the STEP 21 movement. STEP 21's underlying philosophy adheres to the principle that each State is entitled to its own revenues and is responsible for its own need.

According to Senator Moynihan's always-important report each year, "The Federal budget and States," in 1995 we sent $18 billion more to the Federal Government than the State received back.

Over the last 15 years, our deficit would be nearly $200 billion. It's very unfair, the STEP 21 proposal, to a State like New York that doesn't generate a high level of gas taxes but shoulders more than its share of the overall national burden as far as transit goes.

ISTEA has proved to be a rational and highly effective piece of legislation that recognizes heightened significance of public transportation today and in the future.

We strongly recommend the reauthorization of the legislation and the continuation of the flexible funding categories, and we look forward to working with the various committees to help modify the legislation in any way which we can improve it, but I hope that it is reinstituted and I certainly thank you for the wonderful opportunity to address this committee.

Senator WARNER. Thank you, Mr. Conway.

Senator WARNER. Mr. VanDyke?

STATEMENT OF J. WILLIAM VAN DYKE, CHAIRMAN, NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

Mr. VANDYKE. Thank you.

Mr. Chairman and members of the subcommittee, my name is Bill VanDyke, and I am a freeholder for Bergen County, New Jersey. I am also chairman of the Board of Trustees of the North Jersey Transportation Planning Authority, or NJTPA.

The NJTPA is the metropolitan planning organization or MPO for northern New Jersey, which encompasses 13 counties and 5.8 million people. It is the fourth-largest MPO region in the Nation.

Today I'd like to relate to you one of the success stories of ISTEA—that is, the expanded authority entrusted to MPOs, which has given the NJTPA and over 300 MPOs across the Nation the ability to create a new, more-open, and accountable transportation planning process, one that for the first time gives local elected officials and the public an effective say over transportation decisions.

In practice, ISTEA empowerment of MPOs has meant that, rather than rubber stamping the capital plans developed by State DOTs, MPOs became full partners in selecting projects and determining Federal funding allocations among them.

The local elected officials on the NJTPA board responded with enthusiasm to the new role and authority granted them by ISTEA. At our monthly meetings, these representatives of the people now show up in person rather than sending surrogates, despite their busy schedules. They also participate in our three standing committees which recommend actions to the full board.

I might say that a goodly number of them are here today at this session.

This role for local elected officials such as myself has made all the difference. We county executives, freeholders, mayors, and councilmen are in daily touch with our constituents. We are their voice and we know the issues.

By serving on MPO boards we can ensure that funds are allocated cost effectively to the highest transportation priorities in our region in a way that simply cannot be done by planners and project engineers sitting far away in State capitols.

Our annual negotiations with State transportation agencies over project priorities are conducted in a spirit of partnership and cooperation.

The partnership fostered by ISTEA also extends to the cities and counties represented on our board, which are referred to as our "subregions."

The NJTPA facilitates and supports the planning activities of its subregions by providing funding, tools, training, data, and technical expertise. Through our innovative local lead and scoping programs, subregions are now eligible to receive Federal capital dollars to prepare their own priority projects for eventual implementation.

Previously, many projects favored by subregions sat on the shelf, often for years, awaiting attention by NJDOT staff, who are engaged in other priority work. Now counties and cities can turn to the MPO to get their priority projects moving.

The NJTPA has also pushed the envelope in using technology to improve transportation planning. In addition to in-house computer modeling, the NJTPA has equipped subregions with geographic information system, GIS, technology to carry out often sophisticated analysis of local mobility needs.

The NJTPA is also working with two ISTEA-funded national transportation research centers, the New Jersey Institute of Technology and Rutgers University, to prepare an innovative computerized project information system called TELUS—which is an acronym for Transportation Economic Land Use System—that will provide the public and local officials with a user-friendly means to retrieve a wealth of project information. The system will transform the TIP into a dynamic information tool.

So, by enabling MPOs to take these and other initiatives, ISTEA is working extraordinarily well from our perspective. Perhaps a surprising thing is that we have made ISTEA work in a region that is economically complex, densely populated, and heavily traveled.

Each year we are faced with what seems like an overwhelming number of needed projects competing for each Federal dollar we have available, along with a host of local interest groups arguing from where and how we should make our investments.

The MPO process put in place by ISTEA has allowed us to effectively broker competing interests to arrive at a regional consensus that, while it may not please all parties, ensures steady progress in improving regional mobility.

For the upcoming ISTEA reauthorizations, the lessons are clear: the framework established by ISTEA for empowering local officials through MPOs and for targeting funding based on national and regional needs has been highly effective and should be sustained and strengthened. Drastic mid-course changes in our Nation's transportation policy could threaten our impressive achievements in building efficient, balanced, and well-managed transportation systems in the metropolitan regions, where the majority of our Nation's population and productive capacity resides.

Simply stated, ISTEA works. Don't change it.

I thank you very much for allowing me to testify.

Senator WARNER. We got your message.

Senator WARNER. Ms. Bauer?

STATEMENT OF JANINE G. BAUER, EXECUTIVE DIRECTOR, TRI-STATE TRANSPORTATION CAMPAIGN

Ms. BAUER. Thank you, Chairman Warner.

Mr. Chairman, my remarks cut across many of the topics that you heard this morning, and in an effort not to repeat what has already been said I'm going to turn to those subjects which have not been discussed in considerable details.

The 10 percent safety set-aside in the surface transportation program is critical to reducing injuries and fatalities in this region and, in fact, we think ought to be strengthened.

In New York, nearly——

Senator WARNER. I'm sorry to interrupt. What was that percent?

Ms. BAUER. There is a 10 percent safety set-aside out of the STP program currently.

And let me place my remarks in context by saying the overall theme—our overall theme is that ISTEA ought to be strengthened and the funding categories kept and the goals of ISTEA would be met by closer adherence to its principles rather than by wiping out the various funding categories and so forth in the name of flexibility, which has a down side.

In New York, nearly 2,000 people are killed in car crashes annually. In New Jersey the figure is 6,000 killed and seriously injured. Surprisingly, perhaps, pedestrians make up one-quarter of the victims in New Jersey and over 50 percent here in New York City. Many are—most, in fact, are children and the elderly.

An aggressive program is needed to stem that tide of fatalities and injuries. They only cost local governments and State government more money in terms of judgments.

Pedestrian safety infrastructure, however, costs money, although per life saved it is the most cost-effective investment. Where pedestrian safety is a problem, as it is here in this region, we think the State should invest more in pedestrian safety measures, and their expenditures should be measured against the progress States are making in terms of reduction in the number of injuries and fatalities, so we would like to see that program maintained and, in fact, strengthened against a progress rule.

Enhancement funds have also allowed us to begin to realize both a national and regional goal. It's the goal of each one of the State DOTs—I representative environmental transit planning advocacy and citizen groups in Connecticut, New York, and New Jersey—the national and regional goal of substituting walking and bicycling for trips under five miles. Car trips under five miles cause a disproportionate share of pollution because of the effects of cold starts, and also because they tie up traffic, which could be accomplished—the trip could be accomplished by either bicycling or on foot.

However, people will not make such trips unless infrastructure allows them to make it safely and conveniently and in an attractive manner. Presently that is not the case in our region. If the enhancement category is not maintained in ISTEA, money for those projects would be swallowed up by the greater transit and road needs and bridge needs, of which you heard much about today.

New York has virtually obligated all of its enhancement moneys, and in all three States there is a long list of unfunded bicycle and

pedestrian projects because there are too many good projects and not enough money.

In terms of transit, you heard that one of three transit trips in the Nation is taken here in the New York region. With just a few miles of track construction, the New York Metropolitan Transit Agency could streamline and link up their many independent, presently unlinked lines.

Everywhere in this region, transit ridership is increasing; however, levels of service are declining, stations are being shut, and both quality and level of service in terms of headway is moving backward somewhat, while our riders are paying a record amount for their fares. In Metropolitan Transportation Authority district, 76 percent of the cost of the ride is now born by riders.

We think investment ought to go to transit capacity and not to highways. We think that, with respect to a new wave of highway building in this region, it is undesirable and unnecessary. We think the emphasis in ISTEA II ought to be on system preservation and maintenance.

You've heard a great deal about our region's needs in terms of its bridges and existing roadway infrastructure, and we would like to see that emphasized over any new wave of highway construction, which we think is unnecessary and is presently costing $35 to $50 million a mile in this region. We simply can't afford it.

Senator WARNER. That's very interesting. Thank you very much, Ms. Bauer.

Senator WARNER. Question to Mr. Conway. The Administration has proposed $600 million in a welfare-to-work program. Some transit officials have expressed concern that this program takes away from other important transit programs because it is not funded with additional resources. Do you have any view on that?

Mr. CONWAY. Well, I think that the welfare-to-work program is a commendable one that has been certainly pioneered by both Governor Pataki and by Mayor Giuliani. I would encourage anything we can do to support it. I think that if it's going to create genuine jobs and will truly provide upward mobility, I think it's a something we should encourage.

Senator WARNER. Ms. Bauer, do you have a view on that?

Ms. BAUER. My personal view would be that the money should not have been taken off the transit account and that, in fact, transit is going to bear most of the brunt of that transportation because, as was mentioned by one of the earlier speakers—in fact, I think it was Governor Pataki—those trips are going to be made by transit, despite the fact that most of the job growth in this region is in the suburbs.

Senator WARNER. Thank you.

Mr. Baucus?

Senator BAUCUS. Thank you, Mr. Chairman.

Ms. Bauer, I appreciate your statement very much. We don't have a lot of transit in my part of the world—in fact, virtually none—but I particularly appreciate your comments on safety and the concern over our mortality, transportation deaths.

One interesting statistic is that 60 percent of highway deaths in this country are rural. I think that's basically because we have people driving on two-lane roads that aren't well-marked, and also

there is not a lot of traffic so there's monotony—just go to sleep and drive off the road. But it's a high statistic, and one we're dealing with the best we can. I know you are dealing with it in your role as best you can, and I commend you for what you're doing.

Mr. VanDyke, I want to say how much I appreciate the local input—I hate that word—but the process where local folks are determining, under MPOs and other similar organizations, how these dollars are going to be spent and tailored much more to local needs.

Senator Moynihan reminded me that was an innovation in the ISTEA bill, and I'm glad we put it in under his leadership, and I just want you to know how much I want—and I can speak for others, I'm sure—to keep maintaining that concept.

My view is the more people locally deciding how to spend this money, particularly in larger urban areas, the more likely it is those dollars are going to be spent very well.

Thank you for your efforts.

Mr. VANDYKE. If I could just comment on that, I have been on the MPO 9 years. I've seen it before and after ISTEA, and I can tell you that since the ISTEA legislation the interest and the consensus building around the table, not necessarily fighting for equity in every subregion but agreeing that there are massive projects in a particular area that affect the regional economy, come to the table and have agreed on these projects that before would have never been accomplished.

Senator BAUCUS. I might say—it's not this hearing, but I think that's a concept that could be extended and should be extended to a lot of other areas. One that comes to mind is the Endangered Species Act. I think that the more people locally—landowners and private property owners and others—that can sit around a table and decide what to do about habitat protection, for example, the more likely it is we're going to have a lot less controversy over that act which we now have. That's just one example.

MPOs certainly are doing very well and I again commend you.

Mr. VANDYKE. Thank you.

Senator BAUCUS. Thank you, Mr. Chairman.

Senator WARNER. Thank you very much.

Mr. Moynihan?

Senator MOYNIHAN. I'd just confirm what Senator Baucus has just said and thank Mr. VanDyke for his witness in this regard.

Mr. Chairman, this was not just another highway bill we passed 5 years ago. We meant to change transportation planning and functioning in this country, and to a degree that I'm sure that Bob Roe back there is as surprised as I am, we seem to have done.

I think, as Senator Baucus notes, there are applications for the MPO device, not just north of New Jersey.

For example, I just had a thought this morning at City Hall. A couple of weeks ago the Environmental Protection Agency informed New York City that it was going to build an $800 million filtration plant at the Trotan Reservoir instantly or they'd start fining us $25,000 a day, which made me think maybe it's time we get rid of the Environmental Protection Agency. We dug that Trotan Reservoir and the pipeline down here with Irishmen and mules 150 years ago. It has worked pretty well ever since until Washington came along.

Do you think I have been listening to Mr. Gingrich too often?

[Laughter.]

Senator WARNER. Very interesting.

Voice. It's like the CIA.

Senator MOYNIHAN. Thank you.

Senator WARNER. You're beginning to talk like Ronald Reagan.

[Laughter.]

Senator WARNER. Close down the Education Department and everything else.

Senator Lautenberg?

Senator LAUTENBERG. Just briefly, Mr. Chairman.

I think, in particular, obviously, I'm interested in Mr. VanDyke's comments. That's a 13-county organization serving almost six million people. I look at each one of our friends at the table, each one representing yet another organization. I think the critical thing is that these organizations work together.

Mr. Boyle, I was a commissioner of the Port Authority for some years, and that's what got me into this devilish business that I'm in now, but I saw the value. Really, those 4 years I spent with the Port Authority were of great help to me to see what it is we have to do in our region to maintain the competitiveness, to maintain a decent quality of life, to reduce congestion, etc.

But, Mr. VanDyke, how do you coordinate with the other groups around? I mean, you've got your 13 people. I know you've worked with the Port Authority and with others. What do we do to enhance, for instance, the commutation travel between our northern region and New York City within your NJTPA?

Mr. VANDYKE. I think there's an ongoing relationship. In fact, a representative from the Port Authority is actually one of the members on our board. We have 20 members. One is from the Port Authority. We have a member representing the implementing agencies in New Jersey—New Jersey Transit, New Jersey DOT. They're all at the table. We also have ongoing relationships with two other MPOs in New Jersey—the South Jersey Transportation Planning Organization and the Delaware Valley group out of Philadelphia that represents a couple of counties.

So it's ongoing, not only within our region, but it's really a Statewide effort to arrive at a better transportation system so that economically we can all benefit.

Senator LAUTENBERG. I think, Mr. Chairman—and I won't continue this any longer except to make one statement, and that is to say that the more we can do to coordinate the bodies that represent various transportation interests to eliminate the barriers that we have to jump over to get to talk to one another—I must tell you, as a commissioner of the Port Authority, I was and continue to be very impressed at what they were able to do at the Port Authority, Senator Moynihan, over the years, and that is keep transportation, keep the bridges and tunnels at a fairly modest cost, have a path in there that is truly intermodal in every sense of the word, the bus terminal, recognizing that we can't operate unless all modes of transportation get their fair share of attention.

I think it's a wonderful idea, and the success that we've seen at the NJTPA is an excellent model for the rest of the country to follow. I hope it will be done.

Thank you very much, Mr. Chairman.

Senator WARNER. Thank you, Senator.

Do other colleagues wish to speak?

[No response.]

Senator WARNER. We thank this panel very much.

[Applause.]

Senator WARNER. We'll now have the economic development panel, if you'll take your seats. Thank you.

Panel three, you have waited patiently. We will accord you every consideration in time and attention as we did the first group of witnesses because you bring a very wide cross-section of views.

Speaking for myself, and I believe perhaps the others up here, where I can be the beneficiary of your testimony to the greatest degree is if you'll look me in the eye and say, "Senator, ISTEA I, this is my view of it. Keep it as it is, don't change a word." Or, "Here's what I think should be done in ISTEA II." We'll call it that for ease of reference.

In other words, what is it that you would like to see the Congress do in relationship to ISTEA I, which we all recognize was a very successful piece of legislation? It has worked, it has achieved its goals. I want to build on it. But I do believe there are important ways to improve it.

As I spoke to one of our previous panels, I'm fed up with 9 years from concept to delivery. We can do better than that. We can build aircraft carriers in less time than that. That's one way.

That's my view.

Any views here before the panel gets underway? Tell us what you would do if you were king for a day and you could write that provision.

Senator MOYNIHAN. Make that chairman.

Senator WARNER. No, no. King for a day. Chairman is going to have to work behind the scenes. Kings work right out in front of the public.

Thank you very much.

Now we'll hear from Mr. Kiley, president, New York City Partnership and Chamber of Commerce.

STATEMENT OF ROBERT KILEY, PRESIDENT, NEW YORK CITY PARTNERSHIP AND CHAMBER OF COMMERCE, INC.

Mr. KILEY. Mr. Chairman, thank you, and Senators Baucus, Moynihan, and Lautenberg, the latter two of which I've had the good fortunate to work with over these many years in getting us to the point where we are.

I have a prepared statement, but——

Senator WARNER. We'll admit all prepared statements in their entirety in the record. Thank you.

Mr. KILEY. I know that you've been listening to some of them at length, and I don't want to take your time or the time of the panel by repeating what others have said, so I will just make a few points and leave it go at that.

Our organization, the New York City Partnership and the Chamber of Commerce, includes the CEOs of the major corporations in this region. It also includes membership from many of the medium- and smaller-sized businesses, as well as the leaders of most of the

major civic organizations from New York City. On top of that, I'm a former chairman of the MTA. You heard from Virgil Conway, an excellent successor. And I also ran the Massachusetts Bay Transportation Authority in the Boston region during the late 1970's.

Let me begin by saying that ISTEA I is a very good piece of legislation. I think all the evidence to date suggests that this is a framework not only for national transportation policy but for national transportation projects that can be improved on, yes, but that is really working. This is not a time to change something that works.

It's a matter of concern, I think, to those of us in this region who believe that we have produced a balanced transportation network that could usefully serve as a model to the rest of the country, that there are those in the rest of the country who haven't really given this piece of legislation a fair chance to work.

I suppose the purest model of what some are arguing for would be a total pass-through of the Federal gasoline tax back to the States.

We do not celebrate those who wrote the Articles of Confederation. I'm not aware of a holiday that memorializes important events during that period of time.

When President Eisenhower proposed the Federal gasoline tax as a means to build the interstate highway system, he didn't say, "OK, folks, I urge the States to make their best efforts to raise the revenue possible to eventually build a transportation system that will be the envy of the world."

We started after World War II with the notion that we had to get about the business of stitching together a national transportation system that would make, eventually, our economy the envy of the world.

ISTEA is the natural evolution of that process, and it would be dangerous, indeed, to take a major step, a step backward that would deviate from a pattern that works well.

Not everything, I'm glad to say, that the Federal Government has done over the years is bad. It almost seems that we've gotten to the point where, as a basic operating principle of political rhetoric, we start with the notion that if the Federal Government is involved that must be the problem, not what it's trying to solve.

The second point I'd like to make, Mr. Chairman, is that yes, in our region you can say that we are pleaders. As you have heard already, our region—and by that I mean New York, New Jersey, and Connecticut—are net exporters of Federal capital. We send $40 billion a year net off to the rest of the country via the Federal Government through creative Federal formulas in some cases, direct grants in other cases.

This is the one category of funding where our region is a net beneficiary, and there's a simple reason for that, and that is that with gasoline taxes we have shown—and it's in this area where I think we stand as a model for the rest of the country—that we do not invest in simply a single mode. We invest in all the modes—mass transit; highways, to be sure; maritime transportation; aviation—a balanced blend that's always changing.

Of the people that come into the most important economic engine in the world, Manhattan, 85 percent come here by public transpor-

tation, by means other than the automobile. Close to 40 percent of all the people who travel about our region in any given day are traveling by means other than automobile.

This is no accident that our region has become the economic engine that it has become, and transportation has been crucial to its progress at every step along the way.

So it wasn't easy to get to ISTEA in the late 1980's. That was a long, hard march, and several of you gentlemen were there marching. You were in the leadership of that fight all the way through. This is not the time to relax. This is not the time to go back to old—and I might say discredited—principles. We ought to stick with it, and we ought to make a good piece of legislation even better.

Let me just make one other point, Mr. Chairman, and that's this question of the 4.3 cents, which was part of the 1993 Federal Deficit and Budget Reduction Act. I'm one who believes that that 4.3 cents ought to be put to different use than balancing the budget.

I'm not in a position to weigh the merits of this particular generator of revenue as a deficit reduction device against the potential benefits that come from reinvestment in the economy, but we're at a critical crossroads with two Federal programs that are very important. One is ISTEA, which is being reauthorized now. The second was welfare reform legislation, which occurred last year.

This 4.3 percent tax, which has the potential of generating $7 billion nationally, if it's added to the transportation pot can be a very quick way to produce programs and projects that will have, among its most important benefits, if we make it so, the possibility of employing people who are coming off of welfare assistance.

This $7 billion a year, if leveraged, if structured and leveraged in a way in which it could produce as much as $100 billion annually with State, local, and private participation, is conceivably and potentially the single most important means we have of moving people quickly—and we are working against a 5-year clock—off relief into genuine private jobs.

Yes, this would be a public works project, but it would be a public works project that would be run on the back of the private sector, because we have shown over the better course of this century that we know how to do these public works projects. Government generating funds and the private sector producing the know-how, the design talent, engineering talent, and the construction talent to put people to work and to build the projects.

I think we are in the fortuitous position during 1997 in the reauthorization of ISTEA to focus on that 4.3 cents as an opportunity to make welfare reform work. God knows we need to reach for every device that we can lay our hands on to make that happen.

Mr. Chairman, thank you for the opportunity to appear here before you, and good luck to you in this important effort.

Senator WARNER. We appreciate that, and I concur in your observations on that latter point definitely.

Senator WARNER. Now we'll hear from Mr. Lew Rudin of Rudin Management Corporation, Park Avenue.

STATEMENT OF LEW RUDIN, RUDIN MANAGEMENT CORPORATION, NEW YORK, NEW YORK

Mr. RUDIN. Thank you, Mr. Chairman. I'm the chairman—my family has been in the real estate construction business in New York, and I am chairman of a civic group that was started in 1970 to be in business for 3 years to stop corporation exodus. We didn't want these urban sprawls all over the wonderful rural suburban areas. We wanted to keep these companies in New York. We said we'd be in business for 3 years, but we've been in business now for 27 years.

We are a business organization and a labor organization and a civic organization. We have members sitting right at this table, my friend Ed Cleary and others, who have been part of this crusade to make New York a better place to live and work.

The fact is that ISTEA has been a great help.

Mr. Chairman, you asked me if I were the king for a day what would I want. I said I really would like West Way.

[Laughter and applause.]

Mr. RUDIN. But we lost that battle and that was one of the few battles that we lost in 27 years.

We won a fight back in 1986 to save State and local tax deduction, which I think has been an important item to benefit most of the major States in this country.

I have a text, and you're going to get it. I want to remind my good friend, Senator Baucus, that if we didn't have sound bridges he couldn't have run the marathon a few times, the New York City marathon, because it starts at the Verrazano Bridge, and I don't know how many bridges and goes over, Senator, until you get——

Senator BAUCUS. All I can say is the 59th Street Bridge is like Mount Everest. You've got to make it more level.

[Laughter.]

Mr. RUDIN. We put a carpet on it.

In any event, it was the New York City Marathon that I think brought all of us together in 1976 right in the middle of the fiscal crisis, and we've come through that, and ISTEA has helped in the last number of years, thanks to you folks.

I want to also remind my good friend, Senator Baucus, that back in 1978 there was going to be a beef boycott because of the price of beef, and some of us didn't stand up to that insanity and invited Governor Tom Judge into New York so he could have steak with us on—it was going to be a Wednesday boycott, and he had bacon for breakfast with us, and we had pastrami or corned beef for lunch, and then we had a big steak with Mayor Koch for dinner.

I remind you that New York is still part of the other States, so don't let us down in this. ISTEA is working, as Senator Warner suggested, and if we can improve on it let's improve on it.

The fact is that I was told to get down here by 11. I was late. I jumped in the subway at 51st and Lexington. I was down here in 12 minutes. I've been now waiting for 2 hours, so ISTEA has gotten our rapid transit system working pretty good.

The city of New York is on a tremendous, tremendous resurgence. Right in this area where you are at there are redevelopments going on. This is the most depressed major business district in the country. It's the third-largest business district in the coun-

try, the first being midtown Manhattan, the second being Chicago, the third being Wall Street.

A year or two ago there was 30 percent vacancy—that's 30 million square feet of office space. I don't think there is 30 million square feet of office space in the State of Montana, but we have it. We had to fill it up. It's now down from 30 percent vacancy down to about 18 percent vacancy.

It's all because people are able now to get down here better because of ISTEA.

I say make ISTEA better. Put a little saccharine in it, a little sugar in it. Make it sweeter. We in the city of New York will thank you forever.

Thank you very much.

Senator WARNER. Thank you very much for a very clear message.

[Applause.]

Senator WARNER. Now we have Mr. Phil Beachem.

STATEMENT OF PHIL BEACHEM, EXECUTIVE DIRECTOR, NEW JERSEY ALLIANCE FOR ACTION ON ISTEA

Mr. BEACHEM. Good afternoon, Senator. I'm Phil Beachem, president of the New Jersey Alliance for Action, and I'm pleased today to represent also the ISTEA Works for New Jersey Coalition.

I want to thank Senator Warner, Senator Baucus, and Senator Moynihan for the time that you've given us and the opportunity to solicit our input on this important issue. I also want to pay special recognition to Senator Frank Lautenberg.

Senator about 200 of your constituents traveled here this morning. Some of us came by charter bus. A number of us came by ferry from Monmouth County. Some of us took the PATH train, some of us took the regular train. A few dared to drive here this morning. I think they may regret it a little later on when they leave. Really, that's what ISTEA is all about, because all of those modes have been affected one way or another by ISTEA.

On behalf of 200 constituents of yours that are here, I want to personally thank you for the hard work that you have given to these citizens of the State of New Jersey on this and many other issues. Thank you.

Senator LAUTENBERG. Thank you.

Mr. BEACHEM. The Alliance for Action is a unique nonprofit, nonpartisan, State-wide coalition of some 600 business, labor, professional, academic, and governmental organizations. We are committed to economic progress, creation of jobs, and responsible protection of the environment.

ISTEA I has made significant contributions to each of these goals: the economy, jobs, and the environment. That is why the issue of reauthorizing ISTEA without substantive change has galvanized and brought together every segment of New Jersey's economic, civic, and community life, a unity and diversity that probably has never been achieved before behind a single issue.

Our coalition has republicans and democrats working together, business and labor, environmentalists and developers, highway and public transit advocates, and the elected leaders of our cities and counties, urban, suburban, and rural.

Someone once remarked that ISTEA I is more of an economic development initiative rather than simply a transportation bill. I think there is much truth to this statement.

The impact on New Jersey's economy of ISTEA I has been profound. Let me give you one quick illustration.

The New Jersey Alliance for Action annually holds a construction forecast seminar at which representatives of an array of public and private organizations preview their construction plans for the future.

The most recent seminar projected an increase of 17 percent in private and public construction, or $2 billion for this year and next. And guess what is leading the way? Capital investment in transportation information generated in great part by ISTEA dollars.

In a landmark study by the Foundation of the New Jersey Alliance for Action—and I have a copy which I'll be glad to submit to the committee—a team of outstanding economic consultants estimated New Jersey's infrastructure needs to the turn of the century at $95 billion. Of that total, half, or $48 billion, were in transportation infrastructure needs.

The report, which received national attention, made these comments. One, "Transportation facilities—roads, public transportation, ports, and airports—link our cities to each other, our farms the market, and New Jersey's economy to the rest of the Nation and the world."

Investment in infrastructure has a strong impact on the level of private investment, on the productivity of private firms, and thus on personal income.

The economic benefits from ISTEA I affect not only New Jersey, but the entire region. This region is the hub of international commerce and the corridor State for one of the Nation's busiest regions. More people and goods pass through this region using our roads, public transit, ports, and airports than almost any other State.

We use ISTEA dollars to coordinate regional and local transportation strategies that promote economic growth and a better quality of life for everyone.

New Jersey sends $17 billion more in taxes to Washington than it gets back. Only ISTEA I has restored some balance of fairness based on the needs of an older urban congested corridor State with an aging transportation infrastructure.

The ISTEA Works for New Jersey Coalition requests the renewal of transportation funding formula which reflects each State's individual needs.

Thank you very much.

Senator WARNER. Very good. Thank you. That was very helpful.

[Applause.]

Senator WARNER. Mr. Cleary, president, New York State AFL–CIO.

STATEMENT OF ED CLEARY, PRESIDENT, NEW YORK STATE AFL–CIO

Mr. CLEARY. Senator, thank you. Thank you for the opportunity to come here today to join with the others in making a presentation on ISTEA.

I'm not only here speaking on behalf of the 2.5 million members that make up the New York State AFL–CIO, but also the transportation trades and the building trades department of the national AFL–CIO.

I've submitted a lengthy statement. Let me review very briefly some of the highlights.

ISTEA I, as we all recognize, has been an inspiration to a lot. Economically, it has helped us develop a good part of the State of New York. We look forward to ISTEA II doing exactly the same thing, with some improvements.

Let me briefly highlight our principal concerns.

Securing the highest possible investment levels for all surface transportation programs must be the most important goal for those leading the reauthorization. In an era of government downsizing and constrained Federal spending, Congress must realize that the Nation's businesses and their workers cannot be competitive in the 21st century without a well-financed transportation network.

Moreover, the Nation must find the will to develop a reliable long-term funding mechanism to stop the financial hemorrhage of our national passenger railroad, Amtrak, but this goal must not be accomplished by forcing transport modes to compete against one another for a smaller pool of funds.

To help address this, the union's transportation trades department and the building construction trades department support redirecting the 4.3 cent gas tax into the highway trust fund. Amtrak should get one-half penny, and the highway transit program should get the balance under existing formulas.

If we are serious in addressing our infrastructure needs, we must identify new revenue sources. This redirection of fuel taxes will produce about $5 billion at a time when investment levels are falling well below projected needs.

As we all know, the 1991 legislation insisted on the maintenance of federally established labor standards and worker protections such as 13(c) and Davis Bacon. These Federal laws have ensured wage and job stability and protected collective bargaining rights.

The 13(c) program is a sensible mechanism to ensure that workers are not unfairly treated as a result of the distribution of Federal transit assistance or structural changes in transit systems.

Prevailing wage laws such as Davis Bacon Act prevent construction and service contractors from undercutting industry wage and benefits standards to the detriment of workers and their communities. If these protections are eliminated in the name of reform or waived in certain instances, the basic rights and jobs of workers are gravely threatened.

I might add that when you're considering the whole question of welfare reform and how it might be re-woven into the new bill, I would seriously consider the position taken by the national AFL–CIO, and if you do not have it, I'll see to it that they send it to you, and we'll also send you our position from the New York State AFL–CIO, because these are workers you're talking about, and everything we've seen up until now where they have used public moneys to relief or to bring about welfare reform, they've thrown some of the laws that we have in this land today to protect the

rights and the health and safety of workers out the window. So this would be something I would seriously look at.

[Applause.]

Mr. CLEARY. Workers across our economy today are increasingly confronted with a dangerous and a unpredictable work place.

In a deal to deregulate the transportation industry, Congress has enacted legislation that narrowed the margin of safety for workers and the general public. For example, in 1995 national health and safety legislation, Congress attached a provision that could exempt some two million trucks from recordkeeping, hours of service, safety inspections, insurance requirements, and other safety-related requirements. These are the same trucks that account for 50 deaths and 1,000 injuries per month, at a cost of $500 million annually.

This is the type of policy that undermines transportation safety that we will vigorously oppose when ISTEA is reauthorized.

On privatization, we have a whole section in the report—and I won't go into that—but Congress recognized the wisdom of this policy during the consideration of the original ISTEA bill when it included protections against the use of Federal transportation grants to force privatization on communities.

With regards to planning, current law allows a wide array of interests, including labor organizations, to receive, review, and comment on the annual and long-range transportation investment programs developed by metropolitan planning organizations before final approval is granted these plans.

Workers are directly affected by MPO recommendations and thus their unions offer a unique perspective to assist MPOs in developing workable and efficient plans. The role of workers and their unions at the planning table is to help ensure that employee issues are not merely cast aside when core planning decisions are made.

While we support the MPO program design embodied in the 1991 legislation, we believe a mandatory role for union representatives should be reaffirmed, and, to the extent possible, strengthened in the reauthorization bill this year.

ISTEA has represented a historic shift in transportation policy for this country. Thousands of communities, businesses, and workers in the northeast and across the country—and I might add in Puerto Rico and the Virgin Islands—have benefited greatly from the 1991 act. We will look for this committee's leadership to help craft a bill that meets the Nation's surface transportation need by building on the successes of ISTEA.

Senator you spoke to a number of unemployed youngsters today. I'd like to say that in this State, the State of New York, there are 10,000—we talk about training people—there are 10,000 apprentices in training in the building trades and in the industrial trades, and I think with the reauthorization of the bill you'll see those numbers grow not only in our State but in the other States.

I thank you for the opportunity to present testimony.

[Applause.]

Senator WARNER. Thank you, Mr. Cleary.

Senator WARNER. Indeed, I did have the opportunity. I'm not so sure how young some of them were, though.

Mr. CLEARY. All operating engineers.

Senator WARNER. They were operating, though. No doubt about that.

[Applause.]

Senator WARNER. Now we'll have the opportunity to hear from Mr. Raymond Pocino. Thank you. He's representing the Laborers International Union of North America.

STATEMENT OF RAYMOND POCINO, REGIONAL MANAGER, LABORERS INTERNATIONAL UNION OF NORTH AMERICA

Mr. POCINO. Thank you, Senator.

I'm Raymond Pocino, vice president, eastern regional manager of the Laborers International Union of North America, representing Delaware, eastern Pennsylvania, New Jersey, and New York City.

I want to thank Chairman Warner, Senator Lautenberg, Senator Moynihan, and Senator Baucus for the opportunity to appear here this afternoon and give testimony on behalf of the reauthorization of the ISTEA.

Senator WARNER. And we wish to thank the members of your respective organizations for taking the opportunity to come.

And may I say it's very heartening to see a cross-section of the segments of America's economy being represented here, not only on this panel but, indeed, in the audience and throughout.

Thank you.

Mr. POCINO. We appreciate the opportunity, Senator.

This landmark legislation has been of enormous benefit to the entire northeast corridor, and because this region plays such a key role in facilitating America's ready access to the world marketplace, I would suggest that ISTEA allocations to the New Jersey and New York metropolitan area have a spill-over effect that ultimately benefits the entire Nation.

No modern developed nation can thrive without an extensive and highly advanced transportation infrastructure. Without continuous investment in this transportation infrastructure, a modern economy fails to grow.

There is a kind of double inefficiency at work when we ignore our roads. First, there is a loss of productivity. It is estimated, for instance, that the cost of trucking goods rises some 6.3 cents per mile when road conditions decline from good to fair.

Second, there is the higher price tag which occurs when repairs are finally undertaken. A bridge that receives regular maintenance will last twice as long as one that does not. The cost of maintaining is a tiny fraction of constructing a new bridge.

Simply put, there is a crucial link between investments in transportation and our Nation's ability to compete globally. That is why ISTEA has played such a critical role in our Nation's life over the past 6 years, and that is why Congress must move quickly to reauthorize ISTEA without disrupting either its revenue flow or the status of the projects it supports.

ISTEA has proven its worth time and time again. It allocates its funding based upon needs. It supports State and local decisionmaking. It provides resources for air quality programs. And it promotes public transit and the concept of intermodalism.

There are few other regions of the country where the intermodal mix of highways, bridges, mass transit, airports, and maritime fa-

cilities is as prevalent as it is here in the northeast. And I believe it is fair to say there are no other regions where economic and quality of life issues are as intertwined with transportation as they are here.

New Jersey has an excess of 40,000 miles of roadway, where nearly 60 million vehicle miles are traveled annually, the most heavily traveled roadways in the Nation. More than 2.3 billion passenger miles are traveled on buses and trains annually in New Jersey. Some 83 percent of New Jersey's workers get to their jobs by auto travel.

As Senator Frank Lautenberg aptly describes it, transportation is New Jersey's lifeblood.

The northeast was perhaps the hardest hit of all regions by the economic downturn that marked the first half of this decade. New Jersey, alone, has lost more than 325,000 jobs since 1989. The construction workers I represent—and, indeed, those of all the construction trades—have suffered through 40, 50, and 60 percent unemployment rates over the past 6 years.

The $870 million which New Jersey receives annually from ISTEA has helped fill this job void. Transportation officials tell us that New Jersey has some 237,000 ISTEA-related jobs, a tremendous return on the investment. It would be an unmitigated economic disaster for New Jersey to lose that source of revenue, not only because of the existing jobs and projects that would be eliminated, but because of the future jobs and projects that would never see the light of day.

I believe these numbers also emphasize the importance of retaining ISTEA's need-based funding formula and rejecting arguments to change the formula to one that is based upon States' contributions to the highway trust fund. Different States truly have different needs.

In closing, I reiterate that ISTEA has been an economic life preserver for States heavily urbanized with aging transportation infrastructure. It has meant jobs, continued competitiveness in the marketplace, environmental upgrading, and an improved quality of life for tens of millions of people.

On behalf of the 750,000 members of the Laborers International Union, I respectfully urge the members of this subcommittee to approve reauthorization of ISTEA without significant changes and to maintain its current need-based funding formula which has served the program and our Nation so well.

Thank you very much for this opportunity.

Senator WARNER. Thank you very much.

[Applause.]

Senator WARNER. My comment to the panel is very succinct, and that is you heard clearly that there is a need to have the most forceful and strongest recommendation to the President and the Secretary of Transportation and others to increase the level of funding.

The President has sent up a bill with a specified level, but I am confident that he is open-minded and will consider the factors to increase it, and you have set forth those factors very clearly today.

I urge the hand-shake that labor and management have put across the table today to find its way in a message to Washington, a message to the President to up the dollar ante.

Thank you very much.

Any comments from my colleagues?

Senator BAUCUS. Mr. Chairman, I think it has been a very helpful hearing. I very much appreciate the way you've conducted it. I also might add my agreement to your statement. We've got to work it out for us, all of us, to make sure the total level is increased above the amounts proposed in the President's budget.

Beyond that, this is going to be a national bill, a national solution. We've had hearings in different parts of the country. Each part of the country obviously wants what it regards as its fair share, particularly in allocation of highway dollars.

I can say categorically that when the dust settles, after the conference completes its work on this bill—that is the conference between the House and the Senate—that we will have truly a national bill that will be fair to all parts of the country.

I think each part of the country wants to be sure it gets its fair share, but each part, I think in good spirit, does not want to have its share given to it at the expense of other parts of the country.

There will be times where this bill sort of ebbs and flows as it goes through the process, but the final result will be the conference report out of committee, and you are now looking at basically most of those who will be on that conference, and I can tell all of you, from my perspective—I think I can speak for others—that it will be a fair bill and treat all parts of the country fairly, as truly a national bill should.

Senator WARNER. That's an excellent statement, Senator, and I thank you for that because you have been a marvelous working partner. And I'm convinced that Senator Moynihan, likewise, will have a strong hand on the outcome of that conference, as he did in laying the foundation in 1991.

Senator LAUTENBERG. Mr. Chairman, I'd just thank you again for conducting this hearing here, for inviting the breadth of the witness list that you did—people who do the work and who get the jobs done, people from the private sector, the government sector.

I think it's a critical opportunity and I'm happy to see Senator Baucus here. He comes from a beautiful, beautiful part of the country and has now had a chance, as he has over the years, to see a little more intimate view of what we're like in this metropolitan region.

But I don't think the case is properly made for expanded resources with which to do this job.

We can fight all we want to get a larger share of transportation, and anyone who knows me knows how involved I have been in there, though I come out of the computer business, but transportation has been a favorite of mine when I worked in the—was commissioner of the Port Authority and saw how it affected the well-being, the functioning of our region.

Second is that the country has to recognize the resource that exists here in New York City, whether it's Montana or Idaho or the Dakotas or where have you.

Funds that are raised here are used to capitalize all kinds of enterprises across this country, and people come from foreign countries across the oceans to get here, where the financing is able to be arranged. That's the stimulation, that's the excitement about New York City environment. That's part of what New Jersey and Connecticut count on, as well.

This is the national mother lode in many ways, and if we shortcut New York and we shortcut New Jersey and we shortcut Connecticut and the region, we damage the well-being of our society, as a whole, the well-being of our economy.

So I urge those of you who have that contact out there—and we within our own group must do it—that is to make certain that funds that are dedicated to transportation be there, but then we have to find a way to commit ourselves, to fulfill a commitment that we have to balance the budget.

I always believe that dedicated funds should go to the purpose for which they are raised, and if we had that 4.3 cents, including a half cent for Amtrak, we'd have another $6 billion to invest each year, with its rippled effect, which is probably a multiple of four, invested in transportation infrastructure.

So, Mr. Chairman, you've done a real service here, and I'm grateful to you.

Senator MOYNIHAN. Can I make one closing remark, sir, thanking you, as Senator Lautenberg does.

We are in the Alexander Hamilton building. He was the author, as Secretary of the Treasury under President Washington, of the report on internal improvements, the first major notion that the Nation needed to commit resources to national purposes beyond simply defense.

He's a New Yorker. We're proud of him.

Out of that came the National Road. Virginia was very much against the National Road because it didn't go through Richmond. And Pennsylvania was very much against the National Road because it didn't go through Philadelphia. But it got to the Mississippi, and we're better off for it.

Senator WARNER. And can you find it today? No.

[Laughter.]

Senator WARNER. But I thank my colleagues.

You know, it's quite rare for five United States Senators to gather together, and we've done that, and we've had a superb hearing, we really have, and I think all of us want to thank our respective staffs who worked together to have this distinguished group of panel after panel come.

Senator BAUCUS. And thank our hosts again, too, Senator Moynihan and Senator Lautenberg.

Senator WARNER. Well, he promised us lunch at 2, and the restaurant has just closed.

Thank you very much.

[Applause.]

[Whereupon, at 2 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

[Additional statements submitted for the record follow:]

STATEMENT OF GEORGE E. PATAKI, GOVERNOR, NEW YORK STATE

Thank Chairman Warner, Chairman Chafee, Senator Moynihan, Senator Baucus and Senator Lautenberg for the opportunity to express my views on the Intermodal Surface Transportation Efficiency Act of 1991, and its effects in New York State. I am pleased to welcome you to New York—a state and a city that have embraced and practiced the principles of ISTEA.

ISTEA is an historic and elective approach to national transportation policy. Its basic principles of shared responsibility for national transportation interests among Federal, state and local agencies; the encouragement of public participation in the planning process; and the promotion of environmentally sound intermodal transportation projects must be retained. ISTEA represents a dramatic shift in the way the Federal Government finances transportation improvements, by recognizing how interdependent the states' economies are, and contains flexible programs to benefit the entire nation as a whole.

Senators, I congratulate you. ISTEA has worked for the nation, and it has worked for New York. The programs embedded in the existing law must be continued with some streamlining which will make this good law even better. The needs based formulas in ISTEA should be continued, with some updating to reflect modern factors. States, local governments, and regional organizations have invested significant time and resources implementing this landmark legislation and have made it work. It does not need a major overhaul. The ISTEA reauthorization proposal cosponsored by Senators Moynihan, Chafee, Lautenberg and Lieberman, which keeps the innovative programs intact and updates allocation formulas, is the right approach, and one New York State strongly supports.

Past investments in transportation megastructure have helped provide improved safety and mobility, promoted interstate commerce, and enhanced the environment. The Federal Government must continue to be a strong partner with the states to assure that these investments are not wasted as a result of a diminished Federal commitment to the nation's infrastructure.

Let me emphasize that a continued Federal role does not remove nor lessen the responsibility that states have in utilize state assets to maintain and improve their own transportation systems.

I point proudly to the high level of effort of New York State. New York State is currently processing a 5-year Capital program which will invest $24 billion dollars—$12 billion for highways and $12 billion for mass transit—in our transportation system. In New York, 75 percent of our transit capital program and 60 percent of our highway and bridge capital program is funded with state and local funds—the highest level of sate and local effort in the nation.

However, certain states are advocating allocating Federal funds based on a state's gasoline use. This is wrong. Where the finds are raised should not be the major consideration in distributing funds to rehabilitate roads or replace deficient bridges, replace deteriorated public transportation equipment, or to reduce congestion and provide cleaner air. Distributing Federal transportation dollars primarily based on where the gas tax is collected is simply "devolution in disguise," and it is a first step toward eliminating the Federal role in transportation funding. If we are simply going to return tax collections to the state where they are collected, the next step will be to eliminate having the Federal Government collect the tax in the first place. Opponents to continuing the basic principles of ISTEA fail to recognize that transportation systems do not end at the state line, and therefore the Federal Government should play an important role in ensuring that the nation's transportation network operates effectively and efficiently.

Without a continuing Federal role, the nation's transportation system will revert to an inconsistent, unpredictable and under-invested resource. This will be particularly true in rural, sparsely populated states which have historically received more in highway apportionments than the gasoline tax collected within their borders. While these states do not have an adequate tax base to maintain the interstate system, they provide central links between major population centers.

I realize that some will claim that New York and other states support ISTEA because they receive more in Federal transportation funding than they collect in Federal gas taxes. However, it is important to note that while New York may receive more than it collects in transportation, a report issued by the John F. Kennedy School of Government at Harvard shows that overall New York State provides $18 billion more to the Federal Government than it receives each year. The equitable treatment of states like New York, New Jersey and Illinois by ISTEA does not begin to address the negative balance of payments relative to the total Federal budget which they are bearing. Federal assistance programs to states should be based pri-

marily on two criteria, needs and national interest, which most of the time are synonymous.

New York, due to its older infrastructure and colder weather, has greater transportation needs than states with warmer climates and more modem infrastructure. In fact, many of New York's major bridges were built in the 19th Century. For example, when the Brooklyn bridge was constructed in 1883, there were only 38 states in the Union. This bridge is 6 years older than the state of Montana Senator (Baucus), and continues to carry thousands of motorists each day. The Bridge program, which recognizes the size and cost of repairing our bridges, is a good example of a needs based program that must be continued.

Proposals that base funding distribution on gas tax collections would also penalize New York State for its strong transit program, which is a major contributor to achieving Federal transportation, air quality and energy goals. Their approach would punish those states that emphasize good public transportation by reducing their Federal aid, contrary to the national policy that encourages the use of public transportation.

New York State is the most intermodal state in the nation. It is home to one-third of the nation's transit riders on systems that range from the massive New York Metropolitan Transportation Authority to one and two bus rural transit systems that provide critical basic mobility and provide economic Improvements to previously isolated areas.

Over 6.7 million people enter the Manhattan central business district each day, 2.3 million by auto and 4.4 million by mass transit. New York's transportation system is not just important to New York residents. In fact, over 450,000 people from neighboring states earn they living in Manhattan and enter its business district each day on mass transit, making 900,000 interstate trips, enough to fill 70 freeway lanes.

In the northeast, we face the dual problems of congestion and pollution, but we are finding that they can often be tackled simultaneously. ISTEA has helped improve the environment. The law established the innovative CMAQ program to help meet air quality standards in many of our large cities, and to help maintain air quality in those communities have improved over the last 6 years.

Let me also briefly discuss an equity issue that affects New York and many other states. An important part of ISTEA was the fulfillment of a promise by Congress 40 years ago to repay states for constructing their Interstate highways without Federal funds. While many southern and western states benefited from 90 percent Federal financing of the cost of their interstate highways, the older states in the Northeast and Midwest had already built much of their Interstate networks with State and local funds. Congress knew of this inequity in 1956 and called for a study of the cost to reimburse states for donating these segments of the Interstate. Through the efforts of Senator Moynihan and others, ISTEA began this repayment.

Congress must not back away from this commitment. The Federal promise to these states must be fulfilled in the reauthorization of ISTEA This is our equity program.

New York is one of 17 states belonging to the "ISTEA Works" Coalition. This broad-based coalition includes states from every part of the United States Hat support retaining the core programs of ISTEA, including he bridge program, the Congestion Mitigation and Air Quality (CMAQ) program, the Interstate Reimbursement program, and continuing the Federal commitment to improving public transit.

The coalition also supports maintaining the Federal government's role as a key transportation partner to help fund highway, bridge and transit projects, as well as provide a national focus on related national goals such as improved air quality, economic competitiveness and improved quality of life.

While I can sympathize with the desire of other sates to increase Federal funding for their states, robbing Peter to pay Paul is not the answer.

[Submitted for the record by Mayor Giuliani]

ISTEA: The New York City Perspective

Reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA)

Overview

ISTEA changed the Federal highway law in two meaningful ways that benefited New York City. It increased the amount of Federal funds available to the City and it expanded the types of projects eligible for funding.

Prior to ISTEA, New York City received an annual allocation of "Urban System" funds, based on a Federal formula. The City also received unpredictable discretionary bridge funding, through Congressional earmarks. Before ISTEA, the City received $30 million annually in "Urban System" funds and an average of $25 million in discretionary funds.

By increasing the authority of Metropolitan Planning Organizations (MPOs), such as the New York Metropolitan Transportation Council, to distribute funds, ISTEA made New York City and other local transportation entities a partner in Federal transportation financing decisions. New York City now negotiates with the State for its share of all Federal funding allocated to dais region. City projects now compete on an even playing field with other Statewide projects, receiving funding from most Federal transportation programs including Highway Bridge Replacement and Rehabilitation, National Highway System, Congestion Mitigation and Air Quality (CMAQ) and the Surface Transportation Program (STP). The City has received an average of $80 million annually under ISTEA, significantly more than the old "Urban System" and discretionary allocations.

Before the landmark ISTEA legislation was passed in 1991, Federal highway money could only be used for capital construction or reconstruction projects on a complex hierarchy of Federal aid road systems. Each system had different rules for the types of funding that could be used, and the types of projects chat could be financed on the various systems was strictly controlled.

ISTEA consolidated and simplified the Federal aid road system through the creation of the National Highway System. The majority of Federal funds can now be spent at any location for a variety of transportation purposes. The types of projects eligible for Federal highway funding was expanded to include mass transit, rail freight, traffic management operating costs, pedestrian and bicycle facilities, and bridge preventive maintenance.

The combination of additional funding and expanded options for use has made ISTEA invaluable to New York City in its management of the most complex and challenging transportation system in the country.

Legislative Recommendations

The 1991 ISTEA legislation recognized that urban/suburban congestion and the problem of accessibility constrain our national ability to compete on the world economic stage. ISTEA acknowledged that metropolitan regions such as the New York area, are the basic economic building blocks of this nation. Through ISTEA, our region has been better equipped with the tools to address the complex needs of our unique transportation infrastructure.

In New York, we have successfully taken advantage of ISTEA's flexibility to implement a wide array of innovative multi-modal projects that otherwise would not likely have been funded—from rail freight improvements to traffic calming, from high speed ferries to bicycle paths, from transit line extensions to intermodal facilities. These modes offer diverse personal and business transportation opportunities and access for our citizens. At the same time, they represent "quality of life" improvements that help to ensure that New York's metropolitan areas remain attractive places for commerce.

The nation has made great progress under ISTEA. While it is our position that the legislation be reauthorized in its current form, the City of New York recommends several new changes to the law.

Investment Focus.—ISTEA's primary focus should foe on capital reinvestment in existing infrastructure—our bridges, roadways and transit. As such, physical condition, age and density of use should be prominent factors in apportionments. New York City also recommends elimination of the Federal cap on bridge funding. The Federal cap of 10 percent on bridge funds to a state negatively affects New York. New York State has 20 percent of the nation's deficient bridges.

Global Commerce.—ISTEA should recognize the national significance of certain transportation facilities in the nation's commerce. Some facilities, particularly intermodal operations such as major seaports, rail hubs, and airports support international trade and economic growth. These essential links are vital to the nation's economic vitality.

Mass Transit.-ISTEA should provide for continued Federal funding of mass transit systems, including operating assistance of metropolitan transportation systems. In addition, we recommend that the operating assistance formula include a component to account for the number of riders on the various mass transit systems.

Categorical Programs.—We believe categorical funding programs ensure a measured mix of investments. Their allocation formulas should toe maintained and continue to reflect the needs of existing infrastructure and environmental conditions. ISTEA recognized the diversity of the transportation network and the need for a

policy which furthered creativity and intermodality. Special categories were developed within ISTEA to promote innovative and non-traditional transportation investments, such as alternative fuel facilities, high-speed commuter ferries, applications of intelligent transportation technologies, and a renewed commitment to rail freight. Programs such as STP, CMAQ, and Enhancement have resulted in a successful blend of projects which have strengthened our metropolitan transportation systems and made them more efficient .

Enhanced Local Decision-making Role.—We believe ISTEA should continue to articulate the goal of an enhanced local role in transportation investment decisions. ISTEA vastly increased the flexibility to effectively administer Federal transportation funds and expand decisionmaking at the regional level. To ensure balanced representation and distribution of Federal moneys, ISTEA should emphasize that MPOs more appropriately reflect the size, population, and special transportation and economic needs of larger cities. The ISTEA approach for implementing transportation priorities called for a new partnership between state agencies and MPOs to serve as a framework for the cooperative effort of local governments. However, ISTEA reauthorization needs to reemphasize that transportation decisions be made in a cooperative manner by local and state officials who are equally charged with the responsibility of managing our transportation systems.

Full Appropriation of Funds.—We believe that the vision and intent of ISTEA can only be met through full funding. Congress has consistently set obligation levels below authorized levels. As such, ISTEA has not fulfilled its potential.

Standardized Funding Award and Administrative Procedures.—ISTEA should mandate a timetable by which these regulations and administrative practices are standardized and simplifier Despite ISTEA's progress, burdensome Federal and state regulations and administrative practices result in significant delays in the implementation of necessary projects. The added price of these delays enlarge the cost of a project beyond its reasonable scope. The U.S. Department Of Transportation (USDOT) procedures have never been integrated; Federal Transit Administration (FTA) funding comes directly to transit properties, but Federal Highway Administration (FHWA) funds are channeled through state DOTs. The result is unnecessary funding delays, unwarranted state control over local projects, and duplicative DOT rules and regulations. Extensive state reviews also increase the time needed to complete projects. For large cities, which have significant engineering and contracting capabilities, the ETA model of direct grant award and contract approval would be more efficient and cost effective. Elimination of design review and reliance on post-project audit would result in time savings.

Reauthorization Issues

The major issue for all parties interested in ISTEA reauthorization is whether and how Congress will change the funding formulas for all Federal transportation programs. The formulas ultimately determine how much each state receives back in funds paid into the highway trust fund. ISTEA is funded from an 18.4 cent tax on fuel consumption. The states collect the gasoline tax, remit it to Washington, where it is placed in the transportation trust fund, and then must apply for money for various transportation projects in their states.

"Donor" states are those which contribute more in Federal gas taxes than they receive back from the Federal highway trust fund. Several of these states have banded together in various coalitions which propose their own solutions to "correct" the ratio of trust fund payments made to trust funds received each year. Several "donee" states, which receive a greater return on each dollar paid into the trust fund have also banded together to counter efforts by "donor" states.

While New York and other states with large transportation needs receive a greater proportion of ISTEA funds than they contribute in Federal gas tax revenue, overall the City contributes more in revenue to the Federal Government than it receives in aid. According to a recent report commissioned by Senator Daniel Patrick Moynihan in conjunction with Harvard University, in 1995 New York City contributed approximately $12 billion more to the Federal Government than it received in return. For New York State as a whole, the total is $18 billion.

The "donor-donee" issue serves as a backdrop for all other debates over possible changes to the composition of ISTEA. Major issues that will be considered during the development of legislation to reauthorize ISTEA include:

reaching an equitable balance between highway and transit funding levels;

the degree of flexibility in the use of ISTEA funds between transportation modes;

spending levels for transportation trust funds and whether they will remain on-budget;

possible changes to Federal gas tax levels and the purposes for which they are used;

possible changes to ISTEA guidelines governing the MPO process;

providing a fair share of ISTEA program funds for the specific needs of cities, suburbs, and rural areas.

Debates regarding these issues center around whether to retain, reduce, or eliminate the following five current categorical programs which constitute the basic structure of ISTEA: CMAQ, STP, Bridge Replacement and Rehabilitation, and National Highway System.

A number of transportation interest groups and coalitions have formed to advance ISTEA proposals which would maximize the benefits to their respective constituents. Of these coalitions, the following four groups are expected to significantly influence legislation to reauthorize ISTEA.

NEXTEA Working Group is a loosely knit group of organizations, local governments, and public interest groups with an urban orientation and an interest in maintaining the current structure of ISTEA. The NEXTEA group supports retaining ISTEA funding flexibility to ensure that local needs to move people and goods efficiently are met. The coalition stresses that the ISTEA structure and programs must be designed to assist congestion management, mobility, and alternate modes of transportation. The City of New York is a participant in this coalition.

Coalition of Governors to Preserve ISTEA originally consisted of nine northeastern state Governors who support retaining the fundamental structure of ISTEA, including its programs and planning requirements. The coalition, now known as ISTEA Works, has expanded to 15 Governors and includes states from other regions of the country. The coalition is also promoting greater funding flexibility between categories and streamlining administrative procedures. New York State is also a member of this coalition.

The Streamlined Transportation Efficient Program for the 21st Century (STEP 21) consists of several "donor" states who are advocating a proposal to change the distribution formulas. The Step 21 proposal ensures that these states receive a minimum 95 percent return on the gas tax payments made to the Federal Government. Under the Step 21 formula, New York State would lose $300 million in Federal highway funds. Additionally, the Step 21 proposal contains no provisions for mass transit funding or programs. It would also eliminate the MPO system and replace CMAQ, STP, Interstate Maintenance, Interstate Reimbursement, and Bridge program funds with block grants to each state.

Devolution or Turnback advocates are certain "donor" states that oppose Federal involvement in highway and transit matters. Devolutionists propose the Federal "turnback" of complete authority for surface transportation decisions to states and the repeal of Federal gas taxes that currently feed Federal highway and transit trust funds. States would, in turn, need to raise additional revenues, by increasing their own taxes or through other means, to compensate for the loss of Federal funds. It is estimated chat this proposal would reduce highway and transit funds for New York State by $1.5 billion per year, and would require the State to raise the state gas tax an additional 28 cents per gallon to replace these Federal funds.

ISTEA Successes in New York City

For New York City, the most densely populated urban area in the nation, maintaining and rehabilitating our extensive and aging transportation network has been a significant highlight of ISTEA. One of ISTEA's primary benefits for New York City has been its flexibility: in the types of projects that can be funded as well as the planning process. The flexibility in the planning process has benefited the City by making it a full partner in Federal funding decisions through the MPO process. Before ISTEA, funds were disbursed by a strict formula; now the city is able to compete for a fair share of Highway, Bridge, and STP funds. ISTEA's eligibility requirements are more flexible than previous transportation funding legislation. As a result, the city has received more Federal funding, particularly for its extensive bridge program.

ISTEA's flexible funding provisions also created a multitude of opportunities for funding non-traditional transportation projects that were previously never funded in Federal transportation allocations. The funding of new modes of transport, such as bicycle/pedestrian amenities and high-speed commuter ferries, along with implementing new technology initiatives that maximize the existing capacity of the street and transit network, and facilitating intermodal transfers between transit systems, are a few of the additional types of benefits that were obtained from these new flexible funding programs.

More specifically, $425 million of CMAQ program funds came to the New York region, and was shared by the City, the State, regional transportation agencies, and other qualifying governmental and non-governmental entities. These funds were especially important in funding six new categories of projects, as follows:

New Technology Initiatives.—$78 million was allocated toward implementing new technologies on the City's roadway and transit systems. Two specific roadway highlights include the installation of real-time information technologies, such as variable message signs, on the highway network in order to alert drivers to service conditions and alternative toutings, as well as the computerized synchronization of the City's street signal network to increase traffic speeds, reduce congestion and gridlock, and improve overall traffic flow. In the transit system, portions of the anticipated real-time information system were funded that will offer electronic train service information on station platforms.

Bicycle and Pedestrian Network.—$51 million in funding was invested in the creation of a 350-mile continuous landscaped greenway and bicycle trail network that traverses the five boroughs of the City. The system is interwoven with the City's major arteries and green spaces, and is used for both recreation and commutation. Of the total network, CMAQ funding paid for the planning of 166 miles of the system, and 62 miles of its construction.

Goods Movement.—$21 million was channeled toward the purchase,operation, and construction of new rail freight and barge infrastructure. These funds aided the movement of increased volumes of goods into and within the City on the region's rails, such as the rehabilitation of the Staten Island Railroad, or via barge, between New Jersey and the Red Hook Marine Terminal in Brooklyn. They are just two pieces of a larger effort to divert thousands of truck trips from the region's bridges and roadways, thereby improving air quality and lowering the cost of goods for consumption within the region.

Alternative Fuel Fleet and Facilities.—$15 million was invested in commencing the City's alternative fuels program that began with the conversion of 778 of the City's total 14,112 non-emergency light-duty vehicle fleet, in addition to 92 heavy duty vehicles. Subsequently, small portions of the City's franchise bus and taxi fleet have also been converted to cleaner burning natural gas. CMAQ funds were also used co-establish fueling facilities throughout the region to support these new cleaner burning fleets.

Intermodal Connections.—$71 million in improvements were made throughout the transit system targeting subway, bus, ferry, and pedestrian intermodal facilities at places like Jamaica Center, where NYC subway, Long Island Rail Road, local bus, and van services converge. Improving the connections between modes, along with enhanced information, safety, and amenities in passenger terminals and stations, are examples of the types of projects funded under this category.

Ferries.—$10 million was directed toward planning and implementing high-speed ferry services in all five boroughs of the City. These start-up funds were spent on waterside facility planning and construction, and were further successful in leveraging other private funds for investment in the construction and operation of the City's ferry network. New York City now hosts the largest privately operated urban passenger ferry system in the nation, carrying 25,000 passengers daily.

With the help of New York City and other local agency matching dollars, CMAQ funds became the primary funding vehicle for implementing these and other innovative types of transportation initiatives that had previously lacked funding in this region. The additional flexibility afforded by STP funds was critical in funding major pieces of the City's existing transportation infrastructure. Funding highlights of that program include the operation of the City's computerized traffic signal system, redoubled efforts to install safety pavement markings at schools and crosswalks throughout the City, the construction of a new bus garage in East Brooklyn, and significant contributions to the East River bridge rehabilitation program.

Smaller funding programs such as Planning (PL) funds were instrumental in smaller planning and demonstration efforts in the City. Two highlights of that program are: 1) the study and implementation of the Lower Manhattan Bus Loop, a free van shuttle service that now connects various attractions and transit nodes in the downtown area; and, 2) the study and implementation of an 1 8-month pilot program for allowing the smaller classes of commercial vehicles to travel on the City's parkways in order to facilitate the movement of goods through congested corridors to and from major traffic generators, such as John F. Kennedy International and La Guardia Airports.

A final example of the value of ISTEA flexible funding is the $30 million of Enhancement funds that the City obtained. Two illustrative program spending highlights include the construction of the Staten Island North Shore waterfront esplanade near the St. George Ferry Terminal, and construction of the Rockaway portion of the Greenway, connecting it to the adjacent Jamaica Bay recreation area.

STATEMENT OF DEPUTY SECRETARY OF TRANSPORTATION MORTIMER DOWNEY

Mr. Chairman, Senator Moynihan, and distinguished Members: I thank you for the opportunity to testify in behalf of reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the landmark transportation legislation which this Committee helped to shape 6 years ago.

This morning I would like to speak about the National Economic Crossroads Transportation Efficiency Act of 1997 (NEXTEA), the successor to ISTEA recently proposed by President Clinton, Vice President Gore, and Secretary Slater. I especially want to discuss how NEXTEA can sustain its predecessor's commitment to meeting the transportation challenges faced by urban America.

Before ISTEA, the different transportation modes were not viewed as part of an interrelated whole serving vital national interests, nor were transportation's impacts on other concerns, such as the health of our environment or the condition of our cities, the subject of enough consideration.

ISTEA changed all of that. Beginning with the first word of its title, "Intermodal," it signaled a change in how the Federal Government viewed surface transportation and a redefinition of its role in a partnership to improve our transportation systems.

ISTEA emphasized an integrated approach to transportation planning and programming, looking at the different forms of transportation as parts of a network and bringing together many constituencies and interests which had not previously been part of these decisionmaking processes.

ISTEA also began to streamline Federal administrative processes, simplifying requirements and removing layers of oversight and eliminating many reporting mandates.

ISTEA also revamped the statewide and metropolitan planning procedures and required that a broad range of transportation's impacts, such as those on air and water quality, be analyzed and, in many cases, actively mitigated through initiatives such as the Congestion Mitigation and Air Quality Improvement Program (CMAQ). Together with cleaner vehicles and fuels, programs such as CMAQ have helped to improve air quality.

In viewing transportation as a means, and not as an end in itself, ISTEA enabled state and local officials to set their priorities based not on what kinds of funding might be available but rather on what types of projects would best meet the mobility needs of individual communities and regions. This emphasis on intermodalism was promoted by ISTEA's expansion of the ability of states to transfer funds between programs and among transportation modes.

By creating the Bureau of Transportation Statistics, ISTEA also began to establish a base of information to support transportation decisionmakers at all levels of government and in the private sector. It collects data from all modes of transportation, performs analyses, improves the comparability and quality of transportation data, and makes it readily accessible to the public. The work it has done, such as national surveys of commodity flows and passenger travel, is invaluable to informed planning.

Even as ISTEA changed how transportation projects and initiatives are selected, it also transformed how they are designed, funded, and built. Improvements in design and engineering have enhanced quality. Innovative contracting is beginning to cut construction costs, accelerate project implementation, and enhance value. New materials developed under ISTEA-authorized research programs, such as high-performance concrete and Superpave asphalt, are also increasing the useful life span of our infrastructure and reducing long-term replacement costs.

Experimental provisions within ISTEA have made possible innovative financing, which cuts red tape to move projects ahead faster and leverages Federal funding with private and nontraditional public sector resources.

The President's Partnership for Transportation Investment, which used ISTEA's experimental provisions for such strategies as toll credits for state matching funds and Federal reimbursement of bond financing costs, has advanced 74 projects in 31 states with a construction value of more than $4.5 billion, including more than a billion dollars in new capital investment directly attributable to this program. Many of these projects are progressing to construction an average of 2 years ahead of schedule.

For example, New Jersey used phased funding to begin work a year early on a new viaduct at the interchange of Routes 1 and 9 in Newark. The state also was able to apply toll road revenues used for capital investments as the match for Federal funds, effectively freeing up more than $800 million of state funds for other projects.

ISTEA recognized that new priorities and new ways of doing business can best be encouraged by ensuring that the funding provided to support them is adequate.

Toward that end, ISTEA increased overall Federal transportation funding authorizations. President Clinton has worked with Congress to make the most of those higher authorizations, raising infrastructure investment by more than 20 percent, to an average of more than $25 billion annually over the past 4 years.

This funding is making possible major regional improvements such as the Queens Connector in New York and the Hudson-Bergen Light Rail Line in New Jersey. ISTEA's greater programmatic flexibility also has enabled funding to be transferred to transit and other urban priorities. Over $3 billion traditionally provided for highways was used during the life of the ISTEA bill for high-priority transit projects, increasing overall transit funding under ISTEA to more than $5 billion in fiscal year 1995 alone.

Although record levels of funding have gone to transit and to such alternatives as bicycle and pedestrian programs in urban areas such as this one, a substantial portion of ISTEA funding has continued to be used to maintain and expand our highways, the backbone of travel in much of the nation.

ISTEA's legacy, then, is one of meeting the transportation challenges of the 1990's through new emphases and new strategies without neglecting traditional concerns. As we approach the 21st century and demands brought about by such varied factors as our economy's increasing globalization and the changing demographics of our population, we want to build on ISTEA's successes.

Two years ago, when we first started to consider what form ISTEA's successor should take, we began an extensive process of outreach to our constituents which included major regional forums and scores of other meetings involving thousands of attendees from state and local governments, the transportation industry, other interested groups such as freight shippers and environmentalists, and the general public.

Overwhelmingly, the message we heard was that ISTEA has been a success, and that we should continue the many Federal programs which are working, refine those which have not yet fully realized their promise, and create new initiatives to meet the challenges of the new century. We believe that NEXTEA does all of these things.

It would increase overall Federal surface transportation funding authorizations by 11 percent, from ISTEA's $157 billion to $175 billion for fiscal years 1998–2003. By eliminating certain categories of spending, it provides a 30 percent increase in core highway programs, such as those for Interstate Highway maintenance and the National Highway System. It also includes a 17 percent increase for transit major capital investments, a continuation of the mass transit "new starts" program.

If Congress funds NEXTEA at the levels we have proposed, that would mean $11.982 billion for New York State over the next 6 years in formula-based funding alone. It also would mean more than $4.965 billion for New Jersey and more than $2.746 billion for Connecticut for fiscal years 1998–2003. In fact, 49 of the 50 states would receive more funding under NEXTEA than under ISTEA. (The sole exception, Massachusetts, received unusually high levels of funding under ISTEA to support construction of Boston's Central Artery project.)

Such funding also could be directed to urban priorities because of increases in the flexible Surface Transportation Program and because Amtrak, intercity public rail terminals, and projects to improve access to public ports would be made eligible for funding.

This funding and the projects it would support would help to reduce the $50 billion a year that urban congestion costs commuters and freight shippers. There is also an even more direct economic benefit: the construction and other work generated by this plan could create an estimated one million jobs over the next 6 years, including 75,000 jobs here in New York, 32,000 jobs in New Jersey, and 18,300 in Connecticut.

NEXTEA also sustains the Federal commitment to intelligent transportation systems (ITS) created by ISTEA. ITS applies advanced information and communications technologies to transportation through systems available today such as ramp meters and synchronized traffic lights, and through technologies which could be available tomorrow, such as advanced collision avoidance systems.

In metropolitan areas, these technologies can cut by 35 percent the cost of providing the highway capacity we need over the next decade. That is why we are promoting the integrated deployment of ITS technologies. In fact, the New York-New Jersey-Connecticut metropolitan area is one of four chosen, with Federal support under ISTEA, to serve as models for such deployment.

NEXTEA includes a research component which would support technology development and ITS deployment through standards development, training, and technology transfer. It also would fund work in collision avoidance and vehicle control systems to reduce crashes. We have proposed $678 million over the next 6 years for such

support initiatives. We also have proposed a 6-year, $600 million incentive program to promote the integrated deployment of ITS infrastructure technologies that are technically feasible and highly cost-effective.

Our transportation system is not just about moving people and products efficiently, as important as that is to our prosperity: it also is about enabling people to travel safely. Travel is safer than it was at the beginning of the decade, but as traffic increases, so does the possibility of more highway crashes.

ISTEA has addressed safety, helping to make safer travel possible. It has supported programs to prevent drunk driving and to raise safety belt use. It also has supported initiatives such as New York's pedestrian safety program, which cut pedestrian fatalities by 28 percent over a 3-year period.

ISTEA-funded "rumble strips"on such highways as I–81, I–87, and I–88 can save lives by alerting fatigued motorists that they are about to drive off the road. A state-funded project on the New York Thruway has already helped to reduce such crashes by 70 percent.

The President's proposal would build on such successes by increasing highway safety funding authorizations by more than 25 percent, and by supporting new programs targeted to the biggest safety payoffs: combating drunk and drugged driving and increasing proper use of safety belts and child restraints.

NEXTEA also would protect the environment. As with highway safety, more traffic challenges the progress we have made. More travel could dilute the progress made through cleaner cars and fuels. That is why we have to continue, and even expand, the efforts which have brought us this far.

NEXTEA increases by 30 percent funding for CMAQ to help communities use various transportation initiatives to clean up their air. That includes everything from high-speed ferries in Rhode Island to the Red Hook Marine Terminal freight container barge, which takes hundreds of trucks off of New York City's streets each day.

NEXTEA also continues investment in bicycle paths, scenic byways, recreational trails, and other programs that cost relatively little but which greatly improve the quality of our lives. For example, last year the Merritt Parkway and State Route 169 in Connecticut have been designated as National Scenic Byways. Transportation Enhancements and other funding are supporting implementation of the New York City bicycle plan, which ultimately will have 500 miles of on-street bike lanes. And ISTEA funding helped to restore the historic Netherwood Station in Plainfield, New Jersey.

The President's plan also addresses other national priorities. It would help to reduce the barriers faced by those moving from welfare rolls to payrolls by encouraging affordable transportation to jobs, training, and support services such as child care.

NEXTEA is intended to help bridge the gap between people and jobs. It includes a 6-year, $600 million program of flexible, innovative alternatives, such as vanpools, to get people to where the jobs are. That is important, since two-thirds of new jobs are in the suburbs and many welfare recipients do not own cars.

NEXTEA also continues the commitment to common sense that President Clinton and Vice President Gore have brought to government operations over the past several years.

NEXTEA proposes more common-sense ideas: focusing on results, not on process; cutting red tape and streamlining requirements; promoting innovation, such as more new ways to pay for roads and transit systems; and giving state and local officials even greater flexibility to target Federal funds to projects which best meet community needs.

NEXTEA expands our innovative financing program. For example, it includes $900 million in seed money for state infrastructure banks, which leverage private and other nonFederal resources, and opens this program up to all states.

It also dedicates $600 million to help leverage nonFederal resources for projects of national significance which individual states cannot afford, such as interstate trade corridors. That responds to states' needs in handling the increased traffic from NAFTA and other agreements to promote trade.

NEXTEA also makes the transportation planning process simpler and smoother for our state and local partners. It would streamline the 23 statewide and 16 metropolitan planning factors into seven broad goals that states and localities can use as appropriate to guide their planning. It would emphasize system operations and management so that planning considers a complete range of transportation options, including intelligent transportation systems, and it would expand planning's inclusiveness by ensuring that the concerns of freight shippers are heard.

NEXTEA also continues to transform Federal oversight by reducing project reporting and certification requirements. We know that we must trust our partners in

state and local government and the private sector instead of burdening them with paperwork.

By expanding the scope of work carried out by the Bureau of Transportation Statistics, NEXTEA also would provide decisionmakers with more of the information they need to make the right choices. Under NEXTEA, we would expand services to states and metropolitan planning organizations, expand the National Transportation Library and similar activities, and extend our data base to include more statistics on the global economy and how it affects local transportation and economic activity.

Finally, NEXTEA sustains our support of the University Transportation Centers (UTC), such as the one at City College of New York, which prepare professionals to design, build, and operate the transportation systems of the future. Work done through the UTCs also has resulted in benefits to current programs. For instance, the New York City Transit Authority recently determined benchmarks for bus maintenance tasks based upon UTC-provided analyses, and the New Jersey Transportation Economic and Land Use System, which assists state and local planners, was developed through a UTC initiative.

NEXTEA, in summary, is faithful to what we heard from our constituents: sustain ISTEA's principles, streamline its requirements, and increase its flexibility and funding levels.

NEXTEA would help to give Americans what they told us they want: a transportation system that is sensitive to environmental concerns and that enables them to get to their destinations safely, conveniently, and on time.

We listened to them, and we learned, and we have produced a proposal which can take America's transportation system into the 21st century. President Clinton, Secretary Slater, and I look forward to working with you and your colleagues in Congress to make it a reality.

This concludes my statement. Now, I would be pleased to answer any questions you may have.

STATEMENT OF THOMAS M. DOWNS, CHAIRMAN, PRESIDENT AND CEO, NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

Mr. Chairman and members of the subcommittee: Thank you for the opportunity to appear before this Subcommittee to discuss Amtrak's top priorities for the 1997 reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA): Inclusion of a dedicated source of capital funding, as well as program eligibility, for intercity passenger rail. These two elements are simply the single most critical factors in the survival of the nation's passenger rail system.

ISTEA was truly visionary legislation. It was the first step down the path toward a balanced transportation system. It was the first law that sought to put the movement of people at the forefront, and not the different modes that comprise our transportation system. At many state DOT's, "Intermodal" needed to be defined and added to the vocabulary.

But ISTEA brought us only part way down the path. In order to reach our ultimate destination—a truly balanced transportation system—we must eliminate modal bias. A significant step in the right direction would be to discontinue the bias against intercity passenger rail that is inherent in ISTEA. That is consistent with what has historically been the position of this Committee, and the Senate as a whole, and it is my hope that this year the position will prevail.

For those who were not there, in 1991 the Senate-passed version of ISTEA included passenger rail as an eligible entity in all state-administered programs, but when the conference on the bill began we were left in no-man's land between the insurmountable boundaries of jurisdiction In the House. And it was there that eligibility for intercity passenger rail died—on a jurisdictional impasse, not due to any substantive objection. Now, after it being codified that way for 6 years, we need to remind people it was never a policy decision to exclude rail—we fell victim to clearly drawn lines of committee jurisdiction. Now, with jurisdiction over all surface transportation programs, including Amtrak, consolidated in the House Transportation and Infrastructure Committee, the obstacle has been removed, and this indefensible modal bias should be eliminated.

Everyone on this Subcommittee knows that public policy on transportation modes is incredibly skewed—and that goes well beyond the gross inconsistencies in funding levels for the different modes. Current Federal funding policies distort state and local decisionmaking. The Federal Government offers generous matches to a state if they are making highway, transit or related investments, but offers little or no funds to match state investment in rail passenger service. The result is states and localities are discouraged from investing In rail even when it's the best system for

the area. Elimination of modal bias and the desire for a balanced, truly responsive intermodal transportation system demands that this change, and "NEXTEA" is the most appropriate vehicle for that change.

Highway trust fund moneys can be spent on mass transit, bus acquisition, light rail, bike paths, pedestrian walkways, technology research, planning, snowmobile trails, intermodal freight facilities, driver education programs, hiking trails, and much more. I am not here to discourage these types of investments, but rather to highlight the absolute inconsistency of prohibiting expenditures on intercity passenger rail. If a state chooses to spend a portion of their Federal transportation allocation on Amtrak, they should clearly be allowed to do so.

Including passenger rail as an eligible use of Congestion Mitigation and Air Quality (CMAQ), Surface Transportation (STP), National Highway System (NHS) and eligible transit program funds would eliminate this bias. States would be able to leverage a 75 or 80 percent match on their investment, and thus would be financially free to choose the best transportation solution based on transportation efficiency, not skewed economic incentives.

The legislative discrimination against passenger rail should be terminated with the enactment of NEXTEA. Inclusion of passenger rail as an eligible use of NEXTEA funds would require no new spending, would not change any Federal transportation allocation formulas, and would not mandate that a state spend one penny on rail service. What it would do is provide states with the flexibility to buy the transportation service that best meets their needs.

It is clear that the American people want a national passenger rail system—the challenge for this Congress is how best to support it and ensure its healthy existence. Allowing states the right to spend a portion of their Federal transportation allocation on Amtrak, if they so choose, is one critical response to this challenge.

The Senate approved legislation to provide this flexibility and eligibility in 1991, and again, by a nearly 2–1 bipartisan vote, during consideration of the National Highway System Designation Act (NHSDA) in 1995. Sixty-four Senators in the last Congress, supported by many of the nation's Governors, voted in favor of this. I am pleased to see that Senator Moynihan's ISTEA reauthorization bill, cosponsored by Senators Chafee, Lautenberg, Lieberman and others on this Committee, includes this eligibility for Amtrak. I urge this Committee to ensure that whatever bill is reported to the full Senate for consideration include this very important eligibility for intercity passenger rail. Simply, it Is a states' rights issue. If a state decides that Amtrak best meets their transportation needs, that state should be able to leverage the same amount of Federal dollars for rail service that it can for a new highway, a new bridge, a transit improvement or a bike path.

That is what Amtrak is seeking. Parity. Parity doesn't require an indictment of our highway system, or our transit systems, or our aviation system. As a former highway administrator, the head of a bridge and tunnel authority, a transit agency and a state DOT, I have never argued the merit of one mode over the other. Each serves a different need and a different population. They should be woven together to supplement and enhance each other.

The single most important issue to preserving our national rail system, that must be addressed in NEXTEA, is the inclusion of a dedicated funding source for Amtrak. I'm not going to sit here in front of you and "cry wolf," but I know our national rail system cannot survive intact through yet another year of inadequate funding, and I can assure you that Amtrak will have to break its commitment to achieve independence from Federal operating support if we are not given an adequate, reliable dedicated source of capital funding. As we have always said, operational self-sufficiency is absolutely dependent on adequate capital investment in the system.

For some reason? Amtrak, the only major mode of transportation which does not have a dedicated source of funding, is held to a higher standard than any other mode, all of which are dependent on the Federal Government for support and none of whom are called upon to defend themselves in terms of "profitability." We are also held to a higher standard than any other passenger rail system in the world, all of which rely on some level of Federal support. Amtrak covers more of its operating costs—an estimated 84 percent—than any other passenger railroad in the world, and serves more than 93 percent of the continental United States, while receiving less than 3 percent of all Federal transportation spending.

What do we mean in this area—the greater metropolitan area? Amtrak owns, operates, and maintains the majority of the Northeast Corridor. As everyone in this room knows, it is a critical transportation asset that carries more than 1,000 trains a day, including Amtrak, seven different commuter railroads, and freight. The Corridor is in the midst of a tremendous make over of transportation. Work is underway to introduce high-speed rail service to America. In preparation, investments have been made to upgrade and modernize the infrastructure—track, bridges, and

structures—in the north end. This past spring, construction also started on the completion of a 75-year transportation plan—electrification north of New Haven. The high-speed rail program has been met enthusiastically by rail riders as well as investors. Significant capital investments are needed on the south end and a continued source of capital will be needed for the entire program if we are to have the highest return on this investment.

We carry almost half of the combined air-rail market between here and Washington, DC, and when intermediate cities (such as Baltimore and Philadelphia) are included, Amtrak's share of the air-rail market rises to seventy percent. Loss of Amtrak service in this corridor would not only put a huge financial burden on the affected states, it would require another 7,500 fully booked 757's to carry our passengers every year, or hundreds of thousands of cars added to already congested highways. If Amtrak disappeared tomorrow, there would be an additional 27,000 cars on the highway between Boston and New York every day. Between New York and Philadelphia Amtrak service removes 18,000 cars from the highways every weekday.

That number—18,000 cars a day—does not include the thousands of commuter rail passengers, and their parked cars, that are carried on Amtrak's Northeast Corridor by commuter agencies such as New Jersey Transit (NJT) and the Southeastern Pennsylvania Transit Authority (SEPTA) every day. These commuter agencies could not operate if Amtrak did not maintain the track, bridges, signals and electric traction system on the Corridor. Above and beyond Amtrak's enumerated ridership, another 220 million commuter passengers ride on Amtrak's Corridor between Boston and Washington, DC every year. You can measure Amtrak's impact not only in the number of cars removed from the road, but also in terms of avoided costs—as reported in the Journal of Commerce last May, Amtrak's presence eliminates the need for 20 additional highway lanes here in New York City, and ten new tunnels under the Hudson.

The Northeast Corridor business unit contributes nearly 52 percent of our ridership and 56 percent of our revenues. In 1999, when we will begin operating our high-speed train sets between Boston and Washington, we estimate that this service will generate at least $150 million annual profit. This profit, along with over $200 million of additional financial improvements, will help offset costs on other parts of the system. This business unit will generate profits for Amtrak. The key is to sustain the capital funding stream that is required to finish the improvements necessary to support high-speed rail, rebuild tunnels, repair the 60-year old catenary system, and make other life safety improvements.

What happens if we disappear, besides new airports, highway lanes, tunnels and bridges being needed? Besides the congestion air quality implications? The elimination of Amtrak would mean the loss of over 20,000 jobs. Commuter operators would need to provide the infrastructure for their own use, at full cost, which would be approximately double what they are now paying, based on the residual operating and capital expense in Amtrak's absence. That would amount to more than $80 million annually, in addition to the need to bring this property up to a state of good repair at a cost of more than $4 billion. Ironically, the dissolution of Amtrak would likely cost the American taxpayers nearly 20 percent more money than the entire 5 years of funding for a trust fund proposal. The latter solution has the bonus of creating a viable and less costly national rail passenger service.

Publicly elected officials from this region, at the local, state and Federal level, have been the most consistent, most outspoken and most influential supporters of a dedicated funding source for Amtrak, because this region in particular is dependent on us economically, environmentally, congestion-wise and employment-wise. I am grateful for their support.

One parting thought. Like so many worthwhile things that have been done to little applause, ISTEA has faced criticism. You have invited witnesses here to discuss the good and the bad, to criticize and commend, and they may disagree by mode, or by state, or by region. Despite that, I believe your highest priority must be defending the ground already gained with that landmark bill and to build on it.

If we are to continue the vision of ISTEA and maximize our transportation resources in NEXTEA, we must move past the counting up and comparing of costs of each mode. A truly balanced transportation system is like an effective education system. All of society benefits from its existence, those who use it directly and those whose lives are eased or enriched by its existence. That is what NEXTEA should embody, promote and protect, and we at Amtrak believe intercity passenger rail should be a part of it.

STATEMENT OF JAMES SULLIVAN, CONNECTICUT DEPARTMENT OF TRANSPORTATION

INTRODUCTION

Good morning. I am James Sullivan, Commissioner of the Connecticut Department of Transportation. Thank you for this opportunity to provide testimony on Connecticut's perspective as it relates to the Reauthorization of ISTEA.

Support for ISTEA 1991

Let me first of all state that the Intermodal Surface Transportation efficiency Act (ISTEA) which Congress enacted in December 1991 was landmark legislation. It effectively changed the direction of Federal surface transportation policy, from a policy of building the Interstate System to an era of transportation infrastructure system preservation, intermodalism, and system efficiency. We fully support this direction. In fact, the Department performed a strategic financial analysis in 91–92 which established safety, maintenance and system efficiency as its top three goals, emulating the direction set forth in ISTEA.

ISTEA required enhanced emphasis for public participation. This has ensured stakeholders involvement in the process, from the projects' earliest planning stages through their completion. The results have provided for better projects, addressing both transportation issues and local concerns. The expanded role for Metropolitan Planning Organizations in project selection and advancement has provided for more local input in addressing urban and rural transportation problems. When a project has proceeded through the planning process and is mutually agreed to by the state and MPO, it is virtually certain for success.

The funding flexibility provided by ISTEA has had a positive impact on Connecticut's transportation program by granting programming options that did not previously exist under the rigid rules of prior highway acts. ISTEA allows states and MPOs to consider more than one Federal funding source when programming priority projects and allows funding flexibility between modes. The use of "advance construction" (AC), "partial conversion financing", and other innovative financing techniques has made it possible for states to proceed with early implementation of projects, rather than accumulating funds to cover the entire cost of projects. This has resulted in better management of our Federal-aid apportionments and obligation ceiling.

An example of putting flexible funding into practice can be found in our $126 million bridge reconstruction project located on the New Haven Railroad Line, locally known as the Peck bridge. The State and the Greater ?Bridgeport MPO flexed $22.8 million of highway funds for this important transit purpose. A combination of funding categories were used: CMAQ, STP-Anywhere, Section 3 Discretionary, Section 9 funding and state funds. This improvement is nearly 90 percent complete and will improve the operations of the Metro North Commuter Service which accommodates some 98,600 travelers each day.

The Enhancement Program has proved to be very popular among local officials and grass root organizations. Connecticut has invested over $61.2 million dollars on enhancement type projects through the life of ISTEA. These projects primarily address pedestrian and bicycle travel. Two of the more prominent projects I'd like to share with you are:

Farmington Canal Linear Park: Cheshire, Connecticut

This project, utilizing STP Enhancement Funds, has restored a recreational and open space corridor along the abandoned ROW of the former Farmington Canal and the Boston and Main Railroad. This linear park, located along the historic Farmington Canal, which was built in 1828 and replaced 20 years later by a railroad corridor that was used continuously until 1982, links the center of the town of Cheshire to the Farmington Canal Lock 12 Historic Park. Enhancement moneys were also used toward the acquisition and rehabilitation of the historic Lock keeper's house. Due to the popularity and use of this linear park, presently 5.6 miles long, further expansion is under design to extend it an additional 3 miles. This linear park now serves as a greenway for wildlife, wetland marshes, and native vegetation. Local residents enjoy the trail as a safe place to socialize, commute and exercise.

Merritt Parkway: Fairfield County, Connecticut

Enhancement funds were used to finance a landscape master plan for the parkway and restoration of the Route 8 and Route IS interchange to its 1938 aesthetic status. Subsequent funds have been set aside for a bridge conservation plan and for renovation and landscaping work at key entrances to the parkway. The Merritt Parkway is listed on the National Register of Historic Places, designated as a State Scenic Road, and recently recognized as a Federal Scenic By-Way. There are 72

bridges on the Merritt, each unique in its aesthetic design. This project has helped ensure the county's continued desirability as a residential and employment area, because the route will continue to be a convenient transportation facility and the fragile rural character of the region will be better reflected in the parkway.

Though Connecticut has been a national leader in establishing an aggressive transportation rehabilitation program, ISTEA funding has been critical in helping to address Connecticut's transportation needs. The accomplishments achieved throughout the life of the Act have greatly advanced Connecticut's goal for a safe, efficient and well maintained transportation system. The combination of ISTEA funding, which provides about 55 percent of the capital costs, and the state's commitment of its own resources have helped Connecticut complete its Interstate System, rehabilitate and reconstruct many of our aging bridges, surface and rehabilitate hundreds of miles of state highway, and improve the urban and rural system of roads, as well as improve the rolling stock and facilities of our transit systems. While much has been accomplished, much more needs to be done. Our identified needs far exceed our current and projected resources. Without ISTEA and its flexibility, it is unlikely our gains would have been this successful.

REAUTHORIZATION OF THE FEDERAL HIGHWAY ACT

The national perspective on transportation must continue to be advanced. Unlike some other states, Connecticut does not hold that national apportionments should be tied to the amount of money a state sends to Washington. Though we are a "donee" state in the transportation arena, Connecticut is the quintessential "nation donor state", receiving back from Washington only $.68 for every $1.00 of Federal tax contributed. To base apportionments of Federal funds on how much money a state sends to Washington is counter to the concept of federalism and would ignore the relative needs of the states. We are not fifty individual states but are a nation composed of fifty united states.

Surface transportation's vital role in interstate commerce and national defense warrants a continued Federal role and presence. The Federal role in transportation must be maintained to ensure that a national focus remains on connectivity, safety, maintenance, effective planning and research. This Federal role is essential to support national economic growth, global competitiveness, and sustainable quality of life. Federal funding should target those areas and issues of national concern and interest, i.e., the National Highway System, bridges, congestion, air quality, transit, mobility, quality of life, etc.

Distribution of Federal transportation funds should be first and foremost, based upon system needs, the state's level of effort (its commitment of state resources), volume of usage, and the relative difference in the cost of doing business from one state to another. The needs based distribution effort of past highway acts must be continued in the new authorization. This is especially critical to the northeast states which have some of the more densely travel led facilities and which, through age and usage, have the highest demand for preservation and enhancement.

Let us not forget in our discussions concerning reauthorization, the essential needs of transit programs. We believe there is a continuing need for both capital and operating Federal assistance for our transit system. Connecticut may be unique in the Nation in its commitment to transit. Our State transportation fund finances nearly 98 percent of all operating deficit for both bus and rail transit in Connecticut. This represents 42 percent of the Department's operating budget or approximately $120 million per year. The State has reached the maximum level of transit subsidy it can support and any reduction in Federal participation would directly impact services to those in the most need.

Let me also emphasize that individual states must come to the table and be financial partners with Washington. Connecticut's resident's commitment to safe and efficient transportation infrastructure is unparalleled. Our gasoline taxes which presently stand at 39 cents per gallon, is evident of that commitment. Though efforts are underway to reduce this burden through downsizing and efficiencies, the state will maintain its initiative to provide the traveling public and its economic generators with a first class transportation system.

As the debate on reauthorization continues and intensifies, I believe that continued and increased support for reauthorization of ISTEA, with modest improvements, will carry it to enactment. We should look to build on those aspects of the Act which worked well and are beneficial to both the national agenda and the states' interest. The fundamental structure of ISTEA is sound and should be preserved. State, regional, local and other stakeholders have invested heavily in making ISTEA work and those efforts should not be wasted as proposed by some advocates.

The core programs of ISTEA target the transportation needs of Connecticut and the Nation and must continue in the next highway act.

- The Interstate Maintenance Program designed to finance projects to rehabilitate, restore and resurface the Interstate System has made substantial impact on the condition of our highways. Continued and future needs are identified and much work needs to be done.
- Nation Highway System funds have proved to be essential in maintaining and improving the designated NHS. This system includes all interstate routes and a large percentage of urban and rural principal arterials. It carries our highest concentration of traffic and requires substantial funding to maintain its safety and improve its operational efficiency.
- The Surface Transportation Program (STP), with its set-a-sides and sub-government allocations, has proved to be beneficial to address needs on a wide array of transportation projects. As one of the most flexible funding categories of the Federal programs, we have seen many benefits realized from a wide range of projects, including construction, reconstruction, rehabilitation, restoration and operational improvements for highway and bridges, transit projects, rideshare projects, bikeways and more. Additionally, the STP program provides the resources to address locally identified priority intermodal needs.
- The Bridge Replacement and Rehabilitation Program, as intended, has provided assistance for eligible bridges on our public roads. Although there remains much to do and needs continually arise, due in large part to this program, our system of bridges are in the best shape they have been in decades.
- The Congested Mitigation and Air Quality Improvement program (CMAQ) was design to direct funds toward transportation projects in Clean Air Non-Attainment area for ozone and carbon monoxide. The projects implemented under this program have helped contribute to our State making progress toward meeting the attainment of national ambient area air quality standards.
- ISTEA of 1991 acknowledged contributions made by some states in constructing segments of the Interstate System without Federal assistance, in the early days of the Interstate Construction Program, by authorizing the Interstate Reimbursement Program. Funds from this program have provided a funding source for many of the unfunded projects within the STP program. In Connecticut, the IR program has been instrumental in funding the reconstruction of a elevated portion of I–95 in Bridgeport which was in need of structural rehabilitation. This reconstruction of part of the same original interstate highway which was built without Federal funds, would have been very difficult to finance and advance without the availability of the IR funding program.

Connecticut also supports the Priority Corridor Program in general, and the I–95 Corridor Coalition in particular. In the Northeast, as in many congested urban areas, technology can enhance the safety and capacity of the existing highway and transit systems. Expanding existing or building new infrastructure, in many of these urban areas, is not a viable option. We advocate a direct appropriation to I–95 or a commitment by U.S. DOT to support the I–95 Corridor Coalition.

While we support reauthorization of ISTEA, we also recognize that it is not perfect and support several proposed modest modifications advanced by us and others. A couple of changes we would like to see are:

- Simplification of the administrative process as it relates to the Enhancement Program. The administrative requirements for enhancement eligible projects should not be the same as major high cost capital projects. It has been estimated that the cost to administer these projects run about 17 percent of the project cost. It is suggested that this sub-allocation of STP funds be converted to a block grant type program to minimize administrative burden and cost.
- The sub-allocation of Interstate Reimbursement Program funds through the STP category should be discontinued and TR should be treated as a core program. This program recognizes the prior financial commitment the State made in constructing the interstate segments prior to the establishment of the Federal Interstate Program. The State, therefore, should be the principal party in determining the allocation of these funds and for project selection.

In addition, as part of an extensive review and discussion undertaking with fellow ISTEA Works Coalition DOT representatives, better than 20 recommendations have been submitted which we believe will improve the administrative and procedural processes in ISTEA. This consensus was reached with the goal of improving the efficiency and effectiveness in implementing the various provisions of ISTEA. I, together with my colleagues, trust these suggestions—will enhance the difficult task facing this committee during this reauthorization period.

We also support full access to highway trust fund revenues. Our State transportation system, like those around the country, continually show that infrastructure

needs far exceed available funds. The nation's long-standing policy of linking Federal transportation user fees such as motor fuel taxes and excise taxes exclusively to transportation purposes should be reinstated. The practice of placing an obligation ceiling on authorization should be eliminated.

In addition, we strongly support the continuation of a national rail transportation system. The dedication of 0.5 cents of the 4.3 cent diversion is critical in ensuring a broad based support of this system. With this dedicated resource, and administrative relief, Amtrak can become a self supporting system which will provide national benefits.

SUMMARY

In summary, let me say that ISTEA has been a positive initiative in developing a seamless, intermodal transportation system to serve the national, state and local needs. We believe that it should be continued with modest changes to its requirements and funding, it will adequately serve the transportation community and stakeholders into the next century. Federal involvement is critical to ensuring national objectives and connectivity of the system, and in providing equitable funding based upon need, usage and state level of effort.

The importance of transportation: in promoting economic development and increased productivity can not be over stated. Transportation policies and investments make significant contributions to the well being of the individual states and the country as a whole.

Effective transportation investments can increase productivity and enhance the standard and quality of life.

The location and condition of highways, roads, bridges, bikeways, sidewalks, and bus and rail facilities enhance economic health and development because they facilitate:

- daily movement of people to and from work, school, and shopping;
- distribution of raw materials and intermediate and finished goods;
- access to recreational activities;
- increase in productivity,
- improvements in the standard and quality of life; and
- a cleaner and safer environment.

Again, let me thank you for the opportunity to present Connecticut's perspective on reauthorization. Governor Rowland and my Department stand available to work with your committee in reauthorizing ISTEA and providing the appropriate level of Federal assistance to partner with states in ensuring the continued improvement in safety, efficiency and operations of our intermodal transportation facilities.

STATEMENT BY ROBERT E. BOYLE, EXECUTIVE DIRECTOR, THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Good Morning. I am pleased to have this opportunity to present testimony on the reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991, commonly referred to as ISTEA. The Port Authority of New York and New Jersey strongly endorses the reauthorization of ISTEA with minimal change to existing policies and programs.

ISTEA's basic principles address the changing needs for America's future by rebuilding infrastructure, reducing congestion, maintaining mobility, promoting safety, protecting the environment, advancing technology and expertise, creating jobs, and ensuring the country's ability to compete in the global marketplace of the 21st Century.

ISTEA paved the way for better coordination of planning to improve our transportation system. It provided a new approach to planning that encourages transportation stakeholders to recognize that transportation facilities are not islands unto themselves, but infrastructure that substantially impacts surrounding residential areas, retail and commercial office space, along with recreational facilities. This means the decisions transportation officials make about roads, bridges, transit, rail, seaports and airports, impact those environs and need to be thoughtfully factored into plans.

The Region: Transportation and Economics

I'd like to talk a little about how the New York-New Jersey metropolitan region serves as an important source of revenue for the Federal Government, and why Federal investment in this region is absolutely critical. This region, with a population of 15.7 million people and personal income approaching $500 billion represents one of the nation's most dynamic regions for economic activity. In 1996, over $150 billion

in international trade moved through this region's port and airport gateway facilities. The importance of these facilities are evidenced by the fact that almost one out of every four dollars of international trade by water or air move through this region. Retail activity exceeding $100 billion annually reflects the volume of goods that must be transported to and within the region.

Over $90 billion of imports enter the U.S. economy through the New York and New Jersey gateways, generating customs collections estimated at $5 billion. The region's per capita personal income which approaches $32,000, makes it one of the highest in the nation. This also makes the region one of the most important contributors to Federal Government revenues through the personal income tax.

Investment in the region's transportation infrastructure will largely determine whether this region remains the preeminent global regional economy in the United States. In the 1990–1995 period, an estimated $17 billion in infrastructure investments (in 1992 dollars) was made in the 17 county metropolitan region by the states and local entities. Of this total, 45 percent went for rebuilding highways, streets and bridges and an additional 29 percent for rail and other transportation investments. While this investment in infrastructure is substantial, it only touches the surface in terms of regional needs. Linking those investments by the states to funds provided by the Federal Government to address national interests is essential, which brings us to ISTEA.

The States

According to the States of New York and New Jersey, ISTEA works! We received approximately $20 billion in Federal funds since 1992, which aided in rebuilding our region's transportation network. But the job is not done. Stronger, more flexible and streamlined programs and increased funding will contribute significantly to accomplishing the goal of a seamless transportation system. Therefore, as we move forward in the reauthorization debate, the primary aim should be to make good legislation better—an improved blueprint for progressive transportation decisionmaking.

Why ISTEA Is Important To The Port Authority

The Port Authority is both a transportation provider through its interstate crossings and transit connections, and a consumer of the region's transportation services through its mission to support regional trade and commerce. Our transportation gateway facilities in New York and New Jersey include the region's major airports, marine cargo terminals, interstate crossings, bus terminals, and the PATH rapid transit system.

Our facilities are important elements in the regional transportation network and we will continue to balance our capital program and operational plans to work toward New York's and New Jersey's mobility goals. For example, the Port Authority's Board of Commissioners recently authorized $24.3 million to install intelligent transportation system technology at the George Washington Bridge. This project will have significant positive impact on traffic flow along the northern corridor. The Board also approved a $23 million expenditure for a new roadway at Kennedy Airport which will aid in improving traffic delays on-airport and along the southern corridor.

In addition, we have partnered with our colleagues in the New York and New Jersey Departments of Transportation, as well as others, to build workable coalitions for operating and improving the vast transportation network that defines our economic region—the nation's largest market and global gateway. Transportation agencies in New York and New Jersey are responding with new initiatives to improve the performance of the regional network in the years immediately ahead and to advance a new generation of rail transit projects along the midtown corridor that are needed to support projected levels of economic growth. Though they have evolved separately, Governor Pataki's "Master Links" initiative and Governor Whitman's "Urban Core" program are complementary strategies.

We are collaborating with key transit operating entities such as New Jersey Transit and the Metropolitan Transportation Authority on a joint project to identify potential new transportation investments in the extended core of the New York/New Jersey region. This work will have considerable access implications for Penn Station New York, the forecast demand on the Exclusive Bus Lane at the Lincoln Tunnel, and the Long Island Rail Road's proposed Grand Central Terminal project. We continue our staunch support to the States in rebuilding the region's transportation system by testifying today to stress that a reauthorized ISTEA, without substantial modification, is key to the economic well-being of the New York-New Jersey metropolitan region.

Port Authority ISTEA Principles

We, at the Port Authority, have given considerable thought to the emphasis that needs to be placed on ISTEA to achieve a seamless and modally indifferent transportation system, and while we are in total agreement with the position of the states, we believe these additional recommendations will result in enhancing regional mobility goals:

- Strengthen ISTEA to encourage true intermodal planning for passenger and freight—including all transportation modes.
- Increase funding levels to the states with special emphasis on investments that stimulate improved economic competitiveness on a national and international level; and allocate funds to the states based on need and not who contributes the most from Federal fuel taxes.
- Promote regionalism by creating incentives for states to fund projects of regional significance. That is, projects that impact more than one state and are necessary to accomplishing improved mobility for passengers and freight.
- Establish a more focused ferry program in support of the resurgence of ferries as a viable intermodal link with highway and transit. Federal ferry dollars should be used to advance only those initiatives which will eliminate or reduce the need for expending public sector funds for infrastructure renewal/expansion. The highest priority should be given to those projects which can demonstrate the ability to serve as transit system "load shedders," thereby adding peak period capacity.
- Incorporate airport and seaport access and development into planning guidelines, with funding allocation designed to address the unique needs of the nation's primary gateways in support of national and economic objectives for global competition.
- Require Metropolitan Planning Organizations to include all major transportation operators as voting members on their Boards. The absence of such key players inhibits true coordinative and collaborative intermodal planning and decision-making.
- Eliminate excessive regulations to both free up funds that can be expended on transportation projects and encourage increased private sector participation.
- Expand technology research and development, emphasizing system integration of vehicle and infrastructure technologies for all modes.
- Retain emphasis on national environmental goals. While we face the problems of increasing congestion and pollution, they can be tackled simultaneously through ISTEA.

Conclusion

ISTEA's greatest success is that in addition to improving the nation's transportation system, it is improving the quality of peoples' lives. We urge swift passage of ISTEA reauthorization so the momentum gained can be continued. However, we strongly request that the Congress and the Administration reject attempts to amend the funding formulas in any way that would cause the northeast states to receive less funds than in the past. The argument for funding equity should be predicated on "the greater needs of a state, and not a list of wants!"

Once again, thank you for the opportunity for me to present the Port Authority's views to the Senate Environment and Public Works Subcommittee. We are committed to working with both States and our Congressional delegates toward the region's ISTEA reauthorization goals.

STATEMENT OF E. VIRGIL CONWAY, CHAIRMAN, NEW YORK STATE METROPOLITAN TRANSPORTATION AUTHORITY

Chairman Warner, Chaimman Chafee, Senator Moynihan, Senator Baucus, Senator Lautenberg, distinguished members of the Committee on Environment and Public Works, it is a pleasure to join all of you today to discuss the future plans of the Metropolitan Transportation Authority, the significance of these plans and the role that ISTEA funding can and will play as we seek to meet the challenges of the coming century.

When the ISTEA legislation was first adopted by the 102d congress, it marked an important moment in the development and maintenance of our nation's public transportation facilities, because ISTEA recognizes that transportation isn't simply about moving vehicles, transportation is about moving people.

And no organization moves more people more efficiently than the MTA. The MTA is the largest public-transportation provider in the Western Hemisphere, serving a population of 13.2 million people over a 4,000 square mile area. To meet the transportation needs of our region, we maintain a fleet of roughly 2,000 rail cars, 4,000

buses, and 6,000 subway cars. Every day 5.5 million people travel with the MTA and annually more than 1.7 billion customers use our rail and bus service.

However, our significance is not only based on the number of people we move, but also on the relative national importance of the region we serve. The New York City region is arguably our nation's greatest economic engine. It follows that ensuring mobility in this region is also of national importance. Nothing has been more vital to New York's past success, or is more important for our future than transit. That is why we are particularly concerned with the outcome of this year's ISTEA reauthorization process, and how that will effect Federal transit investment.

But I did not come here today looking for a handout. The MTA has a proud history of local effort. To begin with virtually our entire transit network with an estimated value of more $300 billion was built entirely with private state or local dollars, before Federal funding existed for these needs. And today, while Federal funding is a critical component of some of our most important projects, it accounts for only 28 percent of our overall capital program, which is the largest public works rebuilding effort in the nation's history. Since 1982, the MTA has spent approximately $22 billion on repairing and upgrading infrastructure and rolling stock.

And the 1995 to 1999 financial plan continues to provide a solid foundation for the future, by calling for another $11.9 billion to be invested in the program. Granted, we also receive some city and state funding for capital needs, but our rebuilding effort relies primarily on self generated revenues.

Perhaps this helps explain why we have taken such dramatic steps to improve the efficiency of our organization. The current financial plan doesn't just provide for the future through capital construction. The plan calls for a reduction of more than $3 billion in MTA operating expenditures, and increases annual revenue by $308 million.

But even as we have dramatically improved the operations of the MTA, making ourselves more self-sufficient and improving service, there are still substantial capital needs that must be addressed to ensure the continued growth and success of our region.

Governor Pataki recognizes this reality. He understands the vital importance of public transportation for our region in the century to come, and last year in conjunction with the MTA, the Port Authority and the Empire State Development Corporation, the Governor announced a plan called "Master Links" that is our vision for the future of public transportation.

Master Links is a blueprint for a series of transit construction projects that are targeted to spur job growth and economic activity by linking the region together in a far more productive way. The goal is to provide seamless travel throughout the region, and particularly to provide increased and easier access to our nation's first and third largest commercial business districts, which are mid-town and lower Manhattan respectively.

ISTEA funding is a critical component of Master Links, as it has been for our ongoing capital efforts, and I would like to outline some of our recommendations. While the MTA applauds the effectiveness and direction of the ISTEA legislation under the Transit Title, and we strongly urge the reauthorization of the discretionary and formula categories in Title III, we also are very concerned that the flexible funds category of Title I be maintained. The flexible funds category truly epitomizes the very positive direction that ISTEA took in recognizing that transit supports and enhances the highway system, and that in many parts of our country the best long term solution for alleviating highway congestion is the improvement of public transportation.

Between 1992 and 1996, the MTA received $352 million under flexible funds for Congestion Mitigation, Air Quality (CMAC) and Surface Transportation (STP) Funding. This may well be the largest amount of flexible moneys used by any state in the country.

Projects are chosen for flexible funding through a highly competitive regional project selection process, which is supported by the Governor and the State DOT.

While the types of projects for which the moneys were used varied from signal rehabilitation to station renovation, there were projects of specific interest that would not have been done, or would have been underfunded, without the benefit of ISTEA flexible funding.

These projects include:

The 63rd Street Connector, which qualified for $271 million under section 3, but also qualified and received $45 million of CMAQ funding in a clear demonstration of the extraordinary role this project plays in both regional mobility and reducing pollution. Named by the FTA as one of the most cost-effective new starts in the nation, the 63rd Street Connector opens in 2001. The connector will increase service between Queens and Manhattan by 15 trains an hour, relieving congestion on the

E and F lines, which are the busiest subway lines in the nation. During the peak rush hour commute, the E and F lines carry nearly 78,000 people an hour, and on an average day more than 400,000 subway riders travel on the E and F.

Flexible funds were also used for The Grand Central Terminal Sky Ceiling Restoration, which received $2.5 million in STP enhancement. Grand Central is a true intermodal transportation hub, which services Metro-North Railroad, the Lexington Avenue Subway, New York City Transit buses and private buses. Opened in 1913, Grand Central is a national architectural and transportation treasure. Roughly 500,000 commuters pass through the terminal every day, and the restoration of this historic landmark is critical to the future of our regional transit.

The implementation of the Bus Locator System at New York City Transit received $4.5 million in CMAQ funds. While standard on more modern transit systems, the Bus Locator System is a major improvement for the MTA that provides real time information on our buses, improving queuing and reducing congestion.

And The Transit Museum Annex at City Hall received $1.1 million in STP enhancement funds, which helped us preserve this beautiful, historic and important station. Already a sold-out tourist attraction, the restoration of this one-of-a-kind station fits perfectly into the category of preservation of historic rail facilities, and also supports initiatives to revitalize lower Manhattan.

As we look to the future, the MTA will be seeking to realize the promise of the Master Links plan. We believe this plan is designed to make the best possible use of ISTEA funding, because the priorities outlined in our vision ofthe MTA's future dovetail perfectly with the rational and intelligent transportation philosophy that is at the heart of the ISTEA legislation.

Our goals are to enhance what is already the largest public transportation system in the Nation to help make New York and the entire nation more competitive in the global marketplace, create a stronger regional economy and cut down on congestion and pollution. We can do this through a series of targeted short and long term projects that will improve transit in New York, make trips to work and the airport faster and more reliable, and link New Yorkers with job opportunities by providing more efficient alternatives to driving.

The projects that future ISTEA funding will help to achieve include: East side access for the LIRR and west side access for Metro North. These initiatives are now possible thanks to the already constructed lower level of the 63rd Street tunnel.

And as with the 63rd Street Connector, it is anticipated that an ISTEA Section 3 "New Starts" grant, perhaps in conjunction with flexible funding, will provide 50 percent, or more, of the projected $2.1 billion cost for the construction of the tunnel links needed to make this project a reality.

Additionally, we are now examining alternative proposals to increase access to lower Manhattan. And the MTA will set aside up to $5 million to immediately begin studying better rail access to our nation's third largest business district. Funding for this initiative will most assuredly rely on ISTEA flexible dollars.

The Master Link plan also calls for improved airport access. And while the lion's share of funding for this initiative is slated to come from the Passenger Facilities Charge levied on airline tickets by the Port Authority, there is also substantial improvements that must be made to the existing transit system (NYCT and LIRR) to support this project. ISTEA CMAQ and STP funding will be actively explored for these peripheral improvements.

We are also looking to further renovate and restore our rail terminals. New York City has some of the most significant rail terminal buildings in the country, including Grand Central, Penn Station/Farley and Atlantic Terminal. These remarkable structures were largely built in the early part of century and need to be restored. The Governor strongly supports this initiative and a number of improvements likely to be made are excellent candidates for ISTEA funding.

To move forward with proposals to redevelop the Farley building as an Amtrak interrnodal terminal that is connected to Penn Station, to complete the rehabilitation of Grand Central. and to revamp the Atlantic terminal as part of an initiative to increase access to lower Manhattan, we will seek funding under Section 3 and 9, as well as flexible funds under the CMAQ and STP provisions.

As we look to the future, it is important to recognize our successes as well as areas for improvement, and the use of flexible funding to address regional mobility needs, rather than forcing mode specific alternatives, has proven to be a prudent expenditure of Federal funds for both the MTA and New York State.

Before concluding, I would like to speak briefly about the "Step 21" movement. Step 21's underlying philosophy is rooted in the states' rights movement, and adheres to the principal that each state is entitled to its own revenues and is responsible for its own needs.

According to Senator Moynihan's always illuminating annual report, "The Federal Budget and the States," in 1995 New York State sent nearly $18 billion more to the Federal Government than we received back. And over the last 15 years, our deficit with the Federal Government totals nearly $200 billion.

New York's Federal deficit helps fund many Step 21 sponsor states like Texas, which enjoys a $1.1 billion annual surplus and Florida, which enjoys a $5 billion annual surplus. If it were the case that all Federal programs guaranteed a 95 percent return on a state's level of contribution, we would have no philosophical problem with Step 21. As it stands however, the proposal is actually quite punitive to a state like New York that doesn't generate a high level of gas taxes, but shoulders more than its share of the overall national burden.

At the MTA we are preparing ourselves for the challenges of the century to come. We have reduced expenditures, increased revenues and have embarked on a massive capital program to rebuild our transit network. However, maintaining New York's economic strength is not just a regional concern, but a national one. And we look to the partnership of the Federal Government to assist in funding these vitally important initiatives that will ensure New York's and the nation's growth and competitiveness in the global marketplace ofthe 215t century.

ISTEA has already proven to be a rational and highly effective piece of legislation that recognizes the heightened significance of public transportation today and in the future. We strongly recommend the reauthorization of legislation and the continuation of Section 3, 9 and the Title I flexible funding categories.

We look forward to working with the various committees to help modify the legislation to ensure that we are able to derive the maximum benefit from the ISTEA funding that we receive, and to improve the administration of the program.

Thank you for giving me this opportunity to address the committee and the MTA's concerns.

STATEMENT OF WILLIAM VAN DYKE, FREEHOLDER FOR BERGEN COUNTY, NEW JERSEY

Mr. Chairman and members of the Subcommittee, my name is Bill Van Dyke and I am a Freeholder for Bergen County, New Jersey. I am also Chairman of the Board of Trustees of the North Jersey Transportation Planning Authority or NJTPA. The NJTPA is the Metropolitan Planning Organization or MPO for Northern New Jersey which encompasses 13 counties, 339 municipalities and 5.8 million people. It is the fourth largest MPO region in the nation.

Today, I'd like to relate to you one of the success stories of ISTEA—that is, the expanded authority entrusted to MPOs which has given the NJTPA and over 300 MPOs across the Nation the ability to create a new, more open and accountable transportation planning process; one that, for the first time, gives local elected officials and the public an effective say over transportation decisions.

ISTEA empowered MPOs by: suballocating Surface Transportation Program funds to metropolitan areas, giving large MPOs responsibility over Congestion Mitigation and Air Quality funds, and requiring joint state and local development and approval of Transportation Improvement Programs or TIPs. What this meant, in practice, was that rather than rubber-stamping the capital plans developed by state DOTs, MPOs became full partners in selecting projects and determining Federal funding allocations among them.

The local elected officials on the NJTPA board responded with enthusiasm to the new role and authority granted to them by ISTEA. At our monthly meetings, the majority of elected officials now show up in person rather than sending representatives, despite busy schedules. They also participate in our three standing committees which recommend actions to the full Board. During a review of NJTPA operations last year, officials of the U.S. Department of Transportation were very impressed by the level of commitment and participation by our board members—and in fact saw us as a model for MPOs around the nation.

The expanded role for local elected officials, such as myself, has made all the difference. We (County Executives, Freeholders, Mayors, and Councilmen) are in daily touch with our constituents. We are their voice and we know the issues. By serving on MPO boards, we can ensure that funds are allocated cost-effectively to the highest transportation priorities in our region—in a way that simply cannot be done by planners and project engineers sitting far away in state capitals.

In carrying out ISTEA mandates, NJTPA Board members are able to rise above parochial concerns to genuinely consider regional interests in allocating the nearly $1 billion in Federal funding that is available each year to North Jersey. One reason is that proposed projects are developed through corridor-based planning and are evaluated through an objective scoring and ranking process that includes ample op-

portunity for input from citizens and interested groups. Each year, differences between the NJTPA's project priorities and those of state transportation agencies are the subject of negotiations, from which emerges our Transportation Improvement Program. These negotiations are conducted in a spirit of partnership and cooperation.

The partnership fostered by ISTEA also extends to the cities and counties represented on our board—which are referred to as our "subregions." The NJTPA facilitates and supports the planning activities of its subregions by providing: funding, tools, training, data and technical expertise. Through our innovative Local Lead and Scoping programs, subregions are now eligible to receive Federal capital dollars to prepare their own priority projects for eventual implementation. The Local Scoping Program provides Federal funds to advance proposed projects through preliminary engineering and the Federal environmental review process, while the Local Lead Program moves projects through final design, right-of-way, and construction. In all, during fiscal year 1995 and fiscal year 1996, $14.7 million in Federal funds were allocated among 38 projects for these purposes.

Previously, subregions were dependent on the staff resources of the State Department of Transportation for preparation work on projects. As a result, many favored projects sat on the shelf—often for years—awaiting attention by NJDOT staff who were engaged in other priority work. Now, counties and cities can turn to the MPO to get their priority projects moving—and this has translated into concrete benefits for the traveling public which often is frustrated by the inordinate amount of time it takes for government to undertake common sense improvements to the transportation network.

Another aspect of the ISTEA success story involving MPOs has taken place on the technology front. With its new role, the NJTPA has pushed the envelope in using technology to improve transportation planning. In addition to in-house computer modeling, the NJTPA has equipped its subregions with Geographic Information System (GIS) technology to carry out often sophisticated analysis of local mobility needs.

The NJTPA is also working with two ISTEA-funded transportation research centers, the New Jersey Institute of Technology and Rutgers University, to prepare an innovative computerized project information system called TELUS (an acronym for Transportation, Economic, Land Use System) that will transform the TIP into a dynamic information tool. It will provide the public and local officials with a user-friendly means to retrieve a wealth of project-specific information including: funding levels; delivery status; inter-relationships/ interdependencies; economic benefits; and land use impacts. The system also includes a powerful mapping capability, allowing users to view and customize maps of project locations. Retrieving this project-specific information, integrating a variety of data bases, creating custom-tailored products and measuring economic benefits and land use impacts in the absence of TELUS (with its high-speed, automated functions) would literally take weeks if not months to produce. With TELUS we have eliminated the most labor intensive aspects of these types of analyses—replacing it with a state-of-the-art, cost-effective data retrieval system for MPO decisionmakers.

So, by enabling MPOs to take these and other initiatives, ISTEA is working extraordinarily well from our perspective. Perhaps the surprising thing is that we have made ISTEA work in a region as economically complex, as densely populated, and as heavily traveled as northern New Jersey. Our transportation network must efficiently serve an incredibly diverse economic landscape that includes: corporate campuses, heavy industry, bedroom communities, suburban malls, central cities, farms, port facilities, ski resorts and seashore towns. This means that each year we are faced with what seems like an overwhelming number of needed projects competing for each Federal dollar we have available, along with a host of vocal interest groups arguing for where and how we should make our investments. The MPO process put in place by ISTEA has allowed us to effectively broker competing interests to arrive at a regional consensus that—while it may not please all parties—ensures steady progress in improving regional mobility.

And, I have to emphasize, the benefits are not limited to the region's residents, especially given New Jersey's role as the major crossroads of the northeast. Heavy truck traffic (most of it generated outside of New Jersey) use our interstates and toll roads to get commodities to the vast northeast consumer market. The region also contains the east coast's largest port and numerous warehousing and distribution facilities handling the imports and exports that are vital to our national competitiveness. All this adds to the expense of maintaining and improving our regional transportation system and increases the stakes in seeing that our transportation dollars are invested wisely. Truly, if New Jersey's transportation system is left to falter, the repercussions will be felt throughout the northeast and regions beyond.

But we at the NJTPA have been able to meet this crucial burden on behalf of the region and the nation. We have been able to do so thanks to the planning provisions of ISTEA together with its funding allocation mechanisms that recognize the economic interdependence of states and regions.

For the upcoming ISTEA reauthorization, the lessons are clear: the framework established by ISTEA for empowering local officials through MPOs and for targeting funding based on national and regional needs has been highly effective and should be sustained and strengthened. Drastic mid-course changes in our nation's transportation policy could threaten our impressive achievements in building efficient, balanced and well-managed transportation systems in the metropolitan regions where the majority of our nation's population and productive capacity resides. Simply stated: "ISTEA Works"; don't change it!

Thank you.

STATEMENT OF JANINE G. BAUER, TRI-STATE TRANSPORTATION CAMPAIGN, NEW YORK, NY

The Intermodal Surface Transportation Efficiency Act (ISTEA) holds great promise for the tri-state region. It will allow us to improve and repair our existing infrastructure, and to finance investment in new transportation links and alternative modes. Its reauthorization and strengthening will result In a more efficient transportation network, fiscally sound transportation expenditures, a network that serves more people, especially pedestrians, bicyclists and transit users, and a cleaner environment.

The principal argument advanced by our states to justify a need-based funding formula is that our states have an older infrastructure, a more extensive transit network with more users, a severe air pollution problem, and worse traffic congestion. Thus, we have a greater need for funds to deal with these problems. To understand the need is to understand how critical ISTEA is to the region.

For example, one of three transit trips In the Nation Is taken here in the New York region. Yet, the system still consists of many independent, unlinked lines, which could be streamlined through construction of just a few miles of rack. This would attract new riders and cut pollution. Such construction is enormously expensive, however. At the same ?time level and quality of service has suffered as the Metropolit?an Transportation Authority tries to balance its maintenance needs and capital construction plans, while asking riders to pay a record 76 percent of the cost of the ride (farebox operating ratio), and 88 percent If the subway system is considered alone. (Other metropolitan transit users pay less than 50 percent.) Level and quality of service must be maintained and improved, even as new links are built. In New Jersey, important rail links have been constructed with Federal aid, such as the Kearny Connection which enable direct, express service from parts of New Jersey to midtown Manhattan, thus attracting new riders. More such links, such as the Secaucus Transfer and the Newark-Elizabeth Light Rail line need to be put in place. NJTransit's carrying capacity, especially into New York City at Penn Station, is stretched to the limit now. More trains cannot be added. Transit usage is increasing everywhere in the region. Declines in level of service will reverse that heartening trend. Where additional capacity is needed, it should be in a form that carries the most people and promises the greatest return on the investment. In this region, extra transit capacity is needed. Continued and expanded funding for transit, for "new starts," and for the Congestion Mitigation Air Quality (CMAQ) category is vital to our continued progress.

The flexibility provisions of ISTEA are important to transit funding. Although neither state has flexed National Highway System moneys to transit, $140 million has been flexed to transit in New Jersey over ISTEA's life from other categories. In downstate New York, $660 million has been flexed to transit needs ($590 million in New York City).

The needs of our roadways and bridges are great as well. ID its 1995 Long Range Plan, NJDOT found that one-quarter of the state's bridges were structurally deficient. Thirty-one percent of county bridges are structurally deficient. Thirty percent of state-owned roads were rated "fair" or worse. Our region's needs are great. New York has 19,000 bridges, about 8,000 of which are state-owned. Since 1988, New York has made great strides in improving the condition of both bridges and pavement, but 31 percent of state-owned bridges were still structurally deficient, as recorded in its 1995 Long Range Plan. Forty percent of its highways were rated "fair" or lower. Local bridges and roads were in even worse shape. Funds are needed for bridge replacement and rehabilitation as well as preventive maintenance and repair of pavement. Experience shows that deferring needed repair of highway and bridge

infrastructure costs more in the long run than careful management of the existing infrastructure.

The reauthorized ISTEA law ought to strengthen its emphasis on maintenance and preservation of the existing road and bridge system. This could be done by extending the maintenance programs to include regional and local highways and bridges. Funds should be measured against the goal of reaching a state of good repair.

The 10 percent "safety set-aside" in the Surface Transportation Program (STP) is also critical to reducing injuries and fatalities in this region, and in fact, ought to be strengthened. In New York, nearly 2,000 people are killed in car crashes annually; in New Jersey, the figure is 6,000 killed and seriously injured. Perhaps surprisingly, pedestrians make up about one-quarter of the victims in New Jersey each year, and over 50 percent in New York City. Many are children and the elderly. An aggressive program is needed to stem the tide of fatalities and injuries, which result in even greater expenditures on the part of local and state government in tort judgments. Pedestrian safety infrastructure costs money, although, per life saved, it is a very cost-effective investment. We would prefer to see ISTEA refocus states' attention on infrastructure investments, such as traffic-calming, rather than re-engineering roads to allow higher design speeds. Where pedestrian safety is a problem, as here, states should invest more in pedestrian safety measures and their expenditures be measured against reduction in the number of injuries and fatalities.

Enhancements funds have allowed us to begin to realize the national and regional goal of substituting walking and bicycling for trips under 5 miles that are now accomplished by car. These short trips cause a disproportionate share of pollution because of the effects of "cold starts" and tie up traffic unnecessarily. With our denser development, making short trips by bicycle or on foot is possible, but attractive only if the infrastructure supports and does not impede such trips. Providing that access, or removing obstacles thereto, costs money. If the Enhancements category is not maintained in ISTEA, money for these projects will be swallowed up by the greater transit and road needs. New York has obligated virtually all of its Enhancement moneys, and in both New York and New Jersey, there is a long list of pedestrian and bicycle projects unfunded because there are too many good projects and there is not enough money.

The expenditure of funds—or earmarking of funds—for a new wave of highway capacity expansion projects in this region would be unwise. These expenditures contribute to the worsening of air quality, loss of open space, sprawl development and the decline of our central cities through increased traffic congestion, crumbling roads and bridges, lost economic opportunities and population migration. We do not perceive expansion of highways as desirable in this region. Unlike system preservation, maintenance, safety, enhancements and public transit needs, this region stands in no better position than other regions with respect to spending on new highways.

A disturbing trend in all three states is that new highway projects which would not pass muster under Federal transportation and environmental regulations, are being built with relatively unencumbered state dollars. New York and New Jersey arc spending or planning to spend billions of dollars of their overall transportation budgets on a new wave of highway widenings or new alignments. These highway capacity expansion projects are unnecessary and counterproductive. Straightforward application of ISTEA's Major Investment Study provision to the corridors in question would confirm our view.

The purpose and promise of ISTEA can be better met by closer adherence to the principles of the current statute, not by wiping out funding categories for safety, air quality, and pedestrian and bicycle projects. In reauthorizing ISTEA, Congress needs to strengthen, not weaken, its provisions. In fact, incentives should be created to ensure that our states with severe air pollution and traffic congestion are moving in the right direction. This is especially so with respect to moneys to be devoted to system preservation, bridge repair, public transit, air quality, pedestrian access and safety, and bicycle improvements.

The metropolitan planning concept upon which ISTEA's planning is based should be retained and strengthened. In particular, citizens must be guaranteed a vote on metropolitan planning organizations (MPOs). The MPO for the downstate New York region—the New York Metropolitan Transportation Council—should be Independent from NYSDOT and its voting membership should be recast to be more reflective of the population in the region.

Finally, we are very supportive of the Congestion Management System (CMS) program which continues to be retained in transportation management areas with severe air pollution, such as this region. The CMS program requires states to identify and weigh alternative investments to new highway capacity, and even where such

projects are built, to implement mobility and demand management strategies deemed reasonable. This is a prudent use of scarce, dollars to alleviate congestion. We also favor reinstitution on the Congestion Pricing Pilot Program for states that desire to use variable road pricing to manage peak hour demand. In the long run, pricing will help states avoid expensive road widening projects and lessen their need for Federal road aid.

We cannot move the transportation network into the 21st century unless planning cuts across modes and disciplines, and we certainly will not cut traffic or air pollution unless a multi-modal approach is used. New York State DOT's Long Range Plan (developed under ISTEA) identified a top priority as cutting the estimated increase in solo commuting in half. It said:

To achieve this, transit commute ridership needs to increase 20 percent, carpooling to work 50 percent, and bicycling and walking to work 15 percent. These increases are to be achieved through more cost-effective management of transit and highway programs. . . (at 58).

ISTEA's innovative and flexible approach to funding categories should be maintained. Using a block grant approach will result in fewer transportation choices and more car and truck traffic. ISTEA Works.

The Tri-State Transportation Campaign Is a consortium of the region's leading transit advocacy, planning, citizen and environmental groups. Our mission is to create an efficient, economically sound, socially just and environmentally benign transportation system.

Thank you for the opportunity to testify.

STATEMENT OF ROBERT KILEY, NEW YORK CITY PARTNERSHIP AND CHAMBER OF COMMERCE

Good afternoon. I am Robert Kiley, President of the New York City Partnership and Chamber of Commerce. The Partnership and Chamber is New York City's preeminent business and civic organization, dedicated to improving New York's economy, business climate and quality of life. Our members are the CEO's of the City's major corporations, executives of medium and small companies, and the leaders of universities, civic, non-profit, and cultural organizations. I am the former chairman and CEO of the Metropolitan Transportation Authority (MTA) in New York, and the Massachusetts Bay Transportation Authority (MBTA) in Boston. I served as an AMTRAK Board member until 1996. I appreciate the opportunity to testify on behalf of the New York City's business and civic community on the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA).

Reauthorize ISTEA As Is

Mr. Chairman, the Partnership believes strongly that ISTEA should be reauthorized as is. We support the "ISTEA Works" principles endorsed by 17 Governors, and we endorse the approach of the Moynihan, Lautenberg, and Lieberman bill, which builds upon these principles. Moreover, we believe Congress should increase significantly ending for transportation. ISTEA has promoted important transportation policies that have benefited not only New York, but the entire nation. There is no reason to tinker with ISTEA's programs and funding formulas which are working well.

Maintain Strong Federal Commitment/Distribute Funds Based On Need

The Partnership opposes proposals that would reduce or eliminate the role of the Federal Government in funding the nation's transportation systems. That would be a major step toward eliminating the Federal Government's transportation responsibilities, and it would be a major step backward. We are also opposed to proposals that would distribute Federal transportation dollars based on the amount of gas tax a state sends to Washington which would be tantamount to the same thing. Transportation systems and the economic benefits they produce do not end at a state's borders. Florida's citrus growers depend upon decent roads in New York to deliver produce quickly, safely, and profitably. ISTEA recognizes the interconnectedness of the transportation system and it divides funding responsibility among the Federal, state and local governments as is appropriate. These are important principles which should be strengthened, not abolished or weakened.

The economic health of the New York metropolitan region is critical to the nation. In fiscal year 1995, the region contributed $40 billion more to the Federal treasury than it received from it, according to a recent publication by the John F. Kennedy School of Government, at Harvard University. (New York State contributed $18 billion more, New Jersey $15 billion and Connecticut $7 billion.). Do the states that are advocating a change in ISTEA's funding formulas, so that states receive back

what they contribute, want that principle applied across the board? New York would stand to gain from such an approach, but certainly we are not advocating it. One of the important purposes of the Federal Government is to insure that funds collected are allocated according to need.

New York's Transportation System Fuels The Regional Economy And Contributes To Cleaner Air

New York's transit system of subway and commuter rail provides the foundation for New York's productive economy, and has played a major role in facilitating the concentration of economic activity in Manhattan. Each business day, over 6.7 million people enter and leave the Central Business District (CBD) in Manhattan, 4.4 million by public transportation. (In the New York metropolitan area, 36.6 percent of all commuters take public transportation, unlike the rest of the U.S. where only 5.3 percent use public transportation. In the Manhattan CBD 85 percent of the commuting trips are by transit.). Here, transit makes the New York metropolitan region work. It provides for efficient transportation of people, reduces the number of cars that travel on our highways and roads, and improves air quality. Recognizing the important relationship between transportation and clean air, Congress designed ISTEA's Congestion Mitigation and Air Quality (CMAQ) Program to help metropolitan areas implement transportation measures to improve air quality. Congressional proposals to distribute transportation funds based on a state's gas tax contribution would not only be grossly unfair, they are also totally inconsistent with the nation's goals to improve air quality, reduce fuel consumption, and reduce the travel time workers spend getting to and from their jobs.

Investments In Transportation Are Needed to Support A Growing Economy—Our economy, New York's and the nation's, will suffer if we fail to invest adequately in our roads, bridges, high-speed rail, shipping ports and mass transit. Our highways and transit systems require an additional 41 percent in funding over present levels just to maintain current conditions, according to a U.S. Department of Transportation report. Bringing the system to "optimal" levels would require doubling our capital investment. Efficient transport of people and goods is a key factor to global competitiveness. We are far behind our competitors. London, Paris and Tokyo are investing heavily in expanding their transit and roadway networks, outspending New York by a factor of 10 to 1 and more (Konheim and Ketcham, Inc.). We must do the same. The New York metropolitan region is a gateway to world markets for the entire nation. Today, 45 percent of national earnings in securities and commodities trading are generated in Manhattan. These and several other key industry clusters, including the media and information, bio-medical and fashion industries, have the potential for enormous export growth. But we wont realize this potential unless we invest in our overburdened transportation system.

Investments In The Nation's Transportation Infrastructure Mean Jobs

Increased investment in our transportation system would have another benefit: It would stimulate long-term economic growth and create jobs. (A U.S. Department of Transportation study shows that every $1 billion of investment in Federal highway programs supports 42,000 full-time jobs: 27,000 in highway construction and related industries, and 14,000 jobs in other industries.). Congress should be especially concerned about this since the new Federal welfare law requires every state to put able-bodied adult welfare recipients to work within the next five and one-half years. Hundreds of thousands of people will have to find jobs. It will be impossible for the private sector on its own to employ them. But the public sector working with the private sector could do wonders. A massive public works program would not only employ large numbers of people, it would enable the Nation to improve its transportation infrastructure and remain economically competitive. The 4.3 cents of the Federal gas tax which is dedicated to deficit reduction, generated $7 billion in Federal fiscal year 1996. These funds could be used as a revenue stream to back bonds for public investment. The Highway Trust Fund has surpluses of $20 billion, which on paper are dedicated to the Federal budget deficit. These funds should be used for the purpose they were collected for—to construct and maintain an adequate national transportation system.

For all these reasons, the New York City Partnership urges you to seize the opportunity of the ISTEA reauthorization to make a good law better. Reauthorize ISTEA as is, and increase the authorizing and appropriations funding levels for our nation's transportation needs. Thank you.

STATEMENT OF LEWIS RUDIN, ASSOCIATION FOR A BETTER NEW YORK

Good morning Senators. I want to take this opportunity to thank my Senator, Senator Daniel Patrick Moynihan, and all of you for coming to New York today to hear our views on the renewal of the Intermodal Surface Transportation Act, which expires next September. You have heard the views of my Governor, George Pataki, and my Mayor, Rudy Giuliani. You will hear from many others over the course of the day. I am here to ask you as you consider the renewal of the ISTEA to think about this from a business perspective and a New York community perspective. That's what I know about.

I come to you from the Association for a Better New York, which everyone around here calls ABNY. I helped put ABNY together in 1970, a generation ago, to bring the New York business community together and to educate each other about the changing world world in which New York competes every day. We learn from the speakers that we have at our breakfasts and we learn from the many programs that we sponsor to help New Yorkers. We've learned over many years, going back to the fiscal crisis of 1975, how closely are the futures of New York, the New York region, the Federal Government and the world economy are all linked together. No place is this clearer than in transportation and Federal transportation financing.

Simply put, renewing ISTEA so that the Newr York/New Jersey/Connecticut region can renew its transportion infrastructure is just good business for the county. So paraphrase 'Engine' Charlie Wilson of GM during his confirmation hearing before the Unit States Senate in 1953, what's good for the New York Metropolitan region is really good for the United States. Let me tell you why.

This region . . . New York, New Jersey, and Connecticut . . . the economic engine of America's international trade and commerce. This region provides the world leadership in finance, legal services and the media. Wall Sheet, Madison Avenue, Park Avenue . . . its events on these streets that make the world business community move. From the Federal Reserve in resurgent lower Manhattan's canyons to midtown's office towers and the U.N. He world's business community comes to see the United States in terms of what happens here.

The rest of the United States and the world Moue knows how important we are. Senator Moynihan, my Senator, has told all of us about the surplus that this region contributes to support government programs and government jobs in the rest of the United States. All thee states send far more to Washington than they get back. And that's not just talk. That's from careful analysis that my Senator has gotten from Harvard University's Kennedy School.

Let me remind you all of the numbers. New York sends down $17,734 billions more than it gets back. New Jersey sends down $14,950 billion more than it gets back. Connecticut sends down $6,873 billions more than it gets back. This region consistently leads the Nation in the amount of Federal taxes paid .

How do we do that? We do that with people and the most efficient subway and commuter rail system in the nation. Which we built with initially with our own investments. We move people very efficiently here, so they aren't all caught up in traffic and they can work effectively when they get to work. We bring people together here very well, so they can make money.

And they make enough so that we can send more to Washington than we get back.

The simple message that I bring to you is that new Federal transportion funding helps us to keep that transportation system working. We need to keep getting those Federal transportation dollars as we have gotten them over the past 5 years under ISTEA. Those Federal transportation dollars provide jobs for construction workers, who come in New York City from every ethnic background imaginable. These are good jobs, that allow people to earn a decent living and bring up their families and to get ahead. Let me tell you very clearly, many of the people who work hard today just up the street on Wall Street are the grandchildren of people who worked hard 90 years ago to build our subways.

Those transportation dollars help other New Yorkers to make the momey that allows them to get ahead and their families to prosper. We are the City of Immigrants. But we are also the City of the Melting Pot, in which good jobs bring people together to make us all in America stronger. I am the grandson of an immigrant. My brother and I went to school by subway. Without a good transportation system we would have had a much more difficult struggle to get a good education. So for me, this is a very personal fight. I want others to have the opportunities that a good transportation system and a good education system combined to give the Rudins.

Now we get back more in Federal transportation dollars than we contribute in gas tax. That's true in large part because we have such an efficient transportatio system. That system uses electricity to power the trains subways, not gasoline. It's in

all of our best interests to do this. We don't drive as much as others so we can work harder for ourselves and others. New York would never work at all if everyone had to try to drive into Manhattan each day. The traffic jams would be unbelievable.

There are some people who would want to cut back on extra Funds that we get here in the region. That would be very short sighted. If we can't get the Federal funding, then our transportation system will deteriorate. If that system deteriorates, we won't bring people together as effectively, and so they won't be able to earn the big surpluses and send them off to the other states. Or we'll have to keep those big surpluses here to use them on ourselves.

STATEMENT OF RAYMOND M. POCINO, VICE PRESIDENT AND EASTERN REGIONAL MANAGER, LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

Good Morning. My name is Raymond M. Pocino. I am Vice President and Eastern Regional Manager of the Laborers' International Union of North America. Our Eastern Regional office represents members of the Laborers' International Union in New Jersey, Delaware, Eastern Pennsylvania and parts of New York State. I am also privileged to serve as a Commissioner on the New Jersey Turnpike Authority.

I want to thank Committee Chairman John Chafee, Sub-Committee Chairman John Warner, Ranking Minority Member Max Baucus, New Jersey and New York committee members Frank Lautenberg and Daniel Moynihan, and indeed all the members of the U.S. Senate Subcommittee on Transportation and Infrastructure for the opportunity to appear here today in support of the re-authorization of the Intermodal Surface Transportation Efficiency Act of 1991.

This landmark legislation, as currently funded and implemented, has been of inestimable benefit to the residents, workers and economy of New Jersey and states throughout the entire Northeast Corridor. On behalf of the leadership and 750,000 members of the Laborers' International Union of North America, I appeal to members of this subcommittee to approve re-authorization of ISTEA as of October 1st, 1997 and to continue its current need-based funding formula without major changes.

To say that the stakes for New Jersey and other urbanized states are enormous, is really an understatement. The financial support that ISTEA has provided our region to help keep our transportation infrastructure intact and functioning efficiently has been absolutely essential to the quality of life and economic well-being of our residents. And, because this particular region plays such a key role in facilitating America's ready access to the world marketplace, I would submit to you that ISTEA allocations to the New Jersey/New York metropolitan area have a spill-over effect that ultimately benefits the entire nation.

Our national prosperity and quality of life in great part depend upon the efficiency with which we produce, transport and market our goods and services. No modern, developed nation can thrive without an extensive and highly advanced transportation infrastructure to support the many complex activities that characterize such a society. Indeed, there may be no better example of this than our own United States, whose evolution from a handful of loosely connected and largely independent colonies into the wealthiest, most powerful nation on earth owes much to the development of our transportation infrastructure.

Without continuous investment in its transportation infrastructure, a modern economy fails to grow. And yet, that's exactly what happens all too often in our society when various governing bodies and agencies—under intense pressure to cut budgets—put off necessary maintenance and repair projects. This delay, of course, is not economical at all; it is, in fact, the most expensive form of under investment.

There is a kind of double inefficiency at work when we ignore our roads. One is the lost productivity that is incurred immediately. It has been estimated that the cost of trucking goods rises some 6.3 cents per mile when road conditions decline from "good" to "fair". The other inefficiency is the higher price tag which occurs when repairs are finally undertaken. A bridge that receives regular maintenance will last twice as long as one that does not. The cost of timely maintenance and repair is only a tiny fraction of that of constructing a new bridge.

Statisticians tell us that each year the US transportation system handles nearly four trillion passenger miles (one passenger traveling one mile) and 3.5 trillion ton-miles of freight. Transportation is a key factor in the competitiveness of US industries relative to foreign manufacturers. For every dollar of goods that we export, about 25 cents is spent on the transportation of raw and intermediate materials as they are processed into final products ready for exportation. Simply put, there is a crucial link between investments in transportation and our nation's ability to compete globally.

All of these numbers and facts serve to verify the profound importance of a sound and adequate transportation system in advancing our nation's economic vitality and the quality of life of each of our citizens. That is precisely why the Intermodal Surface Transportation Efficiency Act has played such a critical role in our nation's life over the past 6 years, and it is why Congress must move quickly to reauthorize ISTEA without disrupting either its revenue flow or the status of the projects it supports.

ISTEA has proven its worth time and time again. It allocates its funding based upon need. . . it supports state and local decisionmaking. . . it provides resources for air quality programs. . . and it promotes public transit and the concept of intermodalism. The return on these ISTEA investments has been unmatched by just about any other government initiative.

Perhaps most important of all, however, is that in its present form, ISTEA provides a stable, bi-partisan source of funding that is immune to the intense budgetary pressures that pervade state and local governments and often result in the postponing of essential transportation programs and projects.

As meaningful as the reauthorization of ISTEA is to America as a whole, its importance is magnified all the more for New Jersey and the Northeast where mass transit assumes such a high priority and each segment of our transportation system is so dependent on the others. There are few other regions of the country where the intermodal mix of highways, bridges, mass transit, airports and maritime facilities—so heavily promoted by ISTEA—is as prevalent as it is here. I believe it's fair to say there are no other regions where economic and quality of life issues are as intertwined with transportation.

Although one of the smallest states in the nation, New Jersey has in excess of 40,000 miles of roadway where nearly 60 million vehicle miles are traveled annually—the most heavily traveled roadways in the nation. More than 2.3 million passenger miles are traveled on buses and trains annually in New Jersey. Some 83 percent of New Jersey's workers get to their jobs by auto travel. Given these figures, it's clear that a comprehensive, smooth-running transportation system is absolutely essential to our way of life. As Senator Frank Lautenberg so aptly describes it, transportation is New Jersey's "lifeblood."

The Northeast was perhaps the hardest hit of all regions by the economic downturn (call it a recession or depression, if you wish) that marked the first half of this decade. New Jersey alone has lost more than 325,000 jobs since 1989. The construction workers who I represent, and indeed in all of the construction trades, have suffered through 40, 50 and 60 percent unemployment rates over the past 6 years.

The $870 million which New Jersey receives annually from ISTEA has helped fill that job void. It's been estimated that New Jersey has some 237,000 ISTEA-related jobs, a tremendous return on the investment. It would be an unmitigated economic disaster for New Jersey to lose that source of revenue, not only because of the existing jobs and projects that would be eliminated, but because of future jobs and projects that would never see the light of day.

ISTEA is one of the few programs that actually returns more to New Jersey residents than we contribute in Federal gas taxes. Our overall return is only 62 cents on the dollar for all Federal dollars contributed, while we receive $1.12 from the Highway Trust Fund for every highway dollar contributed and $4.69 for every transit dollar. These numbers emphasize the importance of maintaining ISTEA's need-based funding formula and, I believe, expose the fallacy behind efforts to change the allocation formula to one that is based upon contributions.

Different regions and states clearly have different needs. It would be foolish and wasteful policy to distribute funds equally to every state for every Federal program—whether a state needs it or not. It would be equally foolish and inequitable to deprive states like New Jersey of funding they desperately need and to send it to other regions where it will do only minimal good.

In closing, I would only reiterate that the Intermodal Surface Transportation Efficiency Act of 1991 has been an economic life-preserver for heavily urban states with aging transportation infrastructures. It has meant jobs, continued competitiveness in the marketplace, environmental upgrading and an improved quality of life for tens of millions of people. On behalf of the Laborers' International Union of North America, I respectfully urge members of this sub-committee to approve reauthorization of ISTEA without significant changes and to maintain its current need-based funding formula which has served the program and our nation so well. Thank You.

STATEMENT OF EDWARD J. CLEARY ON BEHALF OF THE NEW YORK STATE AFL–CIO AND THE TRANSPORTATION TRADES DEPARTMENT, AFL–CIO AND THE BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AFL–CIO

Good morning. My name is Edward Cleary. I am President of the New York State AFI/CIO and also appear on behalf of the Transportation and the Building and Construction Trades departments of the AFL–CIO. I am pleased to have the opportunity to express the views of workers in New York and in all of transportation and building trades regarding the reauthorization of the lotermodal Transportaticm Efficiency Act, or ISTEA.

Let me first commend you and this Committee for holding these hearings and for inviting all interested parties to share their views and concerns about the future of our nation's surface transportation policy. ISTEA reauthorization will bring us to the next century with what we hope will be a wed-balanced policy blueprint for the nation's long-range surface transportation needs. Far New York, the northeast region, and the entire country, this bill will be the single biggest job creator ofthis Congress.

While many who will or have appeared at this hearing will bring different opinions about certain aspects of ISTEA, I think we can, or at least should, agree that ISTEA has been extremely successful in developing long-term transportation infrastructure planning to the benefit of American communities—large and small, urban, suburban and rural. The original landmark Act, which was a broad bipartisan effort, authorized $155 billion for highways, bridges, and bus and rail transit systems. It created millions of good paying jobs, inspired economic development, brought planning decisions to a local level, and provided the Nation with increased and safer transportation choices.

The labor movement is now hopeful that Congress will again act in a bipartisan manner to build on the successes of ISTEA by maintaining the essential framework and focus of this critical transportation and infrastructure investment legislation. To that end, there are a number of issues that I will highlight as Congress and the Administration move forward with ISTEA reauthorization.

Secure Maximum Funding Levels

Securing the highest possible reauthorization levels for all surface transportation investment programs must be the most important goal of those leading the reauthorization of ISTEA. For labor, this is one of our top priorities. Deep spending cuts in recent years have already reduced transportation choices, shelved or delayed important highway and transit infrastructure projects, imposed higher fires and devastating service cuts on passengers, stalled productivity gains by transportation companies and their employees, led to a crumbling highway infrastructure plagued with chronic congestion, and denied thousands of good jobs generated by sound transportation investments.

In an era of government downsizing and constrained Federal spending, Congress must realize that the nation's businesses and their workers cannot be competitive in the 21st century without a well-financed transportation network. In the Northeast this means a renewed dedication to maintaining our infrastructure and strengthening our position as a primary gateway for international trade and corrunerce. To that end, Congress is in a position to send a strong signal about our nation's priorities during ISTEA reauthorization.

The 1997 ISWA bill therefore must provide funding for highway and transit programs, intercity bus and rail service, safety enforcement and other programs. Moreover, as discussed below, Congress must develop a more reliable and long-term funding mechanism to stop the financial hemorrhage of our national passenger railroad—Amtrak. But it must not accomplish this goal by cutting funding levels and then forcing the competing transport modes and their workers to compete against one another for a diminishing pool of funds.

To this end, the unions of the Transportation Trades Departrnent and the Building and Construction Trades Department believe that the 4.3 cent gas tax enacted in 1993 for deficit reduction should be redirected into the Highway Trust Fund and distributed equitably and fairly within our Federal surface transportation program. From these new moneys, our affiliates support allocating a ½ cent for Amtrak capital needs with the 3.8 cent balance going to support additional investments in highway and transit needs under existing formulas. This move will boost much needed investments in a number of surface transportation programs and will redirect up to $5 billion in filet tax revenues back to their longstanding purpose: the Overt arid maintenance of our nation s transportation system.

Under the 1991 Act, a portion of the funds can be "flexed" among different program categones. This provision empowers local planners to set spending priorities

based upon the unique needs of their commununities and transportation system. This program has permitted a fair and rational distribution of transportation dollars while adhering to basic Congressional priorities with respect to highway and transit accounts. The balance achieved in this program has proven sensible and therefore should be preserved in the reauthorization legislation.

Protect Worker Rights

As we know, the 1991 Act granted states and localities added flexibility in administrating transportation programs—a policy supported by labor so long as federally established labor standards and worker protections were not undermined in the process. Fortunately, the 1991 legislation insisted on the maintenance of these basic protections.

Laws like the Davis-Bacon Act and Section 13(c) of The Federal Transit Act have been instrumental in ensuring wage and job stability and protecting collective bargaining rights. The 13(c) program has provided a sensible mechanism to ensure that workers are not unfairly treated as a result of the distribution of Federal transit assistance or structural changes in transit systems. In the performance of Federal contracts, prevailing wage laws such as the Davis-Bacon Act prevent construction and service contractors from undercutting industry wage and benefit standards to the detriment of workers and their communities.

If we eliminate these protections in the name of "reform," or try to waive their application in certain instances, we threaten the basic rifts and jobs of workers. In the 104th Congress, some Members tried to attack programs like Section 13(c) and Davis-Bacon despite their indispensable role in guarding against the use of Federal dollars to bring down the wages and standards of living in commuruties.

If I can leave a single message today it is that the labor movement is committed to advancing a strong ISTEA reauthorization bill. We intend to work with members on both sides of the aisle and to enlist the support of our rank-and-file leaders and members across the country to help make this legislative priority a reality. However, we are just as prepared to turn our attention to fighting any and all efforts to use ISTEA to attack longstanding worker protections and labor standards. We urge the Congress to reject any ISTF.A proposals that would threaten the jobs or rights of working men and women.

Enhance Transportation Safety

I also want to touch on the critical role that the Federal Government must play in ensuring that all modes of transportation are safe. Workers across our economy are increasingly confronted with a dangerous and unpredictable workplace. In its zeal to deregulate the transportation industry, Congress has not avoided legislative measures that had the net effect of narrowing the margin of safety for workers and the general public.

For example, during the 1995 debate over the critically important National Highway Systems (NHS) legislation, Congress attached a provision that could exempt some 2 million trucks from recordkeeping, hours-of-service, safety inspections, insurance requirements, the National Driver Register—which tracks repeat traffic violators—and other safety-related requirements.

Under this so-called "pilot" provision, delivery trucks weighing between 10,001 and 26,000 pounds would be exenpt from major safety requirements even though they account for 50 deaths and 1,000 injuries per month, at a cost of $500 mullion annually. This is the type of policy that undermines transportation safety and that we will vigorously oppose when ISTEA is reauthorized.

Private Enterprise Participation

As all of us know, there has been increased attention placed on the role the private sector should play in the delivery of transportation services. While we recognize the longstanding role of private sector participation in our industry, I want to emphasis that decisions relating to public or povatc control of the transportation infrastructure, and particularly transit service, should be left to local planners.

Congress recognized the wisdom of this policy during consideration of the original ISTEA bill when it included specific protections against the use of Federal transportation grants to force privatization on communities ill-prepared for or disinterested in this type of transition or service option. We recognize the need to encourage private investment in our transportation infrastructure and the desire to develop new ways to finance important investments, but we warn against heavy-handed policies that would permit, or in fact promote, the irresponsible sell-off of our transportation network in the name of cost savings that have usually proven illusory.

I must emphasize that we ultimately believe that transportation facilities should continue to serve the public interest and not be dedicated to generating profits for private interests. At the very least, these decisions should be left to local authorities

who are better equipped to make transportation decisions based on their local needs. To that end, we state our continuing support for President Clinton's recission of transit privatization rules born in the 198Os that placed undue pressure on local grant recipients to explore privatization options at any and all costs. Those policies distracted attention and resources from providing vital services to the traveling public and harmed workers and communities. The labor movement is committed to preserving currcut privatization policies governing the Federal transit grant program and will combat any proposals in ISTEA to turn back the clock.

The Planning Process

Under current law, a wide array of interests including labor organizations are pennitted to receive, review, and comment on the annual and long-range transportation investment programs developed by Metropolitan Planning Organizations (MPOs) before final approval is granted for these plans. As this committee is well aware, workers are directly affected by MPO spending and policy decisions and thus their unions offer a unique perspective to assist MPOs in developing workable and efficient plans.

The role of workers and their unions at the planning table is to help ensure that employee issues are not merely cast aside when core planning decisions are made. Many of the successes that ISTEA has produced can be traced to the positive and constructive role that workers and their unions have played at the local level. While we support the MPO program design embodied in the 1991 legislation, we believe a mandatory role for union representatives should be reaffirmed and, to the extent possible, strengthened in the reauthorization bill this year.

Final Observations

ISTEA has represented a historic shift in transportation policy for this country. Thousands of communities, businesses and workers in the Northeast and across the country have benefited greatly from the 1991 Act. However, as this Committee works toward reauthorization of this legislation, we believe there are many pitfalls (sense of which we have identified in this statement) which we must avoid. It will be most unfortunate if some choose to use the ISTEA reauthorization process to advance their extreme agenda. If forced, workers are more than prepared to wage a spinted campaign against any measures that will hann their interests and, if needed, delay completion of this crucial transportation infrastructure bill.

We will look for this Committee's leadership to help crap a bill that meets the nation's surface transportation needs by building on the successes of ISTEA.

Thank you for providing us this opportunity to share our views.

STATEMENT OF HON. JOSEPH I. LIEBERMAN, U.S. SENATOR FROM THE STATE OF CONNECTICUT

Good afternoon. I'm delighted that you could join me today in this forum to discuss reauthorization of the Intermodal Surface Transportation Efficiency Act, known as ISTEA. As you know, I am our state's member of the Senate Environment and Public Works Committee which is currently working on the reauthorization. The written testimony of our witnesses today will be included in the record of the Committee's deliberations on ISTEA.

I'd like to welcome Senator Dodd and tell him how glad I am that he could join us. Senator Dodd serves on the Senate Banking, Housing and Urban Affairs Committee which has jurisdiction over transit programs.

As a member of the Environment and Public Works Committee, I was proud to have worked hard with Senator Moynihan and others to craft ISTEA in 1991. Without a doubt, ISTEA was the most significant and innovative transportation legislation of a generation. It recognized that our nation is now reaching a maturing system of transportation. With our Interstate system built, ISTEA moved us to also focus on maintenance, intermodalism, efficiency, funding flexibility and preservation of our environment.

Most importantly, ISTEA is the right transportation legislation for Connecticut. As Commissioner Sullivan of Conn. DOT has stated: "ISTEA funding has been critical in helping to address Connecticut's transportation needs. The accomplishments achieved throughout the life of the Act have greatly advanced Connecticut's goals for a safe, efficient and well maintained transportation system." And as our witnesses will tell us today, ISTEA is the right transportation legislation to take Connecticut into the 21st century.

So often in government today we hear complaints about laws and programs that don't work. ISTEA is a law that has worked and is working. It's one area where we don't need to reinvent government-we did that in 1991. That's why Governor

Rowland is leading the effort of a number of states to reauthorize the ISTEA legislation and why tomorrow, I will join with Senators Moynihan, Lautenberg, Dodd, Chafee, and others to introduce legislation to reauthorize the law.

Let me spend a few minutes reviewing why ISTEA is so important. In a very unique way, ISTEA combines this country's longstanding commitment to our national priorities—a national system of transportation central to our economic growth and our commitment to protecting and enhancing our environment—with a new emphasis on responding to local conditions, priorities and interests and involving the public in this decisionmaking process.

The statement of policy that introduces ISTEA reminds us that the economic health of the country depends on access to an efficient transportation system. It reads as follows:

"It is the policy of the United States to develop a national intermodal transportation system that is economically Efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy and will move people and goods in an efficient manner."

ISTEA's commitment to a national transportation system includes a dedicated sources of funding to preserving, restoring and rehabilitating our Interstate highways and bridges. In Connecticut, where our infrastructure is older and more densely traveled than in other areas of the country, dedicated Federal funding for these programs is very important.

Second, ISTEA recognized that there is an inextricable link between transportation and the quality of our environment, particularly our air quality. Automobiles are a large contributor to our smog, carbon monoxide and particulate matter pollution. As Americans drive more and more miles, the pollution control gains from cleaner cars get wiped out.

The Congestion Mitigation and Air Quality Improvement program is one of the most innovative programs created under ISTEA. It is providing $1 billion per year for projects to reduce air pollution. These funds are being used to help states restore air quality to healthy levels. This program is the opposite of the so-called unfunded mandates—it provides Federal funds to help meet the requirements of the Clean Air Act. Here in Connecticut where our air quality is so bad, this program provides an important source of funding to help us move toward clean air. Stamford, Greenwich and Norwalk, for example, made innovative use of these funds.

While recognizing these national priorities, ISTEA also makes nearly one-half of all funds available for state and local decisionmaking. The transportation needs of Connecticut are different than the needs of Montana, and this flexibility allows each area to decide what's right for them, again, within the context of protecting a national transportation system. And for the first time, ISTEA allowed local decisionmakers to spend these funds on either highways or transit. This leveling of the playing field between transit and highways is also important for our state. In Connecticut, funds from this program have been used for a wide range of projects, including construction, reconstruction, rehabilitation, restoration and operational improvements for highway and bridges, transit projects, and rideshare, among other projects. For example, funding flexibility made possible the $126 million restoration of the Peck Bridge on the Northeast Corridor Railroad line. This project will improve the operation of a rail commuter service that transports 98,600 people each day. Our State's commuter and railroad systems offer critical and cost-effective relief for our congested highways.

ISTEA also created a popular program known as Transportation Enhancements which provides a small amount of funding to mitigate some of the negative effects transportation has caused for our local communities. We'll hear today how funds were used from this program to restore a recreational and open space corridor along the abandoned right of way of the former Farmington Canal and the Boston and Main Railroad. This project was selected as one of the nation's 25 best entrancement projects. We've also used funds from this program to help restore some of our coastal wetlands, to protect and enhance the landscape of our famous Merritt Parkway and for the restoration of the Route 8 and Route 15 interchanges. In the Northeast part of our state, this program provided funds for Killingly's pedestrian trails and the Putnam River Trail.

Unfortunately, despite ISTEA's record of achievement, our efforts to reauthorize it will not be easy. ISTEA is under massive attack. A large number of Senators already support proposals which would eliminate many of the fundamental bases of ISTEA, including much of our commitment to a national transportation system. Instead, these proposals would turn much of the program into essentially a block grant, where I'm concerned our national priorities for our transportation system would be lost. The funds would be distributed based on how much money each state is contributing to the Highway Trust Fund in gasoline taxes rather than looking to

the nation's infrastructure needs and also focusing funding on those systems that require preservation and enhancement.

These proposals could have severe impacts for Connecticut, reducing the state's share of transportation money by half and significantly affecting our ability to address our pressing infrastructure needs. They would largely abandon the Federal role in transportation which has worked so well for our state and is so essential to support national economic growth, global competitiveness, and the quality of life in our communities. I intend to fight these proposals in Committee and on the Senate floor. But you should know that it is an uphill battle. We have a huge regional battle for scarce Federal funding shaping up here, and we will need your strong support.

I want to welcome all our witnesses today. I appreciate the time you've taken to be with us. Governor Rowland, I especially appreciate your being here today and all the hard work you are doing to encourage other states to join our coalition.

STATEMENT OF HON. CHRISTOPHER J. DODD, U.S. SENATOR FROM THE STATE OF CONNECTICUT

I want to commend Senator Lieberman for convening this forum on the future of the Intermodal Surface Transportation and Efficiency Act. As a senior member of the Committee on Environment and Public Works, which has the primary jurisdiction over ISTEA, he has dedicated countless hours to this issue. He helped draft the "ISTEA Works" bill, which I have cosponsored, and I will be working with him to get that bill through Congress and maintain funding for Connecticut's critical transportation programs.

I also want to thank Governor Rowland for being here today. He has helped rally Governors from across the country in support of the "ISTEA Works" bill. That support will be critical when Congress begins to negotiate funding formulas.

I also want to welcome our other distinguished panelists, who are working on the front lines to ensure that our State has an efficient and environmentally sound transportation system.

The reauthorization of ISTEA may be the most important issue facing Congress this year. At stake is about $150 billion over the next six fiscal years, 1998 through 2003.

As everyone assembled here knows, Federal transportation funds are critical to Connecticut. We receive about $345 million a year from ISTEA programs. When you consider that every million dollars sustains about 50 JOBS, that translates to over 17,000 Connecticut jobs that depend on ISTEA funds.

The battle for these funds is already raging. The sunbelt states have a proposal—called "STEP–21"—that would cut the percentage of funds that Connecticut receives in half. The western and plains states are supporting another proposal—"STARS 2000"—that would also cut Connecticut's share in half.

What concerns me most about these proposals is their rationale for distributing funds. In the past, transportation funds were distributed based primarily on need. That simply makes sense. We have a national transportation system, and we distribute funds based on where the need is greatest.

Regrettably, some of my colleagues are arguing that we should move away from that sound principle. They would prefer a greater distribution of funds based on where gas taxes are collected. But that is not how our government works. After all, we do not make decisions about how to allocate defense programs, or medicare, or agricultural support, based on where tax dollars come from.

Let me assure you, if we applied that approach across the board, Connecticut would do much better under federal programs. In Connecticut we have a significant amount of wealth and we pay a substantial amount in Federal taxes. On balance, Connecticut contributes about $6–7 billion a year more than it receives back in grants, payments and services.

So the battle is under way, but it is far from over. We will be using every weapon in our arsenal to obtain a fair share of funds for Connecticut.

The "ISTEA Works" Legislation that I am cosponsoring along with Senator Lieberman, represents a responsible approach to reauthorization. It would continue to distribute funds based on need, and that would provide a sufficient level of Federal resources for Connecticut. It would also keep in place important principles that are widely supported by the nation's Governors, mayors, and the private sector including:

- Maintaining a strong national role in transportation, including funding for Federal clean air mandates through the Congestion Mitigation Air Quality Program (CMAQ);

- Preserving and strengthening transportation partnerships between Federal, State and local governments, and;
- Maintaining fexibility so that States can fund their priorities including the mass transit programs that are critical to our urban areas.

Again, I appreciate everyone taking the time to be here. I look forward to hearing from our distinguished panelists, and to working with all of you to make our transportation system better for the next century.

STATEMENT OF GOVERNOR JOHN G. ROWLAND, STATE OF CONNECTICUT

I am pleased to be here today with Senators Lieberman and Dodd to participate in this forum. In February I went to Washington to ask the Congressional delegation to work together in support of an ISTEA bill that will help the state. The senators and all the members of the House gave me their full support in jointly working on this important legislation, and I thank them.

In Connecticut, we believe we know the most effective and efficient way to spend our transportation dollars. However, a Federal role in transportation is essential to preserve and improve safety, economic growth, global competitiveness and a sustainable quality of life. The 1991 Act was landmark legislation that changed the direction of surface transportation policy by recognuang the need to preserve and grow the infrastructure system and by encouraging the use of a new term ''intermodalism.'' Another strength of the law is the enhanced emphasis on public participation. Now more than ever, states, towns, and regional planning organizations are able to determine how best to expend critical transportation dollars.

We believe that ISTEA works and that myor changes are not needed. The discussion in Washington is about how to distribute the money to the states. The southern and western states talk about this issue in teens of donor and donee. As the Governor of the biggest dance state in the nation, if you consider all Federal programs, I would certainly support a bill that says you should get dollar-for-dollar the amount of money your state sends to Washington. But let's not limit it to transportation. . . .

In truth, ISTEA's formula is fair because it distributes funds in categories such as congestion mitigation, air quality, bridge construction and improvement, based on need. not based on how much is pan' into the fund. The law also for the first time enables the needs of other motes such as mass transit ant waterways to be weighed on the same basis with highways.

ISTEA came along at a time when our economy needed a push. By recognizing the need for a strong national transportation system, ISTEA promotes a stronger national and regional economy. The impact on the economy is measurable, for every one million dollars spent on transportation, it is estimated that 50 jobs are sustained. In Connecticut, we estimate that over 2S,000 jobs are dependent on transportation expenditures.

We use ISTEA funds in Connecticut to improve the safety of our roads, to cut down on con grouting time, to preserve the historic value of our infrastructure, improve bikeways in the State, and to get products to market more efficiently.

ISTEA was critical in our efforts to improve the Merritt Parkway and to have it recently designated as a Federal Scenic By-Way. ISTEA enhancement funds were used to finance a landscape roaster plan for the parkway and restoration of the Route 8 and Route I–5 Interchange.

The flexibility provided for in ISTEA funds was used by the State for our $126 million bridge reconstruction project on the New Haven Railroad Lute, locally known as the Peck Bridge. The State and the Greater Bridgeport MPO were able to flex $22.8 million of highway funds for this important transit purpose. We also used a variety of ISTEA categorical programs, as well as state transportation fimds, to implement the reconstruction which All improve the commute of more than 60,000 Metro North riders.

As the Senators Now, I have taken a leadership role among Governors who support the preservation of the current ISTEA program. The ISTEA Works coalition is now 17 Governors strong—including all of the New England states, New York, New Jersey, Pennsylvania, Delaware, West Virginia, Maryland, Puerto Rico, Illinois, Colorado, Washington and Oregon. We are working closely with our Congressional delegations to be certain that whatever bills are passed by Congress preserve the Integrity of the current law.

Today's levels of transportation funding are inadequate to Retain current conditions. There is an $18 billion annual gap between current spending ant what is recruited to simply maintain current conditions and performance of our natioD's highways, bridges and public transit systems. If our goal to get a significant level of

fimding for Connecticut is to be achieved, Congress must fund the overall transportation budget at a reasonable level.

This morning, the National Governors' Association announced the establishment of a coalition of Governors, business, and labor in support of All funding for transportation. The coalition called TRUST—Transportation Revenues Used Solely for Transportation has called on Congress to spend all the transportation user taxes it collects for actual transportation purposes.

I believe that the 4.3 cents of the Federal gas tax currently collected for deficit reduction should be spent on transportation and take it a step farther that ½ cent of the 4.3 should be dedicated to AMTRAK. Congresswoman Johnson has a bill pending; in Congress to do just that.

As I mentioned earlier, our Congressional delegation has been tremendous in their support for ISTEA. As a member of the Senate Environment and Public Works Committee Senator Lieberman played a critical role in the creation of this watershed ISTEA legislation and in the reauthorization effort this year. Tomorrow he will join his Senate colleagues in introducing a bill that he drafted. Connecticut enthusiastically supports this legislation and is pleased that Senator Dodd will be a cosponsor. In the House, Congressman Geidenson has also played a key role in getting support from his colleagues across the country,

In closing, I will reiterate that the greatest strength of ISTEA is that it allows the states and regional agencies to focus on their most dire needs by prodding flexibility between programs. It has used needs as the basis for distributing funds for congestion mitigation, air quality, ant bridge construction and improvement. It also set out a new sense of intermodalism, a stronger role for metropolitan planning organizations (Amos), new requirements for public involvement and distinct linkage to envirotunental programs. The emphasis on intermodalism is critical in addressing the needs ant demands of both business and the public.

Again, I want to thank you for you both for your support for ISTEA. I ask that my fiJI1 statement be included in the record, as well as the more detailed testimony that was delivered by Acting Commissioner Sullivan in New York last week.

I look forward to working with you to insure that we keep 1STEA strong.

STATEMENT OF DANNEL P. MALLOY, MAYOR OF THE CITY OF STAMFORD

Good afternoon Senator Lieberman, Senator Dodd and invited guests. I am Dannel P. Malloy, Mayor of the City of Stamford. Thank you for providing me with this opportunity to share my views on the proposed Moynihan/Lieberman/Lautenberg/Dodd bill and the reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

Stamford is a diverse and vibrant urban center located in Southwestern Connecticut. Stamford is home to 6 Fortune 500 corporate headquarters. Stamford is served by an extensive transportation network including 2 major highways, Interstate 95 and the Merritt Parkway, MetroNorth Commuter Railroad, a regional bus service, Connecticut Transit, and a mosaic of paratransit services such as taxis dial-a-ride, and rail station to employer shuttles.

STAMFORD SUPPORTS ISTEA

The City of Stamford, along with other cities and towns, many states, and other organizations supports the IntermodalSurface Transportation Efficiency Act of 1991. This innovative law has vastly improved mobility and access to jobs, empowered local communities, protected the environment and enhanced transportation safety.

ISTEA IS A SUCCESS

Senator Lieberman, I would like to share a few observations about ISTEA and thank you for your leadership in enacting this legislation in 1991. Local officials all across the Nation talk about the success they have had with this innovative Federal law. This experience helps explain why mayors and other local officials are so committed to preserving this program. Mayors and others have invested in making ISTEA work for their communities.

Senator, ISTEA has fueled an excitement among elected officials, our citizens and our businesses that transportation investments can better serve neighborhoods, communities and regions and improve how we live and work.

Let me offer some specific examples of how ISTEA has strengthened our efforts in Stamford to tackle our transportation needs.

A Strengthened For Metropolitan Planning Organizations

ISTEA empowered local communities through the regional Metropolitan Planning Organization decisionmaking process. The 8 municipalities in the Southwestern Region MPO have worked cooperatively with the Connecticut Department of Transportation to develop and advance projects. This cooperative process has ensured that public investments have been made wisely and will be implemented.

Local elected officials are not the only stakeholders in the transportation planning process. Public involvement has also been enhanced by ISTEA. Early and continued involvement in the transportation planning process will ensure that the public has input in the process and in the investments being made.

Enhancement Program

The enhancement program is another ISTEA success story. Enhancement program funding has created an intermodal gateway to the City, providing rail trails that connect the downtown with the McKinney Transportation Center, and beautified the Transportation Center. This program typifies the "working together" spirit of ISTEA, bringing together public and private investments in the transportation network while promoting economic and transportation vitality. Through ISTEA, more than $100 million in rail, intermodal, highway and enhancement improvements are underway in the vicinity of the Transportation Center.

Management Systems

ISTEA's mandate for management systems has developed the state and regional programs for I–95 Incident Management. Results are realized daily on the interstate through rapid detection, notification and response to highway incidents, improved safety, communication and coordination which benefit commuters and responders.

A regional Pavement Management System is being developed and will make it possible for Stamford to assess and prioritize investments in pavement treatment on an on-going basis.

Surface Transportation Program

The STP Program has provided more than $8 million in funding for 6 projects with another 7 projects in development totaling $9 million. These projects will aid the City of Stamford in addressing its transportation infrastructure needs. There are many more needs, and more projects are being developed. It is important for the STP funding stream to continue uninterrupted.

Congestion Mitigation Air Quality Program

Another ISTEA initiative undertaken was implementation of the I-Bus linking the 2 employment hubs, Stamford and White Plains, New York. Commuter Connections, buses linking rail stations to employment centers, have been made possible by the CMAQ program. Commuter Connections are operating not only in Stamford, but also in the Town of Greenwich and the City of Norwalk.

CONCLUSION

These are just a few examples of how ISTEA has worked for the City of Stamford. We all know that the future of this economy, our states, regions, and communities will be profoundly influenced by how successfully we manage and invest in our transportation systems. It is clear that ISTEA has helped all of us build better and stronger partnerships to achieve better decisions and results for the taxpayers for our communities, regions and states.

ISTEA is working for Stamford; the City that Works!

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT TRAFFIC FLOW AND SAFETY IMPROVEMENT PROJECTS

The projects funded under the Surface Transportation Program (STP) include 90 percent of the rightof-way costs, and 100 percent of the construction costs shared between the Federal and State Governments, whereas the City will fund 100 percent of the design costs, and 10 percent of the right-of-way costs.

COMPLETED PROJECTS

Westover Road and Palmer's Hill Road Intersection Improvement (ConnDOT Project Identification # 135-218)

Project construction was completed in the summer of 1996 to widen the Palmer's Hill Road eastbound approach with drainage and minor improvements to Westover Road at the intersection; and signalize the intersection to minimize delay for

through traffic at both intersections. Construction cost for this project is about $400,000.

Glenbrook Road and Hope Street Intersection Improvement and Signalization (ConnDOT Project Identification # 135-218)

Construction of roadway improvements to widen Glenbrook Road and Hope Street to accommodate a through lane and a left-turn lane on Glenbrook Road at Hope Street and Hope Street at Wenzel Terrace was completed in the spring of 1996. Also, the Glenbrook Road westbound approach has been reconstructed and signalized at its intersection of Hope Street. The signal is coordinated with adjacent signals on each approach to improve safety and minimize total delay for through traffic. The project cost is about $400,000.

Signal Hardware Upgrade (ConnDOT Project Identification # 135-219)

Hardware including wiring, traffic signal controllers, installation of fire preemption etc., was upgraded at 26 intersections. The project was completed in the fall of 1996 at a cost of about $800,000.

Harvard Avenue Widening (Phase I)

Full depth reconstruction of the roadway with improved drainage to improve safety and operation of Harvard Avenue between West Main Street and Grenhart Road was completed in the spring of 1996 at a cost of about $1,200,000.

South State Street Commuter Parking Lot Improvements

Security, access control and drainage were improved under this project at South State Street commuter parking lot.

The project construction was completed in the spring of 1996 at a cost of about $400,000.

SCHEDULED ACTIVE PROJECTS

Hoyt Street Extension (ConnDOT Project Identification # 135–227)

The proposed extension of Hoyt Street between Summer Street and Washington Boulevard is a new roadway link which will provide an alternate route for east-west through traffic. This will divert traffic from the downtown core area and help to mitigate congestion while improving air quality and safety. The City has requested that the State indude construction of a sanitary sewer as a nonparticipating item. This project construction is expected to be completed by the end of 1997. The estimated total project cost is $4,600,000.

Grove Street Widening (ConnDOT Project Identification # 135-245)

The proposed widening and realignment of the Grove Street approaches to Broad Street will accommodate opposing exclusive left-turn lanes, an exclusive through lane and shared through and right-turn lanes.

It is proposed to widen Grove Street to a three-lane facility between Forest Street and Strawberry Hill Avenue to mitigate traffic congestion and improve traffic flow, safety, and air quality.

The estimated cost for the project is $1,200,000. The final design is expected to be completed in the summer of 1997, and the construction in 1998.

Stillwater Road and West Broad Street Intersection Improvement and Signalization (ConnDOT Project Identification # 135-242)

The project proposes to widen and realign Stillwater Road between West Broad Street and Palma's Hill Road. A four-lane facility with a new signal at the intersection of Stillwater Road at West Broad Street will be created. The signal at the Westover Elementary School driveway will be upgraded and coordinated with the adjacent signals.

The project limits were extended when the State of Connecticut Department of Transportation requested that the City extend the project limits to the Palmer's Hill Road intersection in order to eliminate the "S" curve, and signalization of West Broad Street at Stillwater Road.

The estimated construction cost for the project is $1,300,000.

Cold Spring Road and Long Ridge Road Intersection Improvement (ConnDOT Project Identification # 135–243)

The project will realign Cold Spring Road approaches to Long Ridge Road to accommodate an exclusive left-turn lane, an exclusive through lane and a shared through and a right-turn lane, and realign the eastern leg of the intersection to improve safety and drainage in the neighborhood.

The estimated cost for the project is $1,100,000. The construction is expected to commence in the spring of 1998.

East Main Street at Broad Street Intersection

Roadway, drainage and signal operation will be improved on East Main Street between Broad Street and Glenbrook Road.

- The project construction is expected to be completed in the spring of 2000 at a cost of about $1,200,000.

Glenbrook Road at Courtland Avenue, Research Drive and Oakdale Road Intersection Improvements (ConnDOT Project Identification # 135-244)

The project improvements will add a northbound left-turn lane on Courtland Avenue; add a left turn lane to the Glenbrook Road westbound approach; widen the eastbound approach of Glenbrook Road to accommodate traffic demand; and improve traffic flow and safety, by improving intersection geometry to accommodate truck traffic. Improved drainage in the project area will be a part of the project along with signalization of Glenbrook Road at Research Drive.

The estimated cost for the project is $2,000,000. The final design is expected to be completed in the summer of 1997 and the construction during 1998.

Harvard Avenue Widening (Phase II)

The proposed improvements under this project are to widen the roadway with full depth construction and improved drainage on Harvard Avenue between Waverly Place and Selleck Street to accommodate truck traffic. Traffic flow and safety will be improved.

The project construction is expected to be completed in the spring of 1999 at a cost of about $1,275,000.

Citywide Signal System Expansion and Signal Hardware Upgrade (ConnDOT Project Identification # 135–250, and 135–257)

This project (135–250) will upgrade central and field equipment capable of handling incident diversions. The central equipment will be replaced with PC based components which will increase reliability of the system along with an associated reduction in maintenance costs. Estimated construction cost is $500,000 and is expected to be completed in the fall of 1997.

This project (135–257) will expand the existing computer signal system to the outlying regions of the city and will include the addition of approximately 80 signalized intersections. All of the intersectionsconsidered under this project are owned and maintained by the City. The estimated cost is $2,000,000.

Washington Boulevard at Bridge Street and North Street

This project will improve the curb radius and provide opposing exclusive left-turn lanes for Washington Boulevard approaches at both intersections to improve safety and operation.

The estimated construction cost for the improvements at both locations isS. 850.000.

SCHEDULED ACTIVE CONCEPT PROJECTS

Jefferson Street/Dock Street Connector

This proposed four-lane roadway will directly link Station Place with Jefferson Street. It will significantly relieve congestion and reduce travel time on North State Street and South State Street, and will provide an alternative route connecting the Stamford Train Station south of the railroad tracks to Shippan and the east side. This project was requested by the South Western Regional Planning Agency to be considered for funding from sources other than the Surface Transportation Program. The State is reviewing an Environmental Assessment report for further evaluation and the feasibility of the project is being evaluated. The estimated project cost is $6,000,000.

Strawberry Hill Avenue Widening (13–H042)

The proposed project will widen and realign Strawberry Hill Avenue between Grove Street and Colonial Road to provide a four-lane roadway section to eliminate lane switching for the through movement. The concept plans are being developed to minimize—the travel times and delays and adverse impacts on properties along the corridor.

The estimated construction cost is $3,500,000.

Stillwater Road at Cold Spring Road Intersection Improvement (135-H043)

The project proposes widening of Stillwater Road to a four-lane facility between Palmer's Hill Road and Cold Spring Road, and replacement of the bridge on the Cold Spring Road approach to the intersection. A concept plan with minimal impact to the golf course and private properties are being developed. The estimated construction cost is $4,400,000.

North Street Reconstruction (135-H040)

A full depth reconstruction of North Street between Summer Street and Washington Boulevard with improved drainage, sidewalks, and drainage facilities is proposed under this project.

The project construction is expected to be completed in the spring of 2000 –2001 at a cost of about $800,000.

FUTURE PROJECTS FOR FUNDING UNDER ISTEA PROGRAMS

1. Cove Road Reconstruction
2. Jefferson Street Reconstruction
3. Canal Street Reconstruction
4. Turn-of River Road (Intervale Road Improvements)
5. Myrtle Avenue Reconstruction
6. Oaklawn Avenue Reconstruction
7. Buxton Farms Road Reconstruction
8. Greenwich Avenue Reconstruction
9. Atlantic Street Reconstruction
10. Fairfield Avenue Reconstruction
11. Improvements to Atlantic Street Railroad Underpass
12. Improvements to Elm Street Railroad Underpass

STATEMENT OF KARYL LEE HALL, CONNECTICUT FUND FOR THE ENVIRONMENT

Good afternoon. My name is Karyl Lee Hall and I am a staff attorney with the Connecticut Fund for the Environment. CFE is a not-for-profit environmental advocacy organization with over 3000 members across the state. We have offices in New Haven and Hartford and work on a wide range of transportation issues and their effects upon the environment. I am here today to specifically support the reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 as put forward by among others, Senator Lieberman, Senator Moynihan, Senator Lautenberg and Senator Dodd, and to offer some constructive suggestions for strengthening the legislation.

In 1991, ISTEA offered great promise. Particularly in its shift of decisionmaking power to the states, its solicitation of public involvement in the transportation planning process, its recognition of environmental impacts and its emphasis upon fiscal constraint, it was recognized as a truly innovative development. Now, more than 5 years later, we can evaluate both the successes and the defects of the program.

First the successes. We believe that the Federal Government should continue its content to .ranscortat on. The first principal of transportation planning must be that an economically efficient and environmentally sound basic structure should be maintained.

Second, we believe that the structure of ISTEA should be maintained. The mix of funds available, half for local concerns and half for activities of national importance, with substantial opportunity for flexing, creates a funding dynamic that is potentially both efficient and creative. Existing restrictions on the use of Interstate Maintenance and Bridge categories should be continued. Recognizing the experience of the last 20 years and what every good housewife knows, we should fix the system first and add to it later. And as with transit funding, every new highway project should have to show that resources are available to keep that highway maintained over the course of its useful life.

Third, one of ISTEA's great advances was to allow Federal funds to be used for all kinds of surface transportation, including rail. Since the entire state of Connecticut is out of compliance with the standards of the Clean Air Act for Ozone, CFE supports efforts to reduce vehicular traffic through the use of an efficient rail system. Part of this strategy relies upon a viable intercity rail service, which, at present, is not funded by ISTEA. Thus, we believe intercity rail should be given funding parity with other transportation modes.

Fourth, the Congestion Mitigation and Air Quality Improvement Program should be continued. At a time when the Federal standards for ozone and particulate matter are likely to become stricter, it is even more important to recognize the connec-

tion between automobile travel and air pollution. ISTEA's CMAQ funding gives the transportation sector an opportunity to mitigate its negative impact on the environment.

CMAQ has shown laudable results. The flexibility feature of ISTEA is considered by many transportation specialists to be one of its best features. Most of the funding flexed to transit, for example, have come out of the CMAQ program. In Connecticut, it has been the source of much innovation in planning. It has provided capital support for vanpool purchases, built commuter information kiosks at commuter parking lots, and has expanded the parking spaces at Union Station in New Haven. Since a significant factor in reducing mobile source pollution involves encouraging people to change their behavior in order to reduce their reliance upon their cars, these programs will ultimately be an effective way to meet the mandates of the Clean Air Act. Without CMAQ funding, it is unlikely that they would have been implemented because their environmental benefit will be seen most accurately in the long term.

The Transportation Enhancements Program is also a step beyond business as usual transportation legislation. The recognition that transportation affects the way in which we live is fundamental to ISTEA principals. It returns the emphasis to the community and quality of life issues. The Farmington Canal Rail-Trail is an example Of a sac essfu Enhancements Project. Built in the 1830's to correct New Haven, Connecticut with Northampton, Massachusetts, today part of it is a six-mile trail which ties together the Cheshire town center, Lock 12 Historic Park, Quinnipiac College, Sleeping Giant State Park, and Hamden's Brookvale Park. This linear park is the backbone of an urban trail system which is already a recognized treasure in the New Haven metropolitan region. Clearly, the Enhancements Program, here and elsewhere, is a success and is a crucial part of ISTEA.

Related to this issue, is the growing concern about the relationship between the transportation system and land use. This is an issue that ISTEA should address directly. It is widely accepted that the design of the transportation network in large measure dictates economic development. In simple terms, the expansion of the highway system has been accompanied by urban sprawl.

We are now seeing the effect of this inefficient and costly use of land in Connecticut. At the present rate of decline, every acre in the state will have been built upon by the year 2040. Bridgeport, New Haven, Waterbury and Hartford have seen the highways carry away their tax base. Recognizing that Connecticut's problem is ultimately a national problem, we recommend that ISTEA address this issue by making funds available to communities that want to do long term planning for land use planning connected to transit infrastructure.

Finally, we believe that public participation is one of the keystones of ISTEA and should be strengthened. In directing state and local governments to solicit public involvement in the transportation planning process, the legislation was an advance over the closed door process that characterized transportation planning in the past. However, if ISTEA increases the opportunities for citizens to influence the decision-making process, that does not necessarily mean that public participation is taking place.

In many cases, local MPOs as well as the state departments of transportation have operated as independent and largely closed systems for many years. The move into cooperative planning and public participation has not been smooth. Therefore, while we believe that the involvement of the MPOs should continue, we recommend that Federal certification of the MPOs and the state DOTs should be enhanced to make sure that the public participation requirements of ISTEA are being carried out.

We believe that the reauthorization legislation sponsored by Senator Lieberman, Senator Moynihan, Senator Lautenberg and Senator Dodd best addresses the concerns expressed above. The misguided efforts characterized by Step 21 eliminates some of ISTEA's core programs: CMAQ, Enhancements, and Maintenance. Furthermore, a funding formula based on vehicle miles traveled is shortsighted and in light of the Clean Air Act, counterproductive.

The best of the ISTEA legislation has shown us that transportation planning can mitigate some of the mistakes of the past. We believe that good transportation planning can make better use of our remaining open space, it can help us to ensure clean air for cur children, it can help both urban and rural communities to develop economically without sacrificing our sense of place. For our sister states in the South and West, reauthorization provides an opportunity to avoid some of the transportation, air quality and land use quagmires which we brought upon ourselves. For us, reauthorization of ISTEA can help the citizens of Connecticut to both maintain and move beyond the concrete highway.

STATEMENT OF TOM CHEESMAN, MIDDLETOWN, CT, AREA TRANSIT

Good Afternoon. I am Tom Cheeseman, Chairman of the Connecticut Association of Community Transportation. I am pleased to be here today to participate in this ISTEA forum and am thankful for the opportunity to provide testimony on Connecticut Transit's interests as they relate to the reauthorization of ISTEA.

It is essential that the State of Connecticut, as well as the rest of the Nation, maintain a well balanced Public Transportation System encompassing all modes and a clean healthy environment in which to operate. It is also essential that a strong and viable Public Transportation System be maintained if our Nation and State is going to meet it's objective of moving individuals from welfare to work, and if we are going to continue to meet the needs of the elderly, disabled, and the less fortunate in our society. None of these things can be accomplished if ISTEA is not reauthorized or if it is changed substantially.

The flexible funding provisions of ISTEA have made it possible to leverage CEMAQ funds—which has allowed the State to fund commuter operations, rail shuttles, van pools, and to provide technical assistance to corporations to aid in automobile trip reductions—thus, reducing air and traffic congestion in the southwest corridor.

In addition, the flexible funding provision has provided funds which enabled the Section 16 and 18 Programs to survive, thus giving continued support to our elderly and rural citizens.

It has also allowed Connecticut and other States to provide assistance for the disabled under the Americans with Disabilities Act.

Flexible funding has also made it possible for our State to maintain its transportation infrastructure and the integrity of the systems.

I would like to draw your attention to an article published in the Hartford Courant on April 12, 1997 entitled Getting A Job—A Tall Order Without Bus Service. . It clearly illustrates what needs to be done if we are indeed going to move individuals from welfare to work.

In conclusion, I urge you to wholeheartedly support the re-authorization of ISTEA with minimal change.

STATEMENT OF HUGH ROGERS, CORRIDOR H ALTERNATIVES

Dear Senator Moynihan: President Clinton's budget request to complete the Appalachian highways can be split into equal parts: a billion for Corridor H. and a billion for everything else. We can't speak for the citizens of other Appalachian states, but we urge you to throw out Corridor H—an outmoded, unnecessary, wasteful and destructive project.

During the last public comment period on the environmental impact statement, 90 percent of West Virginians opposed the project. In 1981, the Federal Highway Administration said Corridor H was "substantially overdesigned," and recommended two-lane upgrades. What changed over the next 15 years? Not the projected traffic; not the excessive cost; not the environmental, cultural, and recreational impacts. The only change was Senator Byrd's move to the Appropriations Committee.

Now Virginia has turned down the project, and Corridor H has lost its "purpose and need" to connect with I–81 and I–66. m e average daily traffic over nine-tenths of the route is less than 3000 vehicles. Through truck traffic uses I–68, only thirty-five miles north, or I–64 to the south. Tourists whose destination is the Allegheny Highlands want good safe scenic roads, not another expressway.

Environmental impacts would include major stream degradation (100 crossings), habitat loss, forest fragmentation, and recreational impairment. The pavement would abut two significant Civil War battlefields. Peter Kostmayer, chief of EPA's Region III, lost his job over Corridor H. The people of West Virginia, and others who love the Highlands, stand to lose much more. Please use your persuasive powers to cut this proposed expenditure.

CORRIDOR H ALTERNATIVES—ATTACHMENT TO STATEMENT

Memorandum: Getting out of a bad deal

Time to defund an outmoded big-government project: Corridor H. the proposed 100-mile expressway from Elkins to the Virginia border, traversing West Virginia's prime natural and historic areas along the Eastern Continental Divide. Cost: $1.8 billion, including $360 million in matching funds from the third highest gas tax in the country. Damage: severe impacts to national forests, rivers, wildlife, agriculture, historic properties, tourism, and smalltown businesses. Benefits: dubious.

Economics: USDOT, the Congressional Budget Office, National Governors' Association, and others have sponsored research on highways and economic development. Consensus: new four-lanes don't t ring jobs to rural areas. Prof. David Hartgen, authority on transportation policy cited in WVDOT's Corridor H Environmental Impact Statement, found that counties with four-lane highways had an advantage over other counties only if they were within 25 miles of a metropolitan area, i.e., they gained from "spillcver growth".

History: Benton McKaye, pioneer regional planner, drew a development highway and scenic parkway system that led to the Appalachian Regional Commission (ARC) corridors. The WV Highlands were ideal for scenic highways, not a four-lane truck route. Ralph Widner, ARC's first executive director, called H the least defensible corridor. It would actually be detrimental to tourism, strongest segment of the local economy. Widner, reviewing ARC's first 25 years, said its rationale for four-lanes didn't work: the "buffalo hunt" to bring in giant industrial plants was over.

Politics: Supporters of the project assume all corridors are good. They cling to a dwindling extractive economy. WVDCT's sales pitch to Virginia's Transportation Board said, "Corridor H will provide access to raw materials in Central West Virginia to boost manufacturing sector of economy in Virginia." Opponents say the present and future economy's products will move, not on concrete, but on fiber-optic cable we have now. During the public comment period, thousands of West Virginians opposed the project, 9-to–1.

Status: Corridor H is now in court. Fifteen regional environmental, taxpayer, and good-government groups have sued the WV Department of Transportation and Federal Highway Administration over failure to consider alternatives and m m imization of impacts. Many national organizations will join the suit as friends of the court. The Stop Corporate Welfare coalition and Green Scissors Report have both named Corridor H as a prime target for budget cutting on the double bases of its waste and harm.

Alternatives: Instead of building a new highway most residents can't use, improve the regional network. On 90 percent of the route, traffic is less than 3000 vehicles per day, far too little to justify four lanes. The few congested spots—which are not on the oorridor-should be fixed; shoulders should be widened for safety; passing lanes, such as the ones under construction on US 33 over Allegheny Mountain, will help traffic flow. For interregional traffic, we have I–68. For those who live here and others who are drawn by its special quality, we need to upgrade existing roads.

STATEMENT OF BRONX BOROUGH PRESIDENT FERNANDO FERRER

Forging a stronger economy through job creation and access, protecting our national environment and empowering local communities as an active participant in government decisionmaking are the foremost challenges faced by government leaders today.

The Intermodal Surface Transportation Efficiency Act of 1991 has been successful in fostering significant gains in these areas, while improving our transportation infrastructure and mobility, both nationally and regionally, through an efficient formula for the distribution of Federal transportation funds. Today, it is crucial that we build on these successes, reauthorize funding formulas based primarily on need, and reject any efforts to turn back the clock on the gains of the past 6 years.

The continued commitment of our Federal Government to a safe and efficient national transportation system is essential to the vitality of both our national and local economies. The critical component of that commitment is the distribution of Federal transportation resources based on need, not where gas taxes are collected. Any other approach is misguided, at best.

There is no Federal program in existence that distributes resources simply on the basis of where taxes are collected. If there was, we'd be far richer in New York than we are today. Current proposals to do just that with regard to Federal gas taxes, however, would reward increased fuel consumption and air pollution, and penalize conservation efforts, including investments in traffic mitigation and mass transit. With an increasing need, nationally, to protect our natural resources, such proposals are simply irresponsible.

As introduced by Senator Daniel Patrick Moynihan, and passed into law, the IntermodalSurface Transportation Efficiency Act of 1991 revolutionized our national transportation policy, and more. It has offered increased flexibility for states to determine how Federal transportation dollars are spent. It has encouraged state and city initiative in surface transportation planning, and has helped cities to comply with the Clean Air Act. Its system of program categories has proven instrumental

in balancing states' infrastructure, economic, planning and air quality needs with the amount of Federal gas taxes collected in each state.

The proposed "ISTEA Reauthorization Act of 1997," which I support, would importantly retain the current structure of ISTEA with minor changes serving to update and streamline existing formulas. Particularly important is its continued support of local transportation, economic and environmental policies, within the framework of a national transportation system.

Specifically, I applaud the "ISTEA Reauthorization Act of 1997" for:

1) its support of states, metropolitan planning organizations and localities as participants in determining transportation policy to assure the inclusion of local priorities;

2) its support of regional and local economic development through an emphasis on intermodal connections and support of mass transit initiatives, encouraging efficiency, environmental compliance and responsibility, as well;

3) its support of environmental policies through the Congestion Mitigation and Air Quality Improvement and Transportation Enhancements programs, providing incentives for meeting environmental goals; and

4) its support and flexibility in encouraging non-traditional transportation projects, such as ferry boats and terminals, scenic biking and recreational trails.

As a responsible and efficient approach to national surface transportation policy, benefiting the environment and the economy, including that of New York State, I urge my distinguished colleagues across the United States to join in support of the "ISTEA Reauthorization Act of 1997."

Thank you.

STATEMENT OF FRANCIS X. MCARDLE, MANAGING DIRECTOR, GENERAL CONTRACTORS ASSOCIATION OF NEW YORK, INC.

The General Contractors Association of New York, Inc. is very pleased to assist the efforts of Senators Moynihan and D'Amato, Governor Pataki, and Mayor Giuliani in the fight for a renewed Federal transportation program that is fair to the New York Metropolitan Region. It is critical to the economic viability of our City and nation that Federal dollars continue to be available to invest in the repair and enhancement of our highways, bridges, and mass-transit systems. We urge Congress to reauthorize the Federal transportation program as is and to increase the available funds for infrastructure investments in the region and throughout the United States.

GCA is playing a leading role in the New York state coalition that seeks to preserve the basic formulas and policies set forth in the 1991 landmark Intermodal Surface Transportation Efficiency Act (ISTEA). This coalition brings organized labor, business, and government together with a virtually unprecedented degree of unanimity.

The transportation needs of the Metropolitan Region are increasing every day. These needs range from basic infrastructure maintenance to building new mass-transit links to economically important centers throughout the region. Over the last 5 years, Federal transportation program spending has been one of the only areas in which the State has actually received more in funding than its citizens have paid to the government in taxes. Congress must keep in mind the fact that this region generates huge surpluses for the Federal treasury, money that is used to pay for a wide range of programs which benefit other states. Our efficient transportation network is what makes these surpluses possible.

Public investment in transportation infrastructure creates and sustains jobs and economic growth. This spending keeps thousands of unionized workers employed in the construction trades every year and literally insures that the millions of people who work in the New York Metropolitan Region get to their jobs safely and efficiently. . Keeping our infrastructure programs strong and well-funded is one of the keys to attracting new, private investment and making sure the region can continue to be an important economic engine for the country as a whole.

STATEMENT OF THE CONNECTICUT CONSTRUCTION INDUSTRIES ASSOCIATION

A little over 6 years ago, I stood in your office with a group of my members, and our message to you was that ISTEA wouldn't work. I am pleased to be here today to say we were wrong. It has worked. ISTEA did not, as we feared, divert all highway spending to transit or forever delay needed projects by following ISTEA's expanded public participation procedures and giving local governments an expanded role. In fact, we flexed CMAQ funds to jointly fund with FTA the construction of

a new railroad bridge in Bridgeport, and we are witnessing unprecedented cooperation in the planning of such projects as the replacement of the bridge that carries I–95 over New Haven harbor.

On the occasion of the reauthorization of ISTEA, we have the opportunity to either build on this success or, as some would have it, to go back in time, by which I mean rekindling the adversarial relations between all of the diverse interests ISTEA has brought together to work cooperatively.

Because of these facts plus the fact that the soon-to-be-introduced ISTEA Works coalition bill preserves Connecticut's Federal transportation funding level, CCIA has joined the coalition through its road builders division, the Connecticut Road Builders Association. The ISTEA Works coalition also enjoys the support of the Governor and Connecticut Department of Transportation (CONNDOT).

Thus, we appear before you with three separate sets of issues, which I will briefly touch upon.

(a) First are the "increase the size of the pie" issues: a compromise on funding levels between the donor states and the donee states will only be possible if more money is made available for Federal transportation spending. Such an increase is amply justified by documented system needs in all modes, including those, such as aviation, that are subject to separate reauthorization legislation. Amtrak supporters are vying for a slice of the increase, and groups as divergent from road builders as the Surface Transportation Policy Project (STPP) are also calling for higher funding. All measures that increase Federal transportation funding (Bond-Chafee, off budget, redirecting the 4.3 cents, removing the fuel tax exemption for alternative fuels, and high tech tolls) deserve serious consideration. The National Governors Association and a broad based coalition it has organized is working on a resolution in support of higher funding within the existing budget and appropriations framework, but they will have to think again if the budget resolution fails to deliver an increase for transportation funding.

(b) Second are the issues that arise within the ISTEA Works coalition, the basic thesis of which is to maintain the status quo, with a few minor changes. The answer to what those changes should be differs according to whether you talk to the STPP, for instance, or you talk to us. Now that we are on the same side, the issues we would like to take up with the our coalition mates include (1) the futility of prejudice against personal mobility, (2) privatized bus lines as an alternative to train service that can only be run at a very high level of subsidization, (3) expedited project planning and approvals though the use of NEPA rather than sequential, piecemeal single issue review processes, and (4) clarification of how funds will be divided between modes. We believe that the synthesis of highway contractors associations and environmental groups will raise the coalition's credibility and forge substantive solutions that everybody can live with.

(c) Third are the nuts and bolts issues the construction industry must take up in the reauthorization of the Federal surface transportation program. These include clarifying that in nearly all cases operators of off-road heavy construction equipment don't need commercial drivers licenses, clarifying the industry's exemption from Federal hours of service rules, solving the nationwide problem of the failure of utilities to timely relocate their facilities to accommodate highway and bridge construction projects, and eliminating the basic unfairness of making contractors provide guarantees or warranties where they have no control over the materials used in the project's construction or the level of use and maintenance once it is completed.

We will look forward to discussing with you our specific proposals in each of these areas, once they have been completed.

In summary, we need to increase the size of the pie, we need to keep ISTEA basically as it is, which specifically includes preserving Connecticut's funding level, we need to work within the ISTEA Works coalition to improve ISTEA in some to-be-agreed-upon areas, and the construction industry needs to address its industry-specific issues.

Thank you. I would be happy to respond to any questions you might have.

STATEMENT OF RICHARD J. PORTH ON BEHALF OF THE CAPITOL REGION COUNCIL OF GOVERNMENTS

Thank you, Senator Lieberman, for the opportunity to testify regarding the Intermodal Surface Transportation Efficiency Act. Thank you also for your leadership in the Senate in introducing a bill along with Senator Moynihan and Senator Lautenberg to reauthorize ISTEA, preserving its basic tenets and principals. I am testifying in my capacity as Executive Director of the Capitol Region Council of Governments, representing the mayors and first selectmen in the twenty-nine towns of the

Capitol Region. We also serve as the region's Metropolitan Planning Organization for transportation.

ISTEA is one of the best recent pieces of legislation to come out of Congress. It is an example of our Federal system of government at its best. During its 6-year life, it has provided a framework which encourages: efficient operation of the existing transportation network; improved intermodal integration; enhanced flexibility to address local, regional and state priorities; more attention to environmental considerations in transportation planning; more support for transit; and a successful devolution strategy which shares decisionmaking authority among Federal, state, regional and local officials.

In Connecticut, we have an added incentive for preserving ISTEA in much the same form that it currently exists. The Metropolitan Planning Organization model which was strengthened by ISTEA has provided a forum and an incentive for municipal leaders to work together for the benefit of their own towns and the entire region. It provides the best example we have for how towns can help themselves while helping the region. This is especially important in Connecticut where home rule is such an important part of our political tradition and where county government no longer exists. The success that Connecticut's MPO's have had with ISTEA is often cited as a model for other efforts to devolve authority to the level of government closest to the people and to promote collaboration among towns in a region.

The local flexibility that ISTEA affords would also enable us in the Capitol Region of Connecticut to continue our focus on strengthening our urban center-the City of Hartford. We have used ISTEA funds prudently and effectively to strengthen Hartford's transportation infrastructure and to provide important economic enhancements such as the Riverfront Recapture project along our stretch of the great Connecticut River. MPO's in Connecticut and throughout the country have used ISTEA to strengthen their own cities in a similar fashion.

Equally important to the success of ISTEA has been the way that Federal transportation funds have been allocated to the states. ISTEA's allocation formulas address the interdependence of the states' economies and transportation infrastructures. Working on the fundamental premise that the nation's transportation infrastructure is vital to the nation's economy, ISTEA funding formulas allocate Federal funds where the need is the greatest and in furtherance of stated national goals.

In Connecticut, which is densely populated compared to much of the rest of the country and where our extensive transportation infrastructure is heavily used, the allocation formula has resulted in the state receiving $1.80 for every $1.00 sent to Washington. However, our donee status for transportation funding should not be viewed in isolation. Overall, Connecticut receives $.68 for every $1.00 in Federal taxes collected here. Connecticut residents would probably prefer a better balance overall. But, we also understand that is in our long-term interest for the Federal Government to use its resources where the need is greatest and where national interests are best served.

The so-called "turnback proposal" and the "Step 21 proposal" are designed to eliminate or greatly reduce the Federal Government's role in allocating national resources where the need is greatest. These proposals show no respect or understanding for the Federal system of government which has made the United States so great. If ever there was a governmental function which requires a strong and proactive Federal role, it is in providing for a strong national transportation infrastructure.

These kinds of changes to ISTEA must be resisted. We understand that it is an uphill battle, and that unfortunately it pits states in the Northeast and Midwest against states in the south and west. But we urge you to persuade your colleagues in the Senate and the rest of Congress that ISTEA Works! The ISTEA bill which you have introduced would: retain the basic structure of ISTEA; update and improve the formulas; continue the role of states, MPO's and local governments; emphasize economic goals by continuing the focus on intermodal transportation; promote ongoing flexibility so that locally and regionally determined priorities can be implemented; and support environmental goals.

Please continue your leadership to help re-enact ISTEA in a form that preserves the basic tenets, principles and programs that exist now and provides funding based primarily on need so that Connecticut and the Nation as a whole can continue to benefit by this landmark legislation. The mayors and first selectmen of the twenty-nine towns in the Capitol Region of Connecticut who I represent today have pledged to work with you and the rest of Connecticut's congressional delegation to do whatever it takes to reauthorize ISTEA without significant change, as is called for in your ISTEA bill. I have attached a copy of a resolution to this effect passed unani-

mously by the chief elected officials of the Capitol Region Council of Governments. Much is at stake for Connecticut and the nation. Thank you.

STATEMENT OF JAMES S. SIPPERLY, ENVIRONMENTAL PLANNER, TOWN OF CHESHIRE, CT

Thank you for allowing me the opportunity to share with you our ISTEA success story in Cheshire.

In 1991, Congress passed and the President signed the Intermodal Surface Transportation Efficiency Act (ISTEA), which changed Federal transportation policies. ISTEA was designed to foster and improve transportation facilities and enhance the communities they serve.

Funds provided under the ISTEA program may generally be used by states and municipalities for any road on the Federal-aid highway network (of which there are approximately 950,000 miles and are therefore eligible for these funds).

This program also included a requirement that states set aside at least 10 percent (10 percent) of the $24 billion exclusively for ten categories of "transportation enhancements", such as pedestrian walkways, bikeways, scenic easements, or historic preservation projects. Such enhancements were designed to strengthen the cultural, aesthetic, and environmental aspects of transportation and recreation, and to encourage greater use of non-motorized transportation.

My purpose here today is to showcase to you our project entitled "The Farmington Canal Linear Park".

When completed in 1835, the Farmington Canal ran 80 miles between New Haven, Connecticut and Northampton, Massachusetts. The canal is of historical significance as Connecticut's premier example of an important movement in the early 19th century, the promotion of internal improvements to stimulate economic growth.

In size and complexity, the Farmington Canal was Connecticut's premier engineering work prior to the construction of the railroads. The canal in Connecticut was 56 miles in length, had a system of 28 locks, numerous bridges, culverts and aqueducts. The canal required the period's best surveying and engineering principles.

The canal opened in 1829 and ran until 1847. In 1845, an engineering report concluded a favorable recommendation for the construction of a railroad along the same route as the canal. In 1848, the railroad was opened from New Haven to Planville. In 1983, spring floods damaged the rail bed and the railroad discontinued service between New Haven and Cheshire. In 1987, the railroad requested and was granted permission to abandon this section which allowed the railroad to sell the land to the state.

In 1992, the Town of Cheshire submitted an application for ISTEA funds totaling $900,000 for preservation and restoration of old bridges, stone walls, and the replacement of wooden lock gates at the Lock 12 Historic Park owned by the Town of Cheshire. The Farmington Linear Park project restored a recreational and open space corridor along the abandoned right-of-way of the former canal and railroad. Plans also provided for a continuous 3.8-mile bicycle and pedestrian path, 10 feet wide with a 2-foot grass and stone edging on either side.

The popularity of the route prompted the construction of additional parking areas along the trail. Split-rail fences, wrought iron fencing, benches and landscaping add to the attractiveness of the trail.

I was honored to be able to represent the Town of Cheshire and accept an award at the National Transportation Enhancement Conference held in June, 1996, in Washington, DC. The conference honored the nation's 25 best transportation enhancement projects chosen from over 180 nominations. Receiving a firsthand look at the quality of these projects and the support they enjoy speak persuasively of a program that benefits America's transportation system, its communities, and its economy. The ISTEA program is truly a story about success.

The town of Cheshire (and Hamden, for that matter), enjoy specific benefits from the construction of this project.

The trail serves as an urban connector between neighborhoods. In places it reconnected old neighborhoods now divided by urbanization.

The linear park provides a large number of people access to the trail at various locations throughout Cheshire and Hamden. It serves as a transportation link for residents who work in town and who wish to walk or ride their bicycles to work or school.

The project enhances the quality of life to town residents and others who utilize the trail on a daily basis. The trail provides an environment for after-dinner strolls with friends and neighbors, and has created a sense of community pride.

It offers residents of not only Cheshire, but of the region a place to socialize, walk, run, bike, rollerblade and exercise. Young and old enjoy the trail by walking and biking. Parents with strollers meet to walk their children together. All area sport shops have increased sales on rollerblades and accessories. Delicatessens and ice cream shops and restaurants close to the park have increased business.

Persons with disabilities have direct access to an urban trail without having to travel a great distance.

It provides groups such as the Cheshire Garden Club, boy scouts and girl scouts, the Cheshire Land Trust, and other civic organizations an opportunity to work together to install wooden benches, plant trees and flowers along the scenic vistas.

The innovation of the project was that an eroded, abandoned and unsightly railroad right-of-way was turned into an aesthetic recreation corridor. This linear park also serves as a greenway for wildlife and native vegetation which will be preserved and protected.

The park also allows people of all ages to walk through wetland marshes and swamps for the first time to gain insight on wetland values and the different functions they perform.

Not only does this trail provide benefits primarily to the Cheshire/Hamden area, but provides important benefits to the state of Connecticut, namely in the form of tourism. Connecticut can boast of having one of the finest urban and rural trail systems in existence in the country, and at the same time, maintain and preserve our environment and heritage.

Clearly, this and many enhancement projects like it across the country have received strong public support, improved safety and mobility for pedestrians and cyclists, and provided various other benefits such as a better quality of life, increased civic pride and made simply communities more livable.

As proof of the ISTEA program's popularity nationwide, a representative of the Rails to Trails Conservancy said that some 10,000 projects have been proposed nationwide and local sponsors have been willing to contribute an average of 29 percent of the project's costs in matching funds, well above the general minimum matching requirement of 20 percent.

Also, according to data collected by the Rails to Trails Conservancy, projects involving facilities for cicyclists or pedestrians accounted for about 36 percent of the obligations for transportation enhancements during the 4-year period.

Congress should support the reauthorization of the ISTEA funds and retain the 10 percent set aside for transportation enhancement activities.

At the conference I attended in June, a poll of hands taken during the final plenary session clearly showed that without Federal protection, 90 percent of the conference participants agreed that funding for enhancement projects would be reduced to a trickle.

From the example I have given you, and based on surveys we have conducted, ISTEA works. It works in Cheshire and it works in Connecticut.

The Town of Cheshire joins you in the support of the ISTEA Reauthorization Act of 1997.

Thank you.

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

MONDAY, APRIL 21, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Warwick, Rhode Island

INTERMODAL AND ENVIRONMENTAL ISSUES

The committee met, pursuant to notice, at 9:30 a.m. in the Bobby Hackett Auditorium, Community College of Rhode Island, Knight Campus, Warwick, Rhode Island, Hon. John H. Chafee (chairman of the committee) presiding.

Present: Senator Chafee.

Also present: Senator Reed and Representative Weygand.

OPENING STATEMENT OF HON. JOHN H. CHAFEE, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator CHAFEE. Good morning. I would like to welcome all of our witnesses. I am pleased to be here in Warwick this morning to chair this important hearing on the reauthorization of the Intermodal Surface Transportation Efficiency Act, better known as ISTEA. The Committee on Environment and Public Works, of which I many am chairman, has held hearings both in Washington and all over the country on this landmark legislation.

Today's hearing is special because it will give Rhode Islanders the opportunity to make their views known on ISTEA. We will hear from Secretary of Transportation, Rodney Slater; Governor Almond; Director of Transportation William Ankner, and others.

I was proud to co-author the original ISTEA, which transformed what was once simply a highway program into a comprehensive national transportation system. ISTEA did this by providing the Nation with the laudable goals of intermodalism, efficiency, and flexibility. ISTEA also provided states and localities with tools to cope with the growing demands on our transportation system and the corresponding strain on our environment.

As you know, ISTEA is due for reauthorization later this year. The bill that ultimately becomes a new law must be built on the original law's focus on intermodalism and efficiency, and it must maintain the ISTEA's emphasis on environmental protection, system preservation, and safety.

Along those lines, the United States Department of Transportation has preserved and built on the key goals of ISTEA in the reauthorization proposal submitted by President Clinton to Congress

last month. Another bill introduced by Senator Moynihan and 31 other senators last week also would continue the important legacy of ISTEA. I am delighted to have co-sponsored both of these measures.

Let me emphasize one point regarding the need for environmental protection in the new law. As the President said, when he announced the Department of Transportation's proposal, "Make no mistake about it, this is one of the most important pieces of environmental legislation that will be considered by the Congress in the next 2 years." I agree with the President that the new law must not retreat on ISTEA's commitment to environmental protection.

I must add, however, that the task before us is hardly a simple one. Regrettably, some would like to turn back the clock to the time when highways were the only game in town. An additional obstacle is the tendency to focus on one's own region or locality, while losing sight of the larger national picture.

As we debate what the new ISTEA will look like, we also must keep in mind that the diversity and uniqueness of the country and all of its transportation needs. And we must resist the temptation to set a national transportation policy based solely on our own region's particular demands.

I admit that transportation policy would be a lot simpler if it concerned only one or two factors. In the real world, however, transportation is but one part of a complex web of competing and often conflicting demands. The new law must address all of these demands by meeting the strong national interest and the diverse needs of states and localities.

You can be assured that I will strive to protect the strong Federal commitment to a national transportation policy in the upcoming reauthorization. I will need your help in this effort. I look forward to working together over the coming months to ensure that the new law meets the needs of Rhode Islanders and all Americans alike.

Senator Reed.

OPENING STATEMENT OF HON. JACK REED, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator REED. Thank you, Senator Chafee, for this opportunity to participate in this hearing. And I'd like to recognize my colleague, Congressman Weygand. This is an important hearing; because transportation policy in Rhode Island is a personal aspect of the overall economic development; and with the ISTEA bill of a few years ago, we recognize that transportation policy was not simply constructing roads. Although that's an important part of it, it's a much broader concept that brings together all sorts of modes of transportation together with an underlying commitment to economic development.

Transportation is one of the keys of economic development in any state of this great Nation. That flexibility I hope we can preserve in the current reauthorization of the ISTEA act.

Indeed one of the great aspects of ISTEA is flexibility, that we have to maintain it. We will, as the Senator indicated, face some interesting obstacles before passage of this legislation. First is the

perennial fight about who should pay, whether it's the donee or donor state. I believe that we have to recognize that both the need of the states, the age of the infrastructure, and also climatic conditions have to be addressed when you're allocating resources. Although the donee or donor states was something that if it took place 60 years ago we might not have made great common interests to other parts of the country in terms of electrical power, in terms of anything, we did recognize we're forging a national policy. I hope we can get over that hurdle.

In regards to the present ISTEA, I join Senator Chafee and Senator Moynihan in the United States Reorganization Act of 1997. I hope those principles will be the starting point of our deliberations.

There's other aspects of this hearing which I hope we will get into. One very critical aspect of the State of Rhode Island is mass transportation. Our Rhode Island Public Transportation Authority depends upon resources from Washington to provide very important services to all of our citizens, particularly for our senior citizens and also I think in the context of many of the ongoing efforts for welfare reform, recognizing that many of our citizens, in order to participate in the workplace, must have access to good mass transit. And in working with RIPTA, with the Governor's office, I hope we can force some policy for that particular aspect of mass transit. I hope we can work together with the state to make a real forward looking and progressive contribution to that policy.

Finally, Rhode Island, this is another aspect of the approach to flexibility, intercity dependency on a good passenger and freight rail service, the state has committed itself to a bond referendum last year to help in development of freight service out of Quonset Point in Davisville. We've been committing at the Federal level to do that also; but good high speed rail service, of passenger service complementing good freight service will immensely aid and complement development of the state. Good transportation policy is good environmental policy; and we have to recognize that. And if we do recognize that, not only will we be prosperous, but also will be able to insure that our transportation policy complements all of the other aspects we want to develop in this state, a good strong economy and good sound environmental policy. And I'm very pleased to be here with my colleagues today.

[The prepared statement of Senator Reed follows:]

STATEMENT OF HON. JACK REED, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Thank you, Senator Chafee, for this opportunity to discuss this important topic.

Also like to thank Secretary Slater for coming to Rhode Island. I know that the trip gave him an opportunity to see why Rhode Island and the Northeast deserve and need transportation resources.

Lastly, I am pleased to see such a robust turnout of the Governor and his transportation officials as well as all the other panelists here today.

Rhode Island is in a fortunate position. We have a strong history of support for transportation—as an example the $70 million third track bond. And we have Senator Chafee's long involvement and Chairmanship of the transportation committee.

There is a coalition of state, local, and environmentalists in Washington called ISTEA WORKS! They're absolutely right.

That's why I joined Senator Chafee and a bipartisan group of Senators from our region in introducing legislation to essentially preserve and continue to beneficial programs of ISTEA.

The only criticisms I hear of ISTEA is that it's too environmentally oriented and does not provide each state with an amount of transportation funds exactly equal to that state's gas tax remittances.

On the first claim—that ISTEA is too environmental—I would estimate that roughly two-thirds of today's witnesses are here to praise the laws environmental provisions on clean air, scenic byways, mass transit, local flexibility and the like.

On the second claim—that some call the donor state, donee state debate—I would simply point out that if the same logic were applied to all Federal taxes, a lot of this nation's military bases, Medicare benefits, and Social Security checks would have to be rerouted to Northeast addresses.

In the 1950's, President Eisenhower envisioned a national highway system to move goods and troops in a time of crisis. It would benefit all and be paid for by all. In my mind, it made sense Hen and it still makes sense today and I will oppose those who would end the national system.

ISTEA is more than roads as many of today's witnesses attest.

Indeed, as a member of He Banking Committee, I will have a chance to write the section of ISTEA that deals with mass transit.

This is an area of great importance to Rhode Island, especially seniors, students, the disabled, those marking the transition from welfare to work, and everyone who clams to care about the environment.

However, the drive to balance the budget has many casualties and sadly mass transit could be among them.

I realize that Secretary Slater would like to see mass transit get the investment it needs, and I plan to fight for a fair share for transit to help him get his wish as RIPTA's new director, Dr. Beverly Scott, uphill point out RI's transit system needs help to survive and a hand to reach its full potential.

For example, Dr. Scott points out RlPTA's operating deficit will be about $10.5 million in fiscal year 1999 without Federal assistance. ? RIPTA's case the loss of funds carries serious ramifications which are unacceptable.

This is just one pressing issue, and I look forward to today's discussion on over matters such as Amtrak, the efforts of our state troopers to keep unsafe trucks off our roads, and preserving our environment.

Again, thank you Senator Chafee for bringing us all here.

Senator CHAFEE. Thank you very much, Senator.

Representative Weygand.

Representative WEYGAND. Thank you, Senator Chafee. It's a pleasure to be here with my colleagues. I, of course, as I said earlier in the press conference, want to thank Senator Chafee for bringing this Congressional hearing right here to Rhode Island, and particularly thank Secretary Slater, the Governor, Bill Ankner, and all the officials and people that are here today. Because your input is extremely important to both the House and the Senate in terms of the ISTEA bill.

Many of the things that we will hear from you this morning we believe very strongly in; and so we'd like to hear that support and that reinforcement of it.

I'd just like to echo a few of the things that the two senators have mentioned. When I was talking with John Chafee some weeks ago about ISTEA, we talked about the word efficiency within ISTEA's meaning, an awful lot of things. Senator Reed said that it means so many things, such as environmental protection, it means enhancement in economic development, it means development of roads and highways. One of the things that traditionally has occurred within the transportation programs have been large projects that cost a lot of money. It always seems that when you call transportation projects, you always assume that they're going to do 150 percent of what they really have to do. Well, ISTEA was first developed because the word efficiency was a key part of transportation planning. We need to be more effective and more efficient in the way we do our transportation planning and development. And so, therefore, some of the big projects, the grandiose projects

that cost hundreds of millions of dollars could really be scaled down to be more effective and efficient in terms of environmental protection, in terms of making sure there's good enhancements of economic development and roadway efficiency. We want to see that. That's the only way I think that transportation projects can survive; and that is indeed spreading the wealth to a certain degree to be sure that as many projects can be efficiently done that will connect various modes of transportation and enhance various modes of transportation. Whether it's the South County bicycle trail, whether it's Amtrak, whether it's RIPTA, or whether it's 195 or the Route 4 connector to Quonset Point, all of those must be done in an effective and efficient way; and we hope that they can be done within some degree within the ISTEA program.

I want to thank Senator Chafee for having this hearing, and of course all the officials that are here; because it means a lot to this state. We are one of only a few states that has this kind of congressional hearing on this issue. Transportation is key to our state.

People will say, as Senator Reed, they'll be our donee state, we get more money back in transportation money than we give in. The fact of the matter is, if you take a look at all of the programs throughout the Federal Government, things like subsidizing the Rural Electrification Act or some of the other programs, many of the other larger states do in fact get back a lot of other money that you don't see just in terms of transportation dollars. They in fact do get balanced out in other ways that the Rhode Island and Northeast do not. So we're happy the secretary is here, we're happy that the program is going to go forward, and we will look forward to reauthorization of ISTEA as an efficient, effective enhancement of our transportation programs.

Senator CHAFEE. Thank you very much. Before we start I would like to acknowledge Gordon Hoxie. Gordon, where are you? I saw you earlier.

He'll be back, OK. Anyway, he's the Federal representative from the Highway Administration here.

Our first witness is our distinguished Governor, Governor Almond. And, Governor, we welcome you. The Governor is just back from a trip to Portugal and to England to spread the word about Rhode Island and hopefully obtain more business here from those countries, other countries in Europe. So I know—I think you just got back yesterday. I don't know what time zone you're in, but——

Governor ALMOND. I'm 5 hours off, Senator.

Senator CHAFEE. All right, you look very well, so go to it.

STATEMENT OF HON. LINCOLN ALMOND, GOVERNOR OF THE STATE OF RHODE ISLAND

Governor ALMOND. Thank you very much. I, once again, I am very, very pleased on behalf of myself and all of the people of Rhode Island to welcome Secretary Slater to the State of Rhode Island. It's so great to see you here. I've seen you before in Washington; but it's nice to see you in our state. And I certainly look forward to working with you as Secretary of Transportation for the government, the State of Rhode Island, the entire Nation.

Senator Reed, Representative Weygand, and Senator, let me tell me you that it's a real privilege for me as Governor to testify before

your committee; and I want to thank you for all the efforts you have made on behalf of the environment and transportation to the State of Rhode Island and in particular the assistance that you have given me.

As this committee moves forward to reauthorize the Intermodal Surface Transportation Efficiency Act of 1991 legislation, known as ISTEA, I would like to express my strong support for reauthorization, with simplification and refinement, but without significant change.

I carry this message today wearing many hats. I speak not only as the Governor of Rhode Island, but also as the lead Governor on the Transportation Committee for the Coalition of Northeastern Governors. Additionally, I am a founding member of the ISTEA Works Coalition. These coalitions represent regional and national perspectives. They all want a new ISTEA that is much like the current legislation, a reauthorization with simplification and refinement but without significant change. And I agree.

In Rhode Island ISTEA has worked very well. Two parts of ISTEA in particular have helped our state address its very transportation needs.

I'd like to talk for a moment about ISTEA's transportation enhancement program. This program sought to better integrate transportation projects into the surrounding community and the natural environment. Let me single out another element of ISTEA that has been important to Rhode Island. This is the Congestion Mitigation Air Quality, or "See Mack" program. This funds transportation projects that contribute to the protection of our environment and the attainment of the air quality standards. These programs should definitely be continued.

Another important element of the ISTEA program has been the TIP process. This new public process of determining specific projects for funding in the states has brought together groups that in the past may not have been considered partners in our overall transportation planning program. These successes show that ISTEA works.

That's why I'm extremely concerned with several proposals that are under consideration in Washington for ISTEA reorganization. For example, in the Step 21 legislative proposal, funding for states will be based almost solely on fuel taxes paid into the transportation fund by each state. Our infrastructure is already overburdened by heavy usage, weather and age. I am extremely hopeful that Congress will reject efforts that will steer much needed transportation funds away from the Northeast and abandon the flexibility in the current ISTEA program that is so important to our state.

My written testimony, which I will submit to the committee today, includes support for your, Senator, recently proposed Highway Trust Fund Integrity Act of 1997, which is a sound compromise between deficit reduction and increased transportation funding.

Additionally, my written testimony emphasizes the need for increased public/private partnerships for financing large projects.

My written testimony also details ten principals of ISTEA reauthorization endorsed by the National Coalition known as ISTEA Works. Without listing them here, let me say that preserving

choice and options and the way we move goods and people throughout our state is needed. Let me give you a few examples of how in Rhode Island our transportation needs are not just about highway travel. We're working to develop our port at Quonset into one of the Northeast's most successful facilities. To accomplish this we must be able to provide intermodal choices for shippers and their goods. That means building the third rail for freight traffic from Quonset Point. It also means building an access road to support full development at Quonset. It will be difficult to help Quonset realize its full potential if we don't maintain the current ISTEA flexibility.

Let's take a look at another of our most important transportation assets, T.F. Green Airport. This is a facility that all Rhode Islanders should be very proud of as it continues to surpass record after record in the number of passengers moving through the facility. These passengers require choice in how they come to and from T.F. Green Airport. For example, what about a train station in Warwick to serve the airport. This option is only dreamed about by other airports. We have the Northeast Corridor running by the front door of Green. We should capitalize on such an asset and recognize that the flexibility of ISTEA is what makes a project like that possible. We must continue to support intercity passenger rail. While Rhode Island certainly needs to work hard to improve its roads and bridges, one of our major transportation assets is in pretty good shape. I'm talking about Route 95, which will be in excellent condition when we finish the most recent round of repaving. This is one—there is one major exception to the well-being of our major highways; and I'm talking about I–195 through downtown Providence. It requires massive repair, the kind of repair that needs creative solutions, solutions like those proposed by you, Senator, that will allow creative financing for projects such as this. Creativity is the hallmark of ISTEA; but it is in serious jeopardy. Step 21 or other similar proposals, when we talk about what ISTEA can do in providing creative solutions to big highway projects, we can't forget what it's done for transit. We must maintain a strong transit system.

RIPTA, under General Manager Beverly Scott's guidance, has continued to maintain service in the face of Federal operating assistance cuts. Unfortunately, if those cuts continue, service will suffer. This, I believe, is the wrong message to send at a time when transit must be available as an intermodal choice.

Finally, the most basic form of transportation, walking, must never be overlooked. Coupled with biking, these modes deserve our support. Rhode Island has undertaken a strong Greenways program and will be starting more bike path projects in the next few years than ever before.

It is only fitting, Senator, that you were awarded the national rails-to-trails recognition yesterday. So whether it's Quonset Point, the airport, I 195, bike paths, or RIPTA, these are all critical and unique components of our transportation picture that must be advanced. This diversity in our transportation pie is what intermodalism is all about in Rhode Island.

In conclusion, I want to thank you for this opportunity to testify before you. The task of reauthorizing ISTEA will not be an easy one. However, we look forward to working with you to create a re-

fined ISTEA program that will address our country's transportation needs into the next century. I would like to repeat my strong support for reauthorization of ISTEA with simplification and refinement but without significant change. Thank you very much.

Senator CHAFEE. Well, thank you very much, Governor. And I know, first of all, your statement, your full statement will go in the record, and I note that it's, speaking on behalf of the Coalition of Northeastern Governors, you have the same message, namely, a reauthorization of ISTEA with simplification and refinement but without significant change.

Governor ALMOND. Correct.

Senator CHAFEE. And that's very very important. What is the Northeast?

Governor ALMOND. Pennsylvania to Maine, all of the New England states, New York, New Jersey, Delaware, Pennsylvania.

Senator CHAFEE. OK, fine. Thank you. Also, the point you made about a train station near the airport, that would be terrific; and, as you know, we're in the city of Warwick. And the city has—is blessed with a wonderful mayor; and that's been one of the points that he's stressed many times. He envisions the possibility of people getting on at 128, coming down, getting off and going conveniently to the Green Airport to catch planes from there. And I think he's right on.

Governor ALMOND. Can I say something on that, Senator? Earlier in the press conference the issue came up of the national priorities of ISTEA. When we built Green Airport, we didn't build the airport to compete with Logan Airport, because Logan needs Green Airport. What we are doing is taking excess passengers from Logan; but we also must recognize that Rhode Islanders need Logan for air freight. And it's very important to Rhode Islanders that we have access to Logan, that Logan is in good shape, that Green is in good shape, and that we then move over to Quonset Point and we bring rail and we bring freight from Massachusetts and give it a place to go out, and also from the Midwest. So when we talk about, you know, Step 21, I think a lot of those states lose sight of the fact of our interdependence with one another as states.

As I mentioned, I just came back from Europe. You know, one of the benefits of age I guess is the fact that we've seen this economy change so rapidly over the last 20 years. For instance, I was with the fishing industry over there, our own Rhode Island fishing industry; and they very much need to export fish to Europe and they need, you know, quick access to freight, international freight. So all of these things interconnect. And it's extremely important when I mention the I–195 relocation while the Secretary is here, that's the second most heavily traveled interstate in the Northeast. That is extremely important to every state in the Northeast with respect to the movement of goods, tourism. Massachusetts relies on it to a great extent for tourism and Cape Cod; and we also depend upon each other in many, many ways. And I think we recognized that in the Coalition of Northeast Governors; and that's why we're so strongly supportive of the ISTEA reauthorization.

Senator CHAFEE. I'd just like to make the point that you touched on; namely, that many states are saying, well, the formula should be based on receipts into the Highway Trust Fund based on the gas

tax. In other words, if you pay a lot in, you ought to get a lot out. But that works in a very perverse way; because if a state has made tremendous efforts to reduce gas consumption, has had HOB lanes, has encouraged mass transit, has worked to reduce congestion so that the gas consumption won't be so great, that state is thereby punished. In other words, no good deed goes unpunished. The formula, it should be strictly related to how much you pay in also. And as I pointed out in the press conference, there's little relationship, not total relationship between gas receipts, taxes paid in, and usage of ones highways.

We are a linkage state. We link New York to—New York and Connecticut to Massachusetts. So the trucks and automobiles that come pounding up our highways don't stop to fill up for gas, but they give that pounding, they provide that congestion, they provide for the air pollution, but they don't spend a nickel on gas or diesel fuel. So is there any—I know that you're tremendously interested in Quonset Point. Do you want to make a further comment on that, Governor?

Governor ALMOND. Well, I would like to thank the Members of Congress, yourself and Senator Reed and Congressman Weygand with their assistance with the third rail project at Quonset Point. I just think that Quonset Point is extremely valuable, not only just to the State of Rhode Island. It's valuable to the whole Northeast region. It's of particular importance to the Nation with respect to having a port that would be available in periods of national defense; and it's important that we maintain and improve that port for the benefit of the entire Nation. And as you say, unfortunately, Rhode Island doesn't have hundreds and hundreds of miles to cross, so people who cross our highways generally don't tank up here and we don't get credit for that gas tax that goes to other states. But overall we are a donor state. In this particular instance we are a donee state; and I think the states that have collected the gas tax wouldn't be very happy if they couldn't go from Massachusetts to Connecticut.

Senator CHAFEE. Senator Reed.

Senator REED. Thank you, Chairman. Governor, I just want to followup on your comments about Quonset Point. I think you're very much aware that there's a great shake out going on up and down the East coast about the ports of the future. New York has probably talked to Rodney about $23 billion to build tunnels from Brooklyn over to the ports of New Jersey, Port Elizabeth; and I think it's appropriate that we continue our efforts here locally and with a good deal of decisiveness and added intensity that we go ahead and get our plans in order and replace if we can. I think we can in fact be a port of significant performance if we carry any delay we might be able to take on other projects.

Governor ALMOND. We're going to keep going with that. The rail project is on target. I mentioned to the Secretary at breakfast this morning that the bond issue that we passed was $72 million. Twenty-two million will be for interior improvements within Quonset Point in addition to the third rail; and I suggested to the Secretary that that might be a great place for some demonstration grants relative to third rail and the highway access and the intermodal access within Quonset Point. Because I, you know, here

we're talking about a base that was discontinued, you know, hurt the economy of the State of Rhode Island. And we're not going to cry over spilled milk; but it is a base and we're trying to reuse that base in the best interest of the Nation and is requiring a significant investment by the State of Rhode Island. And I do think that the Federal Government has an obligation to work with us on base issues and get that base very productive for the economy of the Nation. And I think it's a great place for a partnership between the states and the Federal Government.

Senator REED. Thank you, Governor.

Governor ALMOND. On many issues.

Senator CHAFEE. I must say it's the essence of intermodalism. That was a word that I didn't know what it meant until I got into this business; but there you've got a port, you've got the piers, you've got an air station—a runway,.

Governor ALMOND. Airport.

Senator CHAFEE. Runway, an air field; and you've got rail plus trucks. So you've got everything. Also the possibility is going to be how it's developed in the future and which is going to be more important; and we don't know yet at this point, so we've got to maintain all of those assets and build that port for the future. And I would remind you that the Quonset Point has one of the largest runways in the Nation and at one point was very, very significant to the national security of our Nation.

Representative WEYGAND.

Representative WEYGAND. Thank you, Senator. The fact that Quonset is in the Second Congressional District in the Town of North Kingstown where I reside has nothing to do with my interest in this great economic potential; but I wanted to, first of all, tell you, and I think I've already mentioned to Bill Ankner as well as I know Congressman Reed, and I have been working on securing the additional $10 million of Federal funds for the third track project. And right now the administration has in fact kept that in the budget. Being on the Budget Committee, we're watching that closely. We've talked with the Transportation Committee members; and we hope and believe that that is still on track to complement the already $13 million worth of funding that the Federal Government has given to Quonset Point. So we're looking forward to another $10 million this year.

Governor ALMOND. I know there's a great deal of competition for these funds; and as Senator Reed knows, I've been down testifying before Congressman Wolf's committee. Here we have a situation where high speed rail is so important to the whole Northeast Corridor, the Nation's economy and because electrification of the corridor is requiring us to go into the third rail, which we otherwise would not have to have gone into. So I can see from the standpoint of base reuse the electrification project, which is going to be a great benefit, that Federal funding to assist us with the third rail fits in with all those programs on a national basis.

Representative WEYGAND. It's critical; and I know we're all here singing to the chorus because we all believe in this project. One of the things you mentioned, though, Governor, was flexibility and creativity being maintained within the ISTEA authorization. And that's critical for you, as Governor, to be sure that we can have the

flexibility to do various projects within the state. And you mentioned specifically something that I hold near and dear to me, that is the roadway connection from Route 4 to Quonset Point and whatever degree or scope is most effective to get that done. I'm assuming by your statements that you still feel that as a top priority with regard to the economic development of Quonset Point. And if you have that flexibility and creativity, that you're going to be putting money toward that project to streamline that and get that on track as fast as possible.

Governor ALMOND. Absolutely. I think the activity at Quonset has been greatly heightened in the last year, year and a half, especially with the bond issue. So we're going to be looking at how to develop Quonset Point. And depending upon what that development is, it could very well be 15 years from now. The airport now is most important or it could be Route 4 or it could be a port or hopefully all of them; and we have a very, very vibrant port down there that's going to be helpful to the economy.

Representative WEYGAND. The acreage that we have at Quonset is so vast that many of the businesses will in fact be water dependent; but some of them will not. And perhaps even 50 percent or more will not be. So not only rail, but more importantly road. If you can't drive there in an effective and efficient way, it's going to be difficult for us to get people there. So I'm hoping with the creativity and flexibility that you will have under ISTEA that we will indeed have funds. Because as John Chafee has said, there are four modes of transportation, water, air, rail and road. And without one of those, road, it would be very difficult to seek or see the potential for that facility down there. Thank you, Senator.

Governor ALMOND. It's in the rough; and I think it's getting better and better every day.

Representative WEYGAND. Three rules of real estates is location, location, location. If you can't get there by road, you don't have the location. We need to have the roads.

Senator CHAFEE. OK, fine. I would mention, Governor, that, also call the Secretary's attention to it, that $72 million for us is a lot of money. We're not New York or California. And even for somebody from Washington, like we all are, 72 million for this state is a, I guess it's one of the largest, I don't know whether it is, bond issue we've ever done. I don't know, we may have had bigger ones, but not many.

Governor ALMOND. It's certainly large. It was a major step forward for the State of Rhode Island. You know, I'd also like to say to the Secretary that it's not just a question of us with our hand out. I currently have a budget before the General Assembly, and I'm asking for an additional penny of the gas tax for the next 5 years to come over to transportation. So we want to move much more of our money that we get in the state from the general fund over to the transportation projects. And by working together with the Department of Transportation, I think we can accomplish an awful lot that will be very, very important not only just to our state but to the Northeast and to the national economy.

Senator CHAFEE. And that third track is a 50/50 project, that's not——

Governor ALMOND. 80/20, 90/10, we'll certainly support that, Senator.

Senator CHAFEE. I suppose you would. I suppose you would. I was going to say, it's so modest, Northeasterners are so modest they have come in 50/50. You see those Southerners, they come in, it's an outrage if it's not 70/30.

Fine, thank you very, very much, Governor. I appreciate your coming. I know you've got a busy schedule. If you want to move on, we understand.

Governor ALMOND. Thank you. I really appreciate the opportunity to be here this morning.

Senator CHAFEE. We're delighted to welcome our distinguished Secretary of Transportation, Mr. Rodney Slater. It was our privilege to work with him when he was Administrator of the Federal Highway Administration; and he's had a very, very distinguished career in connection with transportation overall. So, Mr. Secretary, thank you very much for gracing our meeting with your presence; and it's been a pleasure to work with you, and as I say, when you were wearing your other hat as Federal Highway Administrator and now you're in this distinguished job as Secretary of Transportation. So we welcome your testimony.

STATEMENT OF HON. RODNEY SLATER, SECRETARY, U.S. DEPARTMENT OF TRANSPORTATION

Secretary SLATER. Thank you very much, Mr. Chairman. I'd like to thank you especially for the opportunity to be here today with you and your colleagues, Senator Reed and Congressman Weygand, to testify on the importance of reauthorizing ISTEA. It's a truly landmark piece of legislation that you played an instrumental and central role in shaping 6 years ago.

I'd also at the outset like to join the Governor, Governor Almond, in congratulating you on being named the 1997 recipient of the Rails-to-trails Conservancy Transportation Enhancement Leadership Award presented to you just yesterday. And let me just say that it is a pleasure, frankly, to be in a state that clearly has used all aspects of ISTEA to the fullest and have allowed us to become more innovative and forward thinking in our transportation policies. So I commend all of you here in the great State of Rhode Island in that regard.

Today I'd like to make some brief remarks regarding NEXTEA, National Economic Crossroads Transportation Efficiency Act, that President Clinton presented to the Congress just a few weeks ago to succeed ISTEA and to actually build on this landmark piece of legislation. I also have a longer statement, Senator, that with your permission I would like to submit for inclusion in the record.

Senator CHAFEE. Definitely.

Secretary SLATER. I want to express my appreciation again to you, Mr. Chairman, and to others from this great state for playing a leadership role and fully implementing ISTEA over the last 6 years, giving us insight as to how to proceed as we go forward into the 21st century. I also would like to especially thank you for introducing our NEXTEA proposal along with Senator Moynihan; and I know that you did not just submit this legislation upon request but that you also tied your name to it. And I very much appreciate

that. I also know that you have introduced another proposal called the ISTEA Reauthorization Act, some call it ISTEA Works and the like, which shares many of the themes of NEXTEA. And, again, we in the Department of Transportation and in the administration look forward to working with you and your colleagues as reauthorization proceeds.

As President Clinton said in unveiling our reauthorization proposal, this piece of legislation ''will create literally tens of thousands of jobs for our people, help to move people from welfare to work, protect our air and water, and improve our highway safety. This transportation bill literally will be our bridge to the 21st century,'' close quote.

Over the last 5 days, sir, I have traveled to ten states throughout the Northeast from Maine—from Maryland to Maine; and I've seen how true the president's statement rings as relates to all that this region has done to fully implement and to fully carry forth the principles and ideas of ISTEA. I've seen the reconstruction of a 75 year old Philadelphia train line, a new subway connection in New York along the most crowded subway line in America, with the reconstruction of I–95 in Bridgeport, the modern day road linking Boston to New York, in cities all along the way. I've also seen a very impressive intermodal center at Auburn and Lewiston, Maine. But in Rhode Island I have seen ISTEA at work as well.

ISTEA has supported such projects, many of them mentioned by the Governor, such as improvements on I–95, the T.F. Green Airport terminal, which I hope to see as completed as I leave for Washington today, also the Kingston train station and the Woonsocket Market Square Common, the project that I saw just yesterday, sir, a transportation enhancement project.

I've also heard from you this morning regarding Quonset Point; and I'm very pleased that we have been a good partner in that regard. It is a water, air, rail and roadway facility that is important to the Nation as a whole; and I underscore that. I also know that you need the third rail portion of the project as well as the access roads; and we can make a commitment to work with you in that regard.

Then you've got the train station possibility leading to the airport. Hopefully we will be able to work with you on that project as well.

The I–195 stretch of roadway through Providence, which is the second most traveled segment of roadway in the Northeast, we look forward to working with you as you deal with that challenge as well.

So in a nutshell, as the President has said, all of these projects in Rhode Island, as the President noted, create jobs, help to move people, helping to move some of them from welfare to work, protect our air and water, and improve our highway safety. And, Mr. Chairman, if I may, I'd like to mention that along with Gordon Hoxie, who is our Federal Highway Administration Division Administrator, we have Dan Berman here today, who is our Assistant Division Administrator, as well as George Luciano, who is the Regional Administrator for NITSA; Mary Beth Mello, who is the Federal Transit Deputy Regional Administrator; and Mark McGowan, who is the Federal Rail Regional Administrator.

In closing, let me just say that the President has said, "Make no mistake about it, this is one of the most important pieces of environmental legislation that will be considered by the Congress in the next 2 years. And I think it should be thought of in that way." NEXTEA clearly builds off the successes of ISTEA. It is a $175 billion program over 6 years; and if Congress moves forth on our proposal, it will mean about $710 million for Rhode Island, supporting some four thousand—4,800 jobs.

We have a 30 percent increase in the core highway program, a 17 percent increase in the transit program, 25 percent increase in the safety program, 30 percent increase in the environmental program. This is truly about protecting the environment by increasing funding to help communities clean up their air, reducing the barriers faced by those moving from welfare roles to payroll roles, to a program to get people where the jobs are, bringing a common sense approach to the government by cutting red tape and promoting innovation.

In closing, sir, again, it is my honor to work with you and the other members of this distinguished delegation to ensure that NEXTEA lays the groundwork for a transportation system that allows us access to markets around the world because we build on the innovative work of ISTEA and the work that you put forth. I am assured that, as the President says, "our best days as a Nation are yet ahead of us." Again, Mr. Chairman, I appreciate the opportunity to appear before you and the members of your distinguished delegation.

Senator CHAFEE. Well, thank you very much, Mr. Secretary. Mr. Secretary, I'm very worried about the interstate highway program and the maintenance of it. I suspect we put in, we being the United States of America, the Federal Government, has put in about $100 billion and what is overall 43,000 miles.

Secretary SLATER. Yes, sir. It's about $129 billion or $130 billion.

Senator CHAFEE. For that 42,000 or 43,000 miles. And yet in many of the proposals that have come up the Interstate Maintenance Program is abolished; and it's just folded into the surface transportation program. Could we have your thoughts on the Interstate Maintenance Program?

Secretary SLATER. Yes, sir. Senator, I join you in voicing concern about the elimination of such a program. The interstate system is our safest road transportation system in the United States and really the safest in the world. It represents 129, $30 billion investment. It is a system that is in need of repair. And the best way to address its needs is to have a special program to deal with a system that carries really about 30 percent of all the traffic in the United States and a system that is only 1 percent of the total highway miles in the United States. When you couple that system, which gives us access across the length and breadth of our Nation, with the new national highway system that was a part of ISTEA, you really start to get a system that begins to connect all of the modes of transportation. And that too is very essential. Under our NEXTEA proposal we provide that 80 percent of the $175 billion program, which is an 11 percent increase over ISTEA, that 80 percent of that money should go to the core program, meaning the Interstate Maintenance Program, the NHS Program, the Bridge

Program, and then the STP Program. And what we try to do there, Senator, is to address the very concerns that you raise. Preserving the system we have and then working to enhance that system.

Senator CHAFEE. I suspect many people aren't aware that portions of that interstate highway system are 40 years old.

Secretary SLATER. That's correct.

Senator CHAFEE. Mr. Ankner will be here; but I think that I–195 is over 40 years old. That was really built before the interstate system.

Secretary SLATER. That's correct.

Senator CHAFEE. And so 40 years is a long time for a highway.

Secretary SLATER. It is, sir. And I was about to say that you actually have some stretches of the interstate in this part of the country that are older than the original interstate system; because they were in place as either turnpikes or some other sort of multilane system prior to the enactment of the interstate system in 1956. And so we do have to pay special attention to those roadways in this part of the country where you have climatic and also geographical challenges as well.

Senator CHAFEE. The next panel, one of the succeeding panels, Dr. Beverly Scott, who is the head of our Rhode Island Public Transit Authority, is going to testify. And in her testimony she highlights a $10 million cut that RIPTA will take under the NEXTEA proposal. And I'm no expert in all of this; but it's my understanding that the small—under your plan, the NEXTEA proposal, the smaller transit systems are protected, the larger ones are somehow figured that they can handle it, and the medium ones, such as we have, take a pretty severe cut. Can you explain the theory behind that so I have it right?

Secretary SLATER. Sure. Well, first of all, the assumption that that is the case is not altogether correct. What we do is we, and I think we're using innovation and creativity here in an effort to continue to increase benefits to transit. What we have done is to broaden the definition of capital investment to include maintenance and preventive maintenance as you have on the highway side of the ledger. So we make them uniform. We also, in eliminating operating assistance through our redefinition of what capital represents, we're able to actually provide more dollars to transit authorities to deal with both their operating and capital needs. We do make a distinction in areas that are more than 200,000 in size. In those instances it is really the broader definition that helps. When it comes to those properties that are located in locales less than 200,000 in size, we actually make no distinction whatsoever between capital and operating assistance. So through the redefinition of our program and its provisions, even though we do away with operating assistance or reduce that somewhat, because we define what capital represents, states like Rhode Island and the system that you mentioned will actually get more resources. We do have to do a better job though of communicating that; because traditionally in the transit area we have had an operating category as well as a capital category for funding.

Senator CHAFEE. Well, I think you do have to do a better job of explaining it; and I understand what you are saying.

I'd just like if you could say a couple of words about the Congestion Mitigation Program and briefly explain what that is. And then I think that's in peril. As you know, we had hearings, and I wasn't at the hearing in Boise, but in the cities it's fine but I just wonder what's in it for a state like Montana, Wyoming, maybe Colorado. I don't know, can you just say a few words? Because I think it's important to get it on the record about the Congestion Mitigation Program, which is important to us.

Secretary SLATER. Yes, sir. First of all, let me say that I think the Congestion Mitigation Program is important to the Nation as well; and that's why we proposed a significant increase in our program, about a 30 percent increase. No. 1, it allows us to deal with environmental concerns at the same time that we try to enhance and improve the transportation system. Unfortunately, that was not the policy nor the procedure of the country in the past; and that's why we have some of the environmental problems that we now have. This effort, this program is designed to address those concerns so as to ensure that we abate the problem and hopefully over time fully eliminate the problem of air quality and the like as relates to transportation improvements.

It is true that there are those who believe that this should be merely an eligible item for funding rather than a required item for funding. We believe that it is of such national importance and significance that it should remain a form of funding that is set aside for the particular specific purpose of helping cities and locales deal with their environmental and air quality concerns.

You noted earlier that here in Rhode Island much of the problem that you have to deal with deals with the movement of air polluted as it is into the area from other parts of the country. That is a burden that you should not have to bear alone. And so the CMAQ program allows from a national perspective this national concern to be effectively addressed.

Senator CHAFEE. Well, thank you very much, Mr. Secretary.

Senator REED.

Senator REED. Thank you, Mr. Chairman. Welcome to Rhode Island. I hope you had a chance to get a good meal here.

Secretary SLATER. Oh, yes. Oh, yes, and a good night's sleep. I've been on the road for the last 4 days.

Senator REED. We'd love you to come back anytime. I want to followup on an issue that Dr. Scott will raise. That is, a definition of those communities of 200,000 and what is preventive maintenance. There's a real danger that it will be narrowly construed and as a result it would not represent the kind of offsets to the elimination of the subsidy that you were speaking of at this moment; and I would urge you to work together with the appropriate committees to insure that this preventive maintenance approach does in fact compensate for the foregone operating subsidies. And I think you understand that; but it's very important.

Secretary SLATER. I definitely understand it; and if I may, Senator Reed, let me just say that I remember when I, going through my confirmation hearing for Federal Highway Administrator about four and a half years ago, and I read the testimony of Secretary Pina as he had gone forward in the confirmation hearing for Secretary of Transportation at the time. And I recall specifically some

pretty clear statements that were made by you, Senator Chafee, regarding the Federal Highway Administration and the way that we had dealt with these kinds of innovative and sort of visionary approaches to assessing and moving forth in judging the quality of the provisions of ISTEA. And we were challenged by that statement. And I would hope that over the last 4 years we demonstrated ourselves worthy of meeting that challenge and carrying out the responsibility of helping to redefine the culture, working closer with our state and local partners so as to better understand what their hopes and dreams and aspirations are for their transportation system. I can tell you that we engaged in the most extensive outreach effort in the history of the agency. And we're doing so now as a department to address the very concerns that you raise, Senator Reed. We don't want a visionary piece of legislation to become static and to become less than it could possibly be because those with the responsibility of carrying through on it working with our state and local partners view it from a very narrow perspective. And so I commit to you that we will be as vigilant as we have been in the past, this time as a department carrying forth the kind of legislation that we hope to draft during the reauthorization process. And I appreciate your points in that regard.

Senator REED. To followup on the understanding, we worked through a broad definition, I just hope also that the anticipated budget will sustain that broader definition of the maintenance so that we're not simply taking away the operating subsidies and then talking about a rather nebulous definition but there's no resources to fully compensate.

Secretary SLATER. Your point is well taken there; and that's why, as we do away with the issue of operating funding, we are increasing overall funding by 17 percent for transit to do exactly what you say at this point.

Senator REED. Let me just followup on another point, Mr. Secretary; and, that is, our state police, our excellent state police, we seem to grant the Federal Highway Administration to their commercial enforcement. And it seems that these moneys are under great pressure now. I wonder if there's anything that you could do upon return to Washington or the collaboration with the Congress to assure that we continue to fund this program. It's very worthwhile in terms of enforcement and safety, and particularly important in this region of the country as we talked about maintenance of our highways. One of the major problems we had was heavy overloaded trucks, large trucks; and without good effective enforcement, we can't do that. And we'll end up spending more money fixing the roads.

Secretary SLATER. That's a good point, Senator. I think we're talking about the secondary MCSAP category of funding that I think Rhode Island and about seven or so other states receive. What we strive to do with that program is to, the seven or so states, including Rhode Island, beef up their enforcement capability. We have said, though, over time that we hope to eventually eliminate that program; and that's where we are now. Let me just assure you that as we move forward in this way that we will work very closely with Rhode Island to insure that they are not adversely affected by this. There are many other ways that we can

be supportive I think to the state that would be helpful. A couple of examples, and we've done some of this in the past, but we have a few other innovative categories within NEXTEA, one dealing with a trade corridor and border infrastructure activities. There may be a way there to assist your motor carrier operation with additional resources. Also, we are trying to bring more intelligent transportation system technology to the border and to states that are along the various international corridors. We are making all ITS transportation system investments eligible for all major funding categories; and, there again, may be an opportunity for us to help minimize the adverse impact of phasing out this particular program. And we would be willing to work with you and the staff here in the state to do that.

Senator REED. Thank you, Mr. Secretary. One final point. I too want to emphasize the importance in this state of developing Quonset Point. I recall 4 or 5 years ago when we started in the House of Representatives, of course, moneys, it was long before even state was putting money into the program. With now a lead appropriations fund, the Federal Government contributes up to $13 million. The state has responded with their recent bond passage last November. But this process has been ongoing. It started with Federal action, now I'm pleased to see that we and the state are full partners. The other aspect of the partnership is that we have done this in conjunction with Amtrak high speed electrification. We're compelled to do it because we cannot miss the opportunity when they're reconstructing the passenger line and freight line. So with continued support, the appropriation process is important for the state. In addition, it's important I think to work together with Amtrak for their projects also. So your emphasis I hope on a corridor will also be well placed.

Secretary SLATER. In that regard, Senator, let me say that I have traveled up the corridor over the last 5 days, I actually traveled on Amtrak from D.C. all the way to New York City; and we did discuss these concerns en route. We also discussed high speed rail, Senator Chafee; and I know that you're very interested in that.

And let me just, if I may, make one point about a broader vision and mission that I had for the development of the Department of Transportation, and the NEXTEA reauthorization is really central to it. But it is our desire as a department to become visionary and vigilant as a department working with our partners to do things that are innovative and creative so as to stretch the Federal dollar and enhance the capacity of our system in different ways other than just more and additional lane miles. And so we want to work with you in that regard. We have as a mission the development of a transportation policy architecture for the 21st century; and there again, I think that it will require that we look beyond highways solely to meet our transportation needs as we go into the 21st century and that we do more of what you're doing here, try to strike better public/private sector deals to move projects along, focusing more on intermodal transportation, being more sensitive to the environmental things that you're doing are the kinds of things that we want to become a matter of course as we go forward rather than just the exception for clearly a leading state but a state that needs to have replicated these kinds of policies throughout the Nation.

And so I accept the comments that you've just made regarding the corridor and Quonset Point in that regard and assure you that we will work with you as we have in the past to ensure that this project is brought to fruition not just for the benefit of the region but also the benefit of the Nation.

Senator REED. Thank you, Mr. Chairman. Oh, Mr. Secretary, this partnership notion I think also has to apply to Amtrak as well as the state.

Secretary SLATER. Yes, sir.

Senator REED. It should be clear, at least in my view it's as important as passenger electrification of that line, a freight line is deeply important in Rhode Island; and my view is they have to go forth together. And we hope we can work with Amtrak, your department, and the states to advance both these important projects.

Secretary SLATER. We look forward to that. Clearly your position on the Banking Committee is very important in that regard; and we look forward to working with you.

Senator CHAFEE. Thank you. Less anyone think that all of the support for the third rail comes from the House, I would point out that the Senate has always been more generous in its appropriations for the third track than, I like to call it the third track, third rail gives you the impression it's some rail in the electric thing, it's a third track, and the Senate has always been more generous. I must say Mark Hadfield was a wonderful supporter of that. Now he's gone; but we'll continue our fine tradition along those lines.

Representative WEYGAND.

Representative WEYGAND. Thank you, Senator. Just a couple of questions, Mr. Secretary. Again, thank you for the honor and the pleasure of having you here today. This is wonderful of the State of Rhode Island to have a cabinet member here; and we appreciate your being here. I would like to followup on a couple of things with regard to a rail and then I want to talk about maintenance of highways.

One of the things that we have heard a lot today is the importance of freight rail to Quonset Point, the third track project. One of the things that has come to our attention with the takeover of Conrail by CSX and also the problem with Norfolk Southern is that there is only one spur that goes from Albany to Boston that really serves the operating service of the State of Rhode Island. That may be in fact owned by only one company in the future. That would provide a real bottleneck in terms of rates and fees and making potentially Quonset Point and the Northeast a very viable location for industry. In fact, we'd have only one person bringing in freight and we'd have to pay the toll, whatever they happen to say it is, high or low, whatever it may be. We're very concerned that that merger or that takeover will in fact jeopardize or could jeopardize not only for Rhode Island but the entire New England area, Boston, Maine, etcetera; because that one line is the sole line that services us even though we have spurs that come off it down to Rhode Island. I would hope that the administration and particularly the Transportation Department would look into and assure that there would be equity in the way rates and fees are structured so that in fact the viability of Quonset Point on other industries along the Northeast

Corridor are preserved. So I mention that to you not as part of ISTEA but as a concern about transportation.

Secretary SLATER. I understand. And, Congressman, if I may, let me just say that we are following that development very closely; and the kinds of concerns that you've raised are also matters of concern for us. So we would look forward to working with you and other members of the delegation and those throughout the region to ensure that when it's all said and done that we have a pro consumer, pro competition environment that's creative as a result of this merger.

Representative WEYGAND. See up to New York state, as you may well know, Mr. Secretary, up to New York state, Port of New York, and New Jersey there is competition. After that, coming into the Northeast there is no competition with only one provider of rail. So we don't want to go back into overregulation; but at the same time we don't want to be held hostage, in fact, have the viability of a great port, whether it's Port of Providence, whether it's Quonset Point or Boston and Quincy, all of those areas would be stifled tremendously if we do not have open and fair competition; and we're concerned about how that's done. And I want to echo Jack and John's comments about mass transit; and I know that Dr. Scott will testify eloquently about our concerns in that respect with regard to RIPTA. But I want to get into something that I know you mentioned at the very beginning; and, that is, to expand the core programs, particularly with regard to maintenance. You can talk to most people throughout the State of Rhode Island and they will say, "Why can't we maintain our roads better"; and I'm sure that is echoed in every state throughout the country, particularly in the Northeast where we have very difficult weather, we have frost heaves that erode our roads, we have climatic conditions that are not very sensitive to roadway tricks. Now, as part of the core program in NEXTEA what you've done is increase that element by 30 percent more than it had been in the past. Will there be mandates within that core program with regard to the moneys that would be truly spent on maintenance; or would it be really left up to the Governors and transportation directors to be more fluid with that? Because my constituents of this congressional delegation will tell you we need to maintain better our roadway system, bridges, etcetera with Federal dollars, not just with state dollars.

Secretary SLATER. Your point is well taken there. Let me just say that our objective is to bring as much flexibility to the process as possible, to create a process that is open, that is balanced, that involves public participation, participation by state and local officials and the like. But there are national interests. And what we have tried to do is to strike the appropriate balance with, again, a program that's $175 billion. That's an 11 percent increase over ISTEA. That includes all of those provisions of ISTEA that I've just mentioned, extensive planning, comprehensive planning, great flexibility, the public involvement, all of those things, but at the same time keep focus on what had—what have to be national concerns, connectivity, the condition of the system overall, how the system begins to interrelate, focusing on intermodal connectors and the like, how we then have a system that gives us access to world markets. Those are matters of national concern, how this system and

its investment impacts the environment, our water and air and those kinds of things. And so the way we have balanced it is to take the $175 billion program that we proposed and to require that 80 percent of the resources are spent to preserve the system that we have. And that is of special interest to those in the Northeast because of some of the challenges you face. But I hasten to say that it also is a matter of concern for citizens throughout the country; because the interstate system is 40 years of age and it is experiencing sort of a mid-life crisis, if you will. And, so, we're going to hold firm on that. We believe that there is a legitimate national interest to warrant it even at the same time that we as an administration continue to work better with our state and local partners.

Representative WEYGAND. Thank you, Mr. Secretary.

Senator CHAFEE. Thank you, Mr. Secretary. I just want to say one thing, Mr. Secretary, two things I guess. First, should the administration decide that the Chafee bond funding proposal we set forth is the way to go, any assistance you can give us in that with the Budget Committee and so forth would be tremendously appreciated.

Second, I just want to say how strongly I feel about the experimentations, the intelligent highway systems that you've been working on. I had a chance a couple of weeks ago I was in California and there saw the system you have that actually, it's a privatized system which you're familiar with, where cars can go through toll booths at 70 miles an hour. They have transponders on the windshield, and that's all electronically picked up. And the other systems that they have, such as their experimenting with putting every four feet down the middle of a lane a magnet and then you put some kind of a magnet in front of your car and that keeps you right down the middle of the lane.

Representative WEYGAND. Auto pilot.

Senator CHAFEE. No hands. And then they've got a further thing, which thank goodness they weren't doing when I was there, which is you have some kind of a radar system on the front of your car so you can go 60 miles an hour eight feet behind the car in front of you. I was glad I didn't have a chance to test that. And then the magnetic levitation that we saw in Bremen, Germany where the train rides on a cushion of air. And the one we were on went 215 miles an hour. And it just seems to me that yours is the department where we're going to get the funds for these type of developments. And I know you're interested in them. I just want to give you every bit of encouragement to continue that kind of work.

Secretary SLATER. Well, Senator, in that regard let me just say that we appreciate your leadership; and the Chafee bond proposal is one that we're looking at very closely. The administration has made its initial judgment, though, as you well understand, to try to come forth with our program in the context of the balanced budget commitment that we've made. But clearly the proposal that you put on the table where we basically spend the amount that is collected on an annual basis and we leave intact that which is currently in the trust fund so as to account for any number of other measures that might, and concerns that might be of importance, I think that that is very helpful. And it would bring more dollars to

the table; and I'm sure that we will look at that very carefully over time.

The last point that I'd like to make, if I may, and I think this fits well with the point that Congressman Weygand had just made, and that is with an 80 percent focus on the core program so that everybody knows that we are protecting the investments that we've already made, I do think that we have the opportunity to do as you suggested, and that is, to try to make sure that we are at least with or ahead of some of our competitors around the world investing in things like mag life and high speed rail and Intelligent Transportation Systems that will be dominant features of the system for the 21st century. Otherwise, we'll find ourselves as we enter the century behind in the race rather than leading the race. So we appreciate your leadership in that regard.

Senator CHAFEE. Thank you again, Mr. Secretary. I know you're busy, you have to leave, so we excuse you and wish you well and thank you again for coming.

Secretary SLATER. And, Senator, as I finish, what I'd like to do is give you what we have put together, which is a list of best practices out there connected with ISTEA; and what we selected as a theme was to find the good and to praise so that others around the country could emulate the practices of others. And I'd like to just share this with you. There is a chapter that deals with Rhode Island that is very, very good and comprehensive.

Senator CHAFEE. Thank you very much.

Now if we could have the next panel come up, Dr. Ankner, Dr. Scott, Colonel Culhane, and Ted Sanderson. We're going to move right along now. All right, please take your seats; and the way it often happens in hearings, the last panel gets caught short. So we want to leave time for the last panel, the next panel.

Representative WEYGAND. Senator, what I'd like to do is submit to you the testimony from the Governor's Commission on the Handicapped. They won't be able to testify today; but they'd like to submit their comments for your consideration.

Senator CHAFEE. Thank you very much. This will definitely go on the record.

All right, Dr. Ankner; and, Bill, go to it.

STATEMENT OF WILLIAM ANKNER, DIRECTOR, RHODE ISLAND DEPARTMENT OF TRANSPORTATION

Dr. ANKNER. Thank you very much, Senator, for being here. Again, congratulations on your honor yesterday for the enhancements.

Senator CHAFEE. Thank you.

Dr. ANKNER. Congressman Weygand, good to see you, sir. It is a pleasure for me to be here this morning on behalf of the Rhode Island Department of Transportation to express my strong support for the reauthorization of ISTEA, as the Governor said, without significant changes. Passage of ISTEA marked a sea change in the way the Federal transportation dollars can be spent. As opposed to relying on strict funding categories determined by Washington, ISTEA allowed the states the flexibility to define their transportation needs and finance most of them.

This is one of the points where alternative transportation proposals, such as those offered by Step 21 coalition and others, fall short.

It is as though we have not learned and grown through the ISTEA process over the past 5 years. Such proposals are returned to the old ways of doing business, definitely not the good old days. Simply put, the opponents of ISTEA just don't get it.

The Step 21 plan, the deevolution of it, allows money to be spent on air quality programs but doesn't mandate such programs. It speaks of public involvement, but basically cuts all of the essential public requirements gained through ISTEA.

Vague language replaces specific requirements and policies. Transit issues are not even addressed. Environmental issues are ignored. Specific programmatic goals and policies are negated and deleted. All that is of interest is the money. And there it will be Jerry McGuire also, Step 21 was "show me the money." We've developed partnerships as a result of ISTEA. They're strong and necessary between ourselves and the public participation, allowed us to make important prioritized decisions within a financially constrained budget under the TIP process. As I understand the proposals of other proposals, this kind of process would disappear. Again, they just don't get it. And to finally bring the public participation into the transportation decisionmaking process under ISTEA, they want to go back to the days of rubber stamps and public disconnection.

As noted by Governor Almond, some ISTEA alternatives, like Step 21, would structure the system based directly on each individual state's fuel tax paid into transportation. In essence the state would only get out what it put in.

The state's transportation deficiencies and general need, the intermodality, the need for a national system have no role in determining the process of resource allocations.

Again, they just don't get it. Single Occupant Vehicles, Vehicle Miles Traveled based funding sources or formulas would result in more pollution, negate all of the gains that the Governor pointed out for transit, increase energy usage, and basically devastate our mass transit program.

We cannot turn our back on the progress we've made in these areas under the bogus refrain of equity. The ISTEA alternatives have no role for state and local governments managing their transportation systems. Technology solutions, such as the intelligent transportation system, seem absent from their programs. They just don't get it. We can't build our way out of congestion. We must manage our transportation systems. For example, it has been shown that simply synchronizing our traffic lights can restore 10 to 15 percent of the capacity during the average commute. Every 1 minute improvement in incident response time saves 4 minutes of congestion. These are the kinds of improvements we must be focusing on.

The ISTEA alternatives would also undercut national needs for local preferences. Here again, they just don't get it.

The basic structure of ISTEA is similar to that of an orchestra with a combination of talented musicians and artful conductors performing together at a symphony.

The non-ISTEA solutions are akin to several individual musicians playing their own tunes, with the hope that they will somehow blend together as a unit. I believe we should do more than hope that our national transportation needs are being met.

The world has shrunk. And as, Senator, as you have pointed out, and, Congressman commented on this morning, there is an increasing interdependency of our transportation system. Improvements made in California are certainly—will certainly affect transportation of goods and people in Rhode Island. In concert with the Federal Government, we must continue to recognize and promote the interdependency.

ISTEA works. ISTEA works for the Nation. ISTEA works for highways, bridges that connect our cities. It works for transit. It works for Rhode Island. And it also works for smaller communities.

The transportation enhancement program has probably done more good in this regard than any other program in allowing Federal dollars to meet local needs. Projects such as the Market Square Commons project in the state won't happen under many of the ISTEA alternatives. However, these kinds of projects can revitalize a large city or a small town. It's a shame that those who want to reverse this program just don't get it.

In closing, the opponents to ISTEA cite many restrictions and obstacles to implement ISTEA. We share some of their concerns. However, they blame the wrong thing. They blame the law when it's for the most part the regulations of the laws that cause most of the problems. We believe that shifting some of the regulatory burdens will improve, streamline ISTEA.

And later I'd like to add to my written testimony by submitting a letter from ISTEA Works with proposed suggestions if I may, Mr. Chairman.

Senator CHAFEE. That's in connection with the enhancement?

Dr. ANKNER. With enhancements and all sorts of streamlining.

Senator CHAFEE. That will be good. That will be very helpful. You're going to submit that later?

Dr. ANKNER. Yes, sir.

One of the things I would like to add to my final remarks that have not been addressed and to the best of my knowledge by any of my colleagues in the industry or in other hearings is the issue of accountability for the DOTs.

There is a role, as we've talked about, and you've emphasized, as well as Secretary Slater, for the Federal Government to play of national interest, to go to the concept of two big block grants. To allow the states to do whatever they want to with those two big block grants I think denies the issue of accountability. I think the Federal Government has a right to see that it's getting the proper bang for their buck. And they have a right to insist on performance criteria for the allocation of Federal resources. This is not unfunded mandates. The dollars are there to finance this transportation system. We have a right to make sure that this transportation system, not just in Rhode Island, but throughout the country is in good condition, that it's maintained so that goods and people can move efficiently and effectively throughout this country. Performance measures and accountability should be woven into the ISTEA program.

Senator and Congressman, I want to again thank you for the opportunity to speak here this morning. I would also like to submit for the record a letter to you and to the committee on behalf of the Governor's Office of Highway Safety in support of continued efforts on the part of ISTEA for highway safety in this state and the country.

Senator CHAFEE. All right, we'll put that in. You want to get that?

What we're going to do now is take all four panelists and then we'll have questions at the end of that.

Dr. Scott?

STATEMENT OF BEVERLY SCOTT, DIRECTOR, RHODE ISLAND PUBLIC TRANSIT AUTHORITY

Dr. SCOTT. Thank you. Good morning, Senator Chafee and Congressman Weygand.

As general manager of Rhode Island Public Transit Authority, RIPTA, I welcome this opportunity to share my thoughts with you on ISTEA reauthorization. I have submitted the full text of my testimony for the record and will try to keep my comments fairly brief this morning.

Transportation has been my profession for over 20 years now; and having worked in transit systems and communities as diverse as Houston, New York, and Washington, D.C., I genuinely appreciate the compelling points of view and honest differences of opinion and perspectives that you and your colleagues will have to sort through and address during this reauthorization process. The stakes in NEXTEA are very high; and the task before you is most assuredly a difficult one.

In thinking about what I could say this morning of value as you proceed with your deliberations on the ISTEA reauthorization, I decided not to focus on transportation funding formula and strategies, not that the how isn't important, because certainly it is. Notwithstanding, the real central issue before us in ISTEA reauthorization is not how we fund but what and who we fund. Candidly, transportation providers, all of us, regardless of whether we represent rail, highways, bus, water, or air, are simply a set of mobility options. Transportation services, tools in effect that fit particular mobility applications and needs, admittedly some better than others depending on the transportation need, community and customer preference, ISTEA is not about any of us. This legislation is about people, their values, the shape of the communities that we live in and the quality of life that we choose to live, support and pass on to future generations.

For the first time in 1991 ISTEA made a revolutionary and critical connection between transportation, people, land use, quality of life and economic development and moved us forward in significant ways, as importantly, ISTEA's emphasis on local involvement and public participation and decisionmaking. The involvement of varied stakeholders in decisionmaking, not just focal ones and special interests, has helped us all as transportation organizations to improve our credibility, volume responsiveness and sensitivity to the communities we serve. Prior to ISTEA, the power, identities and potential impacts of transportation were badly fragmented. Bus

versus rail, transit versus highways, ground versus air versus water, people versus goods. At the same time, and not surprisingly, prescribed funding methods and streams simply served to institutionalize these separations. We have come a long way; but all of this is still quite new. And as in any area, old habits are hard to change. Candidly, we're getting better; but we cannot be trusted just yet.

My experience in the transportation industry strongly indicates that you must hold the course and in NEXTEA 6 years is certainly not enough. It's not enough time to modify 40 plus years of havoc.

Stepping away from the big picture and looking specifically at public transit in Rhode Island, our statewide transportation system, one of only two in the United States, here at RIPTA and in Rhode Island we are at an absolutely critical juncture. Simply, in fiscal year 1999, transit in Rhode Island potentially hits the wall. At that point we literally face a loss of 30 percent plus of our annual operating budget, all attributable to the potential loss of Federal operating assistance and the cost of federally mandated programs. This is on top of an 18 percent general fare increase this past year and $1 million in service reductions in 1996.

One of the real ironies for RIPTA and the State of Rhode Island is that we could preserve the bulk of our transit Federal operating assistance under the current proposals if we simply fail to coordinate and maximize operating efficiencies throughout statewide operation and simply dissolve into 39 separate little transit systems, like the situation which exists in many other states. Generally speaking, from our vantage point, what NEXTEA proposals best preserve and position public transit in Rhode Island, first and foremost, retain flexibility, choice and local participation in establishing transportation priorities. Certainly we strongly advocate more transportation funding overall. But in the final analysis, whether funding goes up or down, it needs to remain flexible. Philosophically the driving force behind our state's transportation vision and plans should not be to first look at what is eligible for funding under some specific category of NEXTEA funding, instead the core issue and question should be what projects make good sense for our state and our communities. Then we should look to see how do we make it happen.

Second, specifically preserve the transportation enhancement and congestion mitigation and air quality programs and continue to earmark funding for these purposes. This new thinking, if you will, does not become institutionalized and requires a longer incubation period to become sustainable over time.

Regarding total funding levels, consider structuring a hold harmless consensus such that each state receives at least the same total dollars in NEXTEA that were received during Phase 1. Next, insist that any new definitions of capital maintenance funding, eligibility and special fare of transit funding support are broadly distinguished, particularly to the extent that flexibility in these areas are considered as offsets to the loss of Federal operating assistance.

In the area of new funding initiatives, like welfare to work strategies, provide priority funding consideration for transit systems with a proven track record of proactively addressing these areas of concern.

Before it was fashionable or eligible for special transit dollars, the State of Rhode Island aggressively pioneered innovative transit services, both type, method and delivery, to our disabled community. There was a statewide paratransit operation which provides for a single dispatching service plan and function and coordination of multiple funding streams which has reduced costs considerably. Our low income and welfare recipients through our statewide Right Care Program, which provides full transit accessibility for medical services and other essential mobility needs and our senior citizens, bearing in mind that our state has the third highest percentage of senior citizens 65 and over. Our state has been ahead in proactively serving the mobility needs of transit dependents. Over 20 percent of our daily riders are senior citizens.

Finally, we believe that our industry should be held strictly accountable for both performance and results and that we must challenge ourselves to contain costs, improve productivity, and utilize new technologies to work smarter.

At RIPTA, notwithstanding a looming deficit, we are not rolling over. Our mission is to provide the best service that we are capable of offering. That is our objective; and we welcome meaningful assessment of our performance.

Thank you, Senator Chafee and Congressman Weygand.

Senator CHAFEE. Thank you, Doctor. Now the statement you submitted was somewhat different; but I think you had a lot of good points in there. Maybe you could send that to us. And I would point out yesterday, as was mentioned before, we had a gathering in Woonsocket which was dedicated to the rails-to-trails, and Dr. Scott showed up not only in person but she brought a bus that had a bike carrying facility on it. And pretty soon she mentions in here, I think you have 245 buses?

Dr. SCOTT. That's right, sir.

Senator CHAFEE. All of them are going to have the capacity to carry bikes. So onward.

And now, Colonel, we look forward now—I just want to say to each witness, your full statements will be in the record; and if you could confine your statements to 6 or 7 minutes, that would be fine. Because we want to make sure we get everybody covered. Colonel, go to it. And your statement will be in the record.

STATEMENT OF COLONEL EDMOND S. CULHANE, JR., SUPERINTENDENT, RHODE ISLAND STATE POLICE

Col. CULHANE. Thank you, Senator, Representative Weygand. I'm Ed Culhane, Superintendent of the Rhode Island State Police. And what I'm speaking about today are something we heard about in previous speakers and what I've read in the material on ISTEA and a concern regarding its reauthorization. That's safety, the on time movement of people and goods, and the environment. And my particular comments today are directed at a very small part of the Rhode Island State Police; and that's our Commercial Enforcement Unit, which at its best is ten people and right now is eight. And the reason I'm here today is to actually ask your assistance in preserving the future of that organization.

The Surface Transportation Efficiency Act, commonly known as ISTEA, was created in 1991 to renew our surface transportation

program and to address the changing needs for America's future, which creates jobs, reduce congestion, foster mobility and rebuild our infrastructure while protecting our precious environment. In essence, this act was established to catapult the United States into the global marketplace of the next century.

While I support the overall intent of ISTEA, ISTEA has also allowed the Rhode Island State Police to achieve goals which it would not have been able to accomplish otherwise.

We look back to the early 1980's, commercial vehicles emerged as a safety issue due to their increasing number of unsafe commercial vehicles on our highway and along with an increasing number and severity of crashes involving large commercial vehicles. Furthermore, the occurrence of accidents with carriers of hazardous waste and hazardous materials was also on the increase. As part of the Surface Transportation Assistance Act of 1982, Congress enacted the Motor Carrier Assistance Program, commonly known as MCSAP in 1993 to address these problems. The program was designed to foster safer commercial vehicle travel while increasing the level and effectiveness of enforcement activity to detect and correct safety defects, driver deficiencies and unsafe carrier practices. In 1991 ISTEA Title IV, entitled the "Motor Carrier Act of 1991," was established and assumed the MCSAP responsibilities.

Over the past 10 years, the activity of the Rhode Island State Police Commercial Enforcement Unit, which is responsible for enforcing the MCSAP regulations among other things, has increased astoundingly. Though this unit, as I mentioned before, is comprised between, somewhere between eight and ten people, each year they conduct approximately 5,000 safety inspections of trucks and buses. These inspections reveal approximately 16,000 violations each year. Some of these violations are so severe that over 1,000 vehicles and drivers are immediately placed out of service until those deficiencies are corrected. In addition, the members of this CEU have assisted in the training of commercial fleet operators regarding driver training, fleet inspections, and Federal and state documentation programs. This unit is also relied upon quite heavily by local police departments for their expertise and knowledge pertaining to commercial vehicle regulations. They are in fact the only unit in the state with that type of expertise.

I cannot estimate how many lives are saved, how many injuries prevented, how many spills prevented, how many traffic jams were tied up by—traffic jams or tie-ups were prevented by the enforcement activities I have just enumerated by this unit. Of all of the units comprising the Rhode Island State Police, the CEU is the one that consistently and most often evokes positive comments from our citizens and our commercial haulers.

The Rhode Island State Police funding revolves around the reduction in basic funding and the elimination of secondary funding for MCSAP activities. ISTEA appropriations are based on a population and highway mileage formula in which the State Police receive the minimum basic grant. In past years we have also received a secondary grant strictly to help pay salaries and benefits. Each year the secondary grant has been reduced by 10 percent, while personnel benefit costs have continued to rise. Rhode Island is one of seven states that receive secondary funding since these states

have smaller populations and limited highway mileage. Since the Rhode Island State Police Commercial Enforcement Unit is funded entirely externally from our regular State Police general revenues and that we have no additional financial resources to supplement the eliminated secondary grant income, we depend on these funds for the survival of our Commercial Enforcement Unit.

The MCSAP grant program is suppose to be an 80/20 grant program, requiring a 20 percent match in State funds. Due to the State's fiscal woes, we must rely on the Rhode Island Division of Public Utilities and Carriers, known as the PUC, as the principal source of State matching funds. In addition to the Federal grant dollars and the PUC match money, the PUC also provides the Commercial Enforcement Unit with an extra $250,000 to meet other necessary operating expenses. Over the years in actuality an 80/20 split that use to exist has now become close to a 50/50 split.

The Rhode Island State Police has been notified that in fiscal year 1998 we will receive only our basic minimum grant since our secondary grant is being discontinued. At this level the Rhode Island State Police Commercial Enforcement budget would be cut so severely that we would probably have to eliminate two to three positions from the unit. Bringing this unit down to five troopers would just about make it ineffective.

You may be asking, "What does all of this have to do with reauthorization of ISTEA?" Well, plain and simple, if our Commercial Enforcement Unit is reduced, so will our enforcement efforts toward the safety of the commercial truck industry and making our highways safer. Unsafe vehicles carrying too much weight will be operated by an inexperienced, untrained, and many times sleep-deprived drivers, these will increase without a strong law enforcement deterrent. Furthermore, one must contemplate the effect of NAFTA on our highways, the opening of our borders to commercial vehicles over the years will be expanded, barring commercial vehicles who may not face the same stringent inspection standards as the United States commercial vehicle industry does will be traveling our highways. As Rhode Island lies on the major corridor of the East coast, along with being one of the oldest segments of the national highway system, one can strongly surmise the negative ramifications that will be felt on our highways.

According to the National Highway Traffic Administration's 1995 "Traffic Safety Facts," the Nation has made great strides in reducing the overall involvement of large trucks in motor vehicle crashes along with reducing the fatality rate of large truck occupants involved in motor vehicle crashes. If the number of unsafe commercial vehicles operating increases, we can only have a determined set of results, more deaths, more injuries, and more motor vehicle crashes involving commercial vehicles, more threats to our environment and more traffic tie-ups. We should not stop the progress we have made; and much more can be done.

My solution would be to increase the overall grant allocation to the states from the proposed 100 million to $105 million. This would allow each of the smaller states to receive a minimum grant of 500,000. Since we are not asking for money to be reappropriated from the larger states to the smaller states, we feel this is the most equitable solution. Therefore, Rhode Island, which by no fault of its

own has a smaller population and less highway miles, would be eligible for the minimum 500,000 grant.

Title II of ISTEA also provides an integral funding component to promote traffic safety programs through the State and Community Highway Safety Grant Program, commonly referred to as Section 402, or 402 funding. These funds support law enforcement's efforts to reduce death and destruction that have become much too commonplace on our highways. These grants allow law enforcement agencies flexibility in supplementing their regular traffic safety enforcement duties. The funding allows for additional enforcement personnel, audio visual materials and educational resources to spread the traffic safety measures concerning certain issues, speed limits, occupant protection, impaired driving, motorcycle safety, and school bus safety to name just a few. With traffic crashes claiming over 40,000 lives each year and costing the Nation roughly $137 billion in medical costs, insurance premiums, unemployment and disability taxes, Social Security costs and lost wages, we, as a responsible and caring Nation, must do all we can to continue preventive education and law enforcement funding toward these safety programs.

Title II also stipulates funds for the development and promotion of the Drug Recognition Expert Training Program. Simply put, this training permits law enforcement officers to be trained to recognize motorists that are driving not under the influence of alcohol but under the influence of drugs and narcotics. It is a very extensive, detailed program, requires 9 months of training. Rhode Island has two. With today's society where illegal controlled substances are readily available, this program will be extremely important to both diagnosis and prosecution of careless individuals operating motor vehicles while under the influence of controlled substances.

In conclusion, fully funded reauthorization of Title IV, entitled the "Motor Carrier Act of 1991," and Title II entitled, "Highway Safety of ISTEA" is necessary to carry out the original vision for surface transportation in America. These two titles not only promote economic vitality, but they also safeguard the lives of Americans we have sworn to serve. Since transportation will only increase in the forthcoming years, any reduction in our enforcement efforts can only lead to more traffic crashes, more tragedy, and increased medical, insurance and traffic costs and tax costs. It is imperative that we as a Nation continue to foster reliable but safe surface transportation programs as we travel into the next millennium.

I thank you for providing the Rhode Island State Police the opportunity to testify; and I'll be happy to handle any questions you may throw my way.

Senator CHAFEE. OK, Colonel, thank you very much for that.

Now, Ted Sanderson.

Now, Ted, we want to watch the time here; because, as I say, it's always the last panel that gets short shrift. And so we want to be mindful of that last panel. So if you could summarize your statement, which we have here. And we look forward to hearing what you've got to say; but don't feel you've got to read it all.

STATEMENT OF EDWARD F. SANDERSON, EXECUTIVE DIRECTOR, RHODE ISLAND PRESERVATION AND HERITAGE COMMISSION

Mr. SANDERSON. I understand, Senator.

I come before you, Senator Chafee and Congressman Weygand, based on the experience of three different aspects of the ISTEA legislation. As the Director for the Historical Preservation & Heritage Commission for the state, I review every transportation project that involves construction in an historic area. As the chairman of the State Enhancement Committee, I have hoped to oversee the process of reviewing and allocating enhancement funds to projects throughout the state. And as the vice-chair of Rhode Island Scenic Roadways Board, I'm involved with the National Scenic Byways Program. I think both of you gentleman are aware that historic preservation has known for a long time that transportation projects extend way beyond the edge of the paved surface of the road; and many people in the historic preservation movement feel that over the last 40 years perhaps no Federal program has been more destructive to America's historic and archeological resources than highway construction. We know that thousands of building sites have been sacrificed to construction of interstate highways and widening of local roads, even when local individual landmarks have been spared, too often transportation ripped the fabric of community lives by isolating neighbors, destroying scenic beauty, and encouraging the development of ugly commercial strips. So I think the ISTEA legislation of the last 5 years has come about in some measure in response to problems with transportation projects over the last 40 years. And here in Rhode Island where we have more historic resources per acre than any other state in the country, we've had the opportunity to see the benefits of ISTEA programs. The flexibility and the public based planning processes that ISTEA includes help to avoid conflicts with historic resources, gives the communities a chance to work with the Department of Transportation and the highway engineers to figure out what historic sites are there and which ones need to be preserved. And I'm glad to report to you, Senator, and to you, Congressman, and to our new Director of Transportation as well, that over the last 5 years under ISTEA the State Historic Preservation Office has had a good relationship with the Department of Transportation in identifying potential impacts to historic resources, finding ways to avoid that destruction or to mitigate unavoidable impacts. The enhancements of a program such as ISTEA have been discussed by a number of speakers this morning; and I certainly support very strongly the work of the enhancements, have had an opportunity to see it close firsthand with the chairman of the State's Enhancement Program what kinds of projects can be carried out under this program. It's been evident to me that the enhancement program meets a need felt by many Rhode Islanders. The public interest in this program was demonstrated by the almost 200 proposals that citizens of Rhode Island, cities and towns, civic organizations, nonprofit organizations submitted to my enhancements committee; and we've seen the way in which enhancement projects can deal with historic preservation, environmental protection, water quality, the need for pedestrians and bicyclists and just generally responded to commu-

nity interest in preserving what it is about their communities and their appearance that they value.

I think both of you know that throughout the state there are many enhancement projects. Senator Chafee, you and I had the opportunity to visit one of those projects yesterday up in Woonsocket where a basic functional transportation circulation, reconstruction project in Market Square was joined through the enhancement program with bicycles, with historic preservation, with public interpretation of our state's ethnic and labor history, and with the Blackstone River National Heritage Program.

One of the things the enhancement does under ISTEA is to bring together different things that our public, our communities and our government are all working on together and address these issues in a unified manner rather than allowing them to simply be fragmented and to fall where they may. Other projects have occurred in Providence.

Senator CHAFEE. I tell you, yesterday we had a chance to discuss these, and that was excellent. Why don't you—I'm interested in the scenic byways, your next section there. Can you get to that? Because we have got a good description of those, the Mathewson project and the Westerly station. And indeed I know Bob is very familiar with the Kingston project, for example, which that was an enhancement project.

Mr. SANDERSON. Enhancement and basic transportation funding.

Senator CHAFEE. So why don't you go to the scenic byways.

Mr. SANDERSON. Well, the scenic byways program in Rhode Island goes back into 10 years when State legislation created the Scenic Roadways Board; but through ISTEA we were fortunate to secure two grants that have really moved this program forward. The first of those grants funded a statewide survey of scenic roadways that allowed us to develop an inventory of areas that we all ought to be concerned about preserving the scenic qualities and to begin to at least lay the foundation of developing alternate design standards for construction along scenic roads.

The second grant that we are in the midst of working on right now is allowing us to study corridor management issues along designated scenic roads. We know that construction through transportation projects affect what a scenic roadway looks like; but we also know that the individual decision that a city or town or private property owners are part of the mix of preserving the scenic roads. And through corridor management programs we work with the communities to figure out what the residents along the roadway want to do to help preserve the scenic qualities of the road. And so enhancement projects of Rhode Island scenic roadways has been another way that ISTEA has been very effective.

And I'll simply wrap up by saying that like any other speaker, I certainly support the continuation of the ISTEA program pretty much the way it is; and in particular it's important to maintain the funds set aside mandated for the enhancement program. I know there are some people around the country that have suggested a different way to handle that. I think the provisions that were included the first time around are what created the enhancement program; and I think, as Dr. Scott said in her commentary, the program has made a good beginning. We need to continue and build

on that good beginning; and the way to do that is to preserve the enhancements program with its 10 percent funding mandate.

Senator CHAFEE. Thank you, Mr. Sanderson. I agree with you, I have my button, "Safe Transportation Enhancements in 1997, ISTEA is more than a drink." Somebody pressed that on me yesterday; and I think it's a good one.

Let me just quickly ask, Colonel, I know it's crass to say this, but with all those infringements that you had mentioned, I think was it 14,000 violations or something like that?

Col. CULHANE. Sixteen thousand.

Senator CHAFEE. Sixteen thousand. I can only presume you collect some fines and—but I presume they go into the general fund?

Col. CULHANE. They go into general revenues.

Senator CHAFEE. It would be a little crass to have them go into the State Police, that would encourage you to stop everybody in sight.

Col. CULHANE. Bounty hunting is not very popular.

Senator CHAFEE. At the same time it must be pretty substantial; isn't it?

Col. CULHANE. I have no idea what the funding stream is.

Senator CHAFEE. Because that goes through the courts?

Col. CULHANE. It goes through the courts.

Senator CHAFEE. Mr. Sanderson, Dr. Ankner has suggested that the enhancement program is great; but there's a heck of a lot of red tape to it and that you have a $10,000 enhancement project and you spend $15,000 trying to comply with all of the rules to get the money. What do you say about all that?

Mr. SANDERSON. I think that's true. Federal Highway Administration regulations are designed for multimillion dollar construction projects; and so some of these smaller projects do bump into regulations that just don't fit for small projects like that. My impression talking to others dealing with enhancement programs across the Nation in other states is that a lot of Departments of Transportation haven't organized themselves to deal effectively with enhancement projects yet either as effectively as they could. And so streamlining within the regulation but also some management streamlining within some DOTs would be able to get these projects out more efficiently and more quickly.

One of the areas that some people are looking at as being promising is to find ways for local government to be a little more involved with small projects. And sometimes local public works offices and local planning offices really have plenty of capacity to carry out a 20 or $50,000 project and are ready to do it when a small project like that kind gets put on the back burner within the larger statewide DOT.

Senator CHAFEE. What do you say about that, Dr. Ankner?

Dr. ANKNER. I agree, Senator. In fact, one of the things that we're going to be looking at in the DOT is we've sent out all of our design work with respect to the enhancements to the consulting community. It's a 9-month process of selecting a consultant, one of the processes of reallocating how we do business and try to keep those smaller projects within the DOT so that we can move them much more quickly.

I would add, though, that the way I understand the rules and regulations of the Feds, it would be difficult to have nonprofit organizations be able to do the work themselves. In fact, contributions from the nonprofits of doing the work and things like that, as I understand it, do not count as a match for the program.

Representative WEYGAND. So in kind contributions?

Dr. ANKNER. In kind contributions are not being considered as a match; and yet very often that is all that some of these communities are able to provide. So that's something we want to look at the regulations again, not the law. The law allows for it. It's the regs that are the problem.

Senator CHAFEE. That's very helpful. And, Dr. Scott, we'll look into the suggestions you made. And it's a terrible thing if you get your funding reduced and you have to cut your service. And cutting your service means it's less useful to many people. It's a spiraling downward effect, and I suppose a spiraling upward effect if you can service more places?

Dr. SCOTT. Definitely.

Senator CHAFEE. And, Colonel Culhane, I thought your points were good there; and it's a program I wasn't aware of, as you mentioned it, about a small program.

Col. CULHANE. We're not ready to hang the "out of business" on the window.

Senator CHAFEE. Don't count on it happening tomorrow; but give us a chance.

Representative WEYGAND. Just a couple of questions. I'll try to be very brief.

First of all, the testimony from all of you with regard to the experiences you had is so important for Senator Chafee and myself in terms of reviewing this legislation. Enhancement, I don't want to go over what Dr. Scott has talked about because I think what she's addressed was addressed with regard to each one of your testimony. I would hope that you could assist us and our staff and be a little bit more specific later on with regard to the sections of the legislation that you're particularly addressing that you think are correct or incorrect that are in NEXTEA, ISTEA as well as in Step 21 need to be modified so that we know precisely when we're looking at legislation where you have a problem.

On the enhancement side, about 18 years ago there was about four or five of us who walked an abandon railroad track from East Providence to Bristol, Rhode Island and with a number of other people visualized what it could be. We took machetes on Saturday morning, cut away bamboo and briar so that on a Sunday about 50 people could walk along this abandoned railroad track to see what it could be. It ended up turning into the East Bay bicycle trail. It's a project that has been overwhelmingly successful not only for transportation properties, for pedestrians, bicyclists, saw the recreational resource for people who live along that corridor. Blackstone Valley Corridor is getting one, Coventry has been long talking about it. I know, Bill, you and I talked about the South County bicycle trail, to me is extremely important. You're committing as of the next fiscal year, October 1st of this year, moneys for the first phase of that project as I understand it?

Dr. ANKNER. That is correct, sir.

Representative WEYGAND. The second phase, which would go from South Kingstown into Narragansett is incredibly important; and I hope that you'll be dedicating the moneys and I hope it's within the flexibility you'll have within the next 5 years of ISTEA that will help do that over the next couple of years. Because there is the intermodal transportation of the buses that come into the Kingston station, the rails that come into the Kingston station and now the bicycle trail that will be able to connect people. It's a wonderful program that could be done; but you want to ask Ted about a project, not projects, but the program of enhancements, comprehensive planning and particularly bureaucratic red tape that you mentioned, about securing funding for ten, $20,000 projects. Precisely can it just be that within the Department of Transportation, the Rhode Island Department of Transportation we clear up the bureaucratic red tape so that in fact we can get these things out faster than nine, ten, 12 months down the road?

Mr. SANDERSON. My understanding, and perhaps Dr. Ankner can address this more clearly, but that part of the problem with small projects has to do with the standard Rhode Island State contracting and consultant selection procedures and part of it has to do with Federal highway regulations. And so both of those need to be looked at.

Representative WEYGAND. What kind of flexibility regulatory-wise, without legislation, without statute can be done to allow you to get these small projects that help all communities throughout the state get these little enhancement projects out?

Dr. ANKNER. From the standpoint of design, the Department has made the decision historically that have those be designed by others. Therefore, we've run into the contracting laws, procurement laws of the state. A way of getting around that is to have that work be done within the department. That's what we are in the process of looking at.

Representative WEYGAND. The question, Bill, I guess would be, come up, is the expertise within the department, while there are some tremendous people, but when you started having all these neighborhood and community projects, it can really bog down a transportation department.

Dr. ANKNER. It can. That's what we're looking at to see if we can work with the communities such that we can get some efficiencies and saving some time and efforts. The other part is regulatory, the financing, is also on the reporting. Congress likes to know what's going on in the enhancement programs, so they're requiring FHWA to get detailed reports about each individual enhancement project. One of the ways that we think, that is DOT, that we can help the enhancement program is really fund the enhancement program and report on it in terms—in its entirety as opposed to reporting on every allocation for every individual project.

Representative WEYGAND. Let me end with this. I'm sure Senator Chafee and I know my staff and I'm sure everyone from the Rhode Island delegation would like to have suggestions to ease that up; because I think the use of consultants for small projects can work well if it's in a timely fashion; and if it's regulations that need to perhaps be changed with the reauthorization of ISTEA statutorily to give you the flexibility on small projects, I think that that is

something that Congress should look at. Because, otherwise, you'll be hiring a lot of staff within DOT to do these small projects and may be, in fact, could be done quicker and more efficiently if you have the tools, the statutory tools to do it otherwise.

Dr. ANKNER. That's very true, sir.

Senator CHAFEE. Colonel, just out of curiosity, I just wonder, without naming them, you must find truck fleets always good and some are always bad. Does it work that way? Just out of curiosity.

Col. CULHANE. There are probably some. We have the sergeant that runs the unit here in the back. There are some, call them gypsies and what have you, and some fleets are very, very responsible. In fact, we sent one of our commercial enforcement people out to one of the major fleet operators in the state to teach them how to inspect their trucks and how to have their documents squared away, both Federal and state, so when they are stopped the stop is minimal. It works to their advantage also. The trooper makes sure the vehicle is safe, they have all the proper documents, and they're on their way. I know you don't have the time; but just come out someday if you want, ride around in the cruiser with me, and you'll hear these officers stopping trucks. I don't know how they do it. They're all on the air. We require all the vehicles that are stopped to be called in. And there are some fleets that do operate much higher above the line than others. We'd like to do our best to make sure that none of them are operating below the line.

Senator CHAFEE. Fine. I want to thank the panel very much, appreciate it. And we've got your testimony, all of you, and it's excellent, very helpful.

All right, the last panel is Barry Schiller of Sierra Club; Ed Baudouin, the Executive Director of Providence Foundation; Ken Bianchi; Curt Spalding of Save the Bay; and Jim RePass of The Northeast Corridor Initiative. Move right up. All right, if everybody please take their seats quickly. Let's go with Barry Schiller. And, again, gentleman, would you please confine your remarks to about 6 or 7 minutes. I'm reluctant to lower the boom on anybody; but we want to make sure everybody gets a shot.

OK, Barry, go to it.

STATEMENT OF BARRY SCHILLER, THE SIERRA CLUB

Mr. SCHILLER. For the record, my name is Barry Schiller; and I've been kind of a citizen activist in transportation here for about 30 years and now transportation chair of the Sierra Club, a member of the Transportation Advisory Committee and the Rhode Island Public Transit Authority. I come to say that Sierra Club and I believe the environmental community supports ISTEA. You won't be surprised that we have some suggestions about how we'd like to see it improved.

Why do the environmentalists care so much about transportation? Well, after years of our auto dominated transportation policy, we've come to see in so many ways that transportation decisions are environmental decisions. And I enclose some statistical information in the written testimony to indicate that our concern for all alternate transportation is based on data.

Do environmentalists really care about transportation? You bet. The Sierra Club took to the Environmental Council a resolution on

ISTEA that we are submitting and that passed unanimously and enthusiastically in February. The Sierra Club helped organize the coalition, Senator. It's now up to 40 Rhode Island groups in support of ISTEA principles.

What ways do we think ISTEA is working? Well, it's made environmental protection at the center of transportation planning; and indeed on TAC, the Transportation Advisory Committee, it's one of the five major schemes on transportation projects.

Public participation has made a real difference, resulting in a much better spirit of cooperation between community groups and the Rhode Island DOT, which I can tell you has a long history of bitter conflicts in the past. It also gives a voice to the people who for whatever reason don't have a motor vehicle. The city of Providence told TAC that 23 percent of the households of Providence have no motor vehicle.

Senator CHAFEE. Do you believe that?

Mr. SCHILLER. That's what the city of Providence provided to the TAC. It's households, not people. We're not saying 23 percent of people, but 23 percent of households.

Senator CHAFEE. I find that an astonishing figure.

Mr. SCHILLER. You have to ask the City. We believe we have more flexibility on design standards. It has become routine I can tell you to consider ways to scale down proposed projects to solve problems with minimal cost and minimal destruction. We are directing some of our resources to the older business districts where people can walk to things instead of having to try to carry out even the simplest errand. We are developing a potential for a first-class bicycle network. I think that's important, that our tourist industry publication is always headlining—often headlining bicycle programs. We have at least maintained our transit system and actually substantially increased ridership since ISTEA was passed.

But this doesn't mean everything is perfect. We do wish some of the changes did come faster; and there are projects in your transportation improvement program that we do object to. But we feel if we get a fair shot to influence the decisions, bad projects are not the fault of Congress or of ISTEA, but perhaps of our failure to convince others.

One of the problems we want Congress to address, we must overcome any opposition to CMAQ and enhancements funding. I strongly commend you, Senator, and the Clinton administration too for their strong leadership. As a TAC member I've often heard from the public at our hearings or even town planners about the importance of that enhancement program. We need to expand the flexibility of the surface transportation program to include freight and passenger rail. It's ironic that the Federal policy allows use of ISTEA funds for local commuter rail but not for intercity rail and for that matter intercity freight. Everyone has submitted on the concept of the third track proposal. The environmental community also gave its wholehearted support. It's difficult to do those projects since most of you know the eligible ISTEA funding if the states feels that would be an appropriate way to move to it. Perhaps you'd address that next time.

Congress must resist efforts to allow longer or heavier trucks. We can't afford them, motorists hate them, they are a safety hazard.

The Sierra Club is part of the Southern New England Safe Roads Coalition; and we're submitting some information on that.

Our RIPTA transit system faces both opportunities and peril. We do have energetic leadership and an opportunity for labor-management cooperation, new service initiatives, the bicycles racks, which you've seen, which was the CMAQ program grant, the coming of a major new downtown mall. All this suggests a possibility for growth. You've heard about our concern from Dr. Scott about funding and the need for the maintenance funding to replace operating assistance. But one thing we haven't heard yet, that is, our experience here indicates that Congress needs to do more to equalize the playing field between public transit and automobile commuting, equalized tax-free benefits for parking and transit and perhaps reward states' transit systems in a locality that increases its ridership and reduces perhaps vehicle miles traveled. Put the power of the market to work to make our transit systems work. And I hope everyone realizes that transit helps all our environmental goals. I urge everyone to give it a try whenever possible. I always say that.

What about demonstration projects? Environmentalists are generally skeptical nationwide about this ISTEA element; but if they are going to be retained, we do have some suggestions that you haven't yet heard. The North Station-South link in the Boston area, which the Sierra Club thinks has national and certainly regional significance, so perhaps that could qualify.

I just want to close with a comment that Rhode Island has plenty of ideas and talent and energy needed to make our transportation system work better. As a TAC member and citizen activist, I've been impressed by new leadership at RIDOT, at RIPTA, both on the management and labor side, by the wide variety of community groups that are involved, where transportation by the town planners in the state. I urge Congress to do its part to keep all this going by renewing a strong ISTEA with its principles of environmental protection, maintenance of the infrastructure, community revitalization, flexibility, and choice for our citizens as to how they get around, and public participation. And I certainly thank you for this opportunity to comment.

Senator CHAFEE. Thank you very much, Mr. Schiller. That was excellent; and you came right in on 6 minutes, so you go to the head of the class.

Mr. SCHILLER. Seeing I'm a mathematics teacher, we know how to do it quick.

Senator CHAFEE. Mr. Baudouin?

STATEMENT OF DAN BAUDOUIN, EXECUTIVE DIRECTOR, THE PROVIDENCE FOUNDATION

Mr. BAUDOUIN. I'll try to summarize as quickly as possible, Senator. My name is Dan Baudouin, Executive Director of the Providence Foundation. The Providence Foundation is a not-for-profit private sector organization that advocates for the proper planning and development of Downtown Providence. I'm also a member of Rhode Island Public Transit Authority and a member of the Transportation Advisory Committee.

I'd like to quickly make a few points, first on the overall renewal of ISTEA. I think the ISTEA act approved in 1991 included several

concepts and principles that I recommend be continued. And included is the recognition that the link between land use and transportation is very strong and transportation needs to be part of an overall comprehensive planning effort. Also, ISTEA provides for a stronger role of local governments in transportation planning; and ISTEA requires significantly more public involvement in transportation planning. And I think this should continue into the new act. ISTEA demands consideration of community needs and plans; and that's good. Finally, ISTEA recognizes the need for more transportation choices, be it by bus, by rail, by car, by foot, by bicycle or by boat. These are excellent principles that need to go forward under this new transportation act. Obviously I totally support and encourage mass transit emphasis funding, a recommendation as made by Dr. Scott, who can hopefully lead RIPTA to the next century as a very strong, positive transit system.

My second point is we have made investments in airport facilities, rail facilities. However, we need a new Federal act that recognizes the need for major additional investments to move people and goods in a variety of different ways and in an efficient manner. In Rhode Islander many of our bridges are structurally deficient or obsolete and a high percentage of the Federal highway mileage is in fair or poor condition.

This leads me to the third point, which is the level of Federal involvement and the need for innovative financing as well as increased Federal funding. I would strongly urge an increase in Federal investment in transportation. We would advocate that more of the existing gas taxes and other highway fees be applied to transportation infrastructure. In that regard we strongly support the Highway Trust Fund Act as introduced by Senator Chafee and others as it would help accomplish this goal. By the way, we also made this recommendation to the State of Rhode Island, which needs to apply for its highway user fees to transportation investment.

Now, we're mindful of the need for leveraging dollars, so we're very supportive of innovative financing programs, particularly the creation of public/private partnerships and the involvement of private sector economies into creating transportation infrastructure. For example, the design/build/finance model is one that may have some applicability to transportation infrastructure. I believe the results of pilot programs throughout the United States have been generally positive.

Again, toward this end, we are very supportive of Senator Chafee's proposed legislation S. 275, the Highway Infrastructure Privatization Act, which we encourage partnerships across the country by allowing private sector access to tax-exempt bond authority for a select group of transportation projects.

We are also supportive of recent changes in Federal law that provide innovative financing mechanisms such as advance construction, phased funding, tapering Section 1012 loans, and the flexible nonFederal matching requirements. We're very supportive of the States Infrastructure Bank Program, and we hope that this gets expanded, recognizing that this can be a good tool to expand a portion of this program in a number of states. Locally we're also in favor of things such as exploring of real estate tax incremental fi-

nancing, aggressive value engineering to reduce costs, leasing portions of the existing rights-of-way where possible, and sale or lease of surplus rights-of-way to generate funds to help finance transportation projects.

Finally, let me just say a few words about one Rhode Island project of interest. It's the reconstruction of Interstate 195 and its intersection with 95. This was designed and constructed in the early 1950's, prior to the 1956 Interstate Highway Act; and it doesn't meet any kind of criteria for transportation infrastructure today.

Senator CHAFEE. As you know, I went to your briefing, so I'm quite familiar with that, so it's not necessary to go through that. It's in your statement, so it will be in the record. That was an excellent briefing you had; and I'm glad I went. And I think why don't you pick up where you end that particular discussion.

Mr. BAUDOUIN. Well, that was going to wrap up my discussion, Senator. I thank you for the opportunity to appear before you today. If you or your staff members would like other input on any matters, give me a call. Thank you.

Senator CHAFEE. Let me just ask you one quick question. What do you mean about leasing portions of existing rights-of-way? What's that mean?

Mr. BAUDOUIN. Well, if, for example, let's say a fiber optic company needed to put some lines underground and there was some room to do that within your existing highway right-of-way, that there might be an opportunity to lease that land for that purpose and generate some income.

Senator CHAFEE. I suppose it could be a gas line or an oil transmission line, pipeline or whatever?

Mr. BAUDOUIN. Yes, that's correct.

Senator CHAFEE. OK. Fine. Well thank you. Thank you very much. And indeed you did come in under the time.

Mr. BAUDOUIN. With your help, sir.

Senator CHAFEE. Thank you. Now, Mr. Ken Bianchi, who is Town Administrator of North Smithfield.

STATEMENT OF KENNETH BIANCHI, TOWN ADMINISTRATOR, NORTH SMITHFIELD, ON BEHALF OF DOTWATCH

Mr. BIANCHI. Thank you, Senator, Mr. Chairman, thank for your invitation to appear before you today to discuss the need to both protect and strengthen the 1991 Intermodal Surface Transportation Efficiency Act, ISTEA.

I'm Kenneth Bianchi, the Town Administrator for the Town of North Smithfield, Rhode Island. I also serve as a vice-president of Rhode Island League of Cities and Towns and am a board member of Rhode Island DOT Watch, which is a nonprofit citizens advisory group dedicated to monitoring our transportation policy and planning in the State of Rhode Island.

Let me just first say to you, Senator, that, if I may, that we in Rhode Island know and care about what you are doing and saying on ISTEA both here at home and especially down at Washington, D.C., and we couldn't be happier knowing how supportive and understanding you are about the issue that every Rhode Islander cares deeply about. I don't need to tell you, Senator, that in this

pending congressional battle we here in Rhode Island have far more to lose than just money, so thank you for continuing to do such an excellent job representing our best interests.

Senator CHAFEE. Thank you.

Mr. BIANCHI. Here in Rhode Island ISTEA reauthorization has generated a tremendous interest among both citizens and local governments who have to live with the consequences of a national program. Mr. Chairman, I would like to submit for the record and the benefit of all the members of this committee a document entitled, "A Blueprint for ISTEA Reauthorization." This detailed platform was put together by the Surface Transportation Policy Project, a national public interest coalition of more than 200 groups including our own Rhode Island DOT Watch and the Rhode Island Sierra Club. Over 40 groups and agencies in Rhode Island have fully endorsed all 25 recommendations in this platform as outlined in the attached addendum.

The bottom line is that ISTEA reauthorization must build on the obvious successes of the existing law. We realize that there are issues to be worked out regarding the funding formula, and obviously we believe that Rhode Island must continue to get its fair share based on the substantial needs, particularly those of our aging infrastructure, for such a small state. But regardless of how the Congress settles its differences over money, we urge that you preserve the part of the law that has been a success nationwide, that's ISTEA's policies and programs.

Specifically, we urge the retention and strengthening of the CMAQ program, the transportation enhancements program, the Interstate Maintenance and Bridge repair program, the 10 percent safety set aside, which we hope will begin to include measures to reduce the 6,000 annual pedestrian deaths nationwide, and the suballocation of funds to metropolitan areas. We also hope that ISTEA's partnership with local government officials and citizens will be strengthened through the MPO process and retention of planning factors to include the public early and often throughout the transportation planning process.

Rhode Island is in need of a stronger ISTEA, one that will emphasize road and bridge maintenance as outlined in the STPP Blueprint. We believe we need a "fix it first" program that prioritizes system preservation. Here in Rhode Island we have 750, oh, excuse me, 750 bridges, 55 percent in poor or mediocre condition, and 57 percent of our roadways in poor or mediocre condition. In a recent University of North Carolina/Charlotte study on overall highway conditions, the State of Rhode Island ranked last for the year ending 1995. And let me just say that it's incomprehensible that these Step 21 STARS 2000 proposals in Congress would eliminate the Bridge Repair and Interstate Maintenance programs. These are good government programs that assure accountability to taxpayers. They must be retained in the next ISTEA.

We also need an ISTEA that will allow us the flexibility to spend our highway funds on Amtrak, a choice that our state DOT currently lacks. We need an ISTEA that will allow us to protect our environment by reducing automobile and diesel emissions and curtail road runoff, all of which have a dramatic impact on the health of every Rhode Islander and as well as Narragansett Bay, one that

will allow us to pursue sensible alternatives to single occupancy vehicles by improving our public transit system, providing commuter rail system south of Providence, and restoring water ferries throughout the Bay; and one which will allow tourism, one of our most vital economic engines, to flourish throughout the state without clogging our roadways and ruining the very thing that people come here for in the first place.

In closing, let me just reiterate, ISTEA has been a success, it has started to provide us with real choices, better protection of the environment and more local control over transportation programs. But it also still is in its infancy. Whatever differences need to be worked out over funding formulas, we urge this committee to protect the principles and framework established by ISTEA in 1991.

Mr. Chairman, thank you for your attention and courtesy. Let me say again how grateful we are here in Rhode Island to be able to rely on your vision and leadership in the U.S. Congress on this issue.

Senator CHAFEE. Thank you very much, Mr. Bianchi.

Now Mr. Spalding, Executive Director of Save the Bay.

STATEMENT OF CURT SPALDING, EXECUTIVE DIRECTOR, SAVE THE BAY

Mr. SPALDING. Good morning, Senator. It's a pleasure to be here, as always, a pleasure to come before you. As you know, as most of the public says, you are one of Narragansett Bay's most important friends. It's a pleasure to be here to testify on this important issue. We at Save the Bay consider the transportation planning and management here in Rhode Island to be critical to the bay's health and its future; and, in fact, the passage of the 1991 ISTEA legislation was a major victory for the environment because it finally set forth a path that offered new promise for the kind of decisions that we think could better protect the bay and rivers and the wetlands from all the runoff that impacts the bay.

What I'd like to do is focus on just a couple of comments out of my testimony to keep it moving here and congratulate my fellow panel members for doing such a terrific job.

We are still somewhat frustrated at Save the Bay; and I think the citizens of Rhode Island are somewhat frustrated about the lag in spending those enhancement dollars. Indeed spending of those kinds of dollars needs to be monitored very carefully; and perhaps in the next ISTEA reauthorization we could look to putting some very strong descriptive language in that to force the departments to clean up this bureaucratic mess that perhaps has caused a lag in spending the enhancement and demonstration dollars. I say this because we learned last week at our Growing Smart/Saving Place conference, that was a response not by Rhode Island Save the Bay, by Rhode Island Historic Preservation and Providence Foundation, that people are still very, very frustrated. ISTEA offered a promise but there is a level of frustration out there that must be dealt with very shortly or the kind of support we want for this legislation won't be there at the grass roots level. And that goes to public participation also. Although there are signs recently that indeed the public participation process is going to be improved, we recommended early on that they go into communities with workshops

and really work a bottom up process. And they started with a process that did not go that direction. But recently I think, thanks to some of the efforts of the colleague to my right, Barry Schiller, the need to go into the communities, go past the local government, get down to the grass roots and really understand the concerns of communities are being pursued. So without ISTEA, that would not have happened. So indeed that's a major positive. I'm getting much better at it.

I think going forward I want to make a couple of comments about how important this bill is, how maybe we can make some changes. First, ISTEA is critical to the growth patterns of Rhode Island and the country. We talked about the land use management. Without wise land use decisionmaking, this country is doomed to a highly costly transportation system that could very well impact our national security going forward. We also forget the oil embargo; but as we watch the western part of this country develop, we realize we're mainly developing on an automobile based kind of pattern out west too. Perhaps some incentives could be built into the legislation that would, as Barry described, give benefit to areas that develop a more efficient kind of system so we conserve land, we conserve energy, and we conserve our national security in the long run.

The other improvement we could see that would be very important would be to have ISTEA more especially connected to water pollution. Indeed the last ISTEA when it connected air pollution to transportation and then we left water pollution connected to primarily the environmental agencies and the local process, if some language could be included that would somehow mandate the transportation decisionmakers to consider the water pollution effects of what they're doing and also put some what we call maximum step, that is, practical controls on transportation development, that would be very, very important.

I want to speak to a final point in an effort of being brief here, move on to that, that is, the notion that we somehow tie funding to the consumption of gas. The proposal that the fairer way to allocate this would be to somehow allocate the gas tax collection, I want to go beyond the point Mr. Bianchi made, so, well, Rhode Island needs money, we all know Rhode Island needs money, but the bottom line is if you tie ISTEA funding to actual gasoline consumption, you're actually putting a perverse incentive in the whole program. Somehow people wouldn't get the idea because that's why they get the money that more automobile based transportation infrastructure means more transportation dollars going forward. So any corrections that are made to satisfy the political situation but still leave that basic setup in place would be a terrible mistake. I know you're dealing with that I guess with your proposal; and I congratulate you for doing that. I say this because I sit on the Enterprise for the Environment, which is a national effort to look at how we can restructure our whole environmental protection system in the next century; and one of the ideas we want is to make sure that funding incentives and environmental protection are all linked.

Those are the points I wanted to make today. There are many more in my written comments. I say some strong things about how

the department should perform itself. I also say some strong things about how reform needs to continue. ISTEA is critical to the future of Narragansett Bay and the quality of our communities. And I urge you to do everything you can to insure passage of the bill that looks much like the one we have, perhaps increases in funding for enhancement and CMAQ funding.

Thank you.

Senator CHAFEE. Well, thank you very much, Mr. Spalding. I must say in the last, goes way back to 1991, I got some money in, it was in a demonstration grant dealing with drainage, drainage from our interstate highways, I don't think that money's been spent yet; has it?

Mr. SPALDING. Indeed you did. The money has—the spending on enhancement dollars, demo dollars has been slow.

Senator CHAFEE. Slow? It's 6 years.

Mr. SPALDING. We've raised some exceptions to that pace; and we've had a fairly intense controversy over the last number of weeks about that funding. We're very hopeful that our concerns have been resolved and that process will be expedited going forward.

Senator CHAFEE. There is something wrong with all of these, the speed of these. I put the money in for the Kingston Railroad Station, and it hasn't been moved yet.

Mr. SPALDING. Again, I think that's where some of the frustration at the grass roots level was. I was at a Save the Bay meeting a few weeks ago about, a planner very well-known in Rhode Island, she said, "Look, the promise of ISTEA has not been felt in the community because these projects, the enhancement dollars and demo dollars, just haven't come to fruition." I think that's very important. If you ask the average person in the state if they seen a change in the transportation planning and the management, they say no. That's because of this lag.

Senator CHAFEE. I think the MPOs have been effective, although the average person may not recognize it.

I've got to move on to Mr. RePass. Thanks, Mr. Spalding.

Mr. RePass?

STATEMENT OF JAMES REPASS, PRESIDENT AND CHIEF EXECUTIVE OFFICER, THE NORTHEAST CORRIDOR INITIATIVE, INC.

Mr. REPASS. Thank you very much for inviting me to be here to testify about the proposed reauthorization of the Intermodal Surface Transportation Efficiency Act. It is a privilege to be here.

I come before you today as a representative of the National Corridors Initiative, founded in 1989, a bipartisan private non-profit corporation dedicated to the advancement of intermodal passenger rail development in the United States.

My organization has, over the past 8 years, beginning in the Northeast as supporters of the Northeast Corridor electrification project and continuing now throughout the United States, conducted national conferences, regional gatherings, and scores of smaller seminars and meetings, with an aim of educating the public and private sectors on the benefits of a balanced transportation system that includes rail. We have done that because rail pas-

senger service has been and continues to be grossly under-utilized in the United States, especially when compared to the industrialized societies in Europe and Asia with which Americans must compete economically. By a variety of measures, low cost, environmental impact, efficiency, and as a very tangible as well as symbolic means of binding American towns and cities together, rail offers a welcome and very necessary alternative to highway and air travel.

This is true not only in the congested urban regions of our East Coast, as former Senator Claiborne Pell noted in his seminal book, "Megalopolis Unbound," and in those of the West Coast and Midwestern travel corridors, but for small towns and cities for whom passenger rail service is not only an alternative, but the only means of connecting the outside world. That is a fact we may tend to overlook in the Northeast, and indeed our organization has become more and more cognizant of this fact as we have grown and reached beyond our own roots in the Northeast.

In late February, for example, we held a conference in Atlanta on emerging Southern rail corridors, which are less urban oriented than our own, with representatives of business, academic, environmental and governmental communities of virtually every state in the deep South: Louisiana, Mississippi, Alabama, Tennessee, Georgia and North and South Carolina, as well as states such as Florida and Texas. And the message that I heard there from them was loud and clear, include us in.

Senator CHAFEE. You're going to have to summarize if you've got seven pages.

Mr. REPASS. In NEXTEA, in building all transportation systems, the South and West are demanding to be treated with the same degree of respect regarding infrastructure investment as the East or Pacific coasts which need heavy investment because of dense populations and/or aging infrastructure.

And yet, in preparing for this testimony, and in reflecting on our experiences in speaking with our bipartisan constituencies, I also read the remarks you made, Mr. Chairman, in introducing the Administration's version of the legislation before you today. I was struck with the plain truth of your observations and others made today too that we can't use the gasoline tax the way it is.

So on the one hand we have the South and West asking for a greater share of the transportation pie, while at the same time the very means of allocating that pie makes for unfair, unwise bias against efficiency and intermodalism, two key words in the very name of the original ISTEA bill.

To resolve this dilemma and to make more funds available not only for rail but for other transportation projects which demand attention, we propose the following, we would propose three things: Make it easier for private sector funds to be invested in transportation projects; two, make it easier for states to gather together in interstate compacts to pursue regional transportation projects; and, three, to increase the flexibility that Governors already have in reallocating Federal funds. And I'll leave the explanation of those three points to the written testimony.

I would say, the problems that do come to mind, the intermodal station in Warwick, Green Airport, which I think is very important to the East coast and also the North-South rail link in Boston.

Intermodalism means getting from door to door by the most efficient system possible. People don't take a plane to arrive at the airport or a train to arrive at a station. They want to get home or to an office or vacationsite. We need to make sure that it's possible to do so expeditiously and cost-effectively, and that new transportation technologies that promise to radically alter the way which we make that last mile or so of our trip. The technologies that I've seen in my private sector work have become realities.

At this point I want to talk briefly about the national passenger rail system, Amtrak. I want to make it very clear that my organization does not represent Amtrak or speak for it. We speak only for our own constituency. What Amtrak has accomplished under extraordinarily harsh and discriminatory environments, those accomplishments are remarkable. Without any regular source of capital and without any commitment from any source that it would survive from 1 day to the next, Amtrak has become the most cost-effective passenger rail system in the world. That may be hard to believe for those who catch only the headlines, which year in and year out point to Amtrak's struggles. But it is so. Amtrak recovers 84 percent of its operating costs from farebox revenue. No other major industrial country's rail system even comes close. Unfortunately, because of chronic undercapitalization, that high-wire act may be about to end in a disaster. Unless a regular source of capital is made available to the national passenger rail system, just as capital is made available for highways and airports, Amtrak is going to die. When that happens, sometime early next year unless it is turned around, there will be a transportation nightmare, the likes which we've never seen.

In your deliberations here and in the Senate, I would ask only that you include intercity rail in the category of eligible program recipients Federal transportation dollars, as I noted above, but that each of you, Senators, also support your colleague Senator Roth of Delaware, and his bill to create an intercity trust fund from the 4.3 cent deficit-reduction gas tax, for Amtrak capital expenditures. That action, plus a supplemental capital appropriation to catch Amtrak back up to its totally unfunded capital needs of the past 2 years, when it should have been receiving the proceeds of that Intercity Trust Fund, are essential if the Nation is to have a viable intercity passenger rail system. Finally, let us resolve to understand that above all else, we are now and must be one country, not North or South, East or West, but simply America. We owe that to ourselves and our children.

Thank you very much for letting me be here today.

Senator CHAFEE. Thank you, Mr. RePass. As you know, I'm in support of the Roth proposal of the half cent going there. I think it's very modest, a half a cent from that currently goes in the general fund, of that 4.3 cents .5 cents go to Amtrak.

And also in, Mr. Schiller, the point you made toward parking and use of automobiles is unfair; and I would certainly—Senator Moynihan co-sponsored the legislation which would allow employees to receive cash in place of, tax-free cash in place of this tax exempt

parking benefit. In other words, if it costs a thousand dollars to provide a parking space for a year, that's $300, the employer could give that amount of money to the employee to take public transportation; and that would be tax exempt.

Mr. SCHILLER. I encourage you to followup on that.

Senator CHAFEE. And I wrote you, Dan, about some of those innovative methods we've been talking about; and let me take—let me ask you about, what do you think about tolls under the administration's plan, reinstate the possibility of tolls on our highways, what do you think? Raise your hands, yes or no? You're not very bold with the way you raise them. No, how many no?

Mr. BAUDOUIN. Yes.

Mr. SCHILLER. Sierra Club is concerned that it would finance highways, that would be destructive. That's our reservation about it. Perhaps not in Rhode Island, but there are specific examples apparently out West.

Senator CHAFEE. You mean you have more highways?

Mr. SCHILLER. Yes.

Senator CHAFEE. I'm not sure why they'd be destructive.

Mr. SCHILLER. For the usual reasons, new highways.

Senator CHAFEE. Yes, I see. Well, this has been helpful; and one of the things obviously we've got to look into is the enhancements program and why it seems to be so complicated and filled with such delays. I think you've all touched on that.

Mr. REPASS. Perhaps the Senate can give waivers in states if they can do that. That's a state by state. But the secretary might also waive procurement procedures.

Senator CHAFEE. What is it, is the problem that they have going through so many procedural steps? I'm not sure. What is it?

Mr. SPALDING. I think we heard effectively from the Director, to give you a good example, we were talking about some money at the technical advisory meeting the other night and we asked one of the senior people at DOT why it would take so long. He said it would take 2 years to fulfill some storm work on a design. The question was—the answer was it just takes that long in the state. There clearly needs to be some hard looks at how we process projects like this; and indeed the Chief of Staff of the Governor shares the same concern you have. He was pulling his hair out over the same issue in a need to get this money expedited. Perhaps if he directed the head of the Department of Administration, the head of DOT, the head of DEM to sit down and look at what these delays are about in sort of a task force way. So I think the problem has been heard. Now the question is whether the followup can be that.

Senator CHAFEE. OK, thank you all very much for coming. How about a round of applause for our nice and patient stenographer?

[Applause.]

[Whereupon, at 12:16 p.m., the committee was adjourned, to reconvene at the call of the Chair.]

[Additional statements submitted for the record:]

STATEMENT OF GOVERNOR LINCOLN ALMOND, STATE OF RHODE ISLAND

I am pleased to welcome you, Secretary Slater, to the State of Rhode Island for this important hearing. Let me also say that it is my privilege to present testimony to the Senate Environment and Public Works Committee and in particular to its Chairman, Senator Chafee, on our State's behalf.

As this committee moves forward to reauthorize the Intermodal Surface Transportation Efficiency Act of 1991 legislation, known to us all as "ICE TEA", I would like to express my strong support for reauthorization, with simplification and refinement, but without significant change.

I carry this message today wearing many hats. I speak not only as the Governor of Rhode Island, but also as the lead Governor on the Transportation Committee for the Coalition of Northeastern Governors. Additionally, I am a founding member of the ISTEA Works Coalition. These coalitions represent regional and national perspectives and have spoken in unison, Mr. Chairman, Mr. Secretary. They all want a new ICE TEA that is much like the current legislation. A reauthorization with simplification and refinement, but without significant change. And I agree.

Passage of ISTEA represented a truly bipartisan effort and a revolutionary change from past transportation legislation. It signaled the completion of our Interstate system (although we have a local section of some concern that I will discuss in a minute) and looked toward addressing the new transportation issues and needs that would arise in the 90's. ISTEA was an important first step. We need to continue on this path.

Two example of such change included in ISTEA were the Transportation Enhancement Program, which sought to better integrate transportation projects into the surrounding community and the natural environment, and the Congestion Mitigation Air Quality (or "See Mack") Program which funds transportation projects that will contribute to the attainment of air quality standards.

In Rhode Island, I am pleased to say that these programs have met with much success. The enhancement and CMAQ projects, by their very nature, have allowed us to develop a more balanced transportation system that better protects our environment and preserves our historic heritage. These programs should be continued.

Most importantly, the new public process of determining specific projects for funding has brought together groups that, in the past, may not have been considered partners in our overall transportation planning program. These partnerships have provided an opportunity for all parties to better understand the goals and objectives we share and the obstacles that must be overcome to achieve them.

These successes show that ISTEA works. Therefore, I am extremely concerned with several of the proposals that are under consideration in Washington for ISTEA reauthorization. For example, in the "STEP 21" legislative proposal, funding for states would be based almost solely on fuel taxes paid into the transportation fund by each state. Environmentally, socially, and economically, I do not understand why Congress would wish to reward fuel consumption and punish fuel conservation. Nor do the other Governors of the Northeast.

This philosophy would support increased single occupancy vehicle trips (SOVs) and denigrate efforts to improve transit. I do not believe, for a minute, that that is our goal. The Northeast continues to make great strides in increasing usage of our transit services. In fact, we do not have the luxury to consider any other course. Our infrastructure is already overburdened by heavy usage, weather and age. I am extremely hopeful that Congress will reject efforts to finance transportation by SOV levels alone and consider a more balanced program offering intermodal choices that will address our national transportation system needs and usage.As mentioned in my opening, I am a member of various regional and national organizations who have unanimously endorsed ten ISTEA Reauthorization Principles which we believe represent essential provisions that will ensure equity, efficiency and adequate flexibility in reauthorization legislation. Please allow me to highlight these principles.

First and foremost, we believe it is imperative that Congress maintain the course set by ISTEA. This revolutionary legislation, while not perfect, recognized how interdependent the states' economies are and designed sound programs that benefit the Nation as a whole.

Second, as stated before, ISTEA should be reauthorized with simplification and refinement, but without significant changes. State, regional and local governments have invested heavily in making ISTEA work. This investment should not be wasted.

Third, we support authorization of the maximum level of Federal investment possible, over the life of the new bill, in our nation's multi-modal transportation systems. All sources of revenue that currently fund transportation should be maintained and maximized. Senator Chafee's recently proposed "Highway Trust Fund Integrity Act of 1997" is a sound compromise between deficit reduction and increased transportation funding. It deserves our support.

Fourth, the allocation of funds should be primarily based on needs. Adjustments to reflect system usage, system extent, level of effort, and each states' overall balance of Federal payments and historic distribution patterns should be considered.

In addition, discretionary funding programs must remain available to meet potential extraordinary and emergency needs that arise.

Fifth, we recognize the importance of and the need for the Federal Government's role as a key transportation partner to help fund highway, bridge and transit projects and to assure that a national focus remains on mobility, connectivity, uniformity, integrity, safety and research. Our nation's transportation programs should also continue to support related national goals such as improved air quality, economic competitiveness and improved quality of life.

Sixth, we need to preserve and strengthen the partnerships among Federal, state and local governments and between the public and private sectors which were formed by ISTEA. Shared responsibility for national transportation interests, encouraging public participation in the planning process, building national coalitions and the promotion of environmentally friendly intermodal transportation projects must be provided for.

Seventh, the Reauthorization of ISTEA should continue programs and refrain from creating any new funding categories or set-a-sides. Due to the varying conditions and problems from state-to-state and mode-to-mode, it should also allow greater flexibility between programs and eligibility within programs.

Eighth, we support minimizing proscriptive Federal regulations to allow for a more efficient and effective transportation program and eliminate Federal/state duplication. Reauthorized ISTEA should continue to reduce time consuming Federal reviews, onerous mandates and sanctions, and allow self-certification at the state level.

Ninth, state and local jurisdictions should be permitted to apply innovative financing solutions to address the growing transportation financing gap. States should be allowed to utilize their unobligated balances to guarantee bonds, enhance credit and capitalize state infrastructure banks. We should support continued opportunities for public/private cooperation. Senator Chafee has proposed legislation this year for such initiatives. We should get behind him on this idea.

Finally, we continue to support research, development and deployment of ways to improve quality and efficiency. This should include new intelligent technology such as ITS, a well as other new materials, designs and practices.

If these principles for a new ISTEA could be applied to Rhode Island in the years ahead we could take the good start that is working in the current ISTEA many steps further. With that in mind, I would like to take a brief moment and describe my vision for transportation in our state.

I see intermodalism, so often spoken about, flourishing in the Ocean State in the years ahead. Rhode Island requires an intermodal system that moves goods and people in and through our state. Let me list three primary examples; our plans for a new port, our expanded airport, and options for other travelers such as commuters.

The commercial port that is being developed at Quonset Point will need to provide intermodal choices for shippers and their goods. A third rail for freight traffic from Quonset Point is a critical part of my transportation vision. The voters of Rhode Island have agreed and work is underway to design and build this significant project.

New and expanded shipping service into Quonset will continue to grow in the years ahead. We will need to support this project with additional investment and other intermodal options in the years to come, such as an access road. This will reward us with strong returns as it provides the shipping community options for the movement of their goods.

Our airport passengers will also require choices for that facility to continue to flourish. Passenger traffic at the new T.F. Green terminal has been setting records. This is an excellent example of an investment which will show strong dividends to our state and the region. But what about intermodalism and connecting those passengers to their flights not only by cars but by a train station in Warwick? This option is only dreamed about by other airports. We have the Northeast Corridor running by the front door of T.F. Green. We should capitalize on such an asset.

Travelers and commuters also deserve choices. With an electrified high speed rail through the Northeast Corridor, our citizens will have meaningful choice in how to travel through our region while reducing congestion. Two and one half travel hours to New York City, roughly one half hour to Boston; these are milestones of a historic nature which are long overdue. We must continue to support intercity passenger rail.

The interstate system through Rhode Island will be in excellent condition when we finish the most recent round of repaving, with one major exception. The I–195 section through the downtown is requiring massive repair. After years of review the most logical solution is to relocate this roadway. This, Mr. Secretary, will require all of the creative energies we can muster to craft a financing plan. But we must succeed. By moving the roadway to the south we can dramatically improve safety,

reduce air emissions, decrease congestion, and extend the valuable park land that has revitalized our Capital City.

Our local roads and bridges must be repaired and maintained. With scarce resources, we must be certain to work with all parties involved to best take care of what we have.

My vision also includes a strong transit system. RIPTA, under Beverly Scott's guidance, has continued to maintain service in the face of Federal operating assistance cuts. Unfortunately, if those cuts continue, service will suffer. This, I believe, is the wrong message to send at a time when transit must be available as an intermodal choice.

Finally, the most basic form of transportation, walking, must never be overlooked. Coupled with biking, these modes deserve our support. Rhode Island has undertaken a strong Greenways program and will be starting more bikepath projects in the next few years than ever before. It is only fitting that Senator Chafee was awarded national rails-to-trails recognition yesterday. As with many of these issues, without his support and leadership, the broadening of travel options for our citizens, the ability to manage our infrastructure assets, and the protection of our quality of life would have been nearly impossible.

These three primary examples of intermodalism in Rhode Island, Quonset, the airport, and other modes for travelers, do not stand alone. To have a successful transportation system requires seamless connections between these modes and choices for users. That is my vision.

In conclusion, I thank you for this opportunity to testify before you. The task of reauthorizing ISTEA will not be an easy one. However, we look forward to working with you to create a refined ISTEA program that will address our country's transportation needs into the next century. I would like to repeat my strong support for reauthorization of ISTEA with simplification and refinement, but without significant change.

Again, welcome to Secretary Slater, and thanks to Senator Chafee.

STATEMENT OF SECRETARY OF TRANSPORTATION RODNEY E. SLATER

Mr. Chairman, I thank you for the opportunity to testify in behalf of reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the landmark transportation legislation which you played a major role in shaping 6 years ago.

This morning I would like to speak about the National Economic Crossroads Transportation Efficiency Act of 1997 (NEXTEA), the successor to ISTEA that President Clinton and Vice President Gore recently joined me in proposing.

I want to express my appreciation to you, Mr. Chairman, for introducing NEXTEA in the Senate. I know that last Tuesday you also introduced another major proposal, "the ISTEA Reauthorization Act," and that it shares many goals and themes with NEXTEA. We look forward to working with you on ISTEA's reauthorization during the forthcoming legislative process.

There is no question of the importance of reauthorization. As the President said when we announced our proposal, the bill "will create tens of thousands of jobs for our people, help move people from welfare to work protect our air and water, and improve our highway safety. This transportation bill literally will be our bridge into the 21st century."

NEXTEA, as far-reaching as it is, was not created in a vacuum: it carries forward many of ISTEA's principles and policies.

Before ISTEA, the different transportation modes were not viewed as part of an interrelated whole serving vital national interests, nor were transportation's impacts on other concerns, such as the health of our environment or the condition of our cities, the subject of enough consideration.

ISTEA changed all of that. Beginning with the first word of its title, "Intermodal," it signaled a change in how the Federal Government viewed surface transportation and a redefinition of its role in a partnership to improve mobility.

ISTEA emphasized an integrated approach to transportation planning and programming, looking at the different forms of transportation as parts of an interconnected network and bringing together many constituencies and interests which had not previously been part of these decisionmaking processes. For example, in New Jersey, metropolitan planning organizations have become full partners in transportation program decisionmaking since ISTEA's enactment.

ISTEA began to streamline Federal administrative processes, simplifying requirements and removing layers of oversight and eliminating many reporting mandates.

ISTEA revamped the statewide and metropolitan planning procedures and required that a broad range of transportation's impacts, such as those on air and water quality, be analyzed and, in many cases, actively mitigated through initiatives such as the Congestion Mitigation and Air Quality Improvement Program (CMAQ).

Together with cleaner vehicles and fuels, programs such as CMAQ have helped to improve air quality. In Rhode Island, CMAQ has supported incident and congestion management projects, a transportation operations center, and inspection and maintenance program planning and testing. Elsewhere in the northeast CMAQ has supported the Red Hook freight barge, which each day takes hundred of trucks off of New York City's streets, and the Auburn intermodal freight facility in Maine, which takes 12,000 trucks a year off of I–95.

In viewing transportation as a means, and not as an end in itself, ISTEA enabled state and local officials to set their priorities based not on what kinds of funding might be available but rather on what types of projects would best meet the mobility needs of individual communities and regions.

This emphasis on intermodalism was furthered by ISTEA's expansion of states' abilities to transfer funds between programs and among transportation modes. For instance, ISTEA funds were used to help support intermodal improvements to the T.F. Green Airport Terminal here in Warwick. In Pittsburgh, the new international airport will be served by a busway which is projected to reduce rush hour travel times to downtown by 36 minutes.

This support of integrating modes can be seen in smaller ways which also directly improve people's lives: in Acton, Massachusetts, we funded bike racks and lockers at a rail station, enabling Boston-bound commuters to bicycle for part of their trip, improving local air quality and reducing the need for parking.

Even as ISTEA changed how transportation projects and initiatives are selected, it also transformed how they are designed, Wendell, and built. Improvements in design and engineering have enhanced quality. Innovative contracting is beginning to cut construction costs, accelerate project implementation, and enhance value. For example, repair of I–95 in Philadelphia, damaged by a fire caused by an illegal tire dump, was completed nearly 4 weeks early through the use of incentive payments.

New materials developed under ISTEA-authorized research programs, such as high performance concrete and Superpave asphalt, are also increasing the useful life span of our infrastructure and reducing long-term replacement costs. In Glasgow, Delaware, the deck of a replacement bridge to be built next year on State Route 896 will be made entirely of fiber reinforced plastic which is lighter, more resistant to corrosion, and longer-lasting. I also understand that the Rhode Island State Department of Transportation will begin using Superpave components next year, and we look forward to seeing its benefits as it is fully phased in.

Experimental provisions within ISTEA have made possible innovative financing, which cuts red tape to move projects ahead faster and leverages Federal funding with private and nontraditional public sector resources.

The President's Partnership for Transportation Investment, which used ISTEA's experimental provisions for such strategies as toll credits for state matching funds and Federal reimbursement of bond financing costs, has advanced 74 projects in 31 states with a construction value of more than $4.5 billion, including more than a billion dollars in new capital investment directly attributable to this program. Many of these projects are progressing to construction an average of 2 years ahead of schedule.

For example, in Rhode Island track improvements to improve rail service will be added to the Amtrak corridor. Using a cash-flow technique known as advance construction, this $1 15 million project will be completed a decade earlier than under conventional financing. The project will directly benefit both Amtrak passengers and freight shippers, who will see fewer delays, and indirectly benefit travelers and commercial vehicle operators on I–95, who will see less congestion.

New Jersey used phased funding to begin work a year early on a new viaduct at the interchange of Routes 1 and 9 in Newark. The state also was able to apply toll road revenues used for capital investments as the match for Federal funds, effectively freeing up more than $800 million of state funds for other projects.

And yesterday I joined Senator Lieberman in breaking ground for the $410 million reconstruction of I–95 in Bridgeport. Using the technique of partial conversion financing to enable construction to begin a year early, Connecticut residents and interstate travelers will be able to benefit from the rebuilt road sooner.

ISTEA recognized that new priorities and new ways of doing business can best be encouraged by ensuring that the funding provided to support them is adequate. Toward this end, ISTEA increased overall Federal transportation funding authorizations. President Clinton has worked with Congress to make the most of those higher

authorizations, raising infrastructure investment by more than 20 percent, to an average of more than $25 billion annually over the past 4 years.

Nationally, that increased funding has helped to stabilize or improve many indicators of highway conditions and performance. The condition of highway pavement, which had been deteriorating, has stabilized, and the number of deficient bridges has decreased by nearly 17,000 since President Clinton took office. We have kept pace with our transportation system's maintenance requirements and stopped its deterioration.

Mass transit investment also has increased, enabling us to purchase nearly 26,000 new buses and nearly 600 new rail cars for state and local transit agencies. We also have helped to construct more than 100 miles of new transit lines serving more than 100 new stations. Transit speeds have improved by an average of about 10 percent.

In Rhode Island, this increased infrastructure funding is making possible major improvements such as the $250 million relocation of I–95 along the Providence River Hurricane Barrier, a project which would free up 23 acres of land in the downtown. I understand that the Rhode Island Department of Transportation is exploring a public-private partnership to help finance, design, and build this project, and we look forward to cooperating with them to leverage public sector resources and reduce the cost to the taxpayers.

This funding is making possible major regional improvements such as the South Station Intermodal Center in Boston, which links Amtrak, commuter rail, and bus service, and which serves as a key link to the Central Artery and to Logan Airport.

The reconstruction of SEPTA's Frankford Elevated Reconstruction Project in Philadelphia, which I visited on Friday, will take place while service continues, and is being funded in part through a grant which I presented.

The Queens Connector in New York, which I also visited on Friday, will increase the number of trains serving Manhattan and save commuters almost eight million hours of travel time every year, and I awarded a grant for this project as well.

And this afternoon I will join Senator Lautenberg to award funding for work on the Secaucus Transfer element of the New Jersey Urban Core Project, which will make commuter rail an even more integral part of that state's transportation system.

It is clear that transit is vital to mobility in the northeast, and ISTEA has made possible an unparalleled commitment to public transportation. ISTEA's greater programmatic flexibility has enabled funding to be transferred to transit and other urban priorities. Over $3 billion of flexible highway funding was used during the life of ISTEA for high-priority transit projects, increasing overall transit investment under ISTEA to more than $5 billion in fiscal year 1995 alone.

In the northeast, that has supported such initiatives as the forthcoming restoration of commuter rail operations through Massachusetts' Old Colony service to Boston and the introduction of passenger rail service to Rutland and to Burlington, Vermont.

Although record levels of funding have gone to transit and to such alternatives as bicycle and pedestrian programs in urban areas such as Providence, a substantial portion of ISTEA funding has continued to be used to maintain our highways, the backbone of travel in much of the nation.

In fact, from 1993 to 1995, 54 percent of funding from the highway account (as opposed to the transit account) went to system maintenance, compared to just half that, 27 percent, for capacity expansion. The balance of 19 percent was devoted to safety programs, to environmental and enhancement initiatives, or was transferred to transit.

ISTEA's legacy, then, is one of meeting the transportation challenges of the 1990's through new emphases and new strategies without neglecting traditional concerns. As we approach the 21st century and demands brought about by such varied factors as our economy's increasing globalization and our population's changing demographics, we want to build on ISTEA's successes.

After you honored me with your vote for my confirmation as Secretary of Transportation, Mr. Chairman, I pledged at my swearing-in to pursue three goals. First, to continue making safety our number-one priority. Second, to invest in our infrastructure to ensure that America's transportation system meets the needs and desires of the American people in the 21st century. Third, to use a common-sense approach to running the Department so that it works better and costs less. With NEXTEA, we are moving to achieve all three goals.

This builds on the effort begun 2 years ago, when we first started to consider what form ISTEA's successor should take. We began an extensive process of outreach to our constituents which included major regional forums, including one in Providence last September, and scores of other meetings involving thousands of

attendees from state and local governments, the transportation industry, other interested groups such as freight shippers and environmentalists, and the general public.

Overwhelmingly, the message we heard was that ISTEA has been a success, and that we should continue the many Federal programs that are working, refine those that have not yet fully realized their promise, and create new initiatives to meet the challenges of the new century. We believe that NEXTEA does all of these things.

It would increase overall Federal surface transportation funding authorizations by 11 percent, from $157 billion during the past 6 years to $175 billion for fiscal years 1998–2003, a level of funding consistent with our transportation system's requirements and the need to balance the budget during that same period.

By eliminating certain categories of spending, NEXTEA provides a 30 percent increase in core highway programs, such as those for Interstate Maintenance and the National Highway System. It also includes a 17 percent increase for transit major capital investments.

Mass transit capital investment has been redefined to include preventive maintenance. That would provide local transit operators with the flexibility to decide whether to prolong the life of existing assets, or to purchase new vehicles, facilities, or equipment.

If Congress funds NEXTEA at the levels we have proposed, it would mean nearly $710 million for Rhode Island over the next 6 years in formula-based funding alone, and more than $36.8 billion in the 11 states from Maryland to Maine. In fact, 49 of the 50 states would receive more funding under NEXTEA than under ISTEA. (The sole exception, Massachusetts, received unusually high levels of funding under ISTEA to support construction of Boston's Central Artery Third Harbor Tunnel project.)

Such funding also could be directed to urban priorities because of increases in the flexible Surface Transportation Program and because Amtrak intercity public rail terminals, and projects to improve access to public ports would be made eligible for funding.

This funding and the projects it would support could help to reduce the $50 billion a year that urban congestion costs commuters and freight shippers. There is also an even more direct economic benefit: the construction and other work which would be generated by this plan could support an estimated one million jobs over the next 6 years, including 4,800 here in Rhode Island and more than 238,000 in the 11-state northeast region.

NEXTEA would provide direct capital and operating assistance to Amtrak, including funding to continue improvements to the Boston-to-Washington Northeast Corridor. $4.766 billion would be authorized for the years 1998–2003. NEXTEA also would increase states' ability to use Surface Transportation Program, National Highway System, or transit funds for intercity services.

Separately, NEXTEA would continue to fund research and development of next generation high-speed rail technologies. This continuing research will lead to Amtrak's introduction of high speed service between Boston and Washington beginning in 1999. As you know, the electrification work needed to make this service possible between Boston and New Haven began in July 1996, and is well underway.

NEXTEA also sustains the Federal commitment to Intelligent Transportation Systems (ITS), which apply advanced information and communications technologies to transportation through systems available today such as ramp meters and synchronized traffic lights, and through technologies which could be available tomorrow, such as intelligent vehicles incorporating advanced collision avoidance systems and other systems now under development.

In metropolitan areas, these technologies can cut by 35 percent the cost of providing the highway capacity we need over the next decade. These technologies also can improve safety: if all vehicles were equipped with just one of three primary ITS crash avoidance systems—rear-end, roadway departure, and lane change/merge—we could prevent one out of every six crashes, more than a million a year.

NEXTEA would support ITS research and deployment through standards creation, training, and technology transfer. It also would fund work in collision avoidance and vehicle control systems to reduce crashes. We have proposed $678 million over the next 6 years for such initiatives.

We also have proposed a 6-year, $600 million incentive program to promote the integrated deployment of ITS technologies that are technically feasible and highly cost-effective. Some of these efforts are already under way using ISTEA funding; for example, Maryland's statewide traffic management center opened in 1995, and the state also is linking traffic detectors, pavement sensors, and fiber optic systems to improve traveler information on its freeways.

Safety, Mr. Chairman, cannot be emphasized enough. Our transportation system cannot only be about moving people and products efficiently, as important as that is to our prosperity: it must also be about enabling people and products to travel safely. Travel is safer than it was at the beginning of the decade, but as traffic increases, so does the possibility of more highway crashes, with tragic results for American families and a cost to our economy of more than $150 billion annually.

ISTEA has helped to make travel safer, supporting programs to prevent drunk driving and to raise safety belt use. In Rhode Island, the fatality rate has been cut nearly in half in just a decade, to a current level of one fatality per hundred million miles traveled, 40 percent below the national average. The state is now considering legislation to strengthen safety belt use and antidrunk driving laws, initiatives we welcome and support.

The President's proposal would increase funding authorizations for the National Highway Traffic Safety Administration's safety programs by more than 25 percent, and by supporting new programs targeted to the biggest safety payoffs: combating drunk and drugged driving and increasing proper use of safety belts and child restraints.

This would support the President's safety belt initiative which I announced last week. This initiative sets a goal of raising safety belt use to 85 percent by 2000, saving 4,200 lives per year, and to 90 percent by 2005, which would prevent more than 5,500 deaths.

NEXTEA also would enable Rhode Island to continue such effective initiatives as the "Cops in Shops" program, through which state and local police enforce the ban on liquor sales to minors.

It would focus on developing and promoting new ways to improve safety through partnerships, such as the Greater Providence Safe Communities Network which supports such activities as the Buckle-Up Hotline, a trauma registry, and an emergency medical services project in Providence's Hispanic community.

Although we are in the process of reviewing the new study of pedestrian safety by the Surface Transportation Policy Project and the Environmental Working Group, we agree that this is a real concern. Through NEXTEA and through other programs, we want to continue the expanded emphasis we have placed on pedestrian safety through such initiatives as the Partnership for a Walkable America For instance, we want to sustain our support of pedestrian and bicycle improvements, which can enhance safety. Under ISTEA, our funding of these programs has risen from $4 million annually to about $160 million a year.

Mr. Chairman, last week President Clinton submitted a proposal to Congress entitled the "Surface Transportation Safety Act of 1997." Although it is not the focus of my testimony today, I want to emphasize that this proposal is an integral part of our overall initiative to improve America's surface transportation system. It includes provisions to encourage states to adopt "primary" safety belt use enforcement laws, provisions to improve the safety of food shipments and hazardous materials transport, and initiatives to enhance the safety of pipelines, railroads, and mass transit systems. We see these additional titles as an integral part of the safety proposals included in NEXTEA.

I want to note that, while safety must always be our foremost concern, we believe we can make our roads safer without unnecessarily compromising roadside aesthetics and the condition of adjoining landscapes, and we are committed to working with states and localities to do this whenever feasible.

For example, in Pennsylvania pavement "rumble" strips, overhead warning signs, and skid resistant pavement in the Lewiston Narrows area have reduced fatalities to fewer than a fish of the total just a few years ago.

NEXTEA enables us to do build on these efforts through such initiatives as those to remove highway safety hazards and to eliminate highway-rail grade crossings. Funding nationally for these efforts, which also include improved intersections, signs, and other enhancements, will increase from $445 million annually under ISTEA to $575 million by 2003.

As the President said when he announced NEXTEA, "make no mistake about it, this is one of the most important pieces of environmental legislation that will be considered by Congress in the next 2 years. And I think it should be thought of in that way."

Our commitment to protecting the environment is seen throughout NEXTEA. As with highway safety, more traffic challenges the progress we have made. More travel could dilute the progress made through cleaner cars, fuels, and programs such as CMAQ. That is why we have to continue, and even expand, the efforts that have brought us this far. NEXTEA increases by 30 percent funding for CMAQ to help communities use various transportation initiatives to clean up their air.

It also would continue our commitment to protecting water quality and maintaining America's wetlands. Projects such as the Route 101 wetlands mitigation in New Hampshire, the largest such in the northeast, are proving their importance to our environment and need to be continued.

NEXTEA also sustains investment in bicycle paths, scenic byways, recreational trails, and other programs that cost relatively little but which greatly improve the quality of our lives. For example, last year the Merritt Parkway and State Route 169 in Connecticut, the Seaway Trail in New York, and the Kancamagus Scenic Byway in New Hampshire were designated as National Scenic Byways, and Rhode Island has been active in making plans to preserve the integrity of its scenic routes.

ISTEA's Transportation Enhancements program is supporting the Cliff Walk restoration in Newport, train station improvements in Kingston, Westerly, and Woonsocket, the Blackstone River Bikeway Access project, and Woonsocket's Market Square Common bicycle-pedestrian project, initiatives which are relatively low in cost but which improve our quality of life.

ISTEA also supported the restoration of the Woodbridge, New Jersey train station and the redesign of New York's Frederick Douglass Circle, an important gateway to Harlem and other northern Manhattan communities which I visited last October and again this past week. These projects shows how transportation improvements can enhance the quality of life for all of our citizens, not only those using a given part of the transportation system.

The President's plan also addresses other national priorities. It would help to reduce the barriers faced by those moving from welfare rolls to payrolls by encouraging affordable transportation to jobs, training, and support services such as child care, creating opportunity for many thousands of Americans. That is important, since two-thirds of new jobs are in the suburbs, only about 6 percent of welfare recipients own cars, and mass transit does not always serve suburban areas efficiently.

NEXTEA is intended to help bridge this gap between people and jobs. It includes a 6-year, $600 million program of flexible, innovative alternatives, such as vanpools, to get people to where the jobs are, whether they are in suburbs, in cities, or in rural areas.

Since transportation and construction jobs are among America's best-paying, we want to open opportunities in these fields for welfare recipients and other disadvantaged people. NEXTEA would increase incentives for states and localities to provide job training in conjunction with federally funded technology and construction projects, and to enable them to offer hiring preferences to welfare recipients and residents of Empowerment Zones and Enterprise Communities. We want to build on the efforts of states such as Rhode Island, in which 2 percent of highway construction workers last year were enrolled in special apprenticeship and training programs.

Under NEXTEA, we also propose to continue providing opportunities for small businesses and for women and minority entrepreneurs. We are encouraged that 12 percent of the Federal funds expended in Rhode Island on highway contracts last year went to such firms.

We also want to explore efforts to link mobility and human needs, such as Wilmington, Delaware's proposal to create a riverfront intermodal transportation center which also integrates housing and jobs. I visited the site of this proposed facility last Thursday, and I look forward to hearing about similar initiatives around the country.

NEXTEA also continues the commitment to common sense that President Clinton and Vice President Gore have brought to government operations over the past several years. NEXTEA proposes more common-sense ideas: focusing on results, not on process; cutting red tape and streamlining requirements; promoting innovation, such as more new ways to pay for roads and transit systems; and giving state and local officials even greater flexibility to target Federal funds to projects which best meet community needs.

NEXTEA expands our innovative financing program. For example, it includes $900 million in seed money for state infrastructure banks, which leverage private and other nonFederal resources, and opens this program up to all states. I know that Rhode Island has applied to use seed money from this program and from its regular Federal-aid apportionment to establish a $20 million bank and we currently are evaluating its application together with others we have received.

NEXTEA also dedicates $600 million for an Infrastructure Credit Enhancement Program to help leverage nonFederal resources for projects of national significance which individual states cannot afford, such as interstate trade corridors. That responds to states' needs in handling the increased traffic from NAFTA and other agreements to promote trade.

NEXTEA also makes the transportation planning process simpler and smoother for our state and local partners. It would streamline the 23 statewide and 16 metropolitan planning factors into seven broad goals that states and localities can use as appropriate to guide their planning. It would emphasize system operations and management so that planning considers a complete range of transportation options, including intelligent transportation systems, and it would expand planning's inclusiveness by ensuring that the concerns of freight shippers are heard.

NEXTEA also continues to transform Federal oversight by reducing project reporting and certification requirements. We know that we must trust our partners in state and local government and the private sector instead of burdening them with paperwork.

Finally, NEXTEA recognizes the need to replace outdated and outmoded funding apportionment factors, and has proposed Highway Trust Fund apportionment formulas that are fair and that relate well to the program's overall national objectives. Recognizing that a sudden change to the formula factors could disrupt ongoing state programs, we also have proposed certain equity adjustments to ease the transition to more accurate distribution of funds.

NEXTEA, in summary, is faithful to what we heard from our constituents: sustain ISTEA's principles, streamline its requirements, increase its flexibility, and raise its funding levels. NEXTEA would help to give Americans what they told us they want: a transportation system that is sensitive to environmental concerns and that enables them to get to their destinations safely, conveniently, and on time. We listened to them, and we learned, and we have produced a proposal which can take America's transportation system into the 21st century, and set our course not just for the next 6 years, but for the next 60.

As Presidents from Washington to Wilson to Eisenhower knew, transportation unifies a diverse nation, and creates opportunities for people to pursue their own vision of happiness. President Clinton and I are proud to continue in this tradition of support for sound transportation and look forward to working with you and your colleagues in Congress during this very important reauthorization process. Mr. Chairman, this concludes my statement. Now, I would be pleased to answer any questions you may have.

STATEMENT OF WILLIAM D. ANKNER, PH.D., DIRECTOR, RHODE ISLAND DEPARTMENT OF TRANSPORTATION

Senator Chafee, Secretary Slater, Governor Almond, others. . . It's a pleasure for me to be here this morning on behalf of the Rhode Island Department of Transportation. . . to express my strong support for the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA), without significant changes.

Passage of ISTEA marked a sea change in the way Federal transportation dollars can be spent. As opposed to relying on strict categories determined by Washington, ISTEA allowed states the flexibility to define their transportation needs. . . and finance most of them.

This is but one of the points where alternative transportation proposals, such as that offered by the Step 21 coalition, fall short.

It is as though we have not learned and grown through the ISTEA process over the past 5 years. Such proposals are a return to the "old ways" of doing business—and definitely not the good old days. Simply put, the opponents of ISTEA just don't get it.

The Step 21 plan allows money to be spent on air quality programs, but doesn't mandate such programs. It speaks to public involvement, but basically guts all the essential public requirements gained through ISTEA.

Vague language replaces specific requirements and policies. Transit issues are not even addressed. Specific programmatic goals and polices are negated or deleted.

Perhaps one of the most difficult provisions of ISTEA for all states has been the fiscal constraint requirement associated with the development of a States' Transportation Improvement Program (TIP). Quite frankly, it's caused us many a long night and a multitude of conversations.

However, due to the strong partnership requirements in ISTEA and the increased level of public involvement, these decisions have included wide representation from all affected parties.

No longer are all our transportation priorities determined solely be a select few. This is a major structural improvement that will likely be lost if ISTEA, as we know it, falls by the wayside.

They just don't get it. After finally bringing real public participation into the transportation decisionmaking process under ISTEA, they would go back to the days of rubber stamps and public disconnection.

As noted by Governor Almond, some ISTEA alternatives like Step 21 would structure the new system based directly on each individual state's fuel taxes paid into the transportation fund. In essence, a state would only get out what it put in.

A state's transportation deficiencies and general need would have no role in the process of determining allocations.

Again, they just don't get it. Single Occupant Vehicles (SOV) and Vehicle Miles Traveled (VMT) based funding formulas would result in more pollution, greater energy use and devastation of our mass transit programs.

We cannot turn our backs on the progress we have made in these areas, under the bogus refrain of equity.

No other Federal program allocates resources on the basis of contributions. Resources are appropriated on the basis of need. It does not appear appropriate to totally change course at this time.

The ISTEA alternatives have no role for states and local governments managing their transportation systems. Technology solutions such as ITS seem absent from their programs.

Once again, they just don't get it.

We can't build our way out of congestion. We must manage our transportation needs.

For example. It's been shown that simply synchronizing our traffic lights can restore 10 to 15 percent of capacity during the average commute.

Every 1 minute improvement in incident response time saves 4 minutes of congestion. These are the kinds of improvements we must continue to focus on.

The ISTEA alternatives would also undercut national needs for local preferences. Here again, they just don't get it.

The basic structure of ISTEA is similar to that of an orchestra, with a combination of talented musicians and artful conductors performing together in a symphony.

The non-ISTEA solutions are akin to several individual musicians playing their own tunes, with a hope that they will somehow blend together as a unit. I believe we should do more than hope that our national transportation needs are being met.

The world has shrunk. Increasing interdependence means improvements made in California will certainly effect freight and people movement in Rhode Island. In concert with the Federal Government, we must continue to recognize and promote this interdependency connection.

ISTEA works. It works for our nation. It works for our highways and bridges that connect our cities. It works for transit. It works for Rhode Island. And it also works for smaller communities.

The transportation enhancement program has probably done more good in this regard than any other program in allowing Federal dollars to meet basic local needs.

Just yesterday I had the opportunity to join Senator Chafee at Market Square Common in Woonsocket, Rhode Island. Thanks to the Enhancement Program, the city center will be completely revitalized to accommodate motorists, bicyclists and pedestrians in a completely integrated manner.

This type of project can revitalize a large city or a small town. It's a shame that those who would reverse this progress just don't get it.

In closing, the opponents to ISTEA cite many restrictions and obstacles to the implementation of ISTEA. We share some of their concerns. However, they just don't get it.

In many cases it's not the law that has caused the problems. . It's the regulations and procedures. A good example of this is a situation we faced in East Greenwhich, where we had to fix the staircase at the local courthouse.

Despite the relatively tiny amount of enhancement funds needed, we still had to comply with the standard Federal guidelines—making the project much more complicated than it should have been. We can, however, fix this problem by streamlining such requirements, without changing the fundamental structure of ISTEA. This is the kind of improvement we should be focusing on.

Consequently, in Rhode Island, along with my ISTEA Works group colleagues, we have developed a package of proposed legislative and regulatory changes, to help streamline and make improvements to ISTEA.

I feel very fortunate that my ISTEA Works colleagues have allowed me to be the first to present this list of improvements, which is included along with my written testimony. (Hold up list).

Instead of abandoning ISTEA, we should be working to improve the crucial benefits we have realized through ISTEA. Benefits such as (a):

- Recognition that the Federal role extends beyond the interstate roadway to a matrix of roads, bridges and intermodal facilities that are multi-jurisdictional but essential to interstate mobility.
- Endorsement of a strong Federal role in preventative maintenance for a sound national transportation system.
- Recognition of the importance of integrating all modes of transporting people and goods, particularly transit.
- Creation of the Enhancement and Congestion Mitigation Air Quality programs.
- Expansion of the role for public and MPO involvement in transportation planning and program development.
- Realization that we need to manage our transportation system. No longer are the DOT's simply builders and landlords. . . We are mangers of a transportation business.

It is these very strengths that we see lacking in major transportation proposals such as that offered by the STEP 21 coalition and others.

Before I conclude, I'd like to address an issue that, to the best of my knowledge, has not been discussed in any of the testimony to date. The issue is accountability. There is a role for the Federal Government to play. These dollars should not be parceled out as a block grant. The Federal Government has a right to see that they are getting the proper bang for their buck.

And they have a right to insist on performance criteria for allocation of Federal resources. Performance measures and accountability must be woven into the ISTEA programs.

I want to once again thank you for the opportunity to speak here this morning. The task before this committee is not an easy one. However, I look forward to working with you to help put together a transportation act that's right for our nation and will allow our transportation system to prosper into the twenty-first century.

Thank you.

STATEMENT OF BEVERLY A. SCOTT, GENERAL MANAGER, RHODE ISLAND PUBLIC TRANSIT AUTHORITY

Good morning, Mr. Chairman and members of the committee. I am Dr. Beverly A. Scott, general manager of the Rhode Island Public Transit Authority (RIPTA).

The Rhode Island Public Transit Authority provides one million Rhode Islanders with affordable and accessible bus service. With an annual budget of $34 million, a staff of 507 and a fleet of buses numbering 225, last year RIPTA moved nearly 19 million riders through 36 of its 39 cities and towns. We are able to continue providing this important service to Rhode Islanders due in large part to the Intermodal Surface Transportation Efficiency Act of 1991—more commonly known as ISTEA.

Mr. Chairman and members of the committee, I am speaking before you today on behalf of the people of Rhode Island. They and I congratulate you on your foresight and wisdom in creating ISTEA.

My testimony today will clearly demonstrate the positive effects of this revolutionary act. I will present examples of how ISTEA works for Rhode Islanders and how it has created revolutionary change in the ways the Rhode Island Public Transit Authority meets the needs of its citizens.

I will outline our state's accomplishments, which is also the home state of your chairman and the father of RIPTA, our Senator, John Chafee. It was his vision and leadership that helped create a new direction for transportation funding. It was his vision and leadership 30 years ago—when he was Governor of Rhode Island—that created the Rhode Island Public Transit Authority.

Sen. Chafee's foresight makes Rhode Island one of a handful of statewide transit operations in the nation. The multiple benefits of a statewide operation are enormous. Through coordination of services, we avoid duplication, reduce our operating expenses and make the best and most efficient use of our personnel.

Public transit is a critical part of life in Rhode Island. We rank third in the Nation in the number of residents 65 and older. Nearly 19 percent of our daily riders are elderly or persons with disabilities. School children, low-income families and welfare recipients comprise a significant portion of our ridership.

In 1999, under the Clinton plan, Rhode Island will lose up to $10 million in Federal funding. It will dramatically affect our quality of life and the way people live and work in our state. The effects of reducing RIPTA's $36 million dollar budget by $10 million will seriously alter the quality of life for the people of Rhode Island.

ISTEA funding has made it possible for the Rhode Island Public Transit Authority to provide basic services to our customers. There are no frills, no bells or whistles

in our operating budget. There is nowhere to cut the budget that would not have a major effect on public transportation for Rhode Islanders.

When you invest in Rhode Island with ISTEA, you help to provide the linkage over an entire state that improves the mobility opportunities for our citizens.

When you cut our fair share of funding, you eliminate the lifeline for the people of Rhode Island.

People like Mary Ann.

A single mother with two school age children and a pre-schooler, Mary Ann is struggling to create a life for herself that doesn't include public assistance or food stamps. So 5 days a week, Mary Ann awakens her three children at six o'clock in the morning, prepares their breakfasts and lunches, gets herself and the children dressed and out the door by seven. She walks to the corner of her street and catches the first of three RIPTA buses she will take to get her three children to elementary school, a day care center and finally to her school—a literacy center where she is receiving lessons in reading and writing, and job training for a career in the health field.

Fortunately for Mary Ann, and many like her, RIte Care makes it possible for her to ride the bus. RIte Care is Rhode Island's health insurance program for low-income children and pregnant women. It's also the state's managed care program for families that need assistance. RIPTA saw the need for a linkage with the RIteCare program well before the national focus on welfare reform. ISTEA allows us to maximize this Federal funding investment by creating this local program to better serve the needs of people like Mary Ann.

And people like the Jamestown (RI) town manager who chairs the Transportation Improvement Program (TIP) in Rhode Island. Comprising city planners, environment leaders, department of transportation representatives and community members from all walks of life. The TIP Committee in RI is the decisionmaking authority for ISTEA funding.

For example, the committee targeted our Bike Rack program as worthy of funding. In a few months every one of our 225 buses will be equipped with bike racks. Connecting mass transit and bicycles for congestion reduction and air quality improvements is a natural fit. Not everyone is within walking distance of bus routes, nor do they wish to drive to a fringe parking facility. At a relatively low cost, the Bike Rack program will produce long lasting positive effects on air quality improvements, fuel and traffic reduction.

Not only do these examples point up how RIPTA—through ISTEA funding—is responding to the needs of the community, it clearly illustrates how we work hand in hand with other state and local agencies in delivering transportation choices.

ISTEA: A revolutionary act creating revolutionary change for Rhode Island

The Intermodal Surface Transportation Efficiency Act of 1991 was not only landmark legislation, it was revolutionary. By changing the way the Nation view's surface transportation, it set the course for the public transit challenge for the next millennium. To meet this challenge, we must continue to find ways of reducing congestion on our highways. At the same time, we must find ways to provide affordable and accessible transportation choices for a nation that is increasingly on the move.

Continued ISTEA funding for public transit is critical. The expected loss of Federal operating assistance—as President Clinton has proposed—will hurt RIPTA more than the larger systems who are less dependent on operating assistance, or the small systems slated for continued operating support.

For urbanized areas with more than 200,000 people, the Administration proposes to expand the definition of capital to include "preventive maintenance" costs of transit assets, contracted American with Disabilities Act (ADA) paratransit services, and debt service. This added flexibility would replace operating assistance.

There is no firm definition of preventive maintenance costs. In order to realize the maximum benefit from this additional flexibility, the definition needs to include all normal direct and indirect maintenance operating costs, i.e., all labor, parts and material utilized to maintain the Authority's rolling stock, non-revenue vehicles, physical plant and equipment.

We can not lose sight of the positive and productive impact that ISTEA has had in Rhode Island. It has allowed Rhode Islanders to make transportation decisions for Rhode Islanders. The people know what roads need to be paved. The people know the importance of repairing and maintaining our bridges. The people have a right to choose their modes of transportation. In fact, more people today are choosing RIPTA as their transportation choice than ever before.

More transportation choices

Joe and Ellie live in North Attleboro, Massachusetts. Once a month on a Saturday morning, they drive from their home to Pawtucket, RI, where they park their car in a Park and Ride lot. They take a RIPTA bus to Providence and walk a short distance to the train station. They board the train to New York where they catch a Broadway matinee followed by a late lunch or some shopping. At the end of the day, they reverse their travel pattern and are home again in time to feed their two Golden Retrievers a late supper.

Rhode Island's central location is the heart of the Golden Triangle and illustrates the efficiency of the Northeast Corridor. Joe and Ellie's day in New York illustrates how ISTEA funding is providing a quality of life for people by offering them an ever-expanding menu of transportation choices. These choices include RIPTA, Amtrak and the New York transit system.

ISTEA: Providing a quality of life for the RI community

Concerns about transportation's impact on natural and built environments are reflected in ISTEA. Thus, ISTEA forged a stronger link between transportation and air quality planning. Although there are differing opinions about the best way to reduce air pollution, ISTEA has encouraged the transportation community to address this problem.

RIPTA is addressing the problem by providing free rides during Ozone Alert Days and by installing bike racks on its fleet of buses. RIPTA's innovative Newport Summer Enhancement Service has improved transit service in our world-famous City by The Sea. RIPTA, in partnership with community groups such as the Chamber of Commerce, the Newport Preservation Society, government officials and the tourist industry RIPTA designed a summer transportation system to tourist attractions 7 days a week. The City of Newport, Rhode Island's most congested traffic area illustrates a targeted demonstration of what good transit service can do in mitigating congestion and associated air pollution, as well as encouraging tourism—one of Rhode Island's most important industries.

At the same time, ISTEA gave us the flexibility to create transit programs that are working for Rhode Islanders like Mary Ann, Joe and Ellie.

At RIPTA, we constantly remind ourselves that public transit is about people. We listen to our customers and respond to their needs. When the RIte Care program was introduced in Rhode Island, RIPTA saw a way to provide and improve services to low-income mothers and their children. We responded rapidly to the Federal mandates of the American Disability Act and created a statewide paratransit service, which provides the elderly and disabled with door to door transportation. RIPTA coordinates both its ADA and statewide paraptransit services through its RIDE program. This program is one of the most highly coordinated and cost-effective paratransit services in the nation.

Fair Share

RIPTA subscribes fully and enthusiastically to ISTEA basic tenets: Flexibility, local decisionmaking and linkage with the environment and community needs. If we are to continue providing these lifeline programs to one million Rhode Islanders, we must receive our fair share of Federal funding.

In 1991, ISTEA authorized more than $155 billion nationwide over a 6-year period. Rhode Island received more than $52 million from 1991–1996, allowing us to maintain service to its citizens. We urge you to maintain our current level of funding so we can continue to provide basic transportation services to one million Rhode Islanders. We ask you in this reauthorization to "hold us harmless" from any Federal funding reductions.

The future of public transit in our state is at a critical juncture. We are desperately trying to avoid major service reductions and fare increases, while implementing much-needed services that will improve linkages between our public transit system and regional systems.

RIPTA: Proposals for the future

The reauthorization of ISTEA—or ISTEA II—will provide the lifeblood critically required to maintain services for one million Rhode Islanders. It will allow us to expand mobility opportunities for our elderly and disabled citizens, our low-income and welfare families and our children.

RIPTA is well poised to participate in programs that target these populations. We rank third in the Nation in the number of residents 65 and older. As a next step in our paratransit service, RIPTA is looking to provide "seamless," integrated transit service statewide by fully coordinating traditional fixed route service using larger vehicles with the more flexible paratransit operations.

RIPTA looks to the future with a vision for coordinated statewide transportation services. The future for RIPTA could include: Transit Community Centers: Establish satellite community centers at key locations across the state, which would include customer service enhancements, and which would be connected to RIPTA's central dispatch/communications center in Providence. People mover: Link the Warwick rail station to the T.F. Green Airport Interstate Transportation: Provide commuter and intercity rail facilities and services. Increasing mobility in an older urban area: RIPTA can provide quality public transit in older urban areas by advancing innovative ideas and methods to include:

- Internet access to electronic schedules and route maps
- Security lighting, signage and schedule information improvements at street level
- Heated shelters in key locations
- Statewide electronic debit card for transportation services and fees
- Revised fare structures to promote transit when roadways are congested
- Multi-use community centers, including a full range of customer transit information services, private sector and non-for-profit development opportunities such as day care and health care facilities, senior centers, banking and postal services and convenience shopping.
- Technology projects: Design and build a facility that incorporates the latest in bus facility design and maintenance equipment and technology, accommodates alternative fuel and provides opportunities for governmental mixed use.
- Central RIPTA Communications Information Center: Establish a state-of-the-art Transit Community Center in Providence—the Authority's current central transit service hub—including RIPTA's central communications/dispatch and customer service center.

This would blend the latest in information technology with the notion of livable community space that "works for people." Also, it will help position the transit system for the additional activity anticipated with the opening of the Providence Place Mall.

- Balanced Transportation: The challenge for the next millennium

The reauthorization of ISTEA will provide Rhode Islanders with affordable and balanced transportation choices, increase economic productivity and improve the quality of life for all our citizens.

ISTEA's focus on increased mobility, reduced highway congestion and rebuilding a decaying infrastructure has created a new foundation for the future of this nation's transportation needs.

The Intermodal Surface Transportation Efficiency Act of 1991 was a major advance in national transportation policy and must be reauthorized with a Rhode Island "hold harmless" provision in 1997. RIPTA is committed to the three basic principles for ISTEA reauthorization:

1. The Federal Government must retain its commitment to transportation: An efficient, balanced and sell-managed transportation system is vital to the well-being to Rhode Island and our citizens.

2. Maintain a strong local role in setting priorities: Transportation investment decisions affect communities in a host of ways, and local officials who are closely tied to community concerns must have a strong role in setting priorities and choosing projects.

3. ISTEA must continue to guide Federal involvement in transportation: ISTEA made major progress in moving decisionmaking closer to the people affected by transportation spending, in making Federal money flexible and in addressing the impact of transportation on communities and the environment. We believe ISTEA must remain the blueprint for Federal transportation policy when it is reauthorized in 1997.

In 1991 the Rhode Island Public Transit Authority served 13.4 million riders. In 1996 18.5 million riders chose RIPTA as their means of transportation. We attribute this remarkable 36 percent increase to ISTEA funding. ISTEA gave us the flexibility to create transit programs that work for Rhode Islanders.

Through ISTEA's Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Flexible Funding, we developed successful transit programs such as: Ozone Alert Days: A program that provides free bus transportation to commuters on days when the Ozone level is high as determined by the state Department of Environmental Management. Revolving Capitol Development Fund: Established for the timely replacement of buses, an environmentally sound and cost-effective measure. URI RamPass: A program that expanded service to the University of Rhode Island and residents of South County, RI. 1/2 Off Monthly Pass: A program providing free bus service to commuters during road construction projects. Bus Bike Racks: Installation of bike racks on our buses to encourage residents to use alternative transpor-

tation choices. Newport Summer Enhancement System: A program encouraging tourism—one of Rhode Island's most important industries. RIPTA and the Newport community designed this program to provide 7-day-a-week transportation for tourists during the summer months.

Mr. Chairman and members of the committee, I hope that my testimony today has clearly demonstrated the positive effects of ISTEA funding.

On behalf of Mary Ann, Joe and Ellie, and all Rhode Islanders, I urge you to recommend the reauthorization of ISTEA so we can continue to receive our fair share of Federal funding.

The reauthorization of ISTEA will ensure a solid foundation for economic growth by moving people and goods efficiently through a comprehensive, integrated network in and among Rhode Island's rural, suburban and urban areas.

Thank you.

STATEMENT OF EDMOND S. CULHANE, JR, SUPERINTEDENT, RHODE ISLAND STATE POLICE

Senator Chafee, Senator Reed, Representative Kennedy and Representative Weygand, my name is Colonel Edmond S. Culhane, Jr. and I am the Superintendent of the Rhode Island State Police. I am here today to implore your support for reauthorization of the Intermodal Surface Transportation Efficiency Act, commonly known as "ICE TEA." ISTEA was created in 1991 to renew our surface transportation programs to address the changing needs for America s future. It was to create jobs, reduce congestion, foster mobility and rebuild our infrastructure while protecting our precious environment. In essence, this Act was established to catapult the United States into the global marketplace of the 21st Century.

While I support the overall intent of ISTEA, ISTEA has also allowed the Rhode Island State Police to achieve goals that it would not have been able to otherwise accomplish.

If we look back during the early 1980's, commercial vehicles emerged as a safety issue due to the increasing number of unsafe commercial vehicles on our highways along with the increasing number and severity of crashes involving commercial vehicles. Furthermore, the occurrence of accidents with carriers of hazardous waste was also on the increase. As a part of the Surface Transportation Assistance Act of 1982, Congress enacted the Motor Carrier Safety Assistance Program (MCSAP), commonly referred to as "MIKSAP," in 1983 to address these problems. The Program was designed to foster safer commercial vehicle travel, while increasing the level and effectiveness of enforcement activity to detect and correct safety defects, driver deficiencies and unsafe carrier practices. In 1991, ISTEA s Title IV, entitled "Motor Carrier Act of 1991," was established and assumed the MCSAP responsibilities.

Over the course of the past 10 years, the activity of the Rhode Island State Police Commercial Enforcement Unit, which is responsible for enforcing the MCSAP regulations, has increased astoundingly. Though the Unit has only been comprised of eight (8) to ten (10) members, each year they conduct approximately 5,000 safety inspections of trucks and buses. These inspections reveal approximately 16,000 violations each and every year. Some of these violations are so severe that over 1,000 vehicles and drivers a year are placed "Out of Service" right then and there until the deficiencies can be corrected. In addition, members of the Commercial Enforcement Unit have assisted in the training of commercial fleet operators regarding driver training, fleet inspections, and Federal/state documentation programs. The Unit is also heavily relied upon by local police departments for their expertise and knowledge pertaining to commercial motor vehicle regulations.

Though I cannot estimate how many lives were saved, how many injuries were prevented or even put a price on the increased safety of our roadways as a result of the Rhode Island State Police CEU s enforcement efforts, I can say this. Without this Unit, 5,000 commercial vehicle safety inspections would not have been completed each year, 16,000 commercial vehicle safety violations would not have been detected each year and over 1,000 extremely unsafe drivers and/or commercial vehicles would not have been prevented from driving on Rhode Island highways each year. Of all the Units comprising the Rhode Island State Police, the Commercial Enforcement Unit is the one that consistently and most often evokes positive comments from our citizens.

The Rhode Island State Police quandary revolves around the reduction in basic funding and the elimination of secondary funding for MCSAP activities. ISTEA appropriations are based on a population and highway mileage formula in which the State Police receives the minimum basic grant. In past years, we have also received

a secondary grant strictly to help pay salaries and benefits. Each year, the secondary grant has been reduced by ten (10) percent while personnel and benefit costs have continued to rise. (Rhode Island is one (1) of seven (7) states that receive secondary funding since these states have smaller populations and limited highway mileage.) Since the Rhode Island State Police Commercial Enforcement Unit is funded entirely external from the State Police general revenues and that we have no additional financial resources to supplement the eliminated secondary grant, we depend on these funds to survive.

The MCSAP grant program is a 80/20 grant program requiring a 20 percent match in State funds. Due to the State s fiscal woes, we must rely on the Rhode Island Division of Public Utilities and Carriers (PUC) as the principle source of the State match. In addition to the Federal grant dollars and PUC match money, the PUC also provides the Commercial Enforcement Unit with an extra $250,000 dollars to meet the other necessary operating expenses. In all actuality, the 80/20 split has actually come very close to a 50/50 split.

The Rhode Island State Police has been notified that in Fiscal Year 1998, we will only receive our basic minimum grant since the secondary grant is being discontinued. At this level, the Rhode Island State Police CEU budget would be approximately $75,000 less than the Fiscal Year 1997 budget. This would require the elimination of several positions from our CEU.

You may be asking, "What does this have to do with the reauthorization of ISTEA?" Well, plain and simple, if our Commercial Enforcement Unit funding is reduced, so will our enforcement efforts toward the safety of the commercial trucking industry. Unsafe vehicles, carrying too much weight and being operated by inexperienced, untrained and many times sleep-deprived drivers will increase without a strong law enforcement deterrent. Furthermore, one must contemplate the effect that the North American Free Trade Agreement and the opening of our borders will have on our commercial trucking industry. Foreign commercial vehicles, who may not face the same stringent inspection standards as the United States commercial vehicle industry, will be traveling our highways. As Rhode Island lies on the major corridor of the East coast, along with being one of the oldest segments of the National Highway System, one can strongly surmise that negative ramifications will be felt here in Rhode Island.

According to the National Highway Traffic Safety Administration s 1995 Traffic Safety Facts, the Nation has made great strides in reducing the overall involvement of large trucks in motor vehicle crashes along with reducing the fatality rate of large truck occupants involved in motor vehicle crashes. If the number of unsafe commercial vehicles operating increases, we can only have a determined set of results: more deaths, more injuries and more motor vehicle crashes involving commercial vehicles. We should not stop the progress we have made since much more can be done.

My solution would be to increase the overall grant allocation to states from the proposed $100 million to $105 million. This would allow each of the smaller states to receive a minimum grant of $500,000. Since we are not asking for money to be reappropriated from the larger states to the smaller states, we feel this is the most equitable solution. Therefore, Rhode Island, which by no fault of its own has a smaller population and less highway miles, would be eligible for the minimum $500,000 grant.

Title II of ISTEA also provides an integral funding component to promote traffic safety programs through the State and Community Highway Safety Grant Program, commonly referred to as Section 402 funds. These funds support law enforcement s effort to reduce the death and destruction that have become much too commonplace on our highways. These grants allow law enforcement agencies flexibility in supplementing their regular traffic safety enforcement duties. The funding allows for additional enforcement personnel, audio visual materials and educational resources to spread the traffic safety message concerning certain issues: speed limits, occupant protection, impaired driving, motorcycle safety, and school bus safety to name a few. With traffic crashes claiming over 40,000 lives each year and costing the Nation roughly $137 billion dollars in medical costs, insurance premiums, unemployment / disability taxes, Social Security costs and lost wages, we as a responsible and caring Nation must do all we can to continue preventive education and law enforcement funding toward traffic safety programs.

Title II also stipulates funds for the development and promotion of the Drug Recognition Expert Training Program. This Program trains law enforcement officers to recognize and identify individuals operating motor vehicles while impaired by alcohol and/or other controlled substances. Prior to the establishment of this Program, law enforcement officers had little recourse should they discover someone operating a motor vehicle while impaired with a blood alcohol content of zero. With this Program, trained law enforcement officers can test an individual using non-intrusive

techniques. Because of the highly specialized training, the law enforcement officer s testimony can be accepted in a court of law just as a breathalyzer result would have been. Though I would like to train many of the Troopers, money and time constraints have only allowed for two (2) Troopers to become certified as Drug Recognition Experts. With today s society where illegal controlled substances are readily available, this Program will be extremely important to both diagnose and prosecute careless individuals operating motor vehicles while under the influence of intoxicating liquor and/or controlled substances.

In conclusion, fully funded reauthorization of Title IV, entitled "Motor Carrier Act of 1991" and Title II, entitled " Highway Safety" of ISTEA is necessary to carryout the original vision for surface transportation in America. These two Titles not only promote economic vitality, but they also safeguard the lives of Americans we have sworn to serve. Since transportation will only increase in the forthcoming years, any reduction in our enforcement efforts can only lead to more traffic crashes, more tragedy and increased medical, insurance and tax costs. It is imperative that we as a Nation continue to foster reliable, but safe, surface transportation programs as we travel into the next millennium.

Thank you for inviting me to testify today and I would be happy to answer any questions you may have.

STATEMENT OF EDWARD F. SANDERSON, EXECUTIVE DIRECTOR, RHODE ISLAND HISTORICAL PRESERVATION AND HERITAGE COMMISSION

I have had considerable experience working with ISTEA over the last 4 years in three specific programs. First, as Executive Director of Rhode Island's state historic preservation office, I review every transportation project which might impact historic properties. Second, I am Chairman of Rhode Island's Transportation Enhancement Advisory Committee. The Enhancement Committee solicits and evaluates proposals for all Enhancement projects included in the state transportation improvement plan (TIP). Third, I am the Vice Chairman of Rhode Island's Scenic Roadway Board, which is our state's connection with the national scenic by-ways program.

I am pleased to have this opportunity to address the reauthorization of ISTEA, and it is a particular pleasure to have this chance to publicly thank Senator Chafee for his leadership in enacting ISTEA the first time and for the active and effective support Senator Chafee and his staff have given in making this law work in Rhode Island.

HISTORIC PRESERVATION

Historic Preservationists have known for a long time that the impacts of transportation projects extend way beyond the edge of pavement. Many people in the historic preservation movement believe that over the last 40 years, probably no Federal program has been more destructive to America's historical and archaeological resources than highway construction. Thousands of buildings and sites have been sacrificed to construction of interstate highways and widening of local roads. Even when individual landmarks have been spared, too often transportation projects have ripped the fabric of community life by isolating neighborhoods, destroying scenic beauty, and encouraging the development of ugly commercial strips. Whether justly or not, transportation projects are frequently accused of contributing to visual pollution, urban sprawl, and the undermining of America's historic city cores and rural villages.

Here in Rhode Island, the odds are good that transportation projects will affect a historic building or archaeological site because we have so many historic resources. We are a small state in land area, but we have the highest density of historic properties in the United States. Today's highways follow the course of early roads laid out centuries ago, and historic districts in our towns generally developed along early roads. Projects which widen, straighten, realign, or reconstruct these roads can destroy individual historic buildings and can leave an ugly scar through the heart of historic neighborhoods.

ISTEA addresses these problems in several positive ways which add to and improve upon the previous regulatory framework. The emphasis ISTEA gives to community-based planning and public participation improves the chances that broad community concerns will be satisfied. Furthermore, ISTEA offers new flexibility in the design of transportation projects. The use of approved design exceptions or alternate design standards allows state DOTs to correct deficiencies in existing roads without the disruption and environmental and economic cost of full reconstruction.

I am proud to report that during the last 4 years, the State Historic Preservation Office which I head and the Rhode Island Department of Transportation have had an effective working partnership. I know many men and women working in the RI

DOT who have welcomed the opportunities which ISTEA provides. On scores of projects, we have identified important historical properties, and with input from the local residents we have developed highway construction plans which avoid damage to those cultural and community resources. In several cases, we and the DOT have collaborated on historic preservation projects, such as restoration of Bellevue Avenue which is lined by Newport's famous historic mansions and rehabilitation of Albion Bridge, a 19th-century iron truss bridge located in the Blackstone Valley. The increased flexibility which ISTEA offers makes it easier to incorporate historic preservation measures into projects than previously.

ENHANCEMENTS

One of the most important ISTEA programs to deal with community-wide impacts of transportation is Enhancements. Four years ago, Rhode Island established an Enhancements Committee to review proposals for this new category of funding. The Committee, which I chair, has seen how many ways transportation relates to the life of our state's communities. The 11 members of the Committee have a broad range of backgrounds, including historical preservation, environmental conservation, local government, passenger rail, tourism, planning, and transportation.

Our committee developed an open and broad-based process for selecting projects based on objective criteria. It is evident that the Enhancement program meets a need felt by many Rhode Islanders. The extent of public interest is demonstrated by the large number of applications and the creativity of individual proposals. We received 197 proposals, representing nearly every city and town, many non-profit organizations, and individual citizens. The 46 projects finally selected by the Committee deal with the needs of pedestrians and bicyclists, will help to protect water quality, save open space, preserve historic resources, eliminate visual blight, and make neighborhoods and civic centers more attractive.

Here are four examples of Rhode Island Enhancement projects:

- In Providence, Mathewson Street crosses the Downtown Historic District and connects the Performing Arts center with our new convention center. An Enhancement project rebuilt Mathewson Street with amenities appropriate to a historic area in order to encourage use by pedestrians as well as cars and support the marketing of our performing arts and convention centers.
- In Westerly, an Enhancement project is restoring the rundown historic railroad station for continued rail-passenger service. The restored station will support efforts for downtown commercial revitalization and become an intermodal transportation center.
- In Woonsocket, an Enhancement project is "piggy-backing" on reconstruction of traffic circulation through historic Market Square to create an attractive civic space and an intermodal link for automobiles, the Blackstone Valley bikeway, and pedestrian walkways. With the opening of a museum of labor and heritage, the "new" Market Square will become a cultural destination within the Blackstone River Valley National Heritage Corridor.
- In Lincoln, an Enhancement project will preserve the Great Road Historic District. Great Road, which dates to the 1680's, is a designated Scenic Road and part of a National Register Historic District. However, as RI Route 123 it is still an active highway. Enhancement funds will construct a walkway between several historic sites so that pedestrians are not forced to walk on the narrow road shoulders. In addition, six acres of open land will be purchased adjacent to Rhode Island's oldest house. The purchase will protect the setting of the 1687 Eleazer Arnold House Museum and forestall development of a commercial mall which would have overloaded the traffic capacity of Great Road.

Rhode Island's Enhancement projects show a variety of ways that transportation projects can accommodate and reinforce the values of the surrounding community and the natural environment.

SCENIC BYWAYS

In a state as small as Rhode Island, we do not have any scenery to waste—but we do have many beautiful roads. Some scenic roads pass through pastoral farmlands or historic villages, and other scenic roads have breath-taking views of Narragansett Bay and the ocean. Our state's Scenic Roadways Board, of which I am Vice Chairman, is working to identify and protect Rhode Island's most scenic roads and byways. An ISTEA grant funded a preliminary statewide inventory of scenic roads and also development of alternative highway design standards for designated scenic roads. This two-part grant project allows our Board to define the significant scenic elements of Rhode Island roads and to work with our DOT in making sure that needed highway construction does not unnecessarily damage or destroy a road's scenic quality. ISTEA funding and design flexibility are the essential ingredients in this project.

Another ISTEA grant is allowing the Scenic Roadways Board to write "corridor management plans" for several of our designated roads. We recognize that highway construction activities are not the only potential threats to preserving scenic qualities. Property-owners and local government have crucial roles in deciding what land-use and development is compatible with a scenic road. These corridor management plans will help to guide future changes along particular roads, and they will serve as models for the development of plans for additional corridors.

CONCLUSION

It should be clear by now that I am an enthusiastic advocate for reauthorization of ISTEA and for retaining the Enhancements and Scenic Byways programs as discrete funded elements of the overall program. The biggest frustration I have had with ISTEA has been the length of time and extent of administrative requirements which must be completed in order to implement relatively small Enhancements projects. I recommend that a review be conducted to determine whether streamlining and more administrative flexibility is possible.

Unfortunately, there are many more good ideas than dollars. In terms of overall transportation funding, Enhancements and Scenic Byways represent a tiny fraction of Federal aid. However the individual projects they fund and the principles they establish are key to the ongoing process of "reinventing" the national transportation system to meet the needs of today and tomorrow.

My experiences with ISTEA over the last 4 years have made it clear that many citizens want a transportation system that does more than build new roads and widen existing ones. The common thread that runs through all of these different programs is that transportation relates to many aspects of community life. It is impossible not to be impressed by the energy and creativity which citizens have shown in proposing ways to enhance our transportation system. It is clear that people want the system to be better, and they have good ideas about how to achieve it. We must continue the good beginning which ISTEA has made.

SIERRA CLUB,
April 21, 1997.

To: Senate Committee on Environment and Public Works

From: Barry Schiller, Transportation Chair Rhode Island Chapter, Sierra Club

I very much appreciate this opportunity to testify on ISTEA renewal. I have followed transportation issues in Rhode Island as a citizen activist for almost 30 years. I now serve as Transportation Chair for the Rhode Island Sierra Club and its delegate to the Environment Council of Rhode Island, the "umbrella" organization for all our state's environmental groups. I am also a public member of the state is Transportation Advisory Committee (TAC) and the Rhode Island Public Transit Authority (RIPTA.)

The Rhode Island Sierra Club in particular, and the environmental community generally, believes ISTEA reforms are starting to work effectively, and it should be reauthorized without major changes in its framework. There are however, some ways in which we believe it should be strengthened.

1. Why have environmentalists come to care so much about transportation?

We are of course concerned with our own mobility. But it has also become so evident that transportation impacts the environment in so many important ways, not just with regard to air quality, but also on noise, on energy extraction and transport, on runoff and water quality, and most profoundly, on land use. Past automobile dominated transportation policies have promoted urban sprawl with all its implications for damaging forests, wildlife, agriculture, and also the older cities—and town centers, all the while intensifying consumption of resources. This wide variety of impacts makes almost every aspect of ISTEA a concern. Our support for "alternative" transportation is not based on some kind of nostalgia for the past but because of these impacts. I enclose a handout of some statistical information to explain our concern.

2. What evidence is there that environmentalists do care about transportation?

The R.I. Sierra Club proposed a resolution on ISTEA renewal to the Environment Council of Rhode Island. This resolution, which was passed unanimously and enthusiastically on February 5, 1997, is submitted for the record. The resolution is consistent with the five principles described in "A Blueprint for ISTEA Renewal" put out by the Surface Transportation Policy Project (this is being submitted for the record) and the R.I. Sierra Club has helped organize a broad coalition of what is now 40 community, environmental, preservation and labor groups in our state that have endorsed these principles.

3. In what ways is ISTEA working?

It has made environmental protection more central to transportation planning. Indeed "environmental impact" is one of the five major screens used by our TAC for evaluating transportation proposals.

It has greatly expanded the role of the MPOs and the public in this process, resulting in a much better spirit of cooperation between community groups and the Rhode Island Department of Transportation (RIDOT) which previously had a long history of bitter conflicts. (For example there was a long fight over a proposed I–84 Providence Hartford Interstate which was resolved only when the EPA and the Council on Environmental Quality finally backed the citizens. In my own town of North Providence RIDOT proposed to speed traffic by straightening and widening Fruit Hill Avenue, eliminating all the old trees on this residential street. RIDOT traffic engineers thought only of the motorists, and not of the community living there. That no longer happens.) Public participation also gives those without cars, (whether due to low incomes, disabilities, or a choice to live car-free) an opportunity to be heard. DOT leaders rarely know, or thought about, such people though the city of Providence reported to the TAC that 23' of the households in the city have no motor vehicles!

We have more flexibility on design standards. It has become routine to consider ways to scale down proposed projects to solve problems with minimum cost, and minimum destruction.

We are making a real start on fixing our highway infrastructure, especially the Interstates and the bridges.

We are directing resources to revitalizing older business districts where people can walk instead of having to drive to carry out even the simplest errand. (Please note the lead story "Creative Enhancements in Neighborhood Business Districts" in the Winter/Spring 1996 TranScripts, the transportation newsletter of our MPO, and the Summer 1995 TranScripts article "ISTEA: Impetus to Economic Development in Central Business Districts".)

We are developing the potential for a first class bicycle network. This is not a trivial issue when one considers bicycle tourism, featured prominently in the current "Traveler" and "Guide to the Ocean State" tourism publications. Bikeways feature prominently in the article "Greenways Taking Route Across Rhode Island" in the Summer 1995 TranScripts. Thanks to a CMAQ grant, bicycles may soon be carried by RIPTA buses, opening up new opportunities for commuting, recreation, and tourism.

With a more level playing field, we have been able to maintain our transit system, which increased ridership substantially since ISTEA was passed.

We have at least made a start on protecting Narragansett Bay from pollution due to runoff from the I–95 corridor.

This does not mean that everything is perfect! We wish some changes came faster. There are projects in our Transportation Improvement Program that we object to. But if we get a fair shot to influence the decisions, bad projects are not the fault of Congress or of ISTEA, but perhaps of our failure to convince others.

4. What are the problems that Congress should address?

We must overcome any opposition to funding CMAQ and Enhancements. We strongly commend President Clinton and our own Senator John Chafee for their leadership in recognizing the importance of the CMAQ program. "Enhancements" are vital for our communities and popular with citizens, the TAC has often heard town planners and citizens speak for enhancement type projects at our public meetings. We are disappointed that many of the enhancement projects have not been implemented faster. It would be helpful if Congress would find a way to cut the red tape and administrative overhead on small enhancement projects that can be administered by local governments.

We need to expand the flexibility of the Surface Transportation Program to include rail. It is ironic that Federal policy allows use of ISTEA funds for (relatively) local commuter rail projects, but not for our intercity rail system even if a state thinks that is the best way to solve a transportation problem. How can any state object to being allowed to, but not required to, apply ISTEA funds to intercity rail? We all know there are environmental advantages to rail travel, we must make greater use of their underutilized rights of way. To help. keep and improve our national passenger rail system we support dedication of 1/2 cent of the Federal gas tax for a Rail Trust Fund to be used for Amtrak capital improvement as a most reasonable way to do this. Motorists too will benefit, from improved environmental quality, reduced congestion, and more choice as to travel modes.

Freight rail too has environmental benefits so it too should be eligible for ISTEA funding. We need to reverse the years of neglect that has hurt our New England freight rail system in order to maximize our chance for environmentally responsible economic development. Funding the modern freight rail connections needed to

Quonset Point has been difficult but Rhode Island taxpayers are doing their share. With the wholehearted support of the environmental community, we strongly approved a statewide bond issue for this purpose. The next ISTEA should make such projects easier!

Congress must resist efforts to allow longer or heavier trucks. We cannot afford it. We are already spending a substantial part of our ISTEA funding (about 57 percent) just to maintain existing interstates and bridges. It is widely believed this is in no small part due to the pounding they take from existing truck loads. The RI Sierra Club is part of the Southern New England Safe Roads Coalition which is submitting some comments for the record including a graph of how road damage grows exponentially with weight. Even now most motorists hate the size of trucks already allowed and would see any expansion as a safety hazard. It is no use leaving it to the states, inevitably pressure to allow bigger trucks will prevail.

Our RIPTA transit system faces both opportunities and peril. Energetic leadership, an opportunity for labor-management cooperation, new service initiatives, the coming of a major new downtown mall, all suggest potential for growth. However funding is critical. The expected loss of Federal operating assistance will hurt middle sized systems such as RIPTA more than big systems less dependent on operating support, or small systems, slated to get continued operating support. Unfunded ADA paratransit requirements (RIPTA is implementing full compliance rather than seeking a waiver!) also adds to deficits that may average about $12 million in fiscal year 1999 and beyond. While we would prefer to see operating assistance continue, if not it is essential that language be found to make maintenance and protection of the buses that Federal grants help buy be eligible for capital funding. Also, our experience here is that more must be done to level the playing field between transit and auto commuting. Congress should equalize the tax-free benefits of parking and transit, and develop at least voluntary programs to encourage "parking cashout" and alternative transportation. Congress should consider putting the power of the market to work by developing funding formulas that reward states and localities that successfully grow transit ridership and/or reduce per capita vehicle miles travelled.

Transit helps all our environmental goals. I urge everyone to give it a try and use it whenever practicable.

5. What about demonstration projects?

Environmentalists nationwide are skeptical about this ISTEA element but if they are to be retained we do have some suggestions. A project of national and regional significance to us is the North Station-South Station rail link in Boston. This would connect Rhode Island and the entire Northeast Corridor to northern New England and northern New England to us. If NHS "high priority corridor" funding is unavailable it should be considered for demonstration funding. We understand about $200 million will be needed over 5 years to do the environmental and engineering work.

We also suggest consideration of funding a real bus station in Kennedy Plaza, Providence, our transit system hub. This is also a social justice issue, the mostly lower income people who use these buses need a safe, secure, lighted, weather-sheltered place to wait with reliable information. Finally we urge continuing efforts to mitigate pollution from runoff into Narragansett Bay. The Narragansett Bay Commission is facing up to $590 million in costs to eliminate combined sewage-stormwater overflow, and users of transportation facilities that contribute to this problem should pay their fair share of cleanup costs.

In closing I wish to note Rhode Island has plenty of talent, energy, and ideas to make our transportation system work. As a TAC member I've been impressed by the new leadership at RIDOT and RIPTA, by the wide variety of community groups involved, including landscape architects, neighborhood associations, environmental organizations, bicycle clubs, historic preservation groups, and by the interest of town planners and local officials involved in transportation issues. I urge Congress to do its part to keep this all going by renewing a strong ISTEA along its principles of flexibility, environmental protection, maintenance of the infrastructure, community revitalization, and public participation. Thank you again for this opportunity to comment.

Sincerely,

BARRY SCHILLER, *Transportation Chair,*
Rhode Island Sierra Club.

STATEMENT OF DAN BAUDOUIN, EXECUTIVE DIRECTOR, THE PROVIDENCE FOUNDATION

Good Morning. My name is Dan Baudouin, Executive Director of The Providence Foundation. The Providence Foundation is a not-for-profit private sector organiza-

tion that advocates for the proper planning and development of Downtown Providence, our State's capitol. I'm also a member of the Rhode Island Public Transit Authority and a member of the Transportation Advisory Committee of the State of Rhode Island.

I appreciate the opportunity to appear before you today and I will speak to you for a few minutes on a couple of key points. These points include:

- provisions of the existing ISTEA Act that hopefully will be continued into the new Transportation Act.
- transportation infrastructure and its importance to the economy of Providence, Rhode Island and southeastern New England.

. the need for resources to properly invest in transportation infrastructure and the need for innovative financing to be part of that solution.

In addition, I will also discuss one project that is the most critical transportation project in this State, the rebuilding of Interstate 195 and its intersection with Interstate 95.

First, The ISTEA Act that was approved in 1991 contains several concepts and principles that I recommend be continued under the new Act. These principles include the recognition that the link between land use and transportation is very strong and transportation planning needs to be part of an overall comprehensive planning effort. Also, ISTEA provides for a stronger role of local governments in transportation planning, and ISTEA requires significantly more public involvement in transportation planning than its predecessors. Thus, ISTEA demands consideration to community needs and community plans. Finally, ISTEA recognizes the need for more transportation choices, be it by bus, by rail, by car, by foot, by bicycle or by boat. These are excellent principles that need to go forward into the new Transportation Act.

Second, in Rhode Island, the public sector has invested much in our transportation infrastructure. However, we continue to have significant transportation investment needs, both because of the growing role that Providence and Rhode Island are playing in the eastern New England economy and transportation network, and because of the aging of some of our infrastructure. Major investments have been made in our new airport terminal because of regional air transportation demands. The T. F. Green Airport in Rhode Island is now the second most heavily used airport in the eastern New England region. We are about to begin major freight improvement projects that will connect modern freight rail to the port facilities at Quonset Point along Narragansett Bay. Other examples include investments that have been made in our new Amtrak Train Station and facilities to promote more passenger rail. The use of mass transit in Rhode Island has increased dramatically since the ISTEA Act of 1991, thanks to support from the Federal Government. We need to continue to create an even stronger mass transit system. Finally, our interstate highways are accommodating more and more traffic. In fact, the Intersection of I–95 and I–195 in the heart of Providence accommodates almost 250,000 vehicles a day, making it the second busiest Interstate interchange in New England. I–195 is the main highway link to southeastern Massachusetts, including Fall River, New Bedford and the Cape Cod area.

We are making investments. However, we need a new Federal Act that recognizes the need for major additional investments to move people and goods in a variety of different ways and in an efficient manner for a growing economy and a growing transportation center in eastern New England. It also needs to recognize the aging of our infrastructure, particularly some of our roads and bridges. In Rhode Island, many of our bridges are structurally deficient or obsolete and a high percent of the Federal highway mileage is in fair to poor condition. The most serious problem is I–195 in Providence which I will discuss later.

This leads me to the third point which is the level of Federal involvement and assistance in transportation infrastructure as well as the need for innovative financing techniques. I would strongly urge an increase in Federal investment in transportation. The Federal role in transportation financing dates back many many decades, and we need this type of involvement to move us into the 21st Century. We would advocate that more of the existing gas taxes and other highway fees, be applied to transportation infrastructure. In that regard, we strongly support the Highway Trust Fund Integrity Act as introduced by Senator Chafee and others as it would help accomplish this goal.

Mindful of the need for leveraging dollars, we are also very supportive of innovative financing programs, particularly the creation of public/private partnerships and the involvement of private sector economies into creating transportation infrastructure. For example, the design/build/finance model, is one that can have some applicability to transportation infrastructure. This may result in projects being con-

structed faster, more efficiently, and at less cost. I believe that the results of pilot projects throughout the United States have been generally positive.

Toward this end, we are very supportive of Senator Chafee's proposed legislation S. 275, the Highway Infrastructure Privatization Act, which would encourage partnerships across the country by allowing private sector access to tax-exempt bond authority for a select group of transportation projects.

We are supportive of recent changes in Federal law that provide for innovative financing mechanisms such as advance construction, phased funding, tapering Section 1012 Loans, and flexible non-Federal matching requirements. We are very supportive of the State Infrastructure Bank Program, and we hope that this gets expanded in order to provide the opportunity for more States to use this financing mechanism. In addition, we are in favor of exploring real estate tax incremental financing, aggressive value engineering to reduce costs, leasing portions of the existing rights-of-way where possible, and sale or lease of surplus right-of-way to help finance transportation projects.

Finally, let me say a few words about one project in RI that calls out for additional Federal funds as well as innovative financing. This project involves the reconstruction of Interstate 195 and its intersection with Interstate 95. As mentioned earlier, this area is the second busiest interchange in New England and truly serves interstate and regional highway users. This part of I–195 was actually designed and portions constructed in the early 1950's, preceding the 1956 Interstate Highway Act. It is a road built essentially on a series of bridges weaving through different neighborhoods close to downtown Providence. It was a road designed and built following criteria which have no relationship to today's criteria for locating and building Interstate highways and transportation infrastructure. For example, I–195's curves, weaves and narrow lanes result in accidents that are 50 percent higher than the norm for Interstate highways.

It is also a road that is falling down! If you had the time to view this road today, you would see a number of temporary steel supports to shore up the road up to make it safe—temporarily. While it may be safe at the moment, there is a need to completely reconstruct this road in the immediate future.

After 6 years of intense study following the requirements of the National Environmental Policy Act, and the spirit of ISTEA, a Record of Decision has been issued whereby the selected alternative is to relocate this section of I–195 slightly to the south of its current location and rebuild its interchange with I–95. It was selected because this solution gives roadway travelers the only solution that meets current Interstate highway standards. It will reduce accidents significantly, reduce congestion and result in a better driving experience. At the same time, it will allow for improvements in bicycle and pedestrian movements and enhance water transportation opportunities. It provides for the restoration of a waterfront that was destroyed by highways and ramp construction in the 1950's. The new location removes the negative highway effects on two National Historic Register Districts and drastically reduces the negative effects on a third National Register District. These districts were decimated by highway construction in the 1950's. It will liberate valuable urban land in the core of the metropolitan area from highways, and allow for more parkland and sites for carefully planned redevelopment that reintegrates residential and business districts that were divided by the 1950's. Jobs, taxes, overall economic development, and improvements to quality of life will result.

The new location will also prevent a potential economic catastrophe that could result from massive traffic jams if one tried to rebuild the road in its current location. The new location and plan is in accordance with local desires and in accordance with the City of Providence's comprehensive plan.

We all know how expensive urban highway and infrastructure projects are. The original cost estimate for this project was $299,000,000. Through an aggressive value engineering/cost reduction process by Rhode Island Department of Transportation, the cost has been reduced by 30 percent. But still, certainly, Rhode Island should not bear the cost of this project alone. This project involves the replacement of aging infrastructure that is under severe physical stress. It is not a new Interstate Highway. It is the replacement of New England's second busiest Interstate Interchange using today's transportation, community development, and environmental standards, not the standards of 45 years ago. We recommend that this need is recognized by the Federal Government and adequate Federal resources are allocated to get this needed job done.

Thank you for the opportunity to appear before you today. If you or your staff members would like additional information, I'd be more than happy to provide it. Thank you.

STATEMENT OF KENNETH M. BIANCHI ON BEHALF OF RHODE ISLAND DOT WATCH

Mr. Chairmen and members of the committee thank you for the invitation to appear before you today to discuss the need to both protect and strengthen the 1991 Intermodal Surface Transportation Efficiency Act or ISTEA.

I am Kenneth Bianchi, the Town Administrator for the Town of North Smithfield, Rhode Island, I also serve a Vice President of the Rhode Island League of Cities and Towns and as a Board October of the non-profit Rhode Island DOT watch.

Let me just first say to Senator Chafee, if I may, that we in Rhode Island know and care about what you're doing and saying on ISTEA

both here at home and especially down in Washington, DC and we couldn't be happier knowing how supportive and understanding you are about an issue that every Rhode Islander cares deeply about. I don't need to tell you, Senator, that in this pending congressional battle we here in Rhode Island have far more to lose than just money, no thank you for continuing to do such an excellent job representing our best interests.

Here in Rhode Island and, ISTEA reauthorization has generated tremendous interest among both citizens and local governments who have to live with the consequences of a national program. Mr. Chairman and other members of the committee, I would like to submit for the record, and the benefit of all the members of this committee, a document entitled, "A Blueprint for ISTEA Reauthorization". This detailed platform was put together by the Surface Transportation Policy Project, a national public interest coalition of more than 200 groups including our own Rhode Island DOT Watch and Rhode Island Sierra Club.

Mr. Chairman, over 40 groups and agencies In Rhode Island have fully endorsed all 25 recommendations in this platform as outlined in the attached addendum. That's about three-quarters of the population of the state right there! But seriously, I couldn't be more impressed by such solid support for a proposal from such a diverse group of people. This is a testament to the success of ISTEA, to its spirit of partnership, and to its significance for all the people that live and work in this state. And we fully recognize that the "ISTEA Reauthorization Act of 1997" which you have cosponsored and was introduced last week by 32 Senators, supports many of these recommendations and again we thank you for your leadership.

The bottom line is that ISTEA reauthorization must build on the obvious successes of the existing law. We realize that there are divisive issues to be worked out regarding the funding formula, and obviously we believe that Rhode Island must continue to get its fair share based on the substantial needs, particularly those of our aging infrastructure, for such a small state. But regardless of how the Congress settles its differences over money, we urge you to preserve the part of the law that has been a success nationwide: ISTEA's policies and programs.

Specifically, we urge the retention and strengthening of the CMAQ program, the transportation enhancements program, the Interstate Maintenance and Bridge repair programs, the 10 percent safety set-aside, which we hope will begin to include measures to reduce the 6,000 annual pedestrian death" nationwide, and the suballocation of funds to metropolitan areas. we also hope that ISTEA's partnerships with local government officials and citizens will be strengthened through the MPO process and retention of planning factors to include the public early and often throughout the transportation planning proceed.

Let me give you an example of how ISTEA has worked in Rhode Island (Woonsocket River Island Park and Main Street Enhancement Projects, the Restoration of the Kingston Railroad Station, the Quonset Point Third Rail, the Blackstone River Bikeway Access Project in Lincoln, Rhode Island, and the Newport Gateway Center, Bus Station and Ferry Terminal). This has had a positive effect not only environmentally but will have a direct impact on economic development in the creation of quality job" for our citizens.

But Rhode Island is in desperate need of a stronger ISTEA. One that will emphasize road and bridge maintenance; as outlined in the STPP Blueprint, we believe we need a "Fix it First" program that prioritizes system preservation, Here in Rhode Island, we have 750 bridges, 55 percent in poor or mediocre condition and 57 percent of our roadways in poor or mediocre condition. In a recent University of North Carolina/Charlotte study on overall highway conditions, the State of Rhode Island ranked last for the year ending 1995. bet me just say, it is incomprehensible that these STEP 21 STARS 2000 proposals in Congress would eliminate the Bridge Repair and Interstate Maintenance programs. These are good government programs that ensure accountability to taxpayers—they must be retained in the next ISTEA.

We also need an ISTEA that will allow us the flexibility to spend our highway funds on Amtrak, a choice our state DOT currently our highway funds on Amtrak, a choice our state DOT currently lacks; we need an ISTEA that will allow us to pro-

tect our environment by reducing automobile and diesel gasoline and curtailing road runoff all of which have a dramatic impact on the health of every Rhode Islander as well as the Narragansett Bay; one that will allow us to pursue sensible alternatives to single occupancy vehicles by improving our public transit system, providing convoluter rail service south of Providence and restoring water ferries throughout the Bay; and one will allot touring, one of our most vital economic engine to flourish throughout the state without clogging our roadways and ruining the very thing that people come here for in the first place.

In closing, let me just reiterate: ISTEA has been a success. It has started to provide us with real choices, better protection of the environment and more local control over transportation programs. But it is also still in its infancy. Whatever difference need to be worked out over funding formulas, we urge this committee to protect the principle and framework established by ISTEA in 1991. Mr. Chairman, thank you for your attention and courtesy and let me any again how grateful we are here in Rhode Island to be able to rely on your vision and leadership in the U.S. Congress on this issue. I will be happy to answer any questions you or any other Members of the Committee may have.

STATEMENT OF CURT SPALDING, SAVE THE BAY

Good Morning. I'm Curt Spalding, Executive Director of Save The Bay. I am here representing the over 20,000 members of Save The Bay, most of whom reside in Narragansett Bay's watershed. Save The Bay is dedicated to the protection and restoration of Narragansett Bay—a body of water designated by the Environmental Protection Agency as an estuary of National Significance. I am honored to be asked by the esteemed members of the Environment and Public Works Committee, and its Chairman and good friend to Narragansett Bay, Senator John Chafee, to testify on the reauthorization of the Intermodal Surface Transportation Efficiency Act.

The passage of ISTEA in 1991 was a significant victory for Narragansett Bay and the quality of life for this region. The transportation policies of the past, and the road-building subsidies that went with those policies, furthered a sprawling pattern of development that has increased water and air pollution, helped enable the wholesale disinvestment in our urban areas and ruined the rural character of much of the Narragansett Bay watershed. ISTEA offered a new vision—a new promise for the development and maintenance of this region's surface transportation system.

Last weekend Save The Bay cosponsored with the Rhode Island Historic Preservation Commission and the Providence Foundation (a leading business organization) a conference called Growing Smart and Saving Place. The Conference assembled over 700 members of the Rhode Island community to discuss how we can better protect our cities and towns from suburban sprawl's ravaging effect on the character of our communities and our natural resources. There were numerous panels and discussions on the importance of transportation planning and management. These were aimed at informing citizens about what we must do if we are going to achieve the promise of ISTEA. For ISTEA represents an important paradigm shift—but it a shift that is far from complete.

At the Growing Smart/Saving Place Conference we learned just how far short we have fallen on ISTEA implementation. Citizens all over the watershed are still angry and frustrated at RIDOT. They are frustrated that the spending of enhancement dollars and environmentally directed demonstration dollars have lagged behind other priorities at DOT. And they are especially frustrated that there has been little change in the way the public is afforded the opportunity to input transportation decisions. The idea of reaching beyond the politics of local government and really listening to the civic voices that work for healthy communities year in and year out, is an idea that the Rhode Island Department of Transportation just does not want to embrace and our communities are suffering for it.

We have not fulfilled the promise of ISTEA for one major reason. At Save The Bay, we call it the dinosaur effect. The Rhode Island DOT was built to do one thing—build and supposedly maintain roads. In their never-ending effort to placate local political leaders, DOT road engineers have designed many more roads for Rhode Island than will ever be built. That's not to say they won't continue to try.

ISTEA demands much more of the transportation planning infrastructure than the old highway bill did. And the RIDOT was not equipped to meet the ISTEA challenge. There are several reasons why.

First was a lack of know-how. ISTEA demanded a new kind of thinking and attitude. Essentially the RIDOT organization did not want to go through the hard work of reexamining its mission, skills and culture. Like a dinosaur, the DOT was not willing or equipped to deal with the change in climate.

Even if RIDOT has wanted to make change, State funding cuts may have made it impossible. The State of Rhode Island has been cutting discretionary spending to agencies like DOT and the Department of Environmental Management for over 5 years. On a single year basis, 5 percent may not be much. Make that cut for 5 years running, and add inflationary costs and the impact is huge.

But most importantly we must remember that the DOT of 1991, and its constituency, was deeply vested in the road building paradigm. The new thinking and new tasks demanded of the institution by the ISTEA paradigm needs more time to implement. The worse thing that could happen now would be to retreat from the ISTEA vision and in effect say "never mind". That would amount to capitulation to the pro-road forces that love strip malls and communities without side walks. These are the forces that have helped segregate our communities by income and have left our cities wondering where their tax base went.

Looking ahead, we must stay on course with the reauthorization of ISTEA. The welfare of our communities and Narragansett Bay depend on it. Enhancement funding and congestion mitigation funding should be increased, not eliminated as some have suggested. This type of funding has helped remedy the negative impact that too much road building has had on our communities.

A greatly improved ISTEA would build in incentives that would discourage sprawling patterns of development. By taking this bold step the Federal Government could assert that while land use management is a local responsibility, it is not in the Country's interest to further highly inefficient patterns of development that increase dependence on foreign energy resources, and are very expensive to maintain and rebuild. As we learned at our Growing Smart/Saving Place Conference, ultimately, sprawl makes taxes go up and the quality of life go down. That's not good for the environment or the economy.

An improved ISTEA would also explicitly connect transportation to water pollution. It could do it by mandating that transportation decisionmakers strive to prevent water pollution in their planning and management decisions and make it Federal policy that runoff pollution firstly be avoided and second be minimized to the maximum extent that is practical.

But there is one more thing that ISTEA must continue to do. It must fund our surface transportation funding system solely based on need. It is my understanding some political leaders are proposing that funding should be allocated based on how much each state has collected in gas taxes. I am a Steering Committee Member for the Enterprize For the Environment. E4E, as it is commonly called, is an initiative chaired by the esteemed first Administrator of EPA, William Ruckelshaus. Industry, environment and governmental leaders have come together to discuss how the United State's approach to environmental protection could be improved and made more user friendly. The E4E stakeholders have agreed that the Country should work to align economic incentives and environmentally desirable behaviors so that a cleaner and healthy environment can be achieved with less regulation. To base transportation funding allocation decisions, in any part, on gasoline consumption would be a step in the wrong direction. For in effect, states and localities would be financially rewarded for building automobile based transportation infrastructure, which is, as I have already stated, a sure-fire way to increase taxes and pollute the environment. State should be rewarded for building more efficient ways of moving people and freight, not penalized.

I want to close my testimony reiterating Save The Bay's wholehearted support for ISTEA and especially for the promise it holds. More time is needed to reform the transportation planning processes and the thinking of the people that are responsible for those processes. As an advocate for Narragansett Bay, this region's most important resource, which has suffered greatly from past transportation decisions, I am committed to see this reform through. Please do everything you can to afford me, and other Rhode Islanders that care deeply about their communities, the continued opportunity to carry this mission forward.

TESTIMONY OF JAMES P. REPASS, PRESIDENT AND CEO, THE NATIONAL CORRIDORS INITIATIVE

Thank you very much for inviting me to be here today to testify upon the proposed reauthorization of the Intermodal Surface Transportation Efficiency Act. It is a privilege to be here, and to be permitted to address you. It is a privilege not only because such invitations are always an honor, but because the bill you and ultimately all Congress shall craft will, I believe, have a greater direct impact on the economic and environmental health, and on the quality of life, of the American people than any other piece of legislation that will come before this Congress.

I come before you today as a representative of the National Corridors Initiative, founded in 1989, and remaining as, a bipartisan private non-profit corporation dedicated to the advancement of intermodal passenger rail development in the United States.

My organization has, over the past 8 years, beginning in the Northeast as supporters of the Northeast Corridor electrification project and continuing now throughout the United States, conducted national conferences, regional gatherings, and scores of smaller seminars and meetings, with the aim of educating the public and private sectors on the benefits of a balanced transportation system that includes rail.

We have done this and we believe this is no secret—- because rail passenger service has been and continues to be grossly under-utilized in the United States, especially when compared to the industrialized societies in Europe and Asia with which Americans must compete economically. By a variety of measures—- low cost, environmental impact, efficiency—- and as a very tangible as well as sym bolic means of binding American towns and cities together, rail passenger ser vice offers a welcome and very necessary alternative to highway and air travel.

This is true not only in the congested urban regions of our East Coast, as former Senator Claiborne Pell noted in his seminal book, "Megalopolis Unbound," and in those of the West Coast and Midwestern travel corridors, but for small towns and cities for whom passenger rail service is not only an alternative, but the only, means of connecting with the outside world. That is a fact we may tend to over look in the Northeast, and indeed, our organization has become more and more cognizant of this fact as we have grown and reached beyond our own roots in the Northeast.

In late February, for example, we held a conference in Atlanta on emerging South ern rail corridors, with representative of the business, academic, environmental and governmental communities of virtually every state in the deep South: Louisi ana, Mississippi, Alabama, Tennessee, Georgia, and North and South Carolina, as well as states such as Florida and Texas. The message I heard loud and clear at Atlanta: include us in.

In NEXTEA, in building transportation systems, the South and West are demand ing to be treated with the same degree of respect regarding infrastructure invest ment as the East or Pacific coasts which need heavy investment because of dense populations and/or aging infrastructure.

And yet, in preparing for this testimony, and in reflecting on our experiences in speaking with our bipartisan constituencies, I also read the remarks you made, Mr. Chairman, in introducing the Administration's version of the legislation be fore you today, the National Economic Crossroads Efficiency Act or NEXTEA.

I was struck with the plain truth of your observations regarding the very problem atic way in which we tend to allow the means of raising most of the moneys used for Federal transportation funds—- the gasoline tax—- to influence policy. As you noted:

"If you buy gas in Baltimore, MD, and drive to Woonsocket, RI, you will drive through the States of Delaware, New Jersey, New York, Connecticut, and Rhode Island. Maryland will be the only State that gets credit for this trip.

"Even if we were better able to estimate where gasoline is used, rather than just where it is purchased, setting national transportation policy on gasoline usage provides incentives that contradict policies of ISTEA such as environmental protection, intermodalism, and efficiency. Under a gas- tax based formula, States and localities that use transit significantly or use less gasoline because of good planning are actually penalized for their good work."

So, on the one hand we have the South and West asking for a greater share of the transportation pie, while at the same time the very means of allocating that pie makes for an unfair and unwise bias against efficiency and intermodalism, two of the key words in the very name of the original ISTEA bill.

To resolve this dilemma, and to make more funds available not only for rail but for other transportation projects which demand attention, we propose the following. As part of the reauthorization of ISTEA, we respectfully request that the Congress:

Make it easier for private sector funds to be invested in transportation projects, and Make it easier for states to gather together in interstate compacts to pursue regional transportation projects.

On the first point, what we are really talking about is a program for transportation investment that treats transportation infrastructure needs for this nation the same way we treated housing needs for returning American GI's at the end of the Second World War: as a matter of the highest national priority. Just as the creation of VHA and later Fannie Mae loan programs helped to create the middle class which more than any single factor lead to the flowering and prosperity of this the

American century, let us resolve to create an equivalent infrastructure program whose legacy will be the growth and prosperity of a 21st Century America.

There is already a good start in the drafts of NEXTEA now circulating, in the State Infrastructure Banks program included therein. But it calls for funding of only $150 million a year. This level, and the related credit enhancement programs anticipated in the bill, need to be expended and strengthened. The private sector has shown the capability of massive investments in power plant and water utility infrastructure investment throughout the world; we need to allow it to succeed in transportation infrastructure investment as well.

On the second point, the need for interstate compacts is great. There are many proposed or desirable transportation projects which would cross state lines, but which are not of national importance. The Congress should not have to deal with them, and yet congressional approval is required for those projects because they go over state boundaries. We needs a more streamlined way to create such interstate authorities, and we need to invite in the private sector to the operation and management of those authorities as well.

Third, as the Congress is considering, Governors must be allowed the flexibility to choose where transportation funds are allocated within their states. Also, the original ISTEA law contained an artificial barrier to investment in intercity rail. This was not due to a policy debate on the issue, but rather to a turf battle over committee responsibilities. This barrier must be removed. Coupled with greater flexibility in project funding allocation for Governors, these actions would help ensure that state and regional transportation projects will be funded.

Intermodalism means getting from door to door by the most efficient system possible. People don't take a plane to arrive at an airport, or a train to arrive at a station. The want to get home, or to an office, or to a vacationsite. We need to make sure that it is possible to do so expeditiously and cost-effectively, and that new transportation technologies that promise to radically alter the way in which we make that last mile or so or our trip, technologies that I have seen in my private sector work, can become a reality.

At this point I want to talk about the national passenger rail system, Amtrak. I want to make it very clear that my organization does not represent Amtrak, or speak for it. We speak only for our own constituency, which consists of business, political, academic, and environmental leaders from throughout the United States, who come from broadly ranging political viewpoints, but who are united in the belief that investment in rail technology and systems is the best way to create and sustain a strong national transportation system that can take its place in the first ranks of the industrial world.

That having been said, we do believe that what Amtrak has accomplished, under an extraordinarily harsh and discriminatory environment, is remarkable. Without any regular source of capital, and without any commitment from any source that it would survive from 1 day to the next, Amtrak has become the most cost-effective passenger rail system in the world.

That may be hard to believe for those who catch only the headlines, which year in and year out point to Amtrak's struggles. But it is so. Amtrak recovers 84 percent of its operating costs from farebox revenue. No other major industrial country's rail system even comes close.

The NCI has watched this performance with considerable awe. As a group with many private sector businessmen as a key constituency, we are impressed that Amtrak has not only survived, but has been able to reach efficiency levels that are at the top of the list.

Unfortunately, for reasons that have to do with my comments above, that high-wire act may be about to end, in disaster. Unless a regular source of capital is made available to the national passenger rail system, just as capital is made available for highways and airports, Amtrak is going to die. When that happens, sometime early next year unless this situation is turned around, and Amtrak simply runs out of cash, there will be a transportation nightmare the likes of which this country has never seen. Transportation on the East and West coasts and in the Chicago areas will become chaotic, airports will back up, and highways will become saturated. In those 13 major cities where Amtrak is the contract operator of the commuter rail system, there will be chaos.

I know some people hate Amtrak because it has become a whipping boy for big government. It's ironic, because the highway and airport systems consume each year a subsidy many times that of Amtrak's, but get no criticism for it. Maybe Amtrak has lost people's luggage or served cold coffee to a few too many people. What is remarkable is not that Amtrak sometimes serves cold coffee and I'm not minimizing the need for improvement here—- but that it is able to serve coffee at all, and also run the most under-funded railroad system in the industrialized world.

In your deliberations here and in the Senate, I would ask not only that you include intercity rail in the category of eligible program recipients for Federal transportation dollars, as I noted above, but that each of you, Senators, also support your colleague Senator Roth of Delaware, and his bill to create an intercity trust fund from the 4.3 cent deficit-reduction gas tax, for Amtrak capital expenditures. That action, plus a supplemental capital appropriation to catch Amtrak back up to its totally unfunded capital needs of the past 2 years, when it should have been receiving the proceeds of that Intercity Trust Fund, are essential if the Nation is to have a viable intercity passenger rail system. Finally, let us resolve to understand that above all else, we are and must be ONE country, not North or South, East or West, but simply America. We owe that to ourselves, to our children, and to the legacy our courageous forefathers created more than two centuries ago. Thank you very much.

THE NATIONAL CORRIDORS INITIATIVE,
JAMES P. REPASS.

Office of Senator John Chafee,
10 Dorrance Street Suite 221,
Providence, RI 02903.

DEAR SIR: Thanks again for inviting me to testify on the reauthorization of ISTEA. I appreciated the opportunity to be heard.

As I mentioned on the telephone Just now, there is an omission in the Administration version of ISTEA of which I was not aware, and to which I would have testified had I been aware. Therefore, as we discussed, I would like to amend my testimony to include my comments on that subject.

In terms of background, the original ISTEA bill as enacted included a section 1010 that called for designation of specific high speed rail corridors outside of the Northeast Corridor for a modernization program that was originally to be $1.3 bile lion, but the money was never appropriate{(only about $10 million was authorized, for grade crossing safety improvement). Initially five of these FRA 1010 Corridors were designated, and then the Empire Corridor in New York was also added. Here then are the six Corridors:

1010 Corridors:

- Chicago- St. Louis/Detroit/Toronto/Milwaukee
- Miami-Orlando-Tampa
- San Diego-Los Angeles-Bay Area, and to Sacramento via the San Joaquin Valley
- Eugene-Portland-Seattle-Vancouver, BC
- Washington DC-Richmond-Raleigh-Charlotte In addition:
- NYC-Albany-Buffalo-Niagara Falls-Toronto (Empire Corridor)

The problem is that several good candidates, especially in the South, didn't make the initial list. These include the Deep South Corridor, which would run from Houston through Lake Charles to New Orleans, the Mississippi Gulf Coast, Mobile, Pensacola, Tallahassee and Jacksonville, and the Crescent Corridor, from New Orleans through Birmingham to Atlanta, Columbia, North Carolina, and Virginia, to DC.

The Deep South Corridor is the brainchild of the Hon. Revius Ortique, an original leader of the Civil Rights movement with Dr. King, and the first African American Supreme Court Justice in Louisiana. He is the Chairman of the New Orleans International Airport Authority, and sees the Deep South Corridor as an intermodal development tool for the South, and I agree. Also backing this Corridor are former FRA Chief Gil Carmichael, Greater New Orleans Regional Chief (and MPO head) John LeBourgeois and most if not all of the Louisiana Congressional delegation, who have signed letters to the FRA asking for official designation, as has Senate Majority Leader Trent Lott.

The Crescent Corridor is headed by the Hon. John Robert Smith, Mayor of Meridian, MS, and also backed by a multi-state bipartisan coalition.

The concern is that, as with the Interstate Highway Program, states not getting on the official list early will not get funds until very late in the program, if at all.

Indeed, both Deep South and Crescent Corridors believe they were at first told that official FRA designation was forthcoming, but It has not been. They (and 1) have been told that designation would come In NEXTEA, but the Administration's version makes no mention of extending the program.

I would like to amend my testimony as follows:

"A revision in the original ISTEA bill, Section 1010 rail corridor designation, should be opened up in NEXTEA, beyond the six FRA 1010 Corridors Promulgated' so that any part of the country whose citizens have an interest in and have orga-

nized on behalf of better, safer rail transportation shall be Included at the table when rail corridor investment funds are allocated."

I would also like to ask that a meeting be arranged with the Senator or his top aide on transportation in Washington so that representatives of the Deep South and Crescent Corridors can present their views. This is a bipartisan opportunity, as well as one to show that South and West have a right to serious consideration of their rail infrastructure needs under NEXTEA.

Thank you.

Sincerely,

JAMES P. REPASS,
President & CEO The National Corridors Initiative.

STATEMENT OF SUSAN K. MOORE, EXECUTIVE DIRECTOR, BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION

The Blackstone Heritage Corridor was created in 1996 by Congress as art affiliated area of the National Park system The region consists of 20 communities from Providence to Worcester covering most of the Blackstone River watershed. Unlike other National Parks where the Federal Government owns and manages land and cultural resources, the Blackstone Valley designation was designed as a management framework to assist through partnerships, cooperation and coordination to preserve the nationally significant waters, lands and structures that reveal the story of the American Industrial Revolution.

Through a 19-member Commission comprised of representatives of both States of Massachusetts and Rhode Island, local officials and citizens, and the Regional Director of the National Park Service, the objectives of Congress—to preserve and interpret the Blackstone Valley's heritage—are carried out as detailed.in the Corridor's Cultural Heritage and Land Management Plan. This plan has been the basis of the Commission's action for the past 10 years.

Working through partnerships is a complicated and tedious process. Focusing the Commission's few staff and financial resources on 400,000 acres of cultural resources is a daunting task. The Intermodal Surface Transportation Efficiency Act (ISTEA) is one Federal initiative that has made that task easier, in part because of more flexibility in dealing with community-level transportation issues and an improved public process. ISTEA allows communities to address a host of values and issues relating to transportation and community development. We here in the Blackstone Valley have seen how enhancement projects have had incredible spin-offs for communities end' the region. We have witnessed enhancement related projects that have blended historic preservation, trail development, open space preservation, public transit, and road development which in turn have rejuvenated the economic and social fabric of communities.

Here are but a few examples where ISTEA and enhanced public involvement has made a difference in the Blackstone Valley:

- In Lincoln RI, the Great Road National Historic District includes the most intact section of this early colonial road and surrounding landscape, both agricultural and early industrial. A variety of public and private funds were used over the past 20 years to protect key farmland, and 18th and 19th century structures. Financial resources then began to dwindle at a time when traffic and development pressures were starting to compromise the entire landscape. An application for Enhancement Funds was approved for the town to purchase land easements, restore the Moffitt Mill (one of the oldest industrial structures in Rhode Island which sits precariously on the very edge of the highway.), and develop a safe walking path to Great Road sites. The Corridor Commission provided matching funds in the form of new historic district signs and outdoor exhibits coordinated with other cultural areas in the valley. The preservation of Great Road and the surrounding landscape is one of the highest priorities of the Corridor Commission.
- In Worcester and Millbury, MA, the connection of Route 146 (the valley's primary north/south highway) and the Massachusetts Turnpike is one of the largest transportation improvement projects in New England. Utilizing a variety of funding categories available under ISTEA, the project was transformed from an environmental catastrophe with the capability of further polluting the Blackstone River, into a sound, transportation achievement for the entire Worcester region. State of the art bioengineering techniques will actually improve the water quality of the river, and other needed transportation systems have been integrated into the project including a section of the planned Providence to Worcester bike path and pedestrian connections between neighborhoods.

There are many more examples, but these are representative of the scale of impact to resources of the Blackstone Valley and to residents' lives.

The Corridor Commission strongly urges that ISTEA legislation be reauthorized. As transportation decisions continue to affect the everyday lives of people, we need a rational, flexible approach toward concerns at the community level. In the Blackstone Valley, ISTEA has been one important avenue for addressing the preservation of resources in America's first industrial region.

Thank you for your consideration of my views.

STATEMENT OF JANE B. SHERMAN, DIRECTOR, WOONASQUATUCKET RIVER GREENWAY

The reauthorization of the Intermodal Surface Transportation Efficiency Act is essential in order to equitably provide transportation opportunities to all of our citizens. The transportation needs of all communities and all individuals are not identical and an critical element of the ISTEA legislation is the flexibility which it provides for states to address local needs and priorities. To limit the local decisions on how this funding should be spent would be unwise and contrary to the understanding that local communities are best able to determine their own needs.

The reauthorization of ISTEA will allow communities to direct the growth which occurs in their area. Through local input of funding for transportation, growth can be directed to areas which are already urbanized, have the existing infrastructure necessary to support growth, and will benefit from economic reinvestment and stabilization. This beneficial reuse of "brownfields" and other urban lands will help us maintain the livability of our communities by directing development away from "greenfields" and other rural and environmentally sensitive areas. Additionally, this will direct the growth of jobs once again toward centers of population.

Many of these urban or inner-city areas, including Providence, contain populations which cannot, because of their age or income, use automobiles as their primary source of transportation. Maintaining, and even increasing, funding for bicycle/pedestrian paths and other intermodal options is essential to provide viable transportation opportunities for all of our citizens.

This issue becomes especially relevant when looking at the current status of welfare recipients, who soon will be mandated to find jobs or lose their benefits. Of the recipients of Aid to Families with Dependent Children in Rhode Island, 41 percent reside in the city of Providence. Of these households, only 19 percent own a vehicle (RI Dept. of Human Services, Dec. 1996). Improving transportation alternatives is essential for giving the underprivileged the capacity to access employment. Unless states have the flexibility to determine their own needs and to fund alternative transportation programs, a substantial population will be left without the ability to reach places of possible employment.

The Congestion Mitigation and Air Quality Improvement Program and ISTEA Enhancements have and can continue to link transportation choices to an improved environment. These funds can help mitigate the effects of transportation developments or make active movement toward a more efficient and effective system of transportation. Communities need these funds in order to address the environmental problems associated with transportation.

Viable intermodal transportation alternatives are economic and environmental necessities for the health and stabilization of our cities, and we urge you to pass legislation which continues local opportunities for flexibility, Enhancements, and the CMAQ program. Thank you.

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

WEDNESDAY, MAY 7, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

SAFETY PROGRAMS

The subcommittee met, pursuant to recess, at 9:32 a.m. in room 406, Senate Dirksen Building, Hon. John Warner (chairman of the subcommittee) presiding.

Present: Senators Warner, Boxer, Thomas, Smith, Baucus, and Chafee [ex officio].

OPENING STATEMENT OF HON. JOHN W. WARNER, U.S. SENATOR FROM THE COMMONWEALTH OF VIRGINIA

Senator WARNER. Good morning, everyone. Good morning, colleagues.

I've been informed that Senator Baucus will not be here for a short period, so I'll go ahead and initiate the hearing.

This marks the tenth hearing that we've had on the legislation that will, in large measure, reauthorize the 1991 ISTEA bill. We've yet to give it a formal name. Everybody has a name for it, but nevertheless, at some point in time a name will evolve.

We're pleased to have two colleagues with us this morning and we will let you start it off, Senator Lugar.

STATEMENT OF HON. RICHARD G. LUGAR, U.S. SENATOR FROM THE STATE OF INDIANA

Senator LUGAR. Thank you very much, Mr. Chairman.

I want to express my appreciation to you for conducting today's hearing on transportation safety programs. I want to thank you for the opportunity to testify before this committee on the important safety issues affecting Indiana and many other States.

In America today, several hundred people are killed and thousands more injured every year as a result of vehicle-train collisions at highway rail grade crossings. A significant number of these accidents occur in States such as Indiana, Illinois, Ohio, California and Texas and have large numbers of rail-highway intersections.

My home State of Indiana ranks sixth in the Nation, unfortunately, in the number of public crossings—we have over 6,500—and every year, Indiana is one of the top five States in the Nation for

the numbers of injuries and fatalities caused by vehicle-train crashes.

In 1994, I traveled across northern Indiana aboard a CSX locomotive. I witnessed what engineers see every day—numerous motorists darting across the railway tracks before an oncoming train.

Following discussions with State officials and then Transportation Secretary Pena about this pressing safety problem, I joined with Senator Coats, my colleague in Indiana, to ask the GAO to conduct a thorough review of rail safety programs in the States.

The 1995 GAO report found that the current system of distributing Federal funds for the rail-highway crossing program could be improved to target existing Federal resources to States with the greatest need. Responding to these recommendations, I introduced legislation in the 104th Congress and again this year in the 105th Congress aimed at improving the distribution of these safety funds.

S. 284, the Highway-Rail Grade Crossing Safety Formula Enhancement Act would replace the current flat percentage system with a formula that uses risk-based criteria to better target existing funds where they can be most effective.

Public funding for improvement projects at hazardous crossings is one part of a State's comprehensive rail safety program. Extensive public awareness campaigns, such as the work done by Operation Lifesaver, coupled with vigorous enforcement of traffic laws, are essential to the overall effort to eliminate grade crossing accidents.

Anticipating the ISTEA reauthorization debates, I introduced S. 284 to continue the momentum of our efforts to help States eliminate grade crossing accidents. At this time, it is unclear how Congress will structure the Federal Highway Program for the coming years or what the Federal role will be in maintaining the Nation's transportation infrastructure, but I will continue to advocate grade crossing safety as a priority within the context of the streamline and flexible Federal Highway Program that returns resources and transportation decisionmaking to the States.

As the ISTEA Reauthorization Program continues in the coming weeks and months, I look forward to working with the committee to help find an appropriate role that encourages States to continue their grade crossing safety efforts.

I thank you again, Mr. Chairman, for this opportunity to testify.

Senator WARNER. We thank you very much, Senator.

Now we've been joined by a member of this committee. Senator Lautenberg?

Senator CHAFEE. Mr. Chairman, is Senator Lugar going to have to leave? Are you going to leave now, Senator, or are you going to stay? I just have one quick question.

Senator the problem we get into is the designation of any funds for a certain area and currently 10 percent is set aside for safety from a certain account.

Other Senators have come here and said, just give the money to our State; don't you, in Washington, tell us how to spend it, and we'll spend it the way we think is best. If we think rail crossings are important, we'll do it. If we think we need more highways, we'll do it. So we get into this constant struggle here of the categorizing, if you want, of funds. As you know, it extends maintenance of

interstate highways, maintenance of bridges, and on it goes. Could you give us your thoughts on that?

Senator LUGAR. Certainly. I'm not going to try to predict the committee's findings or how the Senate finally will act. Clearly, the Senator makes a good point that if the Federal Government were to send all the money back to the States, then the consideration I've offered today becomes a concern for the Governor and the legislature in Indiana.

That might not be the way the committee or the Congress finally acts. In other words, it is very difficult to gauge at this point the mosaic of what categories will remain or what the Federal participation will be.

Anticipating that, my thought would be if the Federal Government retains categorical programs or attempts to designate money, I'm hopeful that the rail grade crossing safety problem will be a part of that consideration.

Senator CHAFEE. It is currently and I agree with you. I believe the Federal Government, as we send the moneys back, has a right to demand that it goes in certain directions—to maintain the interstate highways, for example—but it's a constant struggle obviously on the committee with different views and in the Senate as a whole.

Senator LUGAR. Thank you.

Senator CHAFEE. Thank you.

Senator WARNER. Senator Lautenberg?

STATEMENT OF HON. FRANK R. LAUTENBERG, U.S. SENATOR FROM THE STATE OF NEW JERSEY

Senator LAUTENBERG. Good morning, Mr. Chairman and Senator Chafee.

Mr. Chairman, you tried to find an appropriate name for the next rendition of ISTEA and I was asked by a reporter yesterday unaware of his reference that he was making, what I thought about the ISTEA legislation. He went on talking and I said, I don't recognize it—ISTEA, and he said, "ISTEA, the highway thing;" and I said, "Oh, OK. So maybe that will be a name."

I appreciate the chance to testify before the members of the subcommittee this morning. I'm delighted to be here with Senator Lugar, always interested in safety measures, and his endorsement for safety considerations which is very important, and Congresswoman Nita Lowey who is here to testify on behalf of our legislation to reduce fatalities and injuries due to drunk driving.

With the creation of the interstate highway system in the 1950's, the Federal Government assumed a major role in building and maintaining our highway infrastructure and at the same time, the responsibility to make sure that these roads and highways are as safe as possible.

When I introduced legislation, now almost 15 years ago, make 21 the national minimum drinking age, many thought it would never pass, but President Reagan lent his support, as did the Secretary of Transportation, Elizabeth Dole, and now every State has a minimum drinking age of 21. This Act saved over 10,000 lives since its enactment.

In this Congress, we have a real opportunity to further reduce fatalities from drunk driving. During ISTEA reauthorization, we should take the steps necessary to make the difference.

Currently, 41 percent of all fatal crashes are alcohol-related. With Senator DeWine and Congresswoman Lowey, I've introduced S. 412 to make .08 Blood Alcohol Content (BAC) the national standard. If a State fails to pass this standard by fiscal year 2001, it would lose a portion of its highway funding.

The simple fact is setting lower limits saves lives and because of the inaction by a lot of States, it is time for the Federal Government to get going. This legislation will get tough on States that fail to put tougher drunk driving laws on the books.

The question isn't why we should drop the drunk standard to .08 but, rather, it raises the question about why it was ever set as high as .10. It is at .08 BAC that a person becomes significantly impaired and should no longer be driving.

A 170-pound man must drink four-and-a-half drinks in 1 hour on an empty stomach to get to .08 BAC. At that point, the man has lost his basic driving skills like braking and steering, lane changing and general judgment. It does not sound like a severe penalty to say you shouldn't have more than four-and-a-half drinks in a hour.

Most importantly, .08 BAC laws where States have adopted the .08 standard have seen a reduction in their alcohol-related fatal accidents. A recent study by Ralph Hingson of Boston University demonstrated that if all States adopted the .08 standard, 500 to 600 lives each year would be saved, 500 to 600 lives.

France has a BAC limit of .05; Canada and Britain, .08, 14 States have .08 BAC laws, including Virginia, California, Florida and New Hampshire and legislation is pending in many more.

The beverage industry has marshalled its forces against this legislation. It's too bad. Sanctions on Federal highway assistance can counterbalance these ferocious, political pressures.

I've also introduced a bill, Mr. Chairman, to promote minimum penalties for those repeatedly convicted of drinking and driving. This proposal would sanction highway funding if States do not revoke the licenses of convicted drunk drivers with three-time offenders losing their licenses permanently.

There was a young man named Matthew Hammell for whom this bill is named. He was a 17-year-old, New Jersey fellow. He was killed by a driver whose New Jersey license was revoked for repeated drunk driving convictions, but he was able to get a license in North Carolina.

Those who drink and drive need to know that wherever they are, the law will not permit repeated abuse. Establishing a .08 BAC limit and license revocation for repeated abusers are two concrete ways to reduce fatalities and injuries associated with drunk driving.

I'd also like to comment for a moment on another issue, the issue of big trucks. I was the author of the 1991 freeze on LCVs, longer combination vehicles. About 5,000 people are killed and 20,000 people injured each year in big truck crashes. Big trucks also obviously impose great wear and tear on our transportation infrastructure.

We should maintain the LCV freeze in the next ISTEA bill and reject efforts to leave truck size and weight standards to the States.

The Southern Governors Association, some State trucking associations, and the Owner-Operators and Independent Drivers Association support maintaining the LCV freeze and they oppose the State option.

I hope, Mr. Chairman, that in the wisdom of this committee, that they will decide to enact strong safety provisions as we move to renew ISTEA. Thank you.

Senator WARNER. Thank you very much, Senator.

Speaking for myself, I'm going to do a good deal more study on this issue of the .08 but I intend to join with you and perhaps others in seeing legislation for the increased penalties for repeat offenders. I think you're right on target there.

Senator LAUTENBERG. Thank you.

Senator WARNER. Representative Lowey.

STATEMENT OF HON. NITA LOWEY, U.S. REPRESENTATIVE FROM THE STATE OF NEW YORK

Mrs. LOWEY. Thank you, Chairman Warner and Senator Chafee, Senator Thomas. It's good to be with Senator Boxer, a former colleague, again.

Members of the subcommittee, I must say I don't envy your task this year. Your subcommittee has to wrestle with a wide range of difficult issues and competing interests.

As the ISTEA reauthorization process unfolds, however, I hope one area everyone can agree on is that improving the safety of our Nation's roadways must be one of our highest priorities. It is with this goal in mind that I'm here this morning, joining with Senator Lautenberg and Senator DeWine, to urge the subcommittee's support of measures to strengthen our Nation's drunk driving laws.

We've all heard the statistics. For the first time in a decade, drunk driving fatalities are on the rise and in 1995, the year for which the most recent statistics are available, more than 17,000 Americans were killed in alcohol-related traffic fatalities.

The sad reality is that our drunk driving laws have failed thousands of families across the Nation. Our criminal justice system has been too lax on drunk drivers for too long. We were all pleased with the decision that was reached yesterday with a major drunk driving case in North Carolina, but there is more to be done. In fact, impaired driving is the most frequently committed violent crime in America and that is just an outrage. A license to drive shouldn't be a license to kill. We have to combat these crimes by strengthening drunk driving laws and penalties.

As some of you know, Senator Lautenberg, Senator DeWine, and I have joined Mothers Against Drunk Driving, highway safety advocates, law enforcement groups, drunk driving victims in introducing two important pieces of legislation to strengthen our Nation's drunk driving laws.

Using the proven method of the 1984 National Minimum Drinking Age Law and the 1995 Zero Tolerance Law for Underaged Drinking and Driving, these bills will compel States to lower the legal level of driving while intoxicated to a more reasonable level and strengthen penalties for repeat drunk drivers.

Mr. Chairman, more than 3,700 Americans were killed in 1995 by drivers with blood alcohol concentrations or BAC levels below

.10, the legal definition of driving while intoxicated in 36 States. In recognition of this problem, 14 States, including Virginia, California, Florida and Idaho, have adopted laws lowering the DWI level to .08 and Illinois is likely to do so soon. .08 laws have also been adopted by a number of other industrialized nations.

Lowering the DWI level to .08 is supported by the American Medical Association, the American Automobile Association, the National Sheriffs Association, the International Association of Chiefs of Police, the National Highway Traffic Safety Administration, and our Nation's largest insurance companies. The American Medical Association, in fact, even recommends States adopt a .05 DWI standard.

The reason these groups recommend the DWI standard be lowered to .08 are compelling. First, .08 is a level of intoxication at which critical driving skills are impaired for the vast majority of drivers. Second, the risk of a crash increases substantially at .08 and above. In fact, the driver with .08 BAC is 16 times more likely to be in a fatal crash than a driver with no alcohol in his system.

Third, Americans overwhelmingly agree that you shouldn't drive after three or four drinks in 1 hour on an empty stomach, the equivalent of a .08 blood alcohol level.

Last, but certainly not least, .08 laws save lives. A study of the first five States to enact .08 found those States experienced a 16 percent reduction in fatal crashes involving drivers with a BAC of .08 or higher. Overall, the study concluded that up to 600 lives would be saved every year if every State adopted the .08 standard. This is not a theoretical study; this is a fact.

The experiences of the first five States to adopt .08 laws also indicates that heavy drinkers are less likely to drink and drive because of the general deterrent effect of .08. In fact, those States experienced an 18 percent decrease in fatal crashes involving drivers with a BAC level of .15 or higher. In addition, lowering the BAC to .08 makes it possible to convict seriously impaired drivers whose BAC levels are now considered marginal because they are at or just over .10.

Some will argue that .08 BAC is too low a level of intoxication and that it will target social drinkers who drink in moderation, so let's be very clear. This legislation has nothing to do with social drinking. This is not about having a couple of beers or a glass of wine with dinner after work. It takes a lot of alcohol to reach .08 BAC.

In fact, as Senator Lautenberg mentioned, NHTSA states that a 170-pound man with an average metabolism would reach .08 only after consuming four drinks in 1 hour on an empty stomach. A 137-pound woman with an average metabolism would need three drinks in a hour to reach that level.

Let's keep in mind if you have any food in your stomach or you snack while you're drinking, you can drink even more and not reach .08. That's a lot of liquor.

In addition to getting States to lower the legal definition of DWI, we need legislation to establish mandatory minimum penalties to keep convicted drunk drivers off our roads. We must stop slapping drunk drivers on the wrist and taking their hands off the wheel. That's why the Deadly Driver Reduction Act will require States to

mandate a 6-month revocation for the first DWI conviction, 1 year revocation for the second, and a permanent license revocation for three alcohol-related offenses.

Studies by the National Highway Traffic Safety Administration show that about one-third of all drivers arrested or convicted of DWI each year are repeat offenders. Drivers with prior DWI convictions are also more likely to be involved in fatal crashes.

The second piece of legislation will close the loopholes in State laws that too often allow convicted drunk drivers to get right back behind the wheel.

Mr. Chairman, no piece of legislation alone is going to solve the problem of drunk driving. We know that it's going to take a good deal of public education and a greater commitment on the part of Federal, State and local officials. However, there can be no denying that adopting .08 as the national DWI standard and establishing mandatory minimum penalties will reduce the carnage on our Nation's roads.

Mr. Chairman, Burton Greene, a constituent of mine from New Rochelle, was recently killed in a DWI accident by a repeat offender. Mr. Greene didn't get a second chance; his children know that. I think it's time for our government to act and to act now and do the responsible thing.

I appreciate your consideration.

Senator WARNER. Thank you very much.

You know, as I've begun to study this problem again, I'm surprised why we haven't gotten to this repeat offender serious sentences before. We've followed that in the pattern of criminal laws with drugs and things of that nature. Does anyone know the reason why Congress hasn't addressed that which seems to me to be an obvious deterrent earlier on?

Senator LAUTENBERG. Frankly, I am as surprised as you are. What's happened recently, Mr. Chairman, is we've seen incident after incident of people driving without appropriate licenses. I'm looking at that area as well.

I introduced the Hammel family here this week. They lost their son who was 17 years old. This was a young man who wanted to be a missionary. He was an athlete. He was everything a young man could be and he was struck by a driver who was illegally passing on a particular road and he struck this young fellow as he was roller-blading on the side of the road.

His mother reported here that the fellow who now sits in jail with a 5-year sentence, who is likely to serve 2–1/2 years, said publicly that he knows he's not supposed to drive without a license. When he gets out of jail, he's going to drive without a license again and if he hits somebody, he hits somebody.

That kind of attitude is as shocking as one can imagine. I don't think that everybody who drinks feels that way but they shouldn't treat their driving as callously as this fellow did—get out there, just drive and if you take a life.

The whole thing is bizarre and Mr. Chairman, with your help, we're going to change it.

Senator WARNER. We'll addressing it in this bill, no question about that.

Obviously, you're fully aware of the fact that other organizations have an equal right to come before us here and put forth their proposals.

Senator LAUTENBERG. Absolutely.

Senator WARNER. The American Beverage Institute, I'd like to read from their communication of May 7th to the subcommittee. It's entitled, ".08 Percent BAC Laws Do Not Save Lives." "No unbiased, authoritative research has ever been able to show that lowering BAC limits to .08 percent saves lives."

Senator Lugar, before you go, I want to make sure that you know that the Chairman is very much in support of your goals and I'm confident that we will include in this bill provisions comparable to the previous bill.

Senator LUGAR. Thank you very much for joining us today, Senator.

I'll repeat that—"No unbiased, authoritative research has ever been able to show that lowering BAC limits to .08 percent saves lives." That's a fairly stark statement. It says "no research points to it.

Data from the NHTSA show that the average BAC level among fatally injured drunk drivers is .18 percent, more than twice the proposed .08 percent limit with more than 80 percent of these drivers having BAC levels of at least .14 percent. Lowering the legal BAC limit will have no effect on drivers who already ignore the current law. How about that?

Mrs. LOWEY. I'd like to say, Senator Warner, that if I had my choice and the American public had its choice, I wonder who they would believe, the liquor associations or the beverage associations, and the restaurant associations, or the Sheriffs, the Police, the American Medical Association, and the National Highway Transit Administration.

It seems to me the evidence is very clear and if we look at the facts, the American public would be outraged that 17,000 people have lost their lives, that the numbers are going up. There may be a difference in opinion, but I'd rather be on the side of law enforcement, the doctors, and the sheriffs.

Senator WARNER. That's very clear, Representative Lowey and I respect you but on the other hand, the statement that "No unbiased authoritative research has ever been able to show that lowering the BAC limit to .08 saves lives," all I'm asking is if there is documentation out there?

Senator LAUTENBERG. We have research done by Mr. Hingson in association with the University of Boston, and we'll supply that for the committee.

I would say one thing, that perhaps one could interpret it as a coincidence but the 13 States that have lowered their BAC level to .08 have seen a decrease in fatalities and that shows we're on the right track. As Representative Lowey said, if we're erring on the side of conservatism, of excessive care about those lives, then so be it. We're going to continue to support it.

I don't honestly understand, Mr. Chairman, why the beverage industry, why any group would protest this and try with what I think could be called questionable statistics or talk about higher levels being the norm in fatalities.

What's the difference if we save 500 to 600 lives. Heaven forbid, and we've seen it, and there are people in this body of ours who have lost children, we know who those people are, to drunk drivers. There ought not to be this debate.

If they are worried about the loss of business, then they ought to look at what happened since 21-year-old drinking age was introduced in 1984. Business hasn't diminished. People survived very well. We have saved lives, as I indicated, over 10,000.

Senator WARNER. It seems to me, Senator, the argument, and it's my responsibility and certainly this was your responsibility during your days as chairman, I've got to sort through this evidence and if I understand, it's not so much a protest as an effort to show the subcommittee that yes, there are whatever it is, 500 or 600, an astonishing, unacceptable number of deaths, but those deaths, in large measure, can be attributed to repeat offenders and those who have an alcoholic content well above .08 percent.

I don't know if anyone can fracture that 600 number to determine what fracture is above .08 and what is at .08 or below. It seems to me that evidence has to be sorted out.

Senator LAUTENBERG. I respect that, Mr. Chairman. We had appear at a press conference when we kicked off this legislation a family from Maryland—a mother, father and a 14-year-old daughter—who had lost their 9-year-old daughter some months before this.

To listen to the older sister, 14 years old, describe the anguish, the pain at the mother's mistake of setting four places at the dinner table and realizing it was an error and sometimes just setting a place there to remember the younger sister.

She was struck down by a woman aged 20 at 8 a.m. who was .08 BAC and the woman jumped the sidewalk and struck this child waiting for the school bus in front of her mother and her sister. She was impaired, her driving was impaired.

It wouldn't matter at all if she had been a chronic alcoholic or not, if she wasn't behind the wheel, that would have been all right, but the fact of the matter is that at .08, she was a killer and we ought not to permit it. 500 to 600 lives and all of us have had friends and know what it is like to see a family who has just lost a child to drunk driving.

Senator WARNER. I very much respect and appreciate those personal stories and they do leave a profound impression on me and I'm certain the other members of this committee. I don't wish in any way to diminish my level of compassion for those who have suffered these losses. In that case, your point is 8 a.m., .08 percent.

Senator BOXER. Mr. Chairman, if I could just make a comment?

Senator WARNER. Certainly.

OPENING STATEMENT OF HON. BARBARA BOXER, U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator BOXER. I want to thank our witnesses all, as well as Senator Lugar, but I particularly wanted to say to Nita Lowey, Frank Lautenberg, and Senator DeWine, who is part of the team which has introduced this bill, how much I appreciate your leadership.

In California, we have, on average, 1,720 alcohol-related deaths. We're a huge State, we have about 10 percent, Mr. Chairman, of the alcohol-related deaths. That doesn't even go into those who survive but whose lives are changed irreparably.

When you think about those people and all the people they touch, it is a huge tragedy but preventable. I would say we always will have certain groups that oppose us making more progress. We have made progress and I'm sure the same arguments Mr. Chairman that you read today were laid out there when we pushed for the .10.

We have to put it into perspective. I think that it is important to have some studies and I'm looking forward to those but it's a fairly common sense idea that you will save lives if you take it down a notch or two.

I just wanted to make one closing point. In June 1995, President Clinton called on all States to go for the zero tolerance which is the .02 for drivers under age 21. We now have 37 States who have adopted this.

I think the reason what you're doing is so important is this. We're telling young people 21 years and younger, zero tolerance, .02, and then it's going up all of a sudden when they turn 21, there is a signal .10. I think it's time to move this down. I frankly think when we look back, and others will, in maybe 20 years when it's down way lower than that, we may wind up in this country going to zero tolerance period.

I just want to applaud you and know that my chairman is going to look at this in a very objective way. I hope we can move toward all of our goals which is to put the message out that it's unacceptable to get behind the wheel when you can't see straight and you haven't got your faculties.

Senator WARNER. Senator, I certainly share those views and I caution you we have 5 minutes left.

Senator BOXER. I will be so cautioned and I look forward to working with all of you and Mothers Against Drunk Driving.

Mrs. LOWEY. Thank you and I thank you again, Mr. Chairman.

[Recess.]

Senator WARNER. The subcommittee will resume the hearing. We just completed a vote.

The distinguished Senator from Wyoming would like to make an opening statement and following that, we'll hear from our colleague, Senator DeWine.

OPENING STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM THE STATE OF WYOMING

Senator THOMAS. Thank you, Mr. Chairman.

I'm having second thoughts about this. Let me submit this statement for the record but to add to my statement that I have a great deal of concern over a lot of the mandates that we're talking about. Safety is a very important part of our transportation problem, but I have reservations about imposing penalties on States to coerce them into compliance with the Federal mandate.

I have a long history in this, Mr. Chairman. I can remember back when David Boren and I were both elected to the Oklahoma State Legislature and we were very smart back then. We were

going to come to Washington and testify and stop these mandates that I thought were unconstitutional.

So we came up and protested against Lady Bird's Highway Beautification Act of 1965 and you know how far we got. So I haven't forgotten that. I take mandates very seriously, I take coercion for States very seriously and I'll be considering that during the course of these hearings and the reauthorization of ISTEA.

[The prepared statement of Senator Thomas follows:]

STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM THE STATE OF WYOMING

Mr. Chairman, thank you for holding this hearing today. Safety is of course a priority for all of us, and I look forward to hearing from the administration regarding its proposals.

Another safety issue I am concerned about is the current prohibition on using safety set-aside money on the Interstate system. In Wyoming, one of the most useful safety features on our system is the addition of "rumble strips" on the shoulders of our Interstate highways. They are particularly effective on rural Interstate highways. Although this work can be funded through the interstate maintenance program, the use of safety set aside money for this type of work would be ideal. The Administration claims that safety is its top priority, however, its NEXTEA proposal does nothing to address this issue. The bill Senators Baucus, Kempthorne and I introduced, the Surface Transportation Authorization and Regulatory Streamlining Act (STARS 2000) will make this important change to ensure safer highways in rural America.

STARS 2000 also brings some needed flexibility to the safety program. It retains the safety set-aside at current dollar levels and requires states to spend 25 percent of this money on railway-highway crossing projects, 25 percent on hazard elimination projects and the remaining 50 percent may be used for either program at state discretion.

Again, Mr. Chairman, thank you for holding this hearing. I look forward to listening to today's witnesses.

Thank you, Mr. Chairman.

Senator WARNER. Thank you very much, Senator.

Senator DeWine?

STATEMENT OF HON. MIKE DEWINE, U.S. SENATOR FROM THE STATE OF OHIO

Senator DEWINE. Thank you very much.

I know you've already heard testimony on this issue and I will try to be brief.

Let me first thank the committee for holding this hearing and thank the committee also for the concern that you have not only expressed but demonstrated for highway safety over the years.

Senator WARNER. Senator, you and I joined on the floor. We lost the battle, but we sure fought them hard.

Senator DEWINE. We sure did.

Senator WARNER. In the cause of highway safety.

Senator DEWINE. Mr. Chairman, I think you were right on that day. I think the statistics tragically have borne out what you said on that day. I appreciated the support.

I first became interested in this issue when, as a 25-year-old, right out of law school, my first job was as an assistant county prosecuting attorney. I was involved in the prosecution of vehicular homicide cases, drunk driving cases.

One of my jobs was frankly to talk and work with the victims, the families, the people who survived. I remember one particular case where I was called to the emergency room of the hospital and saw two elderly people, one had just died and the other was being

operated on and died 5 days later. They were killed by a drunk driver.

I think all of us have had that experience but when you're a prosecutor, you see it and you can understand it a little more because you see it firsthand.

Senator WARNER. If I might say, Senator, I had the same experience as a prosecutor prosecuting cases involving intoxicated persons.

Senator DEWINE. It affects, I think, how you look at everything.

When I was in the State Senate, we had a tragedy in our home county. We had a little 7-year-old boy by the name of Justin Beason who was killed by a driver who had been drinking. His grandfather came to me and I'll never forget the anguish and horror that I saw in his eyes and the horrible sadness and as a result of that, I wrote in 1982 in the Ohio State Senate, Ohio's first really tough drunk driving law.

We established in that drunk driving law a per se violation which is something we in Ohio had not had. In fact, most States at that time, did not have that.

I would like today to talk about four issues very briefly. Let me start simply by saying that we lose some 40,000 people every year in this country killed in auto fatalities. If it was any other cause than that—if it was an epidemic, if it was a disease, we would be up in arms as a country.

To some extent, we are numb to auto fatalities. We are numb because everyone knows someone who has been killed or knows a family that has been touched.

I just would ask this committee to look at four specific things that I think we can do that will, in fact, make a difference. I would like to start with the .08 and I understand fully the concerns that have been expressed and I know will be expressed about the States rights issue involved here. I do appreciate those.

I would simply say that when we deal with issues such as this, I think this is one of the few times we can cast a vote in the Senate where we know our vote will actually save lives. Many times we think it will, many times we think we know what the results are and we're dealing with some of these areas in regard to highway safety and things we know will, in fact, work.

One is lowering the alcohol level to .08. That seems like a very small change, to go from .1. Most States today have it at .10. There is a minority of States that have it at .08, but we find is that this is a really critical period. What we find is that once you get to about .06—and it varies obviously by individual—but once you get in that range, then you see the impairment magnified. Each 2 percentage points is magnified and magnified.

I know when the previous panel was here, it's my understanding you had some discussion about the statistics. I would like to submit to the committee a letter which I will prepare today with additional statistics, because I think the evidence is fairly overwhelming that in the States that have made the change, they have seen a significant reduction.

Thirty-five States have established the per se laws at .10, 13 have established, a minority, at .08 but the fact is that drivers, all drivers, are substantially impaired at .08. Both laboratory and on-

the-road tests show the vast majority of drivers, even those who are very experienced, are significantly impaired at .08.

They had trouble braking, they had trouble steering, they have trouble with other driving tasks. They certainly have trouble with judgment. The risk of being in a crash rises with each increase in the blood alcohol level. We know that. But it rises very rapidly after a driver gets into the area of .06, .07, or .08.

Most of the States that already have a .08 law found that it has helped to decrease the number of alcohol-related fatalities. A recent study of the first five States to lower their blood alcohol limit showed I believe convincing results. They showed in fact that if you compared those five States versus five States that were comparable States that did not change, although you had a reduction in each State, the reduction was about three times as much as those States that took it to .08 as those that kept it at .10.

Senator WARNER. If I could intercede, Senator, my State went to the .08 and we have seen some reduction. So that's a case history with which I am familiar.

Senator DEWINE. I know the committee's time is very valuable and I appreciate the opportunity.

Senator WARNER. Senator, we're in no rush. You're acknowledged as a leader in this field and for very understandable reasons to those of us who know you well. So you take all the time you want.

Senator DEWINE. That is very kind of you. I'll try not to wear out my welcome.

Let me talk about another issue, which is school bus safety. Let me preface this by saying something I always try to say, and I've worked on school bus safety for the last several years, school buses are the most safe form of transportation there is statistically. Parents should always remember that.

If there's a choice between putting your child on a school bus or letting your 16-year-old drive to school, statistically, there is absolutely no choice. I want to put that out right at the beginning.

We have had a great deal of success in the last several years in dealing with a very specific school bus safety problem and that has to do with unsafe hand rails that are on school buses. Most of the buses that have these unsafe handrails are now off and they've been taken off on a voluntary basis, so it's not been something the Federal Government has mandated.

This arose from a tragedy that occurred in my home county where we had a little child by the name of Brandy Browder who was drug along with the school bus because she had her drawstring that got caught in this defect in the school bus.

There have been a lot of changes made. There are still some of these buses out there. I'm going to use this forum one more time to remind every school district in this country. It's a very simple test. The remedy is $5. It doesn't cost much but we need to be vigilant to make sure these buses are no longer on the road. Most of them, frankly, are now off the road.

I believe also, Mr. Chairman, that school buses are the safest form of transportation. We still lose upwards of 45 to 50 children every year who are killed. Most of them are killed getting on and off the bus. Most of them are killed for any number of reasons, but in almost every case, it is a school bus driver error.

Again, I think this reinforces the need to increase the attention we pay to school bus safety issues.

Finally, seat belts. If there's one thing we know about seat belts, it is that they save lives. But today, in many States, including Ohio, not wearing a seat belt is not considered a primary offense; in other words, you can't get pulled over for not wearing one, but you can be charged for not wearing one if you're pulled over for some other offense. We need to do what we can to see that the seat belt laws get elevated to the status they deserve. We have them on the books for a reason: they save lives. Let's make them effective.

Mr. Chairman, I look forward to working on all of these issues with you and other concerned Senators, and I thank you very much for holding this important hearing.

Senator WARNER. Thank you very much, Senator DeWine.

I'm trying to explore whether or not in this bill I can add a provision to increase our statistical data base. That, indeed, causes some burden on the States and others, but we've just today on the .08 issue, which is a critical issue in this bill, talked about the number of deaths, but we haven't talked about the number of injuries which are, I guess, a multiple of 8 to 10 times the deaths.

Should we, perhaps, begin to explore whether or not Congress will just have to mandate we've got to have those statistics on injuries, as well as deaths, so that we can formulate better-grounded and -supported decisions?

Senator DEWINE. Mr. Chairman, I think one thing Congress can, in fact, do in these areas that should not be very controversial, should not even get into the battle we always have about what the States should do and what the Federal Government should do, the one unique role the Federal Government can play is to be the collector and repositor of the statistics that can be used by all 50 States.

Senator WARNER. Good point.

Senator DEWINE. As well as the Federal Government, to make the decisions that are really life and death decisions. You have been in government for many years, I've been in it for 25 years and I'm always amazed at how often we have to make decisions on guesswork on things that are really life and death decisions and don't have the hard data.

A little money spent by the Federal Government can give all 50 jurisdictions in this country, in addition to the Federal Government, a lot better grounding in facts to make decisions.

Senator WARNER. Perhaps we can explore that together and I'll advise you as to where I'm coming down on it.

Let me just pose one last question and it goes back to our debates when you and I fought to have a lower speed limit. On the 08 issue, I think there's some evidence that if we went to 08, it would be life-saving. As to how may remains to be seen, but the same argument you made about bringing down the speed limit from 65 to 55 to 45 and yet, we've had no success thus far in the Congress in doing that.

Senator DEWINE. I think you're absolutely right, Mr. Chairman, and I think we all operate in the real world. We know that statistically, if you brought the speed limit, for example, down to 45—and no one is saying we should do that—we'd save more lives. We

know there is a point at which people will say, no, that's not what we're going to do.

I think you always have to weigh and balance what the inconvenience is.

Senator WARNER. And the economic impact, certainly in the speed limit.

Senator DEWINE. You have to look at the economic impact, you have to look at the personal impact, the freedom impact, and we weigh all these.

I will just say in answer to your question specifically, when we talk about going from .10 to .08, clearly it will save lives. On the other hand, what detriment does it do, what freedom does it take away? I think it takes minimal freedom away.

We always used to have a joke when I was a prosecutor that every defense attorney that came in—talking about drunk driving cases—and you'd ask the defendant how much he had, 99 percent of them, no matter what they tested, had two beers. That's what they all said, they had two beers.

Well, the reality is that contrary to popular opinion, statistically, an average male can have four beers on an empty stomach or four shots, four drinks in a hour on an empty stomach and at that point, probably not be any above .08.

We all know, I think, from our own experience, some of us do, what impact four drinks in a hour is going to have on your judgment and what impact it's going to have on your coordination. Is it too much to say that person shouldn't be behind the wheel? I don't think so. I don't think that's a burden.

I think the arguments that are made, by some of the people in the industry, quite bluntly, are ludicrous. I don't think it's going to cost any money to bars and to other people who sell alcohol. This is not a prohibition bill. We're simply saying at some point, you shouldn't be behind the wheel. You shouldn't be risking other peoples' lives.

So to me it's always a balancing test, in answer to your question, and I think .08 is a significant figure. It's significant because around that point people really start to lose it

Senator WARNER. Senator, I wish you could join us to hear the second panel. We have some of the most caring people in America that are going to come forward now and I hope they will address some of the points which you and I have expressed.

Senator DEWINE. I look forward to working with you.

Senator WARNER. Thank you very much, my good friend.

Senator DEWINE. Thanks for your courtesy.

Senator WARNER. We will now have panel two. Excuse me, we've been here so long, I overstepped panel one. Sorry folks.

Panel one consists of Mr. Philip R. Recht, Deputy Administrator, National Highway Traffic and Safety Administration; and Mr. Anthony R. Kane, Executive Director, Federal Highway Administration and he will be accompanied by Mr. George Reagle, Associate Administrator for Motor Carriers, Federal Highway Administration.

Thank you very much, gentlemen. We will put your entire statements in the record and given that we have a very extensive panel

in Panel 2, it would be my hope that you could stay within the 5-minute rule.

I will place statements by committee members in the record at this point.

[The prepared statements of Senators Chafee, Inhofe and Boxer follow:]

STATEMENT OF HON. JOHN H. CHAFEE, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Thank you, Mr. Chairman. I would like to welcome all of our distinguished witnesses.

The purpose of today's hearing is to receive testimony on ISTEA's safety programs. As much as transportation benefits society through the movement of people and goods, it is not without its costs. Perhaps the most serious unintended consequence of mobility is the staggering rate of transportation fatalities and injuries. Although the fatality rate from motor vehicle crashes has declined some 10 percent since ISTEA's enactment, the number of fatalities has risen five percent within the last two years.

The economic cost of motor vehicle crashes is alarming—more than 150 billion dollars annually. A significant portion of this burden is borne by Federal and State taxpayers in the form of publicly funded health care, increased public assistance, and reduced income tax revenue. As staggering as these economic costs are; however, they pale in comparison to the personal losses involved.

ISTEA went a long way toward reducing the terrible costs of motor vehicle crashes and fatalities. It provided strong measures to encourage safety precautions such as wearing seat belts and helmets. ISTEA also placed a "freeze" on the gross weight limits of the large "longer combination vehicles" or "LCVs." Regrettably, the National Highway System Act of 1995 undermined the strong national interest in this area by eliminating the national speed limit and the incentive for States to enact motorcycle helmet laws.

As we reauthorize ISTEA, the question of what we can do to reduce the horrible loss of life on the nation's highways persists. I think we can all agree that there is a strong federal interest in the smooth and safe operation of the nation's transportation system. Although significant progress has been made over the last twenty years with respect to seat belt use and other preventive safety measures, it is obvious that our efforts have plateaued. Ignoring these safety costs would be a terrible mistake.

The Department of Transportation has introduced a comprehensive safety reform initiative, with a strong focus on safety belt use. I look forward to learning more about the Administration's safety bill, Senator Lautenberg's bill, and other proposals during today's hearing. Thank you.

OPENING STATEMENT OF HON. JAMES INHOFE, U.S. SENATOR FROM THE STATE OF OKLAHOMA

Thank you Mr. Chairman, for holding this last of a series of hearings on the issues surrounding the reauthorization of ISTEA.

Safety is a very important part of our transportation policy. I do, however, have reservations about imposing penalties on states to coerce them into compliance with a Federal mandate. Even though I recognize that some safety issues do transcend state lines, like the problem we have with people driving while intoxicated, I still am a proponent of the notion that states are usually the best suited to choose policies for the citizens that live there. Shaving away dollars from a State's highway funds for Interstate Maintenance does not necessarily trickle down to improving safety. We need to look at avenues that give states incentives to bring highway accidents and fatalities down voluntarily, but quickly and effectively.

Our National Highway System consists of over 160,000 miles and carries over 40 percent of all traffic—unfortunately almost 40 percent of these roads are not up to par. We cannot afford to continue to penalize highway users—both private and commercial—by compromising the conditions of our nation's highways by skimming funds. Don't get me wrong—I am very interested in preserving the lives and safety of this nation's highway users. But, we need to do that in an effective and uniformly safe manner, which in my opinion includes maintenance of the current roads. Oklahoma, like many other donor states, already has limited funds returned from the

Trust Fund—we need to use that money wisely to protect our highway users—not be penalized.

STATEMENT OF HON BARBARA BOXER, U.S. SENATOR FROM THE STATE OF CALIFORNIA

Thank you, Mr. Chairman.

I know we have a lot of witnesses here today but I just want to make a few remarks about the subjects of today's hearing which are very important to California.

Mr. Chairman, I am pleased to see that you set aside a separate hearing on safety issues. This is clearly an issue of the highest.

California's annual traffic fatalities have been fairly constant since 1991 at an average of 4,195 a year, which is still too many. California is one of only three states which have passed a zero tolerance for driving under the influence of alcohol, comprehensive child restraint and primary seat belt laws, and my state's alcohol-related deaths have declined by 17 percent over the past 5 years. However, the percentage of alcohol-related deaths and injuries on our highways is still just under the national average of 41 percent of all deaths and injuries.

Clearly, even the better states have room for improvement.

I am also concerned about railroad crossing fatalities. California unfortunately leads the nation in railroad trespassing fatalities involving pedestrians.

Another concern I have is how we balance the needs of highway truck traffic with those of automobiles. Let me add here that I do not believe that California needs triple-trailer, and I have written to Governor Wilson urging him not to pursue a demonstration of this longer combination vehicle. It will raise the risks for our other motorists in California.

One of our witnesses today, Mayor Bartlett of Monrovia, California, is going to speak about the pressure California is facing from the impact of the NAFTA trade agreement and the general increase in trade which has so helped my state recover from the recession of a few years ago.

I urge my colleagues to listen to his testimony because some of the statistics Mayor Bartlett will recite on the impact of freight movement in my state are astounding. This flood of trucks when combined with the overall increase in traffic is unprecedented. It is literally breaching our infrastructure.

This breach is best evident on the border. The Federal government has built new buildings for the ports of entry along the border, but it has not provided help to link these facilities to our national transportation system. Soon after NAFTA passed, we moved all commercial vehicle traffic from one of the largest land border crossings in the world at San Ysidro, where it links up with the interstate highway system, to Otay Mesa, which is served by a four-lane city street. The current traffic already is three times above this street's design standards. The truck traffic at 1.5 million a year now is expected to double in a decade. From 1990-1994, accident fatality rates for Otay Mesa Road were over 5 times higher than the average rate for state highways and have edged up slightly since then.

Meanwhile, the General Services Administration is designing a new facility at Tecate, in eastern San Diego County, but there is no Federal money to provide even adjacent intersection construction much less major traffic improvements. The rate of highway deaths on State Route 94 in this area is more than 6 times the statewide average on comparable highways. From 1993 to 1995, the 25-mile long route to the border has averaged 45 fatal and injury accidents a year.

In Calexico in Imperial County, trucks entering this port of entry which opened in February either must follow city streets past a school and shopping center to reach Interstate 8, or follow a two-lane country road that was constructed over 50 years ago and never designed for heavy commercial trucks.

Mr. Chairman, this is where NAFTA meets the road and the roads we have don't past the test. Our check points have become chokepoints. That is why I introduced the Border Infrastructure, Safety and Congestion Relief Act, which I urge my colleagues to consider as we reauthorize ISTEA.

Border infrastructure is a trade issue because without improved transportation efficiencies we hurt businesses and factories that keep their inventories low and rely on getting materials and goods delivered and sent as quickly as possible and not snarled in traffic tie-ups on narrow roads. Border infrastructure is a fairness issue because 25 percent of this commercial truck traffic originates or is destined for areas outside California.

And finally, border infrastructure is a safety issue because of the high incidence of accidents and fatalities in the region.

Mr. Chairman, I would like to end my remarks with a passage from the recently published assessment on NAFTA's impact on California from a group that is gen-

erally supportive of the trade agreement. According to the California State World Trade Commission:

"This commercial expansion has placed severe stress on the nation's underdeveloped southern border transportation infrastructure. The result has been bottlenecks and traffic jams at border crossings, safety hazards and declining environmental quality in the areas surrounding ports of entry....The current infrastructure conditions are not only unsafe, but are seriously impeding the flow of cross-border trade and hampering job creation in the border region."

I look forward to working with this committee as we address the border infrastructure needs of our country, and as we put together the best provisions to further the progress we have made on safety.

Senator WARNER. We will lead off with Mr. Recht.

STATEMENT OF PHILIP R. RECHT, DEPUTY ADMINISTRATOR, NATIONAL HIGHWAY TRAFFIC AND SAFETY ADMINISTRATION

Mr. RECHT. Thank you and good morning, sir.

Mr. Chairman, members of the subcommittee, I appreciate the opportunity to testify before you today.

NHTSA's mission, as you know, is to prevent deaths and injuries from motor vehicle crashes. In the area of highway safety, we do this by providing States and local communities with grant funds and technical assistance targeted to priority activities.

NHTSA's programs have contributed to real progress in highway safety. Since 1992, seatbelts, child safety seats, motorcycle helmets and the age 21 minimum age drinking laws have saved over 40,000 laws.

Despite this progress, a look at recent statistics shows no room for complacency. After years of steady decline, total highway deaths increased in each year from 1992 to 1995; motor vehicle crashes are still the leading cause of premature death of America's youth; seatbelt use has grown by only 2 percentage points since 1993; and in 1995, the number of alcohol-related fatalities increased in this country for the first time in 9 years.

Last year, over 41,000 people died and over 3 million more were injured in police-reported crashes. Highway crashes cost the Nation over $150 billion a year and taxpayers share a significant percentage of these costs through Medicare, Medicaid and support programs.

Moreover, we face some particular new challenges today.

Senator WARNER. Let me interrupt just a minute. I have your statement here with some 20 pages with appendices, but you're obviously proceeding from a shorter version that you put together yourself?

Mr. RECHT. Yes, sir.

Senator WARNER. All right. I missed a statistic that you gave me there. What was the total number of deaths?

Mr. RECHT. In 1996, it was actually over 41,500 and over 3 million injuries.

Senator WARNER. Three million injuries.

Thank you very much.

Mr. RECHT. We face some particular new challenges today as well. The number of older and younger drivers is increasing; the use of alcohol and other drugs among some segments of the population is rising; speed limits have been raised; and speeding and other forms of aggressive driving are increasing; and a growing economy is historically linked to increases in traffic and fatalities.

NHTSA's programs are highly cost effective and we continue to have strong public support for them. We see a growing demand for continued Federal technical assistance in all of our program areas and in NEXTEA, we propose a significant expansion of our programs.

The centerpiece of NHTSA's efforts in highway safety is the State and Community Highway Safety Grant Program, known as the 402 Program, and which is jointly administered by NHTSA and the Federal Highway Administration.

Under this program, the States receive formula grants for the programs that are most effective in reducing traffic deaths, injury and property damage. NEXTEA proposes to reauthorize the formula grant program.

In addition, NEXTEA provides authorization for incentive grant programs targeted to four priority areas: first, occupant protection; second, drunk driving prevention; third, drug driving prevention; and fourth, highway safety data improvement, a matter you just mentioned. Let me briefly describe these programs.

First, in occupant protection, seatbelts are the most effective means of occupant protection. When used, they reduce the risk of fatal and serious injury by about 50 percent. Further, seatbelts provide protection in all types of crashes—frontal, rear, side and rollover alike.

Currently, about two-thirds of Americans use their seatbelts. In potentially fatal crashes, however, the use rate is only about 50 percent. Despite the fact that our use rate in America is one of the lowest among all industrialized nations, seatbelts still are saving more than 9,500 lives a year in this country.

President Clinton feels strongly that there more must be done to encourage the use of these life-saving devices. On April 16, Secretary Slater responded to the President's call for the Administration plan to increase seatbelt use and announced the national strategy to raise the U.S. seatbelt use rate to 85 percent by the year 2000 and to 90 percent by the year 2005. If we reach that goal of 90 percent, we will save over 5,500 additional lives each and every year from seatbelts.

To help our State partners reach these goals, NEXTEA includes a new 6-year, $124 million incentive grant program to encourage States to implement effective seatbelt and child restraint laws and programs. These funds would be available to States which, among other things, adopt primary enforcement seatbelt laws.

The Administration's April 17 supplement to NEXTEA underscores our strong support for primary seatbelt laws. That bill requires States, by the year 2002, to either have a primary seatbelt law or a seatbelt use rate of at least 85 percent. A State that fails would have a portion of its highway funds transferred to its occupant protection program.

Second, drunk driving prevention. Drunk driving is still the leading cause of fatal and serious injury crashes playing a role in over 17,000 traffic deaths each and every year.

NEXTEA proposes a new 6-year, $260 million incentive grant program to encourage States to increase their efforts to deter drunk driving. One significant aspect of this incentive program is

a provision to make .08 BAC the per se standard for driving while intoxicated.

The Department strongly supports .08 BAC as the appropriate DWI standard and our bill is designed to achieve it. Senators Lautenberg and DeWine's bill, S. 412 and Congresswoman Lowey's companion House bill, equally are aimed at the same goal, to make .08 BAC the Nation's standard and we will work with them toward achieving this common goal.

Our third incentive proposal would create a new 5-year, $25.1 million incentive grant program to encourage States to improve their drug driving laws and related program.

Our final incentive program would create a new 4-year, $48 million grant program to States to improve the collection of the data they need to identify their highway safety priorities to choose the right programs and then to measure the effectiveness of these programs.

Senator Warner, that concludes my statement.

Senator WARNER. Let's come back to this .08. Tell me the process that you followed to arrive at that conclusion that we should make it .08 and over what period of time, and some elaboration on the data base that you used and the extent to which you entertained views other than .08.

Mr. RECHT. We believe that if all States in this country were to go to .08, a significant number of lives would be saved for a number of reasons. First, as you've heard, virtually all persons are significantly impaired at .08. They are impaired in judgment, they are impaired in reflex and motor skills that are necessary to drive a vehicle. This has been proven by numerous tests that have been conducted by persons who are sober and at .08.

Second, we've looked at crash statistics and these statistics show that you have an 11 times greater crash risk when you're at .08 than when you're sober.

Third, at least four studies, that we're aware of, have been conducted—one study conducted by ourselves—that have looked at the impact on those States which have adopted .08. The first such study looked at California. In 1990, California adopted two things—.08 and administrative license revocation. We did a study which showed there was a 12 percent reduction in fatalities as a result of both of these items.

All the studies that have come since have shown essentially the same thing, that there has been an overall reduction in fatalities and additionally, it has brought down fatalities among this high BAC group that was mentioned earlier in some of the testimony.

For all these reasons, we believe it is appropriate to go to .08 BAC as the nationwide DWI standard.

Senator WARNER. In contrast to safetybelts, safetybelts I understand are mandatory and the other optional? Let's clarify that.

Mr. RECHT. We have proposed, with respect to .08 an incentive program which would reward States which went to .08 BAC among other things. With respect to seatbelts, we have proposed a program which is by and large patterned on the law as it exists today, which was adopted in 1991, and includes both incentives for 5 years and a redirection in the sixth year.

This was the same kind of program which this Congress adopted in 1991 to encourage States to go to secondary seatbelt laws and which this Congress in the NHS deliberations voted to retain with respect to seatbelt laws.

Essentially, we're going to increase the amount of incentives, lengthen the period of incentives, but raise the bar and encourage States to go to either primary seatbelt laws or go to other measures that would raise their seatbelt use rate.

On that point, let me note that one State, the State of Washington, is currently at 84 percent seatbelt use. They do not have a primary seatbelt law. There are ways to get there besides primary seatbelt laws, but we know that primary seatbelt laws are extremely effective.

Senator WARNER. I want to commend you on the drug driving program. I certainly strongly support that and I think we can do it.

Thank you very much.

Mr. Kane?

STATEMENT OF ANTHONY R. KANE, EXECUTIVE DIRECTOR, FEDERAL HIGHWAY ADMINISTRATION; ACCOMPANIED BY GEORGE L. REAGLE, ASSOCIATE ADMINISTRATOR FOR MOTOR CARRIERS, FEDERAL HIGHWAY ADMINISTRATION

Mr. KANE. Good morning, Mr. Chairman, Senator Smith.

I'd like to highlight five additional points regarding the Administration's reauthorization proposal.

First, I'd like to discuss infrastructure needs. There are mounting highway infrastructure needs in both rural and urban areas. New growth areas, including border infrastructure requirements, and investments for the future have both physical and communication aspects. We not only have to repair the physical assets we have, but we have to overlay today's road system with the communication technology for the future. Both types of investment are important for safety, and both are covered in our bill.

In addition to targeted safety programs, our proposal has a 40 percent increase in the National Highway System, interstate maintenance and surface transportation program authorizations. Clearly, these core programs are significant for safety. These programs are used significantly by the States to make safety improvements on the roadways.

Second, regarding our infrastructure safety program, we propose a new stand-alone program that is funded at a higher level over the life of NEXTEA than ISTEA, and is more flexible and simpler than today's surface transportation program set-asides.

The hazard elimination component provides funding for any public road off the interstate. These roads account for 9 out of every 10 fatal crashes. This program will help address such needed measures as guardrails, pavement markings, breakaway signs, and geometric improvements.

The rail grade crossing component also increase funding over today's level and increases flexibility over today's program.

Third, I'd like to discuss motor carrier safety. We have made great gains in motor carrier safety. From 1985 to 1995, fatalities in large truck crashes decreased by 12 percent and the fatality rate

declined by 35 percent. We need to continue to advance our gains and thus we propose an increase in funding for motor carrier programs to $100 million per year—$83 million for the Motor Carrier Safety Assistance Program, which will become completely performance-based by the end of the authorization period.

A portion of these funds will also be used to support priorities such as border enforcement. In addition, we propose an authorization of $17 million for grants, cooperative agreements and Federal activities supporting the development of safety information systems, including a comprehensive commercial vehicle information system, providing data analysis and program analysis, all directed toward achieving enhanced safety performance.

This, we feel, is really the heart of our enforcement program because it provides enforcement and compliance information and analyses so that we can target high risk carriers and identify safety problems.

Fourth, I'd like to discuss flexibility and incentives. Our proposal has several safety features that offer more flexibility and incentives to the States. First, through a new $50 million a year integrated safety fund we would make available to the States with a comprehensive safety planning process, funds that can be used to enhance the MCSAP grants, the Section 402 program, as well as our safety infrastructure program. Second, our proposal includes expanded Surface Transportation Program (STP) eligibility to allow the use of the STP funds for Section 402 program and MCSAP projects. Third, the safety hazard elimination funds can be used for Section 402, or MCSAP, if the State has a good, integrated safety planning process. Fourth, the rail grade crossing program targets funding to locations where the crossing problems are and provides expanded eligibility for such activities as education and enforcement to deal with noncompliance and crossing devices.

The fifth major point concerns reauthorization—Intelligent Transportation Systems. Our proposal calls for both increased funding for research and development, as well as a new $100 million deployment incentive program.

This will enable FHWA and NHTSA to advance the intelligent vehicle initiative, a safety-oriented effort focused on such activities as collision avoidance systems which could really save lives in the future, and also to advance the deployment of safety-improving ITS uses, such as rural "Mayday" systems, weather-related information systems, integration of urban incident management and emergency service systems with congestion management systems, linking safety and inspection strategies into commercial vehicle information systems, and addressing border safety issues.

Thank you, Mr. Chairman and Senator Smith. We're ready to answer any questions and provide any technical assistance during the course of the legislative process this year.

Senator WARNER. Mr. Smith, I've had an adequate opportunity and I'll return with questions. Would you like to lead off?

Senator SMITH. Thank you very much, Mr. Chairman.

I thank the witnesses this morning.

This is a difficult issue for those of us who support personal decisionmaking in the sense that I don't challenge what you all are try-

ing to accomplish, which is to save lives and to encourage the use of seatbelts, and I don't disagree with you.

I sometimes wonder whether we're getting the results that we want. If you look at some of the statistics, for example, Georgia has a State safetybelt use rate which is about average for the country and yet it has a primary seatbelt use law.

I guess I wonder what that means in terms of what you're trying to do, if you could just respond to it. Those statistics turn against what you're trying to accomplish, don't they?

Mr. RECHT. When we deal with behavioral safety programs, we always say you need three components—good laws, good enforcement, and good public information and education. Of course they all go together, you can have the best law in the world, but if it's not enforced, and if the public doesn't understand why the law makes sense, they won't follow the law willingly.

Having said all that, we've taken a hard look at those States that have primary seatbelt laws and we can tell you that perhaps with one or two exceptions, they generally see an immediate and significant increase in seatbelt use immediately upon passage so long as the word about the passage gets out and on average, they show 15 percent higher seatbelt use rates than those States which do not have primary seatbelt laws.

I did indicate earlier that some States are quite successful in raising seatbelt use without going to primary seatbelt law. The State of Washington is one. The way they've done it is by and large through public information and education, creating a culture in the State where people believe it's important to buckle up for their own safety. They are at about 84 percent now and keep going up.

Having said all this, we do know the primary seatbelt laws are one of the critical tools to get seatbelt use up in States.

Senator SMITH. New Hampshire, for example, has a seatbelt law for children up to 12 passed by their legislature and signed by the Governor and probably will raise that to 18 before the end of the year, and yet that's on their own volition.

What I'm concerned about is you have the people who are administering the highway moneys and programs as they come in from the Federal Government through ISTEA, but they're being punished in terms of how they're trying to conduct their programs if, in fact, the state legislature doesn't act to what you basically are intimidating them to try to do, so it's not their fault.

You're basically saying, we're going to hold up 3 percent of the money and tell you to go spend it on a safety program to wear seatbelts which, in fact, using my own State as an example, we already have such a program. and meanwhile, some bridge or bump in the road somewhere that has already caused some deaths, may cause more because we don't put the money in there.

Don't you think these officials who are on the scene, on the job in those States are a little better equipped to direct money where it ought to be directed, whether it be in safety programs or in repair of a bridge or road?

Mr. RECHT. I appreciate the point you're making, Senator. As I indicated, we patterned this proposal on the law that was enacted by Congress in 1991 and effectively retained in 1995 when it was

considering the NHS legislation. That was a combination of, if you will, carrots and sticks when it came to seatbelt laws.

The 1991 program was 3 years of incentives to, at that point, adopt secondary laws and then to measure performance and then in the subsequent years, to go to both seatbelt laws and motorcycle helmet laws. Here, we've expanded the incentives to 5 years and then redirection afterwards when we give a performance alternative.

Admittedly, whenever a redirection or sanction is enacted, it does have some coercive effect, but that, I think, is the point. If you look at the history of sanctions provisions that have been used in alcohol and if you look at the history of this redirection provision that was used for seatbelts, they have been effective.

The redirection provision enacted by the Congress in 1991 in fact brought eight more States that didn't have seatbelt laws or during the period, say, eight more States enacted those laws. They've been highly effective with respect to the various alcohol laws and the like. The proposal is meant to encourage the States to move in this direction.

Having said that, we understand these concerns.

Senator SMITH. Again, as I said before, I understand and respect what your goals are because I agree with your goals. I just think in a free society, we need to be able to exercise free decisions.

I probably shouldn't put this idea in your head but the NASCAR drivers have one of the best safety records of all drivers in America and why don't we make everybody get into a NASCAR suit, flame resistant, helmet, put all that in and you'll save probably another 30,000 lives. Is that next?

Mr. RECHT. I doubt it.

Senator SMITH. Why not? It's the same principle, isn't it? It really is the same principle. It's a matter of degree. That would save more lives. If you coupled that with the seatbelts, you had a flame resistant suit and a helmet and made everybody wear them, you'd save probably another 25,000 or 30,000 lives in America. It's the same principle. It's an individual decision.

Mr. RECHT. I understand the point you're making, Senator. I think Senator DeWine framed it quite well, which is that it's a matter of balance and, of course, for the Senate to reach an ultimate decision as to the effectiveness of these provisions toward achieving the goals and the impairment on liberties or freedom of choice. I'm certain you'll consider those factors.

Senator SMITH. Let me just ask one more question. I haven't seen any numbers on this, I'm just curious.

In terms of the primary cause of death, a seatbelt could be, for example, a secondary cause of death in the sense that a bad road, a bad curve, some pothole or a defective bridge or something is the initial or primary cause and the secondary cause is because the individual loses control of the automobile, the seatbelt ultimately saved the person's life.

Have you seen statistics on these primary causes, whether or not you would save more lives if you focused more money on that and less on the process of trying to encourage people to use the safety belt? That's not meant to be a hostile question, it's one of whether

or not you've done any statistics or run any numbers on those kinds of things.

Mr. RECHT. In fact, we have, Senator, and we look at those kinds of issues every day.

Let me say that when it comes to highway crashes, our studies show that 80 percent and higher of the reasons for the crashes are driver error—inattention, impairment and the like—so we know that if we can focus on driver error and the behavioral side, we can make big differences.

Mr. Kane spoke briefly of Intelligent Transportation Systems, ITS, and one of the things we're very enthusiastic about is our ITS program where we are looking at technology that could help drivers avoid crashes in the first place through devices that might detect a car is about to run off the road or get into a rear end crash and the like.

We have done some preliminary estimations and we think if all cars were fitted with these ITS crash avoidance devices, we could eliminate maybe 20 percent of all crashes that are out there and save thousands of lives.

Having said all that, when we look at all the behavioral issues that are before us today where we are able, we believe, to make a difference, there is absolutely no doubt in our minds that increasing seatbelt use is the area where we can make the most significant difference.

If we can raise the national seatbelt use from its current rate of about 68 percent to 85 percent, we can save over 4,000 lives a year and prevent over 100,000 injuries, and save the country $6.7 billion a year. If we can get up to 90 percent, we can do even better, we can save over 5,500 lives a year and save the country close to $9 billion.

Senator SMITH. But that's about 68 percent or 70 percent use now, so you've got to go up another 15 or 16 percent and you're going to start penalizing people in 2 years, you're going to get there in 2 years, you're going to go from 70 to 85 or 68 to 85 in 2 years?

Mr. RECHT. Actually, our proposal would have 5 years of incentives beginning next year and only in the sixth year would the redirection take effect. Yes, we believe it's realistic to think that we can get there if States go forward and either adopt primary seatbelt laws or undertake other programs that are meant to vigorously educate the public about the need to raise seatbelt use to this level.

Let me just mention that we, in the United States, have the lowest seatbelt use rate of any industrialized Nation. Our good neighbors to the north in Canada, our friends in Australia and many, many countries in Europe have belt use rates well above 90 percent and as a result, they are able to see fewer fatalities.

I'll also mention that they've seen fewer of these airbag-related fatalities. Unfortunately, the failure to use seatbelts has been a significant cause of many of the airbag fatalities.

Senator SMITH. Without a seatbelt law with the exception of up to 12-year-old children, New Hampshire has been able to stay above the national average. Do you still favor sanctions if we're above the national average?

Mr. RECHT. Our proposal would say that come the sixth year, if a State reaches 85 percent belt use, it would not be subject to the

redirection. So yes, we have a performance alternative in there. We've set the goal at 85 percent, which we hope to be the national average by that point in time.

Senator SMITH. Thank you, Mr. Chairman.

Senator WARNER. Thank you very much, Senator Smith, for joining us today.

I want to talk about another subject that is of great concern to me and I will indulge you to listen to a little story about my own driver training.

My father was a medical doctor and a surgeon and took care of many, many people as a consequence of accidents. He took it upon himself to teach me to driver. I remember so well as we went to the intersections, I would make the obligatory stop at the stop sign, but then I'd press off rather speedily and the same way with the change of a light as soon as the light would change. He'd say, son, always look right or left before you move.

He used to have a little thing he said. He said, "As John O'Day approached the intersection, he had the right of way, but he's just as dead today as if he didn't have the right of way."

Then comes the subject of aggressive driving and I want to commend our Governor in our State and there was an article in the Washington Post showing how Maryland and Virginia are working on this subject. I'm inclined to think we'd better address that issue in this bill because it's a spreading malignancy across America, this issue of aggressive driving. We've seen here on one of the most beautiful stretches of roadway in America, the George Washington Parkway, instances of this aggressive driving.

Where is that issue, Mr. Recht, in your administration and Mr. Kane, what is the Administration doing in the Department?

Mr. RECHT. I'm glad you raised that matter, sir, because there's probably been no region in the country that has experienced an explosion of this kind of activity as this region has in recent years.

Senator WARNER. That's interesting. You say the Washington Metropolitan Region has statistically experienced the greatest explosion? That was the word you used?

Mr. RECHT. Yes.

Senator WARNER. In this type of conduct by drivers?

Mr. RECHT. I say that based simply on anecdotal observation. I actually come from Los Angeles where when I talk, we used to joke about these kind of highway shootings and the like thinking it was some local phenomenon but it is spreading throughout the country and you need do nothing more than simply read the papers and watch television to see what has gone on in this region.

That crash on the G.W. Parkway about a year or year-and-a-half ago between the two dueling gentlemen in the morning that left three people dead and tied up traffic for fully 7 hours was perhaps the incident that brought national attention to it but there have been a host of incidents ever after that. It's a critical problem and we really need to move swiftly on it.

Let me tell you some of the things we are doing. Again, we are trying to attack this in the same framework of good laws, good enforcement, and good public information and education. It is a behavioral problem to a great extent.

We are going forward with a number of public information and education programs to inform the public about how dangerous it is to engage in this kind of activity, whether it be red light running or speeding or dueling on the highway, how critical it is when you are confronted with this kind of behavior to, as we say, put your pride in the back seat and not return the activity in kind and get out of the way.

The second thing we're doing is to encourage States to engage in active enforcement. There have been a number of very effective programs that have been mounted in States like California, Arizona and Maryland.

Senator WARNER. Maryland and Virginia, I certainly commend the Governors of both States.

Mr. RECHT. Last week, we just attended an event where we gave a special grant to Maryland, Virginia and D.C. which are coming together.

Senator WARNER. Going precisely to the question, do you think there's any need for Congress to address this issue legislatively now before this problem worsens across the United States?

Mr. RECHT. I think if Congress were to enact our NEXTEA proposal which has the formula grants I mentioned earlier with some increases in there, the States clearly are free to use those moneys where there is a problem to go forward and try to address these problems. We think that will be effective.

Senator WARNER. Good. I hope the next panel, when it comes forward, and we'll give everybody plenty of time because this is an important subject, will also address that issue.

Mr. Kane?

Mr. KANE. Mr. Chairman, it is a real serious problem. It's not just related to congestion and antagonization with congestion. The accident you mentioned on the G.W. Parkway did not occur when the Parkway was in a congested state. Certainly in a lot of lightly traveled or very uncongested intersections, a lot of stop signs and red lights are being run—lots of aggressive behavior out there.

I think as Mr. Recht mentioned, one way to address this problem is increased funding for safety. In our proposal we tried to give more flexibility because you have to balance driver behavior and education and training activities with improvement to the physical infrastructure, itself.

One provision we have to achieve is this balance in the Surface Transportation Program, which allows that kind of flexibility so that States can put more dollars into training, into enforcement activities, into education, into behavioral change because that's what it's really about. Aggressive driving is not related to the pavement, to the bridges, to the traffic lights. It's related to the individual attitudes and behavior.

We need to have that dedicated funding for safety and we need to create that flexibility. We've clearly provided this funding and flexibility with language in the Surface Transportation Program.

In continuing our effort on the Infrastructure Safety Program, we've also built in flexibility, enabling States to make those choices.

We have jointly, with NHTSA, put a lot of effort into developing training courses, promotional material, et cetera. One initiative

that has gotten a lot of play, and we thank AAA and others, is a "Read Your Road" brochure that in very easy terms, tells drivers what the rules are. We hope to be able to get these in everyone's car by giving them to people as they register. It translates the laws into language and visuals that are really clear.

Senator WARNER. Would you leave that with the committee?

Mr. KANE. I certainly will.

Senator WARNER. The precise question, do you think that there's an obligation for Congress to address this issue in some more specific legislative proposal in this bill?

Mr. KANE. The answer is yes, but I think the way to do it would be as we suggested in terms of increasing dedicated funding for safety to allow and encourage promotional activities and training, as well as infrastructure improvements.

Senator WARNER. Will both of you supplement the record with a written response to that question?

Mr. KANE. Absolutely, Senator.

[The information follows:]

The Department of Transportation's proposed National Economic Crossroads Transportation Efficiency Act (NEXTEA) contains several provisions that could be used to develop comprehensive programs aimed at combating aggressive driving. Chief among them are the Section 402 highway safety formula grant program and the proposed Integrated Safety Fund.

The Section 402 formula grant program provides funds to every State for addressing critical highway safety needs, including aggressive driving countermeasures. Virginia, Maryland, and the District of Columbia are using Blair current Section 402 funds to implement innovative programs to curb aggressive drivers. In New Jersey, the New Jersey State Police Division of Highway Safety, working with the municipal police departments in six counties, has used Section 402 Finds to launch a program combining aggressive enforcement and public information efforts with a statewide toll-free cellular phone number for motorists to use to report aggressive driving behavior Reauthorization of the Section 402 program will enable these States to continue funding such programs and will provide additional States with the assistance they need to implement new aggressive driving programs throughout the country.

The Integrated Safety Fund proposed in NEXTEA will reward States that have good integrated safety plans, by giving them a new "pot" of highway safety money that they can use on any or all of the following programs: the Infrastructure Safety Program, Section 402 Highway Safety Programs (primarily the behavioral programs), and the Motor Carrier Safety Assistance Program. With these funds, States and local communities will be able to develop a multi-faceted plan to solve the problem of aggressive drivers, for example, a community could use funding from the Integrated Safety Fund to increase law enforcement on roadways where aggressive drivers are particularly prevalent, finance public information campaigns to make aggressive driving socially unacceptable, increase inspections to ensure truck drivers are not falsifying their travel logs (and driving longer than permitted), and install median guardrails to ensure that if aggressive drivers do lose control of their vehicles, they will not cross over into on-coming tragic.

Through the Department's NEXTEA proposal, we would also increase the flexibility of the Surface Transportation Program (STP) to allow funding of anti-aggressive driving initiatives. States which have good integrated highway safety plans would be allowed to transfer STP Finds to any of the three highway safety programs mentioned above. In addition, the new Infrastructure Safety Program would be endowed with this sense degree of flexibility.

These changes are a direct: outgrowth of what we learned at the Department's NEXTEA Outreach Sessions: States and local communities want added flexibility to tailor highway safety programs to suit their local needs.

Senator WARNER. Mr. Recht, back to you on the subject of the airbags. A lot of controversy on this.

The examination now of depowering the airbag and also giving the owner the option to have a functioning airbag or one that func-

tions at varying power, where are we on the studies and action that should be taken in this area?

Mr. RECHT. Approximately 6 weeks ago, if I have my dates correct, we issued a final rule allowing these depowered airbags and we made it effective immediately, so that the auto manufacturers could get them into the fleet as soon as possible.

We've been informed that in fact at least the big three are going to be getting these depowered bags into the fleet beginning this coming model year either in 100 percent of their fleet or some significant portion. So that seems to be moving along.

Senator WARNER. Do we need legislation in that area to make this happen?

Mr. RECHT. No. We were able to do it by agency rulemaking.

Senator WARNER. And you're satisfied?

Mr. RECHT. Yes, we are, sir.

Senator WARNER. You said the big three. That leaves a lot of other peripherals.

Mr. RECHT. Those are just the ones we've heard from. We simply have not heard from the other manufacturers, but we've heard anecdotally that many intend to put these depowered or softer airbags in their vehicles. We would encourage them to do so to the extent they think it will make a difference in their individual vehicles.

The second issue you raised was the question of deactivation or disconnection. We are currently in rulemaking and we intend to issue a rule in the very near future on that to address the question of whether persons ought to have some mechanism by which they can disconnect or turn off the airbag in those cases where somebody is at risk in front of an airbag—a typical situation involving an infant in a rear-facing infant seat, as you know, should never be placed in front of a passenger side airbag; some cases of medical conditions, some persons who are so short in stature that no matter how hard they try——

Senator WARNER. We know the case. So you feel legislatively there is no need now?

Mr. RECHT. That's correct, sir.

Senator WARNER. It seems to me what you've informed the committee is you're looking at this prospectively for new autos as they join America's highways, but what about the existing fleet and what about people of lesser economic income that never see a new car, they just go from one used car to another? They are no less entitled to the protection than the ones that are economically able to get a new car.

Are you looking at some rulemaking which would simply require industry to prepare a modification kit? Is it technically feasible, in existing cars?

Mr. RECHT. We announced last fall what we called a comprehensive approach to this airbag situation involving vehicles that are on the road right now. There are about 55 million vehicles on the road today that have one or both of the bags.

The vehicles that will be built in the next three to 5 years and the vehicles that will be built after that, after that we certainly hope there will be the so-called smarter, advanced performance airbags which will resolve all the issues we've been facing today.

We do feel you need different solutions for the vehicles on the road today versus those to be built in the next few years. In the next few years, this depowering permission will make a difference; also, we have come out with a rulemaking requiring much brighter, more eye-catching labels to warn people about the need to put kids in the back and sit back themselves and wear their seatbelts and the like. We are beginning to see some significant effectiveness.

As for the cars on the road today, we have a couple of proposals and things we've done already. One is the labels. We've actually encouraged the auto manufacturers to send these labels out to the owners of existing cars. They are not required to do so but they've agreed and to further get these behavioral messages out to people about how to be safe when you have airbags in your cars, and also we're considering this proposal on disconnection. That would address those vehicles on the road today.

Senator WARNER. What is your time limit on conclusion of your decisionmaking process on disconnection?

Mr. RECHT. We would anticipate issuing a final rule in the coming weeks. As I've learned in this business, it's very difficult to predict, but it will be sooner rather than later, sir.

Senator WARNER. From a technical standpoint, if the owner desires to have it disconnected, it can be done by what level of mechanics?

Mr. RECHT. Assuming we go forward and allow some form of disconnection, the work can be done either by a dealer or by a certified mechanic.

Senator WARNER. So it can be done within the state-of-the-art?

Mr. RECHT. Yes.

Senator WARNER. Do you have anything to add to those issues, Mr. Kane?

Mr. KANE. If I might just followup on something, Mr. Recht mentioned earlier and that's the correlation between seatbelt use and effects of airbags. It's an additional reason for our push and support on seatbelt use. I think in addition to both the aggressive use of seatbelts as well as the issue of disconnect and education of wearing seatbelts and issues of children in the back, you really put it all together and that can address the issue with regard to the existing fleet, Senator.

If I may, Senator, one thing we have been doing over the last couple of years, and we've done it very aggressively with regard to the airbag issue, is that we're utilizing the Federal Highway field force who primarily work on the construction side of the issue, to join with the NHTSA forces.

We've put together regional safety teams, we've had each of our State division offices actively working in terms of education and training, working with the State Highway Safety officials with regard to issues of airbags. So one thing that we can do and we have done, and will continue to do, is utilize our human resources to be out there helping NHTSA on this issue.

Senator WARNER. This committee, as a consequence of a decision I made in consultation with our full committee chairman and the members decided to go to the field to hold hearings. They've been very beneficial.

I was not aware of the following allegations. I suppose it's predicated on sound statistics. That is, we learned over 60 percent of all traffic fatalities occur on our rural highways and there is reason to believe that we could lower that number if we had better highway design.

That's getting at the very heart of States' rights when you talk about going into rural America and saying this is the way we're going to build a road which road has served grandfather and grandmother and great-grandmother and everybody for generations. Let's tackle that issue, Mr. Kane. Where are we on it and what should we do or not do in this bill on that serious issue?

Mr. KANE. A couple of points as context here. ISTEA changed the way the Federal Government works with the States with regard to roads in the National Highway System. The question of design and review, construction plans, PS&E review, et cetera, are now left to the States, so the Federal role tends to be one of oversight in terms of design on the National Highway System.

Our efforts and our directives move very much toward education, training and encouraging best practice, and in addition, to provide the adequate level of investment. As I mentioned in my short statement, a significant share of traditional programs—interstate maintenance, surface transportation programs, the National Highway System—are spent on safety-related improvements.

Anytime you improve the pavements, eliminate rutting, eliminate roughness, it's a safety benefit. Anytime you improve the shoulders, anytime you improve intersections, anytime you put up a guardrail, a breakaway sign, all have tremendous safety benefits. So I think it's important to put that focus on the level of investment on the infrastructure.

We will be pushing and encouraging through AASHTO, the association of all the States, safety with regard to their improvements on the roadways, whenever they do reconstruction, whenever they do resurfacing. While we may not be approving the plans, we will be pushing, using a sharing of best practices, showing what can happen when you improve clear zones, when you eliminate grading problems and improve intersections. We will clearly do that.

I think the other important push was putting the emphasis on the safety construction programs themselves. The Hazard Elimination Program, for example, can only be used off the interstate system where almost 9 of every 10 fatalities occur. So that's very targeted and directed at facilities that need to have those improvements.

We're well aware of the information AAA, Roadway Safety Foundation, and others have come out with showing that potentially 30 percent of the fatalities are related to leaving the roadway and single occupant drivers. The roadway has a lot to do with it. Behavior does as well. There's got to be that balance because even on a poorly designed roadway, if you are wearing your seatbelt, observing speed limits, not driving impaired, you're going to be fine.

It's in order to counteract those who are not driving correctly that you really have to have the infrastructure up to snuff as well. So I think what we need is a high level of investment and our continued training and education.

Senator WARNER. Let's get down to a blunt point here. What about the NHS roads that are not interstates? Fatalities on NHS roads are almost twice as high as the fatality rate on interstates. That begs the question should we have design guidelines on the NHS roads?

Mr. KANE. With regard to the NHS, we do. A good number of the NHS roadways are two-lane roadways, a good number of them are also very low volume roadways. It becomes a question of priorities in terms of investment.

With regard to the design standards themselves, we have adopted standards through AASHTO and when it comes time to make improvements on roadways, again it's a question of funding. States will look at priorities in terms of where traffic volumes are, in terms of benefit cost ratios you can get on return, but when you do make investments on those National Highway Systems in terms of adding lanes, in terms of major reconstruction, we do have standards, we do have safety standards, and we're looking at all of those issues as we make those upgrades.

Senator WARNER. Senator Smith, do you have any further questions?

Senator SMITH. I know you want to move to the next panel, Mr. Chairman. I'd just like to make a couple of points.

I think if I were a State senator in New Hampshire and this was a hearing before the Virginia or the State of New Hampshire legislatures with appropriate officials from the State, I wouldn't have any problem with what I'm hearing.

I just think we've lost sight of the fact that law enforcement is State responsibility. I think we've lost sight of the fact—even again saying we all share the same goals—that these dollars are collected from individuals in 50 individual States and they are sent to the Federal Government.

I think you will hear later from the State highway safety reps they believe incentives rather than sanctions are the best way to influence behavior. I think statistically that is borne out.

What this causes is a lot of in-fighting between various agencies. For example, if the moneys can only be spent by hiring more people to give more safety demonstrations on seatbelts rather than repairing that bad road, potholes or whatever, I just think those decisions need to be made at the local level where they can be made reasonably and have the most dramatic impact on human safety and lives in those States.

I think we've lost sight of that and I think this breeds, again with the greatest of intentions and goals, this animosity toward the Federal Government. I just don't see anything in the scope of the ISTEA or legislation now that should be in the scope now or in the founding of it, that would allow for the movement into these areas where you have gone.

I think it's regrettable. Again, I think it's an attitude that the States can't do it, people aren't smart enough to do it in New Hampshire or Virginia or Montana or anyplace else, that we've got to have somebody up here in Washington tell us we have to have seatbelts or that we have to do this or that.

I just think it breeds a lot of hard feeling and a lot of contempt for the Federal Government. I think it hurts you, frankly, more

than it helps and I think it wastes the opportunity. I think a lot of dollars are wasted in this regard that could be spend saving lives.

I've made my point but again, I wish you would frankly back off from some of this strong arm tactic business in this legislation and allow the States to receive the moneys back they put in, or in some cased, didn't put in as much as they got back, and use it—that's an issue in and of itself—and use it for the best interest of the people and their States and give the people in those States the credit for wanting to save their own lives.

Why does somebody believe that a person driving in New Hampshire isn't interested in saving his or her life and it takes somebody in the Federal Government to tell them, well, we have to help you save your life because you're too stupid to try to do it yourself? That's essentially what you're saying here.

It's not just in this agency, it's in others as well. I don't see anything in the Constitution, or even implied in the Constitution, that would give this agency the authority to do what you're doing, even though I support your goals.

You can respond if you want but I just wanted to make that point.

Mr. RECHT. We understand your position, sir.

Senator WARNER. They got the message.

I thank you very much, gentlemen.

We will now have our next panel to take their seats, please.

The Chair wishes to thank all who are participating and those who have come to share in the knowledge that's being given today.

I suppose I should apologize in one way for what some might say was a delay in getting to you but I just think this subject is so important that I made a decision in conducting this hearing this morning, that I would allow the maximum possible latitude to our witnesses and I accord this panel the same courtesy because this is a subject that knows no limits, it's one that the American public is vitally interested, and it's one I think the Congress should shoulder a greater responsibility.

Having said that, I hope you will indeed sort of abide by the 5-minute rule to the best you can, but signify to the Chair if you feel there is an absolute necessity to have some additional time and we will try and accommodate you.

We will hear first from Mr. Richard Crabtree, President and CEO of Nationwide Mutual Insurance Company, representing ADVOCATES for Highway and Auto Safety. He's accompanied by the distinguished Joan Claybrook, President of Public Citizen.

We welcome both of you. I had the privilege of visiting with your board when they convened in Washington about 2 weeks ago. I thank you very much.

Mr. Crabtree, thank you for coming and also for volunteering to be an active participant in this very important public service.

STATEMENT OF RICHARD CRABTREE, PRESIDENT AND COO, NATIONWIDE MUTUAL INSURANCE COMPANY, REPRESENTING ADVOCATES FOR HIGHWAY AND AUTO SAFETY; ACCOMPANIED BY JOAN CLAYBROOK, PRESIDENT, PUBLIC CITIZEN

Mr. CRABTREE. Thank you, Mr. Chairman.

Nationwide is the fourth largest auto insurer in the country, but I'm here, as you mentioned, in my capacity as co-chair of the ADVOCATES for Highway and Auto Safety board of directors.

Senator WARNER. I just was handed your statement which numbers 17 pages. We will put it in the record in its entirety and I give that same assurance to all witnesses.

Mr. CRABTREE. I appreciate that and you can be certain this statement is much shorter.

As I mentioned, I'm here as the co-chair of the ADVOCATES. I will also share my time with my distinguished associate, former co-chair of ADVOCATES, Joan Claybrook, chairman of Public Citizen.

Senator WARNER. Ms. Claybrook is well known to the Congress of the United States.

[Laughter.]

Mr. CRABTREE. I'm preceding her in my testimony so that I will have sufficient time.

[Laughter.]

Mr. CRABTREE. This morning, I will briefly discuss the need for this Congress in the reauthorization of the Intermodal Surface Transportation Efficiency Act to seriously address safety on our highways. Ms. Claybrook will then discuss the safety agenda that we at ADVOCATES urge the Congress to include in ISTEA II.

Every year, nearly 42,000 people die and another 3.4 million Americans are seriously injured in motor vehicle crashes costing society $150 billion. Before the day is over, 115 people will die in highway crashes, the equivalent of a major airline crash.

The death toll on our highways makes driving the No. 1 cause of death and injury for young people ages 5 to 27. Highway crashes cause 94 percent of all transportation fatalities in 99 percent of all transportation injuries.

The traffic safety programs receive only 1 percent of the funding of the United States Department of Transportation budget. Additionally, in the last 5 years, there's not been any appreciable decline in motor vehicle deaths and injuries.

Yesterday, in this hearing room, ADVOCATES, joined by Members of Congress, representatives of insurance companies, medical professionals, law enforcement and victims, held a press conference to release a new report, "The Highway Safety Deficit: Who Pays and Who Delays." Mr. Chairman, you've been provided a copy of this report.

"The Highway Safety Deficit: Who Pays and Who Delays?" outlines the status of the Nation's highway safety laws across the country. Let me briefly review some key findings in the report using maps that are contained in the report.

Since Congress repealed the national maximum speed limit in 1995, 24 States have speeds higher than 70 miles per hour on rural interstates. A trend of increased deaths and injuries as a result of higher speed limits is emerging.

For example, New Mexico and California experienced higher fatalities and injuries on highways where speeds have increased. Senator Warner, you raised a question with regard to aggressive driving and enforcement. Our polls indicate that 64 percent of Americans believe that stronger enforcement of speed laws and use

of lower speed limits would contribute to success in reducing aggressive driving.

In 1995, Congress also repealed a Federal program encouraging States to enact all-rider motorcycle helmet laws. Twenty-one States that have all-rider motorcycle helmet laws are considering bills to repeal this life-saving law. Arkansas has the distinction of being the first State to repeal its law; Texas may be the second.

The United States has the lowest safety belt usage in the western industrialized world, a daytime estimate of only 68 percent, 12 States and the District of Columbia have primary, or standard, enforcement safety belt laws. States that have had standard enforcement laws experience, on average, a 14 percent increase in safety belt use rates.

Senator Smith raised an issue with the prior panel regarding Georgia's experience. We would like to point out that the Georgia law was passed just prior to the Olympics and before an extensive public relations campaign could begin. NHTSA advises us that in recent months, Georgia has achieved an 11 percent increase in seatbelt usage.

In 1995, drunk driving deaths rose for the first time in a decade. Others on the panel, at your request, will discuss in greater detail the need for Federal leadership in stemming this trend.

Each year, nearly 5,000 Americans die in truck crashes. According to the Insurance Institute for Highway Safety; 98 percent of the people killed in two vehicle crashes involving passenger cars and big trucks were occupants of the passenger vehicles. Public opinion polls show nearly unanimous support for a strong Federal leadership role in stopping trucks from getting longer and heavier.

Budget cuts, coupled with inflation, have severely weakened the funding of Federal traffic safety grants to States and restrained the resources of law enforcement to enforce traffic safety laws. In 1980, the major traffic safety grant program for States was funded at $196.5 million. This year, it was funded at only $128 million.

Motor vehicle crashes are a national problem and require a national solution. My colleague, Joan Claybrook, will discuss our proposed legislative agenda.

Ms. CLAYBROOK. Thank you very much.

Yesterday, we announced the formation of a safety coalition representing over 60 national, State and local organizations in support of a strong safety goal in the ISTEA reauthorization legislation. We would like to have this bill be looked upon as a safety bill, not just a funding bill.

The Harris Poll last September showed that 91 percent of the respondents believe that Federal involvement in safer highways is incredibly important, with 78 percent saying such a role is very important.

Since ISTEA I was passed, it's hard to believe but 250,000 Americans have died on our highways. That's not a very long time ago. Also, 18 million have been injured. The number killed is the population of Boulder, Colorado; the number injured is the population of the State of New York. It's a huge number of Americans who are affected every year by this.

The 6-year cost of these crashes is $900 billion. That's enough to fund the full 4-year costs, including tuition, room and board, for

twice the number of students currently attending a 4-year public university.

Our proposals are as follows. One, increase the funding for safety. Mr. Crabtree just mentioned that there's been a substantial reduction since 1980 in the funds. It's a huge reduction. Today, instead of $127 million, it should be almost $400 million if the program did not suffer from cuts and inflation. We're asking for $600 million for safety. We think this should be provided by dedicating one-half cent of the Federal gas tax on every gallon of gasoline.

Why? Motor vehicle crashes represent 94 percent of all transportation fatalities, 99 percent of all transportation injuries, and they get less than 1 percent of the DOT budget. It's grossly underfunded.

The initiatives that we propose are as follows: $150 million for a National Safety Belt Enforcement Program, modeled after the North Carolina "Click It or Ticket" Program which has been incredibly successful, an initiative that came from Federal and private funding and has shown that it works; second, $150 million for States in enforcement of all traffic safety laws which would also address the issue you raised several times, Mr. Chairman, of aggressive driving.

We think the higher speed limits, the advertising on television about what's good about a car, all have increased this aggressive driving and enforcement is really the only answer. There has to be improved enforcement and that is not now available.

There should be $200 million for what's called the 402 Grant Program, this is grants to States. That would be an increase of $33 million above what the Administration has requested; and finally, $100 million for impaired driving programs. You've heard today about this issue and that would be a $60 million increase over the Administration's request.

The following proposals we make have no budget impact whatsoever per se, although we believe additional funds could be used to help these programs. The first is primary safety belt use laws in every State. We support the Administration's proposal for increasing safety belt use to 85 and 90 percent.

Research shows that the proper use of belts greatly reduces the risk of total injury by 45 percent to the front seat occupants of cars and 60 percent between cars and light truck occupants. It's important to note, Mr. Chairman, that two-thirds of all fatalities now on the highways are unbelted occupants.

According to the National Highway Traffic Safety Administration, increasing belt usage would prevent some 4,000 fatalities and 102,000 injuries. That would be an economic savings of $6.2 billion annually.

Second, we support a .08 BAC in every State. You've heard testimony this morning about this. We believe sanctions work well in encouraging State action—in fact, they are essential. We would never have the minimum 21 year old drinking age in this country without passage of that law in 1984. Some 10,000 teenagers' lives have been saved in the last decade because of that law.

In 1995, Congress adopted as part of the NHS bill a sanction to begin in fiscal year 1998 for States without a zero-tolerance BAC law for youth. As you know, with age 21 for drinking, nevertheless,

young people are still drinking and if they are arrested for driving, they're measured against the adult BAC law, but there should also be a zero tolerance law for youth.

This provision has energized State action. At the time of enactment, 26 States had zero tolerance laws. In 1 year, 11 States have adopted this law and legislation is moving in six additional States.

I would point out, Mr. Chairman, I will point out, Mr. Chairman, that the State of Virginia has been very progressive on these issues. It has a .08 law as well as a primary belt law.

Third, we recommend a freeze on truck size and weight and no thaw in the freeze on longer combination vehicles. Big trucks are dangerous, and the public is scared to death of them. A Lou Harris poll shows that 88 percent don't want bigger trucks; 83 percent oppose increasing driving hours on the road. Nearly all deaths resulting from crashes between cars and trucks are the occupants of cars.

Our coalition, some 60-plus strong organizations, supports a freeze on truck sizes and weights on the NHS similar to legislation introduced by Representative Jim Oberstar, which is H.R. 551. This committee has jurisdiction over truck weights, not truck length. His bill deals with both.

We urge you to protect the American public and the billions of dollars invested in the highway infrastructure by drawing a line in the pavement and saying no more heavier trucks. Two State trucking associations, Mississippi and Arkansas, have already spoken out in opposition to any increase in truck size and weights.

The case for the freeze is even more compelling because of negotiations concerning NAFTA. Last June, 58 Senators and 232 House members wrote to Secretary Pena urging U.S. negotiators not to compromise truck safety by agreeing to the use of longer and heavier trucks.

Border States are being asked to shoulder a significant safety burden for all of us in this area. Congress should provide these States with necessary assistance in terms of infrastructure improvement, more inspectors and specific legislative guidance that will not permit the safety of the American public to be negotiated away.

I would point out there is an increasing concern about this. In the State of Texas, there is no permanent facility for inspection of trucks. The area is very urbanized where many of these trucks come across. There is very little room and space to do inspections.

Last night on Night Line, for example, Ted Koppel had a very interesting program in which he showed all the deficiencies of many of these trucks coming across.

A study has been done by the General Accounting Office which also makes this very clear. It recently came out and I will submit the summary of it for the record. We urge you not to permit any thaw in the freeze on longer combination vehicles.

Double and triple trailer trucks are incompatible and dangerous to motorists because of off-tracking, problems with passing these trucks, with braking, with their ability to maneuver on the highway, and many of them are so long that they don't fit the design of the highway on and off ramps themselves. This has been clear for many years.

There is a greater risk that LCVs will lead to more severe crashes and we feel very strongly that this freeze should not be removed.

Finally, we don't see the need for any increase in hours of service for truck drivers. In fact, we think they should be shorter. As you know, they are exempt from the Fair Labor Standards Act since 1937. Truck drivers can currently drive 60 hours in a 7-day period or 70 hours in an 8-day period. No one else in America is required to work those hours. In fact, pilots have about one-half to one-third the hours that are required of truck drivers and they have a co-pilot and an automatic pilot.

If you're a truck driver, I challenge any member of this committee to try and meet the standards those truck drivers have to meet every day. If you take your eyes off the road for a second with those big trucks, you're going to have difficulty on the highway. The National Transportation Safety Transportation Board has also done work on driver fatigue and found that it's involved in 40 percent of truck crashes.

One other area which I'd like to mention briefly is the ITS money. We think this is a very substantial fund that has not been adequately used for safety. We would recommend programming $25 million annually for research and development on crash and vehicle sensors to help the development of advanced airbag technology.

Although ITS has already received approximately $1.3 billion from the Federal Government, it has produced no appreciable improvements in highway safety to date.

In conclusion, Mr. Chairman, I would say the committee needs to go beyond the Administration proposal in order to make some gains on highway safety and to make this bill not just a big money bill, but a bill for highway safety. I challenge each member of the committee to devote as much time to advocating safety, to improve the status of your constituents on the highways as you do debating the money that's in this bill and generating funds for the financial issues involved in this bill.

I appreciate very much the chance to speak.

Senator WARNER. Thank you, Ms. Claybrook. I must say I'm not sure how I interpret your last comment but the Chair is prepared to tell you that in one-on-one negotiations with Senator Domenici and others, I'm now of the opinion that we will increase the total dollar amount in our bill perhaps by as much as say $2 billion per year, and therefore, certainly a proportionate share should go to safety.

Depending on the outcome of this hearing and other initiatives suggested to the committee and by the members of the committee, we might go beyond a proportionate increase to safety.

Ms. CLAYBROOK. I would certainly hope so. Mr. Chairman, I am encouraged to make this recommendation because I know of your long support of safety programs.

Senator WARNER. Thank you very much.

Now we will proceed to hear from Ms. Katherine Prescott, National President, Mothers Against Drunk Driving.

STATEMENT OF KATHERINE P. PRESCOTT, NATIONAL PRESIDENT, MOTHERS AGAINST DRUNK DRIVING

Ms. PRESCOTT. Good morning, Mr. Chairman.

Senator WARNER. It's nice to be with you again.

Ms. PRESCOTT. Thank you.

Senator WARNER. Let me commend you and your membership all across America for a very valuable contribution to this subject of safety.

Ms. PRESCOTT. Thank you. It's a pleasure to be here.

I'm here today to request that before this year is out, that the Congress of the United States make it the law of the land that the definition of intoxication in every State be set at .08 blood alcohol content for all drivers above the minimum drinking age of 21.

Earlier this year, Senator DeWine of Ohio and Senator Lautenberg of New Jersey, the author of the 21 minimum drinking age law, introduced S. 412, the Safe and Sober Streets Act of 1997, a bill withholding highway construction funding from States who fail to lower their level of intoxication to .08 BAC after the expiration of a grace period. MADD strongly supports the passage of the Lautenberg-DeWine legislation.

The question raised by S. 412 and the question we raise here today is quite direct. It has long been lawful in the United States to drink and drive. MADD encourages people to not drink and drive and to be constantly aware of the dangers of mixing alcohol with driving a car. Nonetheless, it is legal to drive a car after consuming some measurable amount of alcohol. The question we ask today is where do we draw the line? MADD urges this committee to draw the line at .08 BAC.

Earlier this year, the National Highway Traffic and Safety Administration, along with the National Safety Council, issued a report called "Setting Limits, Saving Lives, The Case for .08 BAC Laws." In this report, NHTSA answers the most frequently asked question about .08 BAC which is, "How much can I drink before I reach a .08 BAC?"

The answer is if you are a 170-pound male, you can drink four drinks on an empty stomach in the space of 1 hour and not exceed the limit. If you are a 137-pound female, you can consume three drinks on an empty stomach in a 1-hour period before you reach the .08 BAC limit.

MADD believes that .08 BAC is a generous definition of impairment and that level of alcohol consumption could hardly be characterized as social drinking.

Senator WARNER. I think you should define what drink is, just exactly how much alcohol?

Mr. HINGSTON. May I answer that, sir?

Senator WARNER. Yes.

Mr. HINGSTON. My name is Dr. Ralph Hingston. I'm Chairman of the Social and Behavioral Sciences Department at the Boston University School of Public Health.

We are defining a drink according to the level indicated by the National Highway Traffic Safety Administration in the manual you have in your hand. They indicate one drink equals .54 ounces of alcohol. That is the approximate amount found in one shot of distilled spirits, one beer or one glass of wine.

Senator WARNER. Thank you.

Ms. PRESCOTT. I apologize for not introducing Dr. Hingston earlier but I was going to get to that a little later in my comments.

He is here today to assist me and hopefully answer questions you may have.

You will be hearing, if you have not already heard, a lot of misinformation from the alcohol beverage and hospitality industries on this subject. The purpose of the information is clear to us. They are in the business of selling that fourth and fifth drink to a person who is already substantially impaired and we are in the business of dealing with the consequences of the impairment which results.

.08 BAC will save lives. How many lives? A conservative estimate is 500 to 600 a year. The person who made that estimate is Dr. Ralph Hingston of the Boston University School of Public Health who is hear with me today and will be pleased to answer any questions you may have about the life-saving potential of this measure and the impact that .08 laws have had in States that have already adopted .08 as the illegal blood alcohol level.

You might ask, why .08 BAC, why not some other BAC level? The answer is that while impairment begins with the first drink, which is the reason we set the BAC level for those below the 21 legal minimum drinking age at .02 or less, the point at which all drivers' critical driving tasks such as braking, steering, lane changing, judgment and divided attention are more significantly impaired is .08 percent.

I would note that the Congress has set the acceptable level for commercial motor vehicle operators, railroad engineers and airline pilots at .04 BAC.

Some of the opponents of .08 have called this measure a step in the direction of prohibition. I would note that the permissible BAC level in Canada is .08 as it is in Great Britain, Switzerland and Austria. The highest permissible level in Australia is .08 BAC. I know of no one who maintains that Great Britain, Canada or Australia practice prohibition and it is clear that France, who has set their BAC limit at .05, does not. So the suggestion that .08 BAC constitutes prohibition is ridiculous.

This Nation has made remarkable progress in the fight against drunk driving. I'm proud to say that MADD has been a part of that fight. You and this committee can be proud of your role in passing such lifesaving measures as 21 and zero tolerance for underage drinking, there are tens of thousands of Americans alive today who owe you a debt of gratitude because you had the courage to act. We've come a long way, yet we have a long journey ahead of us.

Last year, 17,274 Americans lost their lives on our highways in car-related crashes. This number constituted the first increase in drunk driving fatalities in a decade. We cannot tolerate this senseless loss of life. While the law tolerates the mixture of drinking and driving, there is a point at which we cannot tolerate this deadly combination and that point for all over 21 is .08 BAC.

Some will argue that States should have the sole discretion in determining what their drunk driving laws should be. We believe that the States and Congress should listen to the American public. A 1996 survey revealed that 78 percent of those surveyed believe that Federal involvement in assuring safe highways is very important.

In a Gallup survey released in 1994, the majority of Americans surveyed supported lowering the illegal blood alcohol limit to .08. We're asking you today to listen to the American public.

Some issues are of such national importance that they transcend State lines and require uniformity across our Nation. This was the message that States' rights proponent and former President Ronald Reagan gave when he signed into law the Federal 21 minimum drinking age. That was the message former Arkansas Governor and now President Clinton gave when he signed into law the National Highway System Bill requiring States to adopt the zero tolerance standard of .02 for young drivers.

Every day, millions of Americans cross State borders for business or pleasure. They should have a right safe passage.

Thank you, Mr. Chairman, for this opportunity to present our views. Dr. Hingson and I would be glad to answer any questions you may have.

Senator WARNER. I'll have a question or two and I thank you very much, Ms. Prescott.

Mr. Donohue, American Trucking.

STATEMENT OF TOM DONOHUE, PRESIDENT AND CEO, AMERICAN TRUCKING ASSOCIATIONS

Mr. DONOHUE. Thank you very much, Mr. Chairman. I'm very pleased to be here on behalf of our 36,000 trucking company members and the 9 million people that work in our business.

As you know, in recent weeks, I've testified before other congressional committees outlining our feeling that a $34 billion annual highway program can be funded without raising taxes and it would provide the American people two very important benefits. The first is, we would save lives and the second is we would support our growing economy.

This hearing, however, is more about safety and as you know, safety is our industry's highest priority and we are spending billions and billions of dollars a year to make our industry safer all the time. Over the years, we've pushed for and gotten, with your help, significant reforms, including the single commercial driver's license, a tenfold increase in the number of truck safety inspections, a cost effective drug and alcohol testing program, a ban on all radar detectors in commercial trucks and a common sense use of conspicuity markings on our vehicles.

Over the next 6 years, we're going to spend $6 billion to put antilock brakes in our trucks which we have negotiated very freely with the DOT and with NHTSA.

The results of these efforts speak for themselves. Between 1985 and 1995, the fatal accident rate involving trucks dropped 39 percent even though the number of heavy truck miles went up 41 percent. As Mr. Crabtree indicated, there is certainly an increase in accidents and fatalities with motor vehicles and cars, but in the 1995 numbers, heavy trucks, the number continues to go down.

I would like to offer the committee and for your consideration, Mr. Chairman, a number of safety proposals that should be included in this year's legislation. They will not be in conflict in most cases with Mr. Crabtree and Joan Claybrook. If you would offer me equal time at the end of my comments, I would make some com-

ments about size and weights because our safety program and our ISTEA program will not have size and weight issues in it offered by our association.

Senator WARNER. Also, in that time I think it's very important that you respond to the statistics that I think Ms. Claybrook gave about impairing pilots and other persons in terms of hours and driving. The American public is listening.

Mr. DONOHUE. I'd be happy to have the time.

Senator WARNER. We'll give you an extra minute or two.

Mr. DONOHUE. That would be good. I'll take that at the end.

We have adopted four your consideration a series of recommendations for safety activities in this bill. First, we all know we need to make a major investment in lifesaving improvements on our national highways.

As you've hard today, 30 percent of the accidents and the fatalities are directly attributable to the condition of the roads, the shoulders, the on and off ramps and so on, and every investment we can make in improving the roads will reduce fatalities and reduce accidents.

As you heard also, sir, on the National Highway System, it's off the interstate where the great percentage of the accidents happen and that's where we need to apply cost effective counter measures, including the construction of wider lanes and better signage. Signage is an inexpensive and very important improvement. Median barriers, gentler side slopes and clear areas adjacent to roadways where drivers can safely regain control of their vehicles will cut the number of severe crashes.

Second, from a study we did in conjunction with the FHWA, we all learned that tonight on the roads truck drivers are 28,000 to 30,000 spaces short for places to rest. Last year, your committee was helpful in changing the law so States could use all Federal money to create more rest stops.

Tonight in Virginia and other places, the State police will come along and wake up a driver after they've been asleep for 2 hours and chase him on so someone else can get in there because there are not enough rest stops and we need to correct that problem.

Senator WARNER. That's a very important point and we will work on that correction.

Mr. DONOHUE. Thank you very much.

Third, we need an expansion of the Motor Carrier Safety Assistance Program. I was very happy to hear our friends from DOT propose that. We now do 2 million roadside inspections every year of trucks with MCSAP money and we would like to increase that number and we need to do that because the number of trucks is increasing and because people basically react to this statement. They do not only what you expect, but what you inspect and it has led to a major increase in truck safety.

Fourth, Congress should make a small but very major improvement in alcohol testing with truck drivers who have accidents. Under the current law, which is very complicated, if I have a trucking company in Maine and my driver has an accident in Oregon, I have to arrange to get him tested within 8 hours. Just change the law and let the State police test him for alcohol if there is some

suspect of that. We'll have a simpler program and an assured program, and nobody is going to get away from testing.

The fifth thing, Mr. Chairman, is a sticky wicket and it's a difficult issue for us but right now, when we want to turn away a truck driver from a job because we feel he is physically or mentally unprepared or impaired and cannot do the job, we're being sued all the time by the ADA. So if we turn him away, we'll be sued by ADA. If we hire him because of ADA, we'll be sued when he has an accident.

If this committee could say in the matters of safety, the DOT rules prevail, we would save ourselves a lot of trouble and keep a few drivers off the road we don't need there.

Senator WARNER. We'll look into that one also.

Mr. DONOHUE. Thank you, sir.

We would also, after 10 years of having the new commercial drivers license, we need some improvements. We've learned some things. We have to increase the skill and knowledge requirements for new drivers, we have to require States to maintain more accurate driving records, we have to improve the tracking of drivers. Right now, you can get away in one State if they take away your license and get to another one and sometimes get one because we don't have a good tracking of drivers.

We have to make it legal for my company to share information with your company when I know the driver you're about to hire is no good. If we make those few improvements, we'll keep a few of the habitual offenders off the road.

We should also assist the Department of Transportation by passing some enabling legislation that lets them test new ways of dealing with hours of service and other factors which I'll address in just a moment.

Finally, let me say, in the movement of hazardous materials such as petroleum, we have a $1 million insurance requirement and as we all know, inflation has happened since this rule was put into effect many years ago and we ought to make it to move hazardous materials, there should be a minimum insurance level of $5 million.

I'd like to conclude my statement by saying a word about the larger trucks and about the hours of service by saying, as others have mentioned, that 42,000 people lose their lives on America's highways each year. Our industry takes no comfort in the fact that 88 percent of those accidents, we're no where near them. It takes very little comfort in knowing that in the other 12 percent, 72 percent of those accidents were initiated by the car driver. No matter who was to blame, we need a national crusade to deal with this issue. We can't continue to allow precious highway dollars that can literally save hundreds of thousands of lives to be diverted to other activities.

Many things have been said today that we would support. In a truck driver, it's .02 and it's no alcohol for 4 hours before you get in a truck. It's simple. If you do it, we want you out of here. So there are a lot of things that have been discussed that we're ready to support.

Mr. Chairman, let me address some of the comments that were made about size and weights of trucks and about the hours of service and I'll do so very quickly and leave the rest to your questions.

Senator WARNER. And also the freeze on longer combination vehicles.

Mr. DONOHUE. Yes, sir. I'd like to do that.

First, let me say that you know we've been in negotiations with railroads on a series of discussions that would not create larger trucks, would do nothing about the weight of the standard 80,000 pound truck, would do nothing, although we've said this 50 times publicly, to change the rules as a result of NAFTA because only this Congress can do that.

Those negotiations with the railroads, I'm not really sure where they're are going, but ATA is not going to come forth with a proposal to change these rules if we don't make an arrangement with the railroads. The members of this committee and other members of the Senate or the House, the former chairman of the Commerce Committee from Nebraska offered some amendments last year that reflect changing economic trends in his State.

Senator Lautenberg has recently made some adjustments so that his ports can be competitive. The Senator from Maine is trying to help out in some of the logging industry.

We're not out to create larger trucks. We have sufficient size and weight of trucks. There are just some places where it makes a little sense, particularly out in the open spaces, to use trucks that will therefore put fewer trucks on the road, safe trucks.

The fact is, sir, no matter what anybody comes here to tell you, and you bring the Secretary of Transportation up here and ask him, the safest trucks on the road today statistically and factually, are triple trucks and longer combination vehicles. They have the best drivers, they can only operate in certain weather on specific roads, and they don't have fatalities that you can find and count. They are safe trucks, but we're not here advocating additional increases.

I do believe that a State government knows a little more. He's attracting plants and factories and building roads and he knows a little more than some of the staffs of congressional committees. We need to think about what's going to happen. From our position, we'll hear about that from the States and we'll hear about that from the Senators and Congressmen.

There is no question, however, that appropriate use of the types of vehicles we're using reduces the numbers of trucks we have on the road. If we can get the railroads to double their intermodal freight in the next 5 or 6 years, then the trucking industry only has to drive another 30 percent more miles. They drive 175 billion miles now and only has to put 15 percent more trucks on the road.

A lot of people may not want those trucks, but if you don't have them, you can't have jobs, you can't have factories, you can't have economic growth, you can't have prosperity in your communities because 80 percent of the communities in this country have no other way to move their goods.

To the hours of service, the hours of service rules in this country were adopted in 1939, the year after I was born. They were adopted before modern highways, they were adopted before computers,

before television, before modern trucks and before a huge economy and a very large population.

They don't work. They don't work because the way they're put together causes people to get sleep at the wrong time and rest at the wrong time. They don't work because they cause people to get up a hour earlier every day, they don't work because they let people drive too long and not get enough rest.

The proposals that we will make to the Department of Transportation are proposals that will not increase the number of hours we drive in a month, but that will apply some common sense to letting people get on a 24-hour day and get an appropriate amount of rest. It will stand the test of common sense.

We can all talk about airline pilots and I often wondered if maybe that would be a good job for a lot of us to have when you consider the amount of hours they drive. I want to suggest to you that there are 5 million trucks out there right now today, 2.5 million are heavy trucks moving the goods of this country to export and import and around the country.

We have developed a system where many of those trucks are run by entrepreneurs, owner-operators, people on contract to companies. This is the great last place some people can be an entrepreneur.

Senator WARNER. Small business.

Mr. DONOHUE. Those people don't want to be paid by the hour and get overtime. They want to be paid by what they do. The problem with paying truck drivers by the hour and paying them overtime is the way the business runs. You drive for 3 hours, you stop at Senator Warner's plant and you wait for 6 hours to get loaded. The system doesn't include that in the long haul trucking business.

Many parts of the trucking business do pay by hour because they are on regular routes where the companies control the terminals, where people drive a regular route and go home each day and each night.

We're trying to do a common sense deal. I have a lot of respect for a lot of the proposals that Ms. Claybrook and Mr. Crabtree have made, but as you know, she also has another job. She's the Chairman of Crash and it is clear that a lot of these proposals on sizes and weights and other issues have been paid for by the railroads who would like us not to compete with them. We are, therefore, having some conversations with them and I would suggest we have a grain of salt when we listen to some of this stuff.

The bottom line is there are 5 million truckers out there today. We're delivering the goods and our safety records peaks for itself. It's the best in the history of the industry and it's getting better while others are getting worse. We did the drug testing, we did the commercial driver's license, we did the roadside inspections. We're putting in the antilock brakes, we are demanding safety improvement. We're not talking about it.

I thank you very much, sir.

Senator WARNER. Thank you, Mr. Donohue, spoken very forcefully on behalf of your constituents. Indeed, they are interested in safety because their lives are on the line, those drivers, night and day.

I must say you talk about that independent person with that rig and I stop at a lot of truck stops. One, they've probably got better food than most of the others.

Mr. DONOHUE. It's a lot healthier food than it was a few years ago.

Senator WARNER. And the conversation is interesting. They don't know who I am but they're willing to strike up a talk and I learn a lot.

I have to tell you that these independent rigs, to pay the loans on those big, heavy rigs, which are in the hundreds of thousands of dollars, really is a motivation to stretch to the human limit your endurance. That's something we have to look at.

Mr. DONOHUE. Mr. Chairman, if you go back to my recommendations, more roadside inspections, a common sense, easy to enforce set of standards for hours of service, better alcohol testing, the things we want to do, want to make sure they don't push the limits. We want them to work hard, it's important for our economy and our country. We want them to work safe.

Senator WARNER. Thank you.

Now we will proceed to Jim Kolstad, Vice President of the American Automobile Association. Welcome, Mr. Kolstad.

STATEMENT OF JAMES L. KOLSTAD, VICE PRESIDENT, AMERICAN AUTOMOBILE ASSOCIATION

Mr. KOLSTAD. Thank you very much, Senator Warner.

AAA greatly appreciates the opportunity to bring you our views on ISTEA today. As you may know, AAA is a federation of 99 clubs in all 50 States representing about 40 million Americans.

Senator WARNER. Over what period of time?

Mr. KOLSTAD. We began in 1902.

Senator WARNER. I think it's important to point out that. You're probably the oldest in the business.

Mr. KOLSTAD. We are and we are about 8 million larger than the American Association of Retired People that gets credit from time to time for being the largest. We're growing about a million members every 300 days.

I want to review AAA's positions on ISTEA safety initiatives first and then turn briefly to other aspects of ISTEA reauthorization.

The safety of the motoring public is AAA's primary concern and 42,000 deaths, 6 million accidents, $150 billion in costs, numbers that have been repeated this morning by other witnesses several times, to us strongly suggests it should be a higher national priority. We feel that reauthorization of ISTEA presents the opportunity to address this issue aggressively.

We've reached the point in this country at which safety is directly effecting mobility and our economic well-being. The fact is people make decisions on where to live, where to work, where their children will go to school, where to shop, where to recreate on the assumption that they will be able to get there safely and efficiently by automobile. So access to good roads has become fundamental to our way of life and it's something that is very difficult to change.

Today, all levels of government invest about $35 billion annually in highways and bridges, yet we need $53 billion to maintain current conditions and $72 billion to improve conditions.

Senator WARNER. Over what period of time are those figures?

Mr. KOLSTAD. Annual.

Senator WARNER. Annual?

Mr. KOLSTAD. Yes, sir.

So the sad fact is that with any funding proposal being considered by Congress today, this Nation will still be billions of dollars short just to maintain the status quo.

Being pro-safety seems like an easy choice. We've never heard a Member of Congress say he or she is opposed to safety, but neither have we heard a Member of Congress say their No. 1 concern is funding safety.

Senator WARNER. You just heard it.

Mr. KOLSTAD. AAA believes it's time to not only talk safety but to fund safety. We think there are many projects that would have a direct and positive impact on safety like widening lanes and bridges which are too narrow, removing dangerous obstacles in close proximity to the edge of thousands of miles of roadway and repairing roads with dangerous shoulders or no shoulders at all, and increasing the radius on curves. In other words, make them gentler.

Improvements, in short, to the lower grade routes produce cost savings that exceed expenditures, yet these are exactly the kind of improvements that are being deferred or ignored in every State because full investment and Highway Trust Fund revenues is continually being thwarted by budget gains.

So we are calling upon Congress to increase significantly the Highway Trust Fund investment and highway safety improvements such as these.

Another safety improvement which is badly needed is improved safety data collection that you touched on this morning, Senator. For example, only fatality data is being used today with any degree of uniformity, yet less than 2 percent of all crashes involve a fatality, so the bulk of the problem is going unaddressed.

Another kind of data problem is that States have more data and access to data than they are willing to use. So we must provide incentives to States to use that data and to make sound judgments and we need to broaden the data base, like links to State and national driver licensing data, and State GEP or global positioning system data. We need citation, arrest and conviction data, and health care data to identify the number injured, the cost and severity. As you know, Federal funding is needed to make it happen.

AAA believes that the Transportation Enhancement Program may provide a funding option, so we support creating an eligible category in the TE Program to provide funding for safety so that improvements such as these in safety information systems might be funded.

We suggest that safety is a much higher priority than some projects currently funded by the TE Program. We believe even more strongly that States should have increased flexibility to invest in safety improvement projects from the TE account if they wish.

Now, to other provisions, AAA strongly supports an ISTEA. First, funding levels for highways and bridges, we think, should be significantly increased, as I mentioned earlier. We're very pleased that 57 Senators—10 from this committee—have signed yours and

Senator Baucus' letter requesting an annual investment of $26 billion in highways.

We also believe that the preservation of a national transportation system is in everyone's interest. That's why we have serious concerns about proposals to turn back or devolve Federal taxing authority to the States.

The Government must commit, we believe, to investing all of the revenues in the Highway Trust Fund. In addition, unfunded mandates and sanctions not directly related to the safety or to the integrity of the transportation system should be eliminated. For example, we applaud the goals of President Clinton's recently unveiled safety package which include increased seatbelt use and the enactment of primary enforcement laws, but we oppose sanctions which seem to be the President's method of achieving these goals. We agree with Senator Smith that the better approach is to offer incentives to States.

Another area of concern to AAA is the potential for increase in truck size and weights. I was pleased to hear Mr. Donohue say that is not one of ATA's goals. Our surveys find that heavier and larger trucks are strongly opposed by our members, so we oppose any congressional change in the size and weight limits of trucks and support the continued freeze on LCVs or longer combination vehicles.

AAA also opposes toll roads as a general principle. For more than 80 years, the underlying principle of the Federal/State Highway Program has been developing and preserving this Nation's vast network of quality, toll-free highways. So tolling the existing Federal aid highways, including the interstate system, we think would represent a major change in course.

The vital signs of our transportation infrastructure signal a system in trouble. An investment in this infrastructure protects lives and leaves America's leaders of tomorrow, our children, with a fighting chance of keeping America the strongest nation on earth.

Thank you very much.

As an aside, I might mention that I was very pleased to hear Mr. Recht of NHTSA suggest they were going to be looking harder into this whole issue of aggressive driving.

AAA is very much involved in that as well and we find it to be probably the No. 1 traffic safety issue today.

Senator WARNER. And it's come on the scene very quickly, hasn't it?

Mr. KOLSTAD. It has indeed.

Senator WARNER. I guess we'll have to get a panel of psychologists and psychiatrists up here to figure out how and why it started, but I won't get it now. That's beyond the scope of this hearing.

These figures are startling but I think you have to factor in State and local funding. I would like to have you supplement this statement with how you reached the $53 billion to maintain current conditions and $72 billion to improve conditions.

Mr. KOLSTAD. I'd be happy to, Senator.

Senator WARNER. And factor in State and local funding. Then that will give the committee a better idea of how far apart we are from reality.

Mr. KOLSTAD. I'll be happy to.

Senator WARNER. Ms. Berry, you have waited most patiently. I'm anxious to hear what you have to say. I take note you're from my State and Woodbridge, Virginia. Is that correct?

Ms. BERRY. I am, sir.

STATEMENT OF BRENDA BERRY, BOARD MEMBER, CRASH

Ms. BERRY. Thank you for allowing me to be here today.

I'm here today because I personally can attest to the fact that commercial truck safety is a live and death issue and affects real people and real families.

I'm here as a member of Citizens for Reliable and Safe Highways to lend my voice to a cause that I care very deeply about, improving the safety of commercial trucking.

The course of my life changed drastically about 3–1/2 years ago when my husband, Col. Walter L. Berry, Jr., was killed in a truck crash on I–95 just a few miles down the road here in Virginia. I'm going to put up a picture of my husband, whom I loved dearly, and this is my daughter. We have four children and this is our youngest daughter. At that time, she was 12 years old. That was the last occasion that she got to attend with her father which was a father-daughter dance.

Senator WARNER. Where was your husband serving at that time in his capacity?

Ms. BERRY. My husband had retired from the military. He had served 27 years in the Army. He was in the United States Army and during that time, he achieved the rank of colonel. He was also a master aviator. He received the Silver Star and the Bronze Star and the Purple Heart. That was among 30 or 40 awards he received while in the military.

Senator WARNER. A distinguished career.

Ms. BERRY. He had served two tours in Vietnam where he was wounded and he also served in Korea and in Germany. He dearly loved this country and he loved the people that he worked with.

Walter's accident happened as he was coming home from work on I–95. He got off early 1 day to go and pick up our daughter. He spoiled her a lot, so he was picking her up to take her to church with him for a meeting.

His car was sitting still in stopped traffic and he was parked behind a dump truck at which time a garbage truck traveling approximately 55 miles per hour that was 6,800 pounds overweight and three of its six brakes were not working, plowed into him from the rear and we know what happened at that point.

It has been difficult for me to process my grief into positive action but I struggle and I push myself to speak out because I am outraged that anyone, including the trucking lobbyists, would suggest more massive trucks and less stringent work rules for their drivers. Such support leaves me to believe that tragedies such as mine are stubbornly being ignored so that business can continue as usual.

I believe voters of all backgrounds and political persuasions oppose truck size and weight increases for safety reasons. A Lou Harris poll conducted last year showed 88 percent of voters oppose allowing bigger and larger trucks on the highways. Ninety-one per-

cent of voters rank the Federal Government's control over the safety of large trucks as very important.

Truck safety is a life and death issue. Over 1 million Americans have been serious injured in a truck-involved crash within the last 10 years. In the same period, 50,000 people have needlessly died, my husband being one of them. This is the equivalent of wiping out a mid-sized town in my State of Virginia or any of the States that are represented by the committee.

The death toll in truck-involved crashes is equivalent to a Value Jet crash each and every week. If the airline industry were involved in crashes every week, planes would be grounded until measures were put in place to ensure safety for the public.

The argument of facilitating profit for that industry would not be tolerated or listened to, yet this same argument is expressed by the trucking industry against rules that would improve safety of commercial trucking.

I am requesting that Congress maintain the freeze on longer combination vehicles and include a freeze on single trailer trucks dimensions and truck weights. That includes preventing exemptions by State and local governments that would allow bigger and heavier trucks.

I also ask for working rules that guarantee truck drivers get adequate daily rest because fatigue kills truck drivers and is the No. 1 cause of truck crashes.

Last, I would ask that the NAFTA border remain closed until we are assured that adequate safety provisions are in place.

Last year, Federal and State officials conducted more than 25,000 inspections of trucks from Mexico. On average, 45,000 of these trucks were placed out of service for serious safety violations. These statistics would indicate that it is premature and highly unsafe to open the borders at this time.

My husband, Walter, served two tours in Vietnam and he was wounded there but I find it very ironic that he was killed here in his own country on one of our highways. The victims and safety advocates don't have the large sums of money to fight as some of the lobbying groups do, but we do have are our issues of loss and we have hearts and determination to continue to have our voices heard. We also have public opinion on our side.

Mr. Chairman, for all of us, I urge you to help us make existing trucks safer, not bigger and certainly not heavier.

Thank you.

Senator WARNER. Thank you very much, Ms. Berry. That's a very impassioned and clear plea that you make on behalf of many. We will take it into our consideration.

I have questions for each but I'm going to have to submit them out of deference to the next panel who has waited as patiently as you have for the opportunity to be heard. I will submit written questions to each of you and I know each of you, having dealt with you through the years, will respond properly.

Thank you very much.

We will now have the next panel.

[Recess.]

Senator BAUCUS [ASSUMING CHAIR]. The subcommittee will come to order.

We have our last panel: Mr. Bob Bartlett, Mayor of Monrovia, California; Ms. Barbara Harsha, Executive Director, representing the National Association of Governors' Highway and Safety Representatives; Mr. Robert Georgine, President, Building and Construction Trades Department, AFL–CIO; and Mr. Edward Wytkind, Executive Director, Transportation Trades Department, AFL–CIO.

Mr. Bartlett?

STATEMENT OF BOB BARTLETT, MAYOR, MONROVIA, CALIFORNIA, REPRESENTING THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Mr. BARTLETT. Good afternoon, to Chairman Warner and to you, Senator Baucus, and members of the subcommittee.

My name is Bob Bartlett and I'm the Mayor of the 1995 All-America City, Monrovia, located in Los Angeles County. I'm also First Vice President of Southern California's Association of Governments, and the Chairman of the Administration Committee.

SCAG is the metropolitan planning organization for six counties of Ventura, Los Angeles, Orange, San Bernardino, Riverside, Imperial and 184 cities therein as well as 16 million people.

Thank you for inviting me to participate in the hearing today. I am most appreciative to also have Senator Boxer's extra effort to ensure that southern California was represented on today's important issue of the linkage between transportation safety and goods movement.

In my presentation, I will cover two main topics, one, improving border transportation and infrastructure so that our roads are made safer and two, how the SCAG proposal for including a goods movement factor in the reauthorized ISTEA relates to improved transportation safety.

The essence of the SCAG message is while the basic framework of ISTEA should remain, the reauthorized ISTEA needs a revised formula that includes goods movement factors so that our Nation can achieve the twin goals of strong global competitiveness and safer transportation systems.

First, I will talk about California's increasing need for improved border infrastructure which stems from the 1994 enactment of NAFTA. With projections estimating that trade between Mexico and the United States will increase by 93 percent by the year 2000, our State's border infrastructure, which accepts one-third of the Nation's imports from Mexico, is already overburdened.

California's five ports of entry, any of which are composed of only two-lane roads have become choked points preventing the efficient movement of goods giving way to costly time delays and unsafe road conditions. As an example, over 8 years some of our border crossings have experienced passenger vehicle traffic increases of 138 percent and truck traffic increases of 257 percent. In 1995, our transportation system carried over 27 million north bound outer crossings with an estimated 83 million passengers. Many our border crossings are two lane highways.

Currently, in California, border crossing delays range from 45 minutes in off-peak periods to 2–1/2 hours at peak periods. These delays are costly to the point that 7 of 10 U.S. industries and 5 of 10 Mexican industries have had at least 50 percent survey respond-

ents say they would pay a premium for time definite, guaranteed delivery.

Border infrastructure improvements are also needed to reduce traffic fatalities. There has been a steady average of more than 40,000 annual traffic-related fatalities nationwide during the early 1990's. Nearly 25 percent of the people who died were in trucks. While most of these deadly accidents do not occur at the border, they do affect our regional transportation systems which are increasingly impacted by vehicles hauling NAFTA trade-related goods.

In addition, regulatory differences between countries make safety conditions worse. Mexican trucks are generally three times as old as U.S. trucks, are not required to have front brakes, as do U.S. and Canadian trucks. Also, Mexican drivers do not have to obtain special training to transport hazardous materials as do U.S. and Canadian drivers.

Truckers in the U.S. are limited to 10 hours a day of driving while Canadian truck drivers are limited to 13 hours a day. There is no limit on the number of hours Mexican truckers are allowed to drive daily.

Finally, the U.S. is the only NAFTA signatory that requires random drug testing. The combination of harmonized regulations and infrastructure improvements will ensure smoother and safer transnational goods movements.

We do have plans for border infrastructure improvements such as construction of a permanent six-bay inspection facility located one quarter of a mile from the border at Otay Mesa in the city of San Diego as well as road expansions on three State routes, new inspection docks, state-of-the-art cargo facilities, and rail modernization at Calexico East, the two ports of entry in Imperial County located in the SCAG region.

The total combined cost of these projects is more than $680 million, yet we do not have full funding commitments for them. We need the Federal Government to be a strong funding partner for our borders to support the trade growth that comes with full implementation of NAFTA.

Senator Boxer, along with her co-sponsor, Senator Bingaman, recognizes the Federal responsibility for border infrastructure in S. 408 which provides over $640 billion in Federal funding over 4 years for the construction of new facilities as well as improvements on the existing system. This bill contains a good mix of grants and loans which include the necessary requirements for State and local funding matches. We support this bill because it moves in the right direction of government partnerships in the full implementation of NAFTA.

Now I will discuss the SCAG rate facilities factor which was developed to support the growing goods movement associated not just with NAFTA but also our country's increasing commitment to global competitiveness.

We can already see the impacts of global trade on our local highways in southern California. SCAG recently completed a study of some of the most congested parts of our region's transportation systems, specifically Interstates 5, 15 and State Route 60 which are used by trucks to move freight from Los Angeles Station through

San Bernardino, Riverside, and on to Las Vegas and the rest of the country.

We discovered if the growth trend continues as much as 70 percent of the capacity of these highways will be filled with trucks. Where will the cars go?

In response to the impact of growing international trade to our Nation's transportation system, SCAG has developed a goods movement factor that allocates funds based on a State's relative share of international trade. SCAG's freight factor formula allocates funds to the States in proportion to the combination of both the value of imported and exported freight moved through their customs districts as well as the mileage of both highway and rail in the State.

Under the formula, each State receives a minimum allocation to acknowledge each State's role in freight movement. Also, the formula contains a pooling feature so that States that have overlapping port areas or shared port authority, such as New York and New Jersey, receive an equitable distribution.

SCAG recommends that the following freight projects, at a minimum, be eligible for funding under the proposed formula: connectors to intermodal facilities, grade crossings and improvements, truck lanes and dedicated truck routes, and other bridge improvements which will include a much more efficient movement of goods on a safer transportation system.

Senator BAUCUS. I'm going to have to ask you to wind up your testimony.

Mr. BARTLETT. All right.

We have received considerable support for the concept of our goods movement freight factor from the USDOT and the ports and other sectors of the country. Today, I ask the subcommittee to join the rest of the transportation community and join with us in supporting the freight facilities factor.

Senator BAUCUS. Thank you very much. That is very interesting and helpful testimony.

Next is Ms. Barbara Harsha.

STATEMENT OF BARBARA HARSHA, EXECUTIVE DIRECTOR, REPRESENTING THE NATIONAL ASSOCIATION OF GOVERNORS' HIGHWAY AND SAFETY REPRESENTATIVES

Ms. HARSHA. Thank you for the opportunity to testify before you this morning.

I am Barbara Harsha, Executive Director of the National Association of Governors' Highway and Safety Representatives. We represent State highway safety agencies and my members administer the non-construction safety programs, the behavioral programs, programs which are primarily under the jurisdiction of the Senate Commerce Committee. However, we work very closely with the State DOTs, some of my members are part of State DOTs, and many of the safety construction proposals which have been put forward by the Administration have implications for the non-construction safety programs.

I'm going to skip over the introductory parts of my written statement and focus solely on the safety programs proposed in the Administration's NEXTEA initiative.

First, I'd like to focus on the 402 Program. The 402 State and Community Highway Safety Grant Program is one that we believe has worked exceptionally well and needs little changing when it is reauthorized. We strongly support the continuation of the performance-based approach in the program, the continuation of national priority guidelines, the current allocation formula, and matching requirements.

One change has been put forward by the Administration with respect to authorization and we concur. Under ISTEA, the 402 Program is authorized in two separate places and under the authority of two Senate committees. The Administration has proposed that these authorities should be combined into one with no differentiation between the components. We strongly concur.

The distinction between these two portions of the program is increasingly blurred, and we believe that creating more flexibility between the programs' subsections is consistent with the flexibility that Congress is seeking elsewhere in the reauthorization.

Let me move on to the Safety Infrastructure Program. DOT has proposed that the rail grade crossing and hazard elimination programs should be replaced with a single safety infrastructure program. Funding for the program would still be separate but there would be greater flexibility between the program components. There would be some formula changes and changes in project eligibility. We support all of these changes. In particular, we think the rail grade crossing formula and the changes in the eligible activities are long overdue.

We support the transfer provision between the Hazard Elimination Program and the Nonconstruction Safety Programs. However, we understand that at least one organization wants the transferability to be reciprocal. That is, funds for the nonconstruction safety programs, the ones my members administer, could be transferred to into the Safety Construction Program. We would very strongly oppose this idea.

Based on our previous experience, we believe that most or all of the nonconstruction program funds would be transferred out, leaving relatively little for the States to use in order to address behavioral problems.

We propose the transfer be capped at no more than 25 percent of the hazard elimination funds in order to preserve the integrity of that program. Alternatively, we would support eliminating the transfer provisions altogether.

With respect to the Integrated Safety Program, the Administration has proposed a new integrated safety program which would provide incentives to States that have an integrated, coordinated safety plan that goes one step beyond the plans previously required under the Safety Management System provisions of ISTEA.

NAGHSR supports the program in concept but cannot comment upon the specifics since they are not provided in NEXTEA. We encourage DOT to clarify this proposal before a reauthorization bill is finalized. We also suggest that DOT consider a grant eligibility criteria relating to occupant protection. States could receive an Integrated Safety Fund grant if they had a primary belt law or satisfied certain use rates. This would provide an occupant protection incentive to States and would supplement the underfunded incen-

tive program that has been proposed by the Administration elsewhere in NEXTEA.

With respect to sanctions and incentives, the Administration has proposed to penalize States if they do not adopt a primary safety belt law or originate a 5 percent safetybelt use rate by October 1, 2002. Senator Lautenberg has proposed to sanction States if they do not enact .08 BAC laws by October 1, 2000.

NAGHSR strongly supports both .08 and primary belt laws and we understand the safety motivation for both proposals. However, we strongly oppose the approach that has been taken. We firmly believe that incentives rather than sanctions are the best way to positively influence State behavior.

The 410 Impaired Driving Incentive Grant Program is a case in point. By contrast, sanctions are not targeted and they are counter productive. They engender a lot of ill will, resentment, and confusion. If the safety provisions are going to work, they need State support and this is not a very good way to get it.

We urge this committee to reject these kinds of divisive approaches and enact instead strategies which will bring all safety partners together working toward a common safety goal.

Finally, with respect to funding, let me say the biggest safety challenge is the need for a significantly increased funding for safety programs. I think Mr. Kolstad also echoed that point.

Past safety funding has not kept pace with inflation or new safety demands. New issues have emerged, such as aggressive driving and fatigue driving. New initiatives have been launched without the benefit of any new funding. Without adequate funding, the progress that has been made in highway safety cannot be maintained.

NEXTEA proposes only modest increases in funding for both construction and nonconstruction programs. We believe this is inconsistent with the Administration's position that safety is the department's highest priority and its North Star.

Senator BAUCUS. I have to ask you to wrap up.

Ms. HARSHA. OK. We recommend that funding for the 402 Program be increased to $200 million which was the level in fiscal 1981. It hasn't been at that level since. Funding for the Safety Incentive Grant Program must be at a significant enough level to entice States to act. Funding for the Safety Infrastructure Program must be more than what the Administration has proposed.

The need for increased funding is clear, the time for those increases is now. NAGHSR urges Congress to take advantage of this window of opportunity and put real dollars behind the rhetoric supporting safety.

Thank you very much.

Senator BAUCUS. Thank you very much.

Bob Georgine.

STATEMENT OF ROBERT GEORGINE, PRESIDENT, BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AFL–CIO

Mr. GEORGINE. Thank you, Senator. I want to thank you for asking me to participate in this hearing today.

I've submitted a written statement which I ask to be made a part of the record.

Senator BAUCUS. It will be included.

Mr. GEORGINE. The subject of this hearing is very crucial to the building and construction trades unions. Building and repairing the infrastructure and transportation systems of this country is our members' bread and butter. Constructing them safely is a goal that we must keep at the top of our agenda.

The members of the building trades unions are proud of the role we have played in making America the most productive economy in the world. We built the bridges, the clean water systems, the highways, the pipelines, and the railroads, and with the exception of the magnificent bridges like the Golden Gate and the Brooklyn Bridge, our infrastructure work goes pretty much unnoticed except when it breaks from old age or disrepair. Then it quickly captures everyone's attention.

We have all had our lives disrupted from time to time by such mishaps as water main breaks, giant potholes, disjointed rails and rusting bridgeways. Unfortunately, those disruptions are happening more frequently as our infrastructure ages and our resources for replacing and repairing them shrink. ISTEA or NEXTEA is essential legislation and we support it completely.

However, authorizing $175 billion to be spent over the next 5 years is just not enough money. We need to do better than that if we are to keep the American economy supported by a strong infrastructure.

Before going any further, I want to mention the Davis-Bacon Act. Proposed legislation attaches Davis-Bacon to every section of the infrastructure construction as it should. It belongs in this legislation and we will work with the Congress to assure that it remains intact as it is proposed.

I am especially pleased to see this subcommittee has placed safety and health at the top of your priorities. Safety and health is and has been my top priority since becoming President of the Building Construction and Trades Department in 1963.

When I first came to Washington, safety was not on too many policymakers' agendas and every day more than 10 construction workers lost their lives on the job. I am pleased that we have improved that statistic. Today, before the day is over, we will lose only 4 workers on constructionsites. That number is still unacceptable.

Construction remains among the most dangerous occupations in America. In addition to those who die because of the work they do, construction workers suffer over 400,000 injuries every year and an untold number of workers contract occupational diseases because of the materials they handle.

These deaths, illnesses and injuries take a tremendous toll on our workers and their families and they significantly affect the economics of the industry. Deaths and accidents increase costs. Productivity falls, morale declines and the insurance premiums soar.

Workers' compensation costs for construction contractors alone are dramatic and because of the dangers and the high injury rates in construction, workers' compensation insurance payment average $11.5 billion a year. Construction workers represent 5 percent of the work force, our workers' compensation claims represent 15 percent of all workers claims. It doesn't have to be this way. Deaths,

accidents and injuries are preventable. Anecdotes are readily available.

In a study reported in the Journal of Occupational Medical Researchers from the University of Montreal and Johns Hopkins University, found that union construction workers had more experience, more stable employment, and more safety training than nonunion workers. Our members are better trained in every way, including being taught how to work more safely.

We have over 1,000 facilities across the country, we spend $300 million each year through our labor management trust funds to train over 170,000 apprentices and more than 250,000 journey workers. We welcome the opportunity to train new construction workers.

Our labor management training programs have models for other training systems in this country and abroad. This week we turned over two apprenticeship schools to Solidarnosc, the Polish Trade Union. We developed those programs over the past 4 years to help Poland prepare their workers for emerging private sector economy.

In January of this year, at the request of the State Department, we began a program in Egypt to help construction workers and their unions develop 21st Century skills.

We would like to do the same for the welfare recipients targeted by this proposed legislation. However, we urge Congress and the Administration to require that the training maintain industry standards.

In the past, training programs have often been make-work and quick-fix answers. Welfare recipients need and deserve preparatory and skills training that will last them a lifetime. The apprenticeship system is the only tried and proven method of learning construction trade skills.

I sincerely hope that Congress will make it the preferred method of training for the critical infrastructure work that needs to be done safely.

Finally, on behalf of the building trades and my friend, Ed Handley of the Hotel Employees and Restaurant Employees, I respectfully ask that this subcommittee consider funding a demonstration grant to improve a section of Interstate 15.

Such a project would define better than any example that I can think of why we need a Federal highway system and how an investment in infrastructure multiplies into an effective economy. I–15 connects Southern California with Nevada. Because of it, Las Vegas was able to develop into an economically successful, family centered entertainment phenomenon. Now, unless it is widened, it could contribute to an economic decline for Las Vegas and for Southern California.

The Federal Government can look beyond the borders of those two States and create a demonstration model that will improve the highway system and ensure a continued, vibrant economy for that area of our country.

Thank you.

Senator BAUCUS. Thank you very much.

Mr. WYTKIND.

STATEMENT OF EDWARD WYTKIND, EXECUTIVE DIRECTOR, TRANSPORTATION TRADES DEPARTMENT, AFL–CIO

Mr. WYTKIND. Thank you, Senator.

I appreciate your having transportation and labor here to testify. I want to thank the Chairman as well for that invitation.

In the interest of time, I'll summarize our views. We've submitted a statement that is fairly comprehensive and I'll be brief.

Senator BAUCUS. Your entire statement will be in the record.

Mr. WYTKIND. Thank you.

First, I'll spend a moment on ISTEA in general. We consider the most important goal of ISTEA is to secure the highest possible funding levels for all surface transportation investment programs. This will have a more positive impact on safety than anything else the committee can do in the context of ISTEA reauthorization.

Congress must make a commitment to reverse deep spending cuts that are harming businesses, workers and communities and yes, undermining safety. Today, those cuts are paralyzing efforts by cities and towns to safely provide for their growing, and in some cases, booming transportation needs.

I must state at the outset our deep concerns about the dire consequences that we see surrounding the recently announced budget deal and the impact that deal may have on ISTEA and on all transportation investments.

We applaud the bipartisan leadership of this committee and subcommittee for leading the fight for more transportation funding in what we know is a very tough budget environment.

In addition to providing adequate funding for highway and transit programs, inner city bus and rail service and safety enforcement, we urge your support for a more reliable funding mechanism to stop the financial hemorrhage of our national passenger railroad, Amtrak, and its 20,000 employees.

We support redirecting the 4.3 cents motor fuel tax to the Highway Trust Fund and providing a half cent dedicated to Amtrak capital needs with the balance going to highway and transit programs.

Second, the reauthorization proposal must maintain basic laws such as Section 13(c) of the Federal Transit Act and the Davis-Bacon Act which protect collective bargaining rights and ensure wage and job stability in communities.

If I can leave a single message with this subcommittee today, it is that we are committed to work with you to advance a strong reauthorization bill to make this legislative priority a reality before the expiration of ISTEA.

However, we strongly urge the committee to refrain from using ISTEA as a vehicle to attack longstanding worker protection programs that have been embodied in the law for decades. We know that many employer representatives agree with us on that point.

Third, with respect to innovative financing, we continue to evaluate the impact of various proposals including the State Infrastructure Bank Pilot Program. Our goal is to ensure that these proposals do not compromise worker rights or allow federally assisted entities to avoid compliance with very basic labor standards.

Any expansion of this program must require compliance with important Federal worker standards as all ISTEA programs have done for many decades.

Innovative proposals also commonly involve increased participation by the private sector. I want to emphasize that decisions relating to public versus private control of our transportation infrastructure, particularly transit services, should be left to local decisionmakers.

Congress recognized this in the 1991 bill when it struck a fair balance between public needs and private interests. This important balance must be continued in the new bill or we fear the erosion of service and safety.

Let me now turn to a few core safety concerns. Deregulation, industry consolidation and Federal budget cuts have forced workers and highway users into an increasingly dangerous and unpredictable situation.

Adequate Federal funds must be committed for the personnel and resources to carry out enforcement programs, including driver training, vehicle registration and adequate safety inspection facilities.

We are opposed to industry-specific exemptions such as the pilot program adopted in the NHS bill in 1995 which unfortunately exempts up to 2 million trucks from various safety rules, including hours of service regulations. ISTEA must not be the vehicle to further erode any safety standards and regulations.

Finally, we continue to have major concerns with the NAFTA land transport provisions. As the committee is aware, the transportation provisions of NAFTA grant Mexican commercial motor carriers access to the four U.S. border States and by the year 2000, to the entire country.

While the Clinton Administration wisely postponed those provisions, it is under extraordinary pressure from our trading partners, business interests and elements of the trucking industry to lift the restrictions.

Our Nation is ill-prepared to deal with the massive inflow of Mexican motor carrier traffic NAFTA would produce on our highways. Border facilities are inadequate and in most cases, the trucks and buses entering the U.S. violate our safety and equipment standards and are operated by drivers not subject to comparable safety standards.

The GAO agreed with us in its recent report where it found an out-of-service rate at all truck border crossings of about 45 percent for serious safety violations. Texas, which has two-thirds of all Mexican truck traffic, and Arizona with its 10 percent of the traffic, have no permanent truck inspection facilities at any of their borders. Of the few trucks inspected, violations ranged from bogus insurance, bald tires and cracked frames to unqualified drivers.

Fortunately, a bipartisan House majority agrees with our position on this issue and recently wrote President Clinton urging him to maintain current cross-border restrictions until the major safety issues in the context of NAFTA have been adequately addressed.

I would like to submit a copy of this letter that is signed by 226 members of the House urging the border remain closed.

Workers also fear job loss given that Mexican truck drivers earn as little as $7 a day. This opens the door for the massive displacement of American truck drivers by U.S. trucking companies looking to exploit lower wage Mexican drivers. This same problem manifests itself in the bus industry as well.

The only way to resolve the highway safety threat posed by NAFTA is to make measurable and enforceable safety standards and programs a part of the core agreement. Side deals and letters of understanding won't do.

At a time when the Congress and this committee is trying to meet our country's surface transportation needs, it makes no sense to expose the already underfunded highway infrastructure that you seek to expand and improve with new safety hazards posed by unsafe Mexican motor carrier traffic. We urge you to work with us to ensure that the U.S.-Mexican border isn't opened prematurely as some are advocating.

Let me conclude by saying that thousands of communities, tens of thousands of our members are dependent on the crucial investments that ISTEA programs support. We want to work with this committee to advance a strong bill and to continue to make our transportation system the finest in the world.

We believe that these goals can be met without sacrificing the basic rights of workers and the safety of our transportation and building trades industries. We look forward to working with you in that regard.

Again, thank you for this opportunity.

Senator BAUCUS. Thank you, Mr. Wytkind.

I want to thank all of you. This has been very important testimony. I particularly appreciate the testimony of you, Mr. Bartlett and Mr. Wytkind, about the safety problems of Mexican trucks and safety problems with hours, drivers and so forth.

I've looked at the GAO report—in fact, I have it right here—and as I think you mentioned, the out-of-service rates averaged about 45 percent in 1996. It's a pretty strong report and it's one this committee is going to take to heart and very seriously. Your testimony is going to help very much in that regard.

Also, Ms. Harsha, I appreciate your concern about safety and you made a very good point about the reciprocity. When you talk about flexibility, the dollars go into construction projects as opposed to safety projects which are nonconstruction projects and that is also a very good point.

Mr. Georgine, I had to kind of smile when you started to testify. You may not know this but in my home State of Montana, almost once a month, not quite, but almost once a month I have what I call a work day. I show up at some job site at 8 a.m. with my sack lunch and work straight on through, wait tables, work at sawmills, and green chain.

Three of my jobs have been highway jobs. One day I operated a roller under the watchful eye of my supervisor, I might add. Another day, with a rake, I was scraping and leveling out, getting the rocks out of the tar after the asphalt was laid, kind of hot and dirty work.

Another job I had, I was a flag person. The motorists really kept me on my toes because one time I jumped out in front of a car to

stop traffic because some trucks were coming in and this car stopped and the driver just gave me the dickens because I put out the sign that said slow and not stop. I learned that lesson very, very quickly.

I chuckled also because—you talked about a demonstration project—I–15 goes through my State of Montana as well and it ends up north through the State of Montana.

Essentially, I want to thank you all very, very much. You've added a lot and your testimony is a very valuable contribution to our deliberations. We appreciate your taking the time and effort to come and give us your views.

Thank you very much.

[Whereupon, at 1:13 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

[Additional statements submitted for the record follow:]

STATEMENT OF HON. RICHARD G. LUGAR, U.S. SENATOR FROM THE STATE OF INDIANA

Mr. Chairman: I want to express my appreciation to you for conducting today's hearing on transportation safety programs. I also want to thank you for the opportunity to testify before the Committee on an important public safety issue affecting Indiana and other states.

In America today, nearly 600 people are killed and thousands more injured every year as a result of vehicle-train collisions at highway-rail grade crossings. A significant number of these accidents occur in states such as Indiana, Illinois, Ohio, California and Texas that have large numbers of rail-highway intersections.

In 1994, I travelled across northern Indiana aboard a QSX–500 CSX locomotive. I witnessed what engineers see every day—numerous motorists darting across the railroad tracks before an oncoming train. From this experience, and from my work to improve safety at highway-rail grade crossings, I learned that engineering solutions, along with education and awareness about grade crossing safety, are key strategies that can effectively prevent grade crossing accidents.

My home state of Indiana ranks sixth in the Nation in the number of public crossings with over 6,500. And every year Indiana is one of the top five states in the Nation for numbers of injuries and fatalities caused by vehicle-train crashes. In 1995, Indiana ranked third for total vehicle-train crashes with 271, fifth for total fatalities from vehicle-train crashes with 29, and fourth for injuries as a result of vehicle-train crashes with 79.

Responding to this disturbing national trend, I began working in 1993 with then-Transportation Secretary Federico Pena and with the Indiana Department of Transportation to address this serious safety problem. We worked to find solutions that would help Indiana and other States make better use of available funds to target the nation's most hazardous rail crossings.

The Federal Government has played an important role in helping states eliminate accidents and fatalities at public highway-rail intersections since passage of the Highway Safety Act by Congress in 1973. This Act created the Rail-Highway Crossing Program (also known as the Section 130 Program). Since the program's inception, more than 28,000 improvement projects have been undertaken—from installation of warning gates, lights and bells, to pavement improvements and grade separation construction projects.

Following discussions with Federal and state officials about this pressing safety problem, I joined with Senator Coats in March, 1994, to request the General Accounting Office (GAO) to conduct a thorough review of rail safety programs in Indiana and other rail-intensive states experiencing a high number of vehicle-train crashes at grade crossings.

Released in August, 1995, the report—Railroad Safety: Status of Efforts to Improve Railroad Crossing Safety (RCED–95–191)—evaluated the best uses of limited Federal funds for rail crossing safety, reviewed policy changes that help state and local governments address rail safety issues, and recommended strategies to encourage interagency and intergovernmental cooperation.

The report found that in addition to states' efforts to reduce accidents and fatalities through emphasis on education programs, engineering solutions, and enforcement of traffic laws, changes to the Federal funding formulas would target highway funds to areas of greatest risk.

Under the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the Section 130 program was continued—with a portion of the 10 percent of a state's Surface Transportation Program (STP) safety funds dedicated to highway rail crossing improvement and hazard elimination projects.

The GAO reported that key indicators or "risk factors" used to assess rail grade crossing safety are not taken into account when STP funds are distributed among states. The GAO outlined the Federal Highway Administration's (FHWA) work to review options for STP formula changes that adjust the current flat percentage allocation to include these risk factors. Applying these factors to the funding formula creates a more targeted and focused process that maximizes the effectiveness of Federal funds.

The risk factors criteria considered by FHWA include a state's share of the national total for number of public crossings, number of public crossings with passive warning devices, total number of accidents and total number of fatalities occurring as a result of vehicle-train collisions at highway rail grade crossings.

For example, while Indiana received 3.4 percent of Sec. 130 funds in fiscal year 1995, the Hoosier State experienced 6.1 percent of the nation's accidents and 5.9 percent of the fatalities as a result of vehicle-train collisions from 1991–1993. In addition, Indiana has about 4 percent of the nation's public rail crossings.

Recent preliminary estimates of STP apportionments under a risk-based apportionment formula indicate Indiana's share of Sec. 130 funds could increase by fifty-four percent, from the fiscal year 1997 level of $4.96 million to $7.63 million. Overall, about 23 states would receive a substantial increase in Sec. 130 funds for grade crossing improvements, including: Alabama, Arkansas, Georgia, Illinois, Iowa, Kansas, Louisiana, Mississippi, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Carolina, Texas, Utah and Wisconsin.

While the Indiana Department of Transportation (INDOT) spends between $7 million and $10 million a year to improve safety at highway rail grade crossings, a fifty-four percent increase in Sec. 130 funds would allow INDOT and other state departments of transportation additional resources for these projects.

Responding to these recommendations, I introduced legislation in December, 1995, and again this year, aimed at improving the distribution of these safety funds. S. 284, the Highway-Rail Grade Crossing Safety Formula Enhancement Act, would replace the current flat percentage system with a formula that uses the risk-based criteria to better target existing funds where they can be most effective.

S. 284 addresses the allocation problem by adjusting the funding formula for the STP to include an apportionment of funds to states for the Sec. 130 Program based on a 3-year average of these risk factors. I want to express my appreciation to the FHWA and to the Federal Railroad Administration for their valuable assistance in preparing this legislation.

This legislation will help improve the way the Federal Government targets existing resources to enhance safety on our nation's highways and along our rail corridors. This legislation does not call for new Federal spending, but rather for a more equitable and effective distribution of existing highway funds to states to enhance safety at dangerous highway-rail grade crossings.

This legislation addresses one aspect of the grade crossing safety problem by refining a key provision of the existing ISTEA law. Using this proposal as a foundation, I am hopeful the Congress will craft provisions for the highway reauthorization bill that recognize the overall efforts of states to implement comprehensive rail safety programs. An effective grade crossing safety program integrates construction improvement projects with driver education and awareness programs, including the valuable work performed by Operation Lifesaver. An effective program also integrates crossing closures, vigorous enforcement of crossing traffic laws and assessments of crossing inventories.

I will work with my colleagues this year to help assure Congress passes highway reauthorization legislation that makes the best use of available Federal resources while encouraging states to continue pursuing comprehensive efforts to address their public grade crossing safety requirements. My intent with this legislation is not to penalize certain states or to create "winners" or "losers" in the process of distributing Federal highway funds, but to find the best solution that will eliminate these preventable tragedies.

At this time, it is unclear what direction the next highway authorization bill will take, what the Federal role will be in maintaining the national transportation infrastructure, and what current ISTEA programs will be renewed. I am supporting a reauthorization proposal to provide a more streamlined, flexible highway program that returns resources and authority back to the states. My intent with this legislation during this reauthorization process is not to protect a particular highway program or specific Federal set aside requirement of the expiring ISTEA law, but rath-

er to continue emphasizing an issue of great importance to my state of Indiana and to other states experiencing grade crossing safety problems. I will advocate grade crossing safety as a priority within the context of other key funding and flexibility issues that are vital to the continued safety and mobility of Hoosiers traveling on Indiana roadways. I am hopeful this legislation will reinforce the importance of highway rail grade crossing safety as the Congress moves forward with the national discussion of U.S. transportation policy for the 21st Century.

As the ISTEA reauthorization process continues in the coming weeks and months, I look forward to working with the Committee to help find an appropriate Federal role that encourages states to continue their grade crossing safety efforts.

Continued emphasis on finding new and better ways to target existing resources to enhance safety at highway rail grade crossings will contribute to the overall effort in Congress and in the States to prevent accidents, save lives and sustain a balanced and effective transportation network for the nation.

Thank you for the opportunity to testify before the Committee today.

STATEMENT OF HON. FRANK LAUTENBERG, U.S. SENATOR FROM THE STATE OF NEW JERSEY

Mr. Chairman and Members of the Committee, I appreciate this chance to join Senator DeWine and Congresswoman Lowey to testify behalf of our legislation to reduce fatalities and injuries due to drunk driving.

With the creation of the interstate highway system in the 195O's, the Federal Government assumed a major role in building and maintaining our highway infrastructure. We also have a responsibility to make sure that those roads and highways are as safe as possible.

When I introduced legislation almost 15 years ago to make 21 the national minimum drinking age, many people told me that it would never pass. But, President Reagan supported it, along with Secretary of Transportation Elizabeth Dole, and now every state has a minimum drinking age of 21. This act did away with so-called Blood Borders between states and has saved over 10,000 lives since its enactment.

In this Congress, we have a real opportunity to further reduce fatalities from drunk driving. During ISTEA reauthorization, we should take the serious steps needed to make a difference.

Currently, 41 percent of all fatal crashes are alcohol-related. With Senator DeWine and Congresswoman Lowey, I have introduced S. 412, the "Safe and Sober Streets Act of 1997," to make .08 Blood Alcohol Content the national standard. If a state fails to pass this standard by Fiscal Year 2001, it would lose a portion of its highway funding.

The simple fact is, setting lower limits saves lives. But since so many states have been stuck in neutral on this issue, it is time for the Federal Government to take action. This legislation will get tough on states that fail to get tougher on drunk driving.

The question is NOT why should we drop the drunk driving standard to .08, but rather why was it ever set as high as .10? It is at .08 BAC that a person becomes significantly impaired and should no longer be driving.

A 170 pound man must drink four and a half drinks in 1 hour, on an empty stomach, in order to get to .08 BAC. At that point, that man has lost his basic driving skills, such as braking, steering, lane changing and judgment. challenge each of you to consume over four drinks in 1 hour on an empty stomach and then decide whether or not you could get behind the wheel and drive safely.

Most importantly, .08 BAC laws work. States which have adopted the .08 standard have seen a reduction in their alcohol-related traffic fatalities. A recent study by Ralph Hingson of Boston University demonstrated that if all states adopted the .08 standard, 500–600 lives would be saved each year.

France's BAC limit is .05, Canada and Great Britain's is .08. Thirteen states have .08 BAC laws—including Virginia, California, Florida and New Hampshire, and legislation is pending in many more. But, the beverage industry, so powerful at the state level, strongly opposes such legislation. Sanctions on Federal highway assistance can counterbalance local political pressures.

I have also introduced a bill to promote minimum standards for those repeatedly convicted of drinking and driving. This proposal would sanction highway funding if states do not revoke the licenses of convicted drunk drivers, with three time offenders losing their license permanently.

Matthew Hammell, after whom this bill is named, was a 17 year old New Jerseyan killed by a driver whose New Jersey license was revoked for repeated drunk driving convictions, but who was able to get a license in North Carolina.

Those who drink and drive need to know that wherever they are, the law will not permit repeated abuse.

Establishing a .08 BAC limit and license revocation for repeated abusers are two concrete ways to reduce fatalities and injuries associated with drunk driving.

I'd also like to comment briefly on another issue—the issue of big trucks. was the author of the 1991 freeze on longer combination vehicles. About 5,000 people are killed and 20,000 people injured each year in big truck crashes. Big trucks also impose greater wear and tear on our transportation infrastructure.

We should maintain the LCV freeze in the next ISTEA bill and reject efforts to leave truck size and weight standards to the states. The Southern Governors' Association, some state trucking associations and the Owners-Operators and Independent Drivers Association support maintaining the LCV freeze and oppose the "states' option."

STATEMENT OF HON. NITA M. LOWEY, U.S. REPRESENTATIVE FROM THE STATE OF CONNECTICUT

Thank you, Chairman Warner, and members of the Subcommittee for the opportunity to speak to you this morning.

I must say I don't envy your task this year. Your Subcommittee must wrestle with a wide array of difficult issues and competing interests as part of the reauthorization of the Intermodal Surface Transportation Efficiency Act. As this process unfolds, however, I hope one area everyone can agree on is that improving the safety of our nation's roadways must be one of our highest priorities. It is with that goal in mind that I am here this morning to urge the Subcommittee's support of measures to strengthen our nation's drunk driving laws.

We have all heard the statistics. For the first time in a decade, drunk driving fatalities are on the rise. In 1995, the year for which the most recent statistics are available, more than 17,000 Americans were killed in alcohol-related traffic fatalities.

The sad reality is that our drunk driving laws have failed thousands of families across the nation; our criminal justice system has been too lax on drunk drivers for too long.

In fact, impaired driving is the most frequently committed violent crime in America. That's an outrage. A license to drive shouldn't be a license to kill. We must combat these crimes by strengthening drunk driving laws and penalties.

As some of you know, Senator Lautenberg, Senator DeWine and I have joined Mothers Against Drunk Driving, highway safety advocates, law enforcement groups, and drunk driving victims in introducing two important pieces of legislation to strengthen our nation's drunk driving laws. Using the proven method of the 1984 National Minimum Drinking Age law and the 1995 Zero Tolerance law for underage drinking and driving, these bills will compel states to lower the legal level of Driving While Intoxicated to a more reasonable level and strengthen penalties for repeat drunk drivers.

Mr. Chairman, more than 3,700 Americans were killed in 1995 by drivers with Blood Alcohol Concentration (or BAC) levels below .10—the legal definition of Driving While Intoxicated in 36 states. In recognition of this problem, 14 states, including Virginia, California, Florida, and Idaho have adopted laws lowering the DWI level to .08, and Illinois is likely to do so soon. .08 laws have also been adopted by a number of other industrialized nations.

Lowering the DWI level to .08 is supported by the American Medical Association, the American Automobile Association, the National Sheriffs Association, the International Association of Chiefs of Police, the National Highway Traffic Safety Administration, and our nation's largest insurance companies. The American Medical Association even recommends states adopt a .05 DWI standard.

The reasons these groups recommend that the DWI standard be lowered to .08 are compelling: First, .08 is a level of intoxication at which critical driving skills are impaired for the vast majority of drivers. Second, the risk of a crash increases substantially at .08 and above. In fact, a driver with .08 BAC is 16 times more likely to be in a fatal crash than a driver with no alcohol in his system. Third, Americans overwhelmingly agree that you shouldn't drive after three or four drinks in 1 hour an empty stomach—the equivalent of a .08 blood alcohol level.

Last, but certainly not least, .08 laws save lives. A study of the first five states to enact .08 found that those states experienced a 16 percent reduction in fatal crashes involving drivers with a BAC of .08 or higher. Overall, the study concluded that up to 600 lives would be saved each year nationwide if every state adopted the .08 standard.

This is a not a theoretical study—these are facts.

The experiences of the first five states to adopt .08 laws also indicate that heavy drinkers are less likely to drink and drive because of the general deterrent effect of .08. In fact, those states experienced a 18 percent decrease in fatal crashes involving drivers with a BAC of .15 or higher. In addition, lowering the BAC to .08 makes it possible to convict seriously impaired drivers whose BAC levels are now considered marginal because they are at or just over .10

Some will argue that .08 BAC is too low a level of intoxication and that it will target social drinkers who drink in moderation. Let me be very clear: This legislation has nothing to do with social drinking. This is not about having a couple of beers or glasses of wine with dinner after work. It takes a lot of alcohol to reach .08 BAC. According to NHTSA, a 170 lb. man with an average metabolism would reach .08 only after consuming four drinks in 1 hour on an empty stomach. A 137 lb. woman with an average metabolism would need three drinks in hour to reach that level. Keep in mind, if you have any food in your stomach or you snack while you're drinking, you can drink even more and not reach .08. That's a lot of liquor.

In addition to getting states to lower the legal definition of DWI, we need legislation to establish mandatory minimum penalties to keep convicted drunk drivers off our roads. We must stop slapping drunk drivers on the wrist and start taking their hands off the wheel.

That's why "The Deadly Driver Reduction Act" will require states to mandate a 6-month revocation for the first DWI conviction, a 1 year revocation for two alcohol-related convictions, and a permanent license revocation for three alcohol-related offenses.

Studies by the National Highway Traffic Safety Administration show that about one-third of all drivers arrested or convicted of DWI each year are repeat offenders. Drivers with prior DWI convictions are also more likely to be involved in fatal crashes. This second piece of legislation will close the loopholes in state laws that too often allow convicted drunk drivers to get right back behind the wheel.

Mr. Chairman, no piece of legislation alone is going to solve the problem of drunk driving. We know that it is going to take a good deal of public education and a greater commitment on the part of Federal, state, and local officials. However, there can be no denying that adopting .08 as the national DWI standard and establishing mandatory minimum penalties will reduce the carnage on our nation's roads. Government has an obligation to act when lives are at stake.

STATEMENT OF HON. MIKE DEWINE, U.S. SENATOR FROM THE STATE OF OHIO

Thank you very much. Let me first thank the committee for holding this hearing and thank the committee also for the concern that you have not only expressed but demonstrated for highway safety over the years.

I first became interested in this issue when, as a 25-year-old, right out of law school, my first job was as an assistant county prosecuting attorney. I was involved in the prosecution of vehicular homicide cases, drunk driving cases.

One of my jobs was frankly to talk and work with the victims, the families, the people who survived. I remember one particular case where I was called to the emergency room of the hospital and saw two elderly people, one had just died and the other was being operated on and died 5 days later. They were killed by a drunk driver.

I think all of us have had that experience but when you're a prosecutor, you see it and you can understand it a little more because you see it firsthand.

When I was in the State Senate, we had a tragedy in our home county. We had a little 7-year-old boy by the name of Justin Beason who was killed by a driver who had been drinking. His grandfather came to me and I'll never forget the anguish and horror that I saw in his eyes and the horrible sadness and as a result of that, I wrote in 1982 in the Ohio State Senate, Ohio's first really tough drunk driving law.

We established in that drunk driving law a per se violation which is something we in Ohio had not had. In fact, most States at that time, did not have that.

I would like today to talk about four issues very briefly. Let me start simply by saying that we lose some 40,000 people every year in this country killed in auto fatalities. If it was any other cause than that—if it was an epidemic, if it was a disease, we would be up in arms as a country.

To some extent, we are numb to auto fatalities. We are numb because everyone knows someone who has been killed or knows a family that has been touched.

I just would ask this committee to look at four specific things that I think we can do that will, in fact, make a difference. I would like to start with the .08 and I un-

derstand fully the concerns that have been expressed and I know will be expressed about the States rights issue involved here. I do appreciate those.

I would simply say that when we deal with issues such as this, I think this is one of the few times we can cast a vote in the Senate where we know our vote will actually save lives. Many times we think it will, many times we think we know what the results are and we're dealing with some of these areas in regard to highway safety and things we know will, in fact, work.

One is lowering the alcohol level to .08. That seems like a very small change, to go from .1. Most States today have it at .10. There is a minority of States that have it at .08, but we find is that this is a really critical period. What we find is that once you get to about .06—and it varies obviously by individual—but once you get in that range, then you see the impairment magnified. Each 2 percentage points is magnified and magnified.

I know when the previous panel was here, it's my understanding you had some discussion about the statistics. I would like to submit to the committee a letter which I will prepare today with additional statistics, because I think the evidence is fairly overwhelming that in the States that have made the change, they have seen a significant reduction.

Thirty-five States have established the per se laws at .10, 13 have established, a minority, at .08 but the fact is that drivers, all drivers, are substantially impaired at .08. Both laboratory and on-the-road tests show the vast majority of drivers, even those who are very experienced, are significantly impaired at .08.

They had trouble braking, they had trouble steering, they have trouble with other driving tasks. They certainly have trouble with judgment. The risk of being in a crash rises with each increase in the blood alcohol level. We know that. But it rises very rapidly after a driver gets into the area of .06, .07, or .08.

Most of the States that already have a .08 law found that it has helped to decrease the number of alcohol-related fatalities. A recent study of the first five States to lower their blood alcohol limit showed I believe convincing results. They showed in fact that if you compared those five States versus five States that were comparable States that did not change, although you had a reduction in each State, the reduction was about three times as much as those States that took it to .08 as those that kept it at .10.

Let me talk about another issue, which is school bus safety. Let me preface this by saying something I always try to say, and I've worked on school bus safety for the last several years, school buses are the most safe form of transportation there is statistically. Parents should always remember that.

If there's a choice between putting your child on a school bus or letting your 16-year-old drive to school, statistically, there is absolutely no choice. I want to put that out right at the beginning.

We have had a great deal of success in the last several years in dealing with a very specific school bus safety problem and that has to do with unsafe hand rails that are on school buses. Most of the buses that have these unsafe handrails are now off and they've been taken off on a voluntary basis, so it's not been something the Federal Government has mandated.

This arose from a tragedy that occurred in my home county where we had a little child by the name of Brandy Browder who was drug along with the school bus because she had her drawstring that got caught in this defect in the school bus.

There have been a lot of changes made. There are still some of these buses out there. I'm going to use this forum one more time to remind every school district in this country. It's a very simple test. The remedy is $5. It doesn't cost much but we need to be vigilant to make sure these buses are no longer on the road. Most of them, frankly, are now off the road.

I believe also, Mr. Chairman, that school buses are the safest form of transportation. We still lose upwards of 45 to 50 children every year who are killed. Most of them are killed getting on and off the bus. Most of them are killed for any number of reasons, but in almost every case, it is a school bus driver error.

Again, I think this reinforces the need to increase the attention we pay to school bus safety issues.

Finally, seat belts. If there's one thing we know about seat belts, it is that they save lives. But today, in many States, including Ohio, not wearing a seat belt is not considered a primary offense; in other words, you can't get pulled over for not wearing one, but you can be charged for not wearing one if you're pulled over for some other offense. We need to do what we can to see that the seat belt laws get elevated to the status they deserve. We have them on the books for a reason: they save lives. Let's make them effective.

Mr. Chairman, I look forward to working on all of these issues with you and other concerned Senators, and I thank you very much for holding this important hearing.

JOINT STATEMENT OF PHILIP R. RECHT, DEPUTY ADMINISTRATOR, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION AND ANTHONY R. KANE, EXECUTIVE DIRECTOR, FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Mr. Chairman, thank you for the opportunity to testify on the highway safety provisions of the Administration's surface transportation reauthorization proposals. These safety provisions are found in both the main portion of our proposal, entitled the National Economic Crossroads Transportation Efficiency Act of 1997 (NEXTEA), and in the supplemental safety titles of the NEXTEA which are called the Surface Transportation Safety Act of 1997.

Ensuring the transportation safety of the American people is the highest priority for both the Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA), as well as the Department of Transportation overall. Secretary Slater has set transportation safety as his highest priority. The Secretary sees safety as a moral commitment as well as a policy imperative. He has said that the safety of the American people is our No. 1 goal—the true "North Star" that guides us. Accordingly, we have remained focused on improving highway safety, while we strive to enhance the efficiency and capacity of our large and varied highway system. This emphasis on safety is appropriate in light of the fact that 98 percent of all surface transportation-related deaths and approximately 99 percent of injuries result from highway crashes.

Because seat belts are an extremely effective means of reducing fatalities and serious injuries in traffic crashes, our NEXTEA proposal would take an aggressive approach to increasing seat belt use. To achieve the goal of increased seat belt use, however, we cannot rely solely on Federal programs or the Federal Government. Our success depends on the efforts of all our key partners. Joining me at the White House on April 16 in support of the goals we have set were a cross section of key players in the seat belt effort—including representatives of State law enforcement, the auto companies, the medical profession, people whose lives have been saved by seat belts, and a bipartisan group including former Secretaries of Transportation Boyd, Coleman, Skinner, Card and Pena.

In our efforts to improve highway safety, Congress, and particularly this Committee, has been our partner. With the safety programs and funds Congress provided through the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the FHWA and NHTSA have made real progress in enhancing the safety of our Nation's highways. Since 1991, the motor vehicle fatality rate (per 100 million vehicle miles traveled (VMT)) has dropped from 2.1 in 1990 to 1.7 in 1996, and the nonfatal injury rate (per 100 million VMT) also decreased from 151 in 1990 to 141 in 1995. Between 1990 and 1996, highway/rail grade public crossing deaths have decreased by over 25 percent. In addition, the crash rate involving heavy trucks dropped from 2.9 per 100 million VMT in 1991 to 2.5 in 1995. The costs of highway crashes would have been $30 billion higher in 1994 (versus 1990) had it not been for injury rate reductions due to NHTSA- and FHWA-supported highway and motor vehicle programs. An assessment of the NHTSA and FHWA safety programs indicated that the economic cost savings exceeded program costs by a ratio of 9 to 1.

Through the highly successful safety programs authorized in ISTEA, the FHWA and NHTSA have taken an integrated approach to driver, vehicle, and roadway safety. To build on the success of those programs, the safety provisions in our NEXTEA proposal and safety bill would fund initiatives which likewise address driver, vehicle, and road design issues in a focused and coordinated manner. The problem of aggressive driving is an example of a safety issue which would best be addressed using this approach. Behavior modification programs and enforcement and judicial initiatives can help solve the aggressive driving problem, but the safety solution must also involve designing roadways to mitigate the injury consequences of aggressive driving. Installation of median barriers, for example, can prevent cross-over, head-on crashes by out-of-control vehicles traveling at excessive speeds and/or engaging in erratic maneuvers. Median barriers of this kind are now being installed by the FHWA and the National Park Service at narrow median locations on Virginia's George Washington Memorial Parkway.

ISTEA recognized the importance of the Federal-State partnership in highway safety. We believe the successor to ISTEA must continue to look at new ways to advance this essential partnership. The safety provisions in the Administration's reauthorization proposal build on the strong components of the existing law, streamline programs, create new flexibility, and provide linkages among other highway safety

programs to move our programs forward in a coordinated manner to address national priorities.

HIGHWAY SAFETY

NHTSA's programs have contributed to real progress in highway safety. Seat belt use has grown from 11 percent in 1982 to 68 percent in 1996. Alcohol involvement in fatal crashes has dropped from 57 percent to 41 percent over this same 15-year period. We have made great progress in reducing the fatality rate. In 1966, it stood at 5.5 deaths per hundred million vehicle miles traveled, and today it stands at 1.7, the lowest rate recorded.

Despite this significant progress, as previously noted, recent statistics show there is no room for complacency. After years of steady decline, the total number of highway deaths increased from 1993 to 1995. Motor vehicle crashes are still the leading cause of premature death of our Nation's youth. Seat belt use has grown by only 2 percentage points since 1993. In 1995, the number of alcohol-related fatalities increased for the first time in 9 years. In 1996, 41,500 people died and over 3 million more were injured in police-reported crashes. Although our fatality rate remains at an all-time low, highway crashes still cost the Nation $150.5 billion per year. Taxpayers share in these costs. Twenty-four percent of all medical care costs associated with motor vehicle crashes are covered by public revenues (14 percent from Federal revenues and 10 percent from State resources). In 1994, the $13.8 billion in medical, rehabilitation, and income support costs paid by Federal and State programs was equivalent to $144 in added taxes for each household in the U.S.

Speeding—exceeding the posted speed limits, or driving too fast for conditions—is a problem on all roads. The human and economic costs of speeding are staggering. In 1995, speeding was a factor in 31 percent of all fatal highway crashes. Currently, 34 States have increased their speed limits beyond what would have been allowed under the former national maximum speed limit law, and 23 of these 34 States have increased their speed limits to 70 miles per hour or greater. NHTSA and FHWA have jointly developed and continue to implement a Speed Management Work Plan combining research, enforcement, roadway engineering and public education.

Recent surveys indicate that aggressive driving, a behavior often marked by excessive speed, running red lights and stop signs, has become the driver behavior that most concerns the motoring public. NHTSA's activities to combat aggressive driving include public information and education, demonstration programs in major urban areas to identify effective enforcement techniques, and research to determine the relationship between specific unsafe driving acts and crash involvement.

The number and costs of fatalities and injuries would be significantly higher if not for the effectiveness of NHTSA's programs. Since 1992, seat belts, child safety seats, motorcycle helmets, and the age–21 minimum drinking age laws have saved over 40,000 lives.

NEXTEA—ISTEA REAUTHORIZATION

NEXTEA proposes to fund all of NHTSA's programs out of the Highway Trust Fund, and increases authorized funding for these programs by about 25 percent, to $392 million in fiscal year 1998.

The keystone of NHTSA's efforts in highway safety, jointly administered with FHWA, is the State and community highway safety grant program, known by its U.S. Code provision as the "Section 402" program. Section 402 provides for a highway safety program in every State and territory. Under this program, NHTSA and FHWA give formula grants to States, set by statute, for their conduct of programs in priority areas that are most effective in reducing traffic crashes and resulting deaths, injuries, and property damage. The agencies also give technical assistance to States and local communities to develop and implement their highway safety programs. The States use their 402 grants to address their key safety problems.

Our increased authorizations emphasize incentive programs. NHTSA has found that incentives have proved very successful in helping States to make greater efforts in highway safety. By incorporating incentive programs within the framework of the agency's Section 402 program, our proposal will create new momentum in four priority areas:

- occupant protection, a Presidential initiative to encourage States to increase seat belt use—the single best way to protect the occupants of a vehicle;
- drunk driving prevention, to help States enact and enforce tough drunk driving laws;
- drugged driving prevention, another Presidential initiative to help States enact and enforce tough laws to prevent drug-impaired driving; and

- highway safety data improvement, to encourage States to collect the data needed to identify their highway safety problems and evaluate the measures they take to solve those problems.

Our research has found that lap/shoulder belts, when used, reduce the risk of fatal injury to front seat passenger car occupants by 45 percent, and the risk of moderate-to-critical injury by 50 percent. When seat belts are used in a vehicle equipped with air bags, the effectiveness of the combined restraint system exceeds that of the belts alone. The combination of seat belts with air bags is the most effective means of reducing fatalities and serious injuries in traffic crashes.

Child safety seats are the most effective occupant protection devices used in motor vehicles today. If used correctly, they are 71 percent effective in reducing fatalities to children under the age of five and 69 percent effective in reducing the need for hospitalization.

Currently, an estimated 68 percent of America's vehicle occupants use their seat belts, saving about 9,500 lives a year. Despite this progress, however, today nearly one-third of Americans still do not buckle up and 80 percent of child safety seats are not used properly. Every day, an unrestrained child under the age of 5 is killed in a traffic crash.

Also disturbing is that increases in seat belt use have leveled off in recent years. Other industrialized countries have belt use rates of 90 percent and higher. We can and must do better if we are to decrease highway fatalities and injuries.

President Clinton believes strongly that more must be done to encourage the use of these life-saving devices. On April 16, Secretary Slater responded to the President's directive for an Administration plan to increase seat belt use, and announced a national strategy to raise average U.S. belt use rates to 85 percent by the year 2000. By 2005, our goal is to reach or exceed 90 percent. We also have set a goal of reducing child occupant fatalities (0–4 years) 15 percent by 2000, and 25 percent by 2005.

Achieving 85 percent seat belt use would boost the annual number of lives saved in U.S. highway crashes by about 4,200, and reduce crash-related injury costs by $6.7 billion a year. If 90 percent of vehicle occupants used their belts, more than 5,500 lives would be saved annually and injury costs would be cut by $8.8 billion. Reducing child fatalities (0–4 years) 15 percent would save the lives of 102 children annually, while reducing fatalities 25 percent would save 171 children each year.

To help our State partners reach these goals, NEXTEA includes a new $124 million incentive grant program over 6 years to encourage States to increase their level of effort and implement effective laws and programs aimed at increasing seat belt and child restraint use. These funds would be available to a State for adopting, among other criteria, a primary enforcement seat belt use law.

Seat belt use is much higher, on average, in States that provide for primary enforcement of their belt use laws. In States with "secondary" seat belt use laws, a motorist may be ticketed for failure to wear a seat belt only if there is a separate basis for stopping the motorist, such as the violation of a separate traffic law. This hampers enforcement of the seat belt law. In States with primary laws, a citation can be issued solely because of failure to wear a seat belt.

A 1995 analysis of NHTSA's Fatal Analysis Reporting System (FARS) data on restraint use among occupants of motor vehicles involved in fatal crashes shows that primary enforcement is the most important aspect of a seat belt use law affecting the rate of seat belt use. Our analysis suggests that the enactment of a primary law increases seat belt use by at least 15 percent. This increase translates into a 5.9 percent decline in fatalities after a State authorizes primary enforcement of the law.

The safety titles of the NEXTEA underscore our strong support for primary seat belt laws. Those titles include a provision that would require a State to have either a primary belt law or a statewide belt use rate of at least 85 percent in all passenger motor vehicles. If, by the end of fiscal year 2002, a State had failed to enact such a law or have such a belt use rate, the Secretary would be directed to transfer 1–1/2 percent of its highway construction funds to the State's Section 402 occupant protection program. If a State remained in noncompliance in subsequent years, the transfer would rise to 3 percent.

Many States will be able to achieve the 85 percent goal within the framework of existing law. The State of Washington is a good example. Despite not having a primary belt law, Washington's current belt use rate is 84 percent and continues to rise, due to a consistent policy of enforcing its belt use law.

No review of highway safety would be complete without mentioning the leading cause of fatal and serious injury crashes—drunk driving. Alcohol is the drug abused most frequently by our children, and is responsible for 35 percent of the highway

deaths among our youth, ages 15–20. Forty-one percent of all fatal motor vehicle crashes continue to be alcohol-related, and 32 percent of these fatal crashes involve a drunk driver or pedestrian with a high blood alcohol concentration (BAC greater than 0.10 percent). That means alcohol impairment plays a role in over 17,000 traffic deaths every year.

NEXTEA proposes a new $260 million incentive program to encourage States to increase their level of effort and implement effective programs aimed at deterring the drunk driver. The new program, which continues NHTSA's strong emphasis on deterring drinking and driving, is similar in structure to that of the existing drunk driving prevention incentive program established under Section 410 of Title 23, United States Code, and would replace that program at the end of fiscal year 1997. Under the new program, a State may establish its eligibility for one or more of three basic alcohol-impaired driving countermeasure grants by adopting or demonstrating certain criteria to the satisfaction of the Secretary.

Drunk driving prevention is greatly assisted by the enactment of zero tolerance legislation. A "zero tolerance" law makes it illegal for a person under 21 to drive a motor vehicle with any measurable blood-alcohol content. In June 1995, President Clinton urged that zero tolerance become the law of the land. On that date, 24 States and the District of Columbia had zero tolerance laws in effect. The provision was subsequently included in the National Highway System (NHS) Act. Since June 1995, 13 States have enacted zero tolerance laws, but 13 States and Puerto Rico have not yet enacted zero tolerance laws. These laws are very effective, reducing alcohol-related crashes involving teenage drivers by as much as 10–20 percent.

We would like to highlight one significant criterion included in this incentive program—a criterion to make 0.08 blood-alcohol concentration (BAC) the per se standard for driving while intoxicated. Research indicates that at 0.08 BAC, virtually all drivers are substantially impaired with regard to such critical driving tasks as steering, braking, and judgment. Fourteen States have lowered their per se standard for driving while intoxicated to 0.08, and a recent study of 5 of these States shows that significant decreases in alcohol-related fatalities can be achieved by States adopting the 0.08 standard.

Our third incentive proposal would create a new $25.1 million grant program to encourage States to take effective actions to improve State drugged driving laws and related programs. State drugged driving laws are often inconsistent and difficult to enforce. We believe that this new incentive program, modeled after the agency's successful Section 410 alcohol-impaired driving incentive grant program, is essential to improve State drugged driving laws and related activities.

Our final incentive proposal would create a new $48 million grant program to encourage States to take effective actions to improve the data they need to identify the priorities for State and local highway and traffic safety programs, to evaluate the effectiveness of such efforts, and to link these data together and with other data systems within the State. Currently, much of the State data in these areas are inadequate or unavailable. We believe that this new incentive program is vital to the ability of the States to determine and achieve their highway safety performance goals. Better data also will enhance the States' ability to measure performance under our new performance-based Section 402 highway safety program.

If enacted, we believe that these carefully targeted incentives—to increase seat belt and child safety seat use, prevent drunk and drugged driving, and improve State highway safety data—can substantially reduce highway fatalities below current levels.

HIGHWAY SAFETY INFRASTRUCTURE

Convincing people to buckle up and stop drinking or taking drugs before getting behind the wheel are well documented means of advancing highway safety, and increased NEXTEA funding is absolutely necessary for these programs. However, driver education and changing driver behavior is one of several equally important ways to improve safety. Roadway design can prevent crashes, and if crashes still occur, roadside safety features can reduce the injury consequences. Lives can be saved and injuries prevented by roadway safety features such as rumble strips, more skid resistant pavement, less pavement rutting, improved guardrail and intersection design, pavement markings and signs with increased night time visibility, clear zones and adequate side slopes, and automatic barriers at rail/highway grade crossings. Roadway safety features can be considered a form of "passive" crash protection which automatically benefits all drivers. Design features can also be considered proactive—reduction in pavement rutting and better signing and pavement markings—help prevent crashes from occurring.

There are hundreds of ISTEA success stories illustrating how well the concept of "safety by design" works. One of the best examples comes from New York where drowsy or inattentive drivers on Interstate 81, I–87, I–88 and State Route 17 (up for Interstate designation) are less of a risk to themselves and other drivers thanks to special rumble strips installed with the use of ISTEA funds. The vibration and noise caused when the vehicle passes over the rumble strips get the driver's attention. By some accounts, crashes caused by inattentive drivers along certain stretches of these New York State roadways have virtually been eliminated. A similar project, along the entire New York State Thruway, documented a 70 percent reduction in "falling asleep accidents." New York's I–81, I–87, I–88 and SR 17 projects were funded through ISTEA Interstate Maintenance and Surface Transportation Program funds. ISTEA funds were also used by the State of New York to institute a management system to identify systematically and review all priority accident locations in the State. This system won a 1996 Federal Highway Administrator's Safety Award in 1996. Also with Federal ISTEA funds, New York is developing a computer data base of all rail-highway grade crossings which will track all the improvements that have been made at each crossing and provide a snapshot picture of the attributes at each crossing.

The Administration's NEXTEA proposal would provide a total of $3.55 billion in funding for infrastructure safety investment by the States. These funds would be made available to the States through two programs: an Infrastructure Safety Program (which would be funded with $3.25 billion of the total for fiscal years 1998–2003) and a new incentive Integrated Safety Fund (with a funding level of $300 million). In addition, regular Federal-aid programs also would provide funding for safety related projects and resurfacing, reconstruction, and new construction that would enhance the safety features of the roadways; the National Highway System, Interstate Maintenance, and Surface Transportation programs would be funded at 30 percent over the ISTEA levels.

A. Infrastructure Safety Program

The Administration's NEXTEA proposal includes an Infrastructure Safety Program which evolved from ISTEA's Surface Transportation Program (STP) safety set-aside. Funding for the program would be authorized to come directly from the Highway Trust Fund with funding levels starting at $500 million for fiscal year 1998 and increasing through the NEXTEA authorization period to $575 million for fiscal year 2003. Like the STP safety set-aside, the Infrastructure Program would provide funds to eliminate hazards on public roadways other than Interstates and to improve the safety of rail/highway grade crossings. However, the new program would be a streamlined and more flexible version of the safety set-aside. Separate allocations for railroad/highway grade crossings and hazard elimination activities would be retained, but the optional safety funds' allocation which had been administratively created within the STP safety set-aside would be dropped. In addition, the new program would allow hazard elimination funds to be flexed into certain non-infrastructure highway safety investments and activities (specifically 402/410 driver behavior modification programs and motor carrier safety activities) provided the State had a good integrated safety planning process in place which met specific criteria.

Hazard Elimination

The total NEXTEA funding level for hazard elimination activities is proposed to be $2.26 billion, starting at $335 million in fiscal year 1998. The Hazard Elimination Program (formerly funded under Section 152) supports activities aimed at resolving safety problems at hazardous locations which may constitute a danger to motorists and non-motorists (i.e., pedestrians and bicyclists) on any public roadway other than the Interstate System. The majority of our Nation's roadways are non-Interstates and it is on the non-Interstate roads that the majority of crashes, injuries, and fatalities occur. (In 1995, close to 9 out of every 10 fatal crashes occurred on a non-Interstate roadway.) Not surprisingly the fatal crash and injury rates (per vehicle mile traveled) for non-Interstate roadways are more than twice that of the Interstates. The Hazard Elimination Program is an important source of funds for upgrading the safety of these non-Interstate roads.

"Safety by design" activities that can be funded under this program include certain countermeasures to reduce the number and severity of run-off-the-road crashes. Such crashes frequently result in fatalities, especially in rural areas. Other authorized uses of hazard elimination funds would include upgrades of guardrails, intersection improvements, geometric improvements, installation of signs with breakaway posts, improved pavement markings, and increased visibility features. Selection of safety improvement projects would be based on assigned priorities for the

correction of such hazardous locations, sections, and elements and an established implementation schedule of projects to carry out those improvements. States would have the ability to flex hazard elimination funds into 402/410 traffic safety programs and motor carrier safety activities, if they had a good integrated safety planning process in place which met specific criteria.

A project in Missouri provides an excellent example of "safety by design" using ISTEA hazard elimination funds. The intersection of Price and Dielman Streets on Route 340 in St. Louis County, MO, was a high crash location which received safety improvements using ISTEA hazard elimination funds. Federal funds augmented by a State 10 percent match, were used to improve the visibility of traffic signals at this intersection and to adjust signal timing. A 3-year before/after crash study showed a 62.3 percent reduction in injury accidents and a 20.1 percent reduction in property damage accidents. This accident reduction saves $497,314 per year and resulted in a 62.4 benefit/cost ratio.

Railroad/Highway Grade Crossing

The Grade Crossing Program (formerly funded under Section 130) is designed to fund safety improvements to reduce the number and severity of highway crashes involving moving rail equipment with motorists and non-motorists at highway crossings. Over the last 20 years, due in large part to this program, the number of crashes at public crossings has decreased by approximately 50 percent. The Section 130 program has saved more than 9,000 lives and prevented nearly 40,000 injuries.

One example of the ways States have used funding available through these programs to improve grade crossing safety is a project conducted by the Montana department of transportation which used both Section 130 Grade Crossing Program funds and Hazard Elimination Program funds to relocate a grade crossing to a safer location. In an area near Trident, MT, a public road which served as the main access to a bulk cement plant, ran parallel to a railroad and then turned toward the track. Due to buildings near the crossing, sight distance was severely limited. In addition, the circuitry of the crossing's automatic warning device was outdated and needed replacement. MT DOT used approximately $100,000 in Section 130 and Hazard Elimination funds to install a new crossing surface and to install state-of-the-art automatic warning devices.

NEXTEA retains 100 percent funding eligibility for projects which close or eliminate one or more crossings and also retains the $7,500 per crossing bonus program eligibility for communities that close crossings when the bonus is matched by the railroad. Since the goal of reducing 25 percent of the nation's highway-rail crossings was made a national priority, more than 24,000 crossings have been eliminated.

Under NEXTEA, the Grade Crossing Program would be funded at $165 million annually, for a NEXTEA total of $990 million. The following changes in the program are proposed :

The allocation formula would be modified to reflect a State's grade crossing safety performance.

Eligibility would be expanded to include education and enforcement addressing deliberate violations of crossing devices, as well as to deal with trespassing issues.

Eligibility would be expanded to include safety improvements at private highway-rail crossings where sufficient public benefit has been identified. (Formerly, only public crossings were eligible. In 1995, 524 of the fatalities occurred at public rail/highway crossings, and 55 were at private grade crossings.)

Transfer provisions would be changed to allow railroad/highway grade crossing funds to be flexed to hazard elimination if the State improved its grade crossing safety record. The amount to be transferred could not exceed the percentage by which the number of grade crossing crashes in the State had been reduced in the most current calendar year below the average number of crashes in the State in calendar years 1994, 1995, and 1996.

B. Integrated Safety Fund

The new Integrated Safety Fund is designed to encourage integrated planning and to provide new flexibility for States to address highway and traffic safety problems. In this era of fiscal restraints, it is crucial that safety dollars be used to the greatest advantage. Integrated planning is necessary to ensure that States get the optimal benefit/cost ratios for their highway safety investments.

Under this new incentive program (funded at $50 million for each year of NEXTEA), additional funds would be available for use by States for any highway or traffic safety purpose within the Section 402 behavioral program, the Section 164 Infrastructure Safety Program, or for implementing Chapter 311 of title 49—the motor carrier safety assistance program. The State would have to meet certain planning criteria to be eligible for the funds, and an integrated safety planning process

would be evidenced in the State's safety goals, objectives, and reports (i.e., measurements of results) to be developed collectively in the State by appropriate safety entities receiving Federal funds. The qualifying criteria a State's integrated safety plan would have to meet to qualify for this incentive grant would be established in regulations and these criteria would be the same as those used to determine which States qualify for Hazard Elimination Program funds.

If a State was eligible to receive these funds, the State would designate who would receive the new Integrated Safety Fund allocation which would be used in accordance with the rules of each eligible program proposed to be funded (i.e., Infrastructure, Section 402, or MCSAP). We anticipate that the decision as to whether or not, and if so what amount of funding, to transfer from the Surface Transportation Program or Hazard Elimination Program to another non-infrastructure program would be made by the State agency controlling those dollars—namely the department of transportation or State highway agency.

This new Integrated Safety Fund, in addition to providing a new source of traffic, highway, and motor carrier safety funds to qualifying States, would also provide an incentive to the States to address emerging problems presented by aggressive drivers and older drivers.

However, we must be mindful of the fact that there are different requirements for different types of roads. Scenic byways, for example, are existing roads used by local residents, commercial traffic, and by those who travel purely for pleasure, recreation, and education. The distinctive, appealing, characteristics of these types of roads would be completely lost if they were straightened, widened, and turned into thoroughfares. All users need to travel at speeds appropriate for the type of road on which they are traveling and respect the diversity of our highway system.

MOTOR CARRIER SAFETY

Ensuring safe motor carrier transportation is an important part of our overall efforts to improve highway safety. Healthy economic growth and logistical innovations like just-in-time delivery have spurred significant increases in truck travel and been a boon for the trucking industry. However, for the sake of all Americans—for the general motoring public as well as truck drivers—it is essential that we continually focus on enhancing truck safety.

Fortunately, there is a strong foundation for these efforts in the Motor Carrier Safety Assistance Program (MCSAP). All States now participate in MCSAP and as a result have adopted and currently enforce uniform minimum safety standards for interstate commercial vehicles. Working together under this program, the FHWA and the States have developed uniform inspection procedures, data exchange, and training. Each year, over 8,000 State enforcement officers conduct almost 2 million uniform roadside commercial driver and vehicle inspections and traffic enforcement stops, as well as almost 9,000 onsite safety reviews of trucking companies. The FHWA collects, analyzes, and shares safety and enforcement data with all States to target unsafe carriers for enforcement.

Just recently, an FHWA enforcement action resulted in a one million dollar fine for the motor carrier responsible for a tragic propane crash in White Plains, New York. In that case, FHWA investigators found that the truck driver had been on duty for more than 35 hours without being off duty for eight consecutive hours as required.

The States and the FHWA Office of Motor Carriers are working cooperatively to enhance efficiency in enforcement as well. Idaho and Montana have established a joint port of entry on Interstate 90, saving on both personnel and operating costs. From this facility, Idaho and Montana conduct safety inspections, permitting, and truck size and weight enforcement for traffic flowing both ways and investigators are sworn safety officers in both states.

As a result of this Federal/State partnership and the efforts of the motor carrier industry to make safety a priority, great strides have been made in the overall safety of motor carriers. From 1985 to 1995, truck safety improved substantially, out pacing even the substantial increases made in overall highway safety. For that period, fatalities in large truck crashes declined by 12 percent, and fatality rates declined by 35 percent. Nonetheless, the current level of truck-related fatalities is still unacceptable, and there is concern that our safety gains may be leveling off.

To reduce the crash rate dramatically, Federal motor carrier safety programs must be more focused to channel resources strategically to measures that give us the highest payoff in reducing crashes. In line with Vice President Gore's reinvention initiatives, improvements in motor carrier safety demand that we restructure and re-engineer our programs to focus on results. Thus, we propose in NEXTEA to emphasize results, rather than the number of activities performed, to strengthen

our fundamental enforcement safety programs, which include roadside inspections, carrier reviews, enforcement, education, and outreach. Under this performance-based approach, we will ask the States to identify their most significant safety problems and create incentives for them to address these problems. We will help States develop their own unique benchmarks for evaluating their programs and measuring their success.

In encouraging the development of performance-based programs, FHWA is focusing on the ten States (CA, NY, FL, GA, IL, MI, NC, OH, PA, and TX) where nearly half of the fatal large truck crashes in the Nation occur. The FHWA will work with these States to analyze crash data and jointly develop countermeasures with the goal of reducing the proportion of crashes in those States within 2 years. To further this effort, in New York, the State police are emphasizing strong traffic enforcement at high crash corridors. Likewise, California is stepping up enforcement by focusing on the three top causes of crashes in that State: speeding, unsafe lane changes, and following too closely. To ensure that this 10-State effort addresses safety in a comprehensive fashion, NHTSA and FHWA have joined together to look at all safety measures that may be important to use.

Oregon provides a good example of how performance-based strategies can work. From 1993 to 1995, fatigue-related crashes doubled for Oregon-based carriers and nearly tripled for out-of-state carriers. In response, Oregon established a goal of reducing fatigue-related commercial crashes by 10 percent in 1997 through several strategies.

Initially, they are identifying carriers whose drivers show a high rate of involvement in fatigue- related crashes and conducting safety compliance reviews of these carriers. They are also targeting increased inspections and enforcement of hours-of-service requirements on those highways where fatigue has proven to be a primary cause of crashes. Other States will be informed about carriers based in their States that are involved in fatigue-related crashes in Oregon. In addition, Oregon has established regular monitoring procedures and benchmarks to measure the State's progress toward meeting its goal.

To maintain the improvements to motor carrier safety and continue these successful initiatives, NEXTEA proposes that $100 million be authorized annually for the National Motor Carrier Safety Program. This $100 million would be used to fund two main components of the program. Motor Carrier Safety Assistance Program (MCSAP) grants to States would be funded at $83 million, and a program would be created to fund information systems, safety program and data analysis, and driver program activities at $17 million.

MCSAP would include funding for basic enforcement and performance incentive grants, as well as high priority activities, such as border enforcement and other projects that benefit all States. Our goal is for all States to implement the performance-based approach in 6 years.

We cannot identify our most significant safety problems and measure our progress without improving our information systems and analysis. In the past, fiscal support for these activities has been pieced together from a variety of sources, but the Department is now seeking a separate, dedicated source of funding at $17 million. The funds would be flexible and available for grants or cooperative agreements with the States or others or for in-house improvements to information systems and analysis. This category of funds would also support Commercial Vehicle Information System (CVIS) implementation on a national basis as well as driver improvement programs.

An important aspect of truck safety relates to the size and weight of trucks. Under the direction of Secretary Slater when he was Federal Highway Administrator, we initiated a comprehensive truck size and weight study in 1994. Several decades had passed since truck size and weight had been last studied and in the meantime many factors ranging from deregulation to global competition to technological advances have changed the way that transportation markets work. Since the last study, we have learned more about vehicle dynamics and truck safety, and it was clearly time for a comprehensive re-examination of issues related to truck size and weight.

The study, now underway, is focusing on a wide range of complex and interrelated issues. Safety is a principal concern, and in this regard we are mindful of recent legislative proposals to restore uniformity to truck size and weight policy and to address truck safety on the NHS. We hope that the results will assist in consideration of these proposals. Accordingly, we hope to provide Congress with a draft document by the end of May that presents the current state of knowledge regarding heavy vehicle weight and configuration issues. In addition, by mid-June, we will have developed an array of analytical tools for assessing the impact of different truck size and weight legislative initiatives on many factors, including safety, infrastructure preservation, traffic operations, and truck/rail competition. By facilitating the analysis

of alternative scenarios, our goal is to provide Congress and other decisionmakers with a means to examine the various truck size and weight issues.

INTELLIGENT TRANSPORTATION SYSTEMS

The development of intelligent transportation systems (ITS) can greatly improve transportation safety. If all vehicles were equipped with just three of the primary ITS crash avoidance systems—rear-end, roadway departure, and lane change/merge—it has been estimated that 1.2 million crashes (one out of every six) could be prevented annually. This would save thousands of lives and $26 billion per year. That improvement would return motor vehicle fatalities to their lowest point since World War II. To encourage the further development of ITS-based improvements to transportation safety, our NEXTEA proposal includes a research and technology component that would continue the ITS research efforts begun under ISTEA and would support the deployment of basic ITS infrastructure through standards development, training, and technology transfer. This provision would support, in particular, the development and testing of the Intelligent Vehicle Initiative, which will incorporate the work on collision avoidance and vehicle control that the NHTSA has launched, as well as the long-term vehicle/highway research that has been carried out by the FHWA under the Automated Highway Systems program. NEXTEA would also establish deployment incentives for the further development of ITS infrastructure technologies by providing seed funding to State and local applicants to support integration (not components) of metropolitan area travel management system infrastructure, intelligent infrastructure elements in rural areas, and the deployment of commercial vehicle information systems and networks within States and at border crossings. Finally, in NEXTEA, we are proposing a series of legislative changes that would enable and enhance the mainstream deployment of ITS infrastructure using existing Federal-aid surface transportation funds.

In metropolitan areas, deployment of ITS technology can help improve the overall safety of the transportation system in many ways. Effectively operated freeway and surface street traffic management systems help reduce congestion and smooth traffic flow, resulting in decreased accidents under congested conditions. Traffic management systems can also be integrated with other existing safety systems, such as railroad-grade crossing warning systems, to provide enhanced levels of safety at these locations. In addition, effective incident management programs, particularly when linked directly to the dispatch systems operated by emergency service providers (such as police and fire agencies), can result in quicker detection and more effective responses to a wide range of incidents, including those involving disabled vehicles, accidents, and hazardous material spills. The duration of these incidents can be significantly reduced, as can the exposure of motorists and rescue workers to potentially dangerous conditions.

The application of ITS technology to rural roads can significantly enhance public safety as well. By definition, rural travel occurs in remote areas where the challenges of warning travelers about weather conditions, road conditions, or incidents are exacerbated. Rural roads account for 79 percent of the public road mileage, and 39 percent of vehicle-miles traveled in the United States; 56 percent of fatal crashes occur on these rural roads. The application of ITS to rural roads could greatly decrease the number of lives lost by providing information and communication services to travelers, law enforcement agencies, and emergency services providers. If a crash occurs in a rural area, travelers can currently expect emergency response times to be double that of urban travelers. ITS applications—such as automatic MAYDAY devices installed in vehicles—can significantly cut response times and consequently increase crash victims' chances of survival. Another rural application of ITS to improve public safety is the Road Weather Information System which provides real-time data on weather and pavement conditions. The system also provides thermal maps of roadways and pavement temperature forecasts to allow transportation officials to provide motorists with accurate, real-time information on weather and roadway conditions during winter travel months. Equally important are the automated wind warnings generated to restrict travel in high-wind areas. Through these systems, roadway condition information is transmitted to motorists via variable message signs, highway advisory radio, and in partnership with local television stations.

The safety of commercial motor vehicle operations can also be greatly improved through ITS applications. For example, the Commercial Vehicle Information Systems and Network (CVISN) projects currently being deployed will link information systems to provide roadside inspectors with ready access to more information on which to base enforcement decisions. This will enable enforcement personnel to concentrate their efforts on motor carriers that may not be in compliance with critical safety regulations. Pilot projects to develop the CVISN are currently being con-

ducted in California, Colorado, Connecticut, Kentucky, Maryland, Michigan, Missouri, Washington/Oregon (joint effort), and Virginia. Just recently, Virginia was approved for $400,000 in Federal ITS/CVO funding for its project—in addition to the $600,000 provided in May 1996. In addition, other ITS technologies are being developed to enhance commercial motor vehicle safety including the use of on-board safety diagnostics for both the vehicle and driver as well as automated roadside inspection systems, for example, advanced brake testing devices.

These are just a few examples of ITS technologies and the safety benefits they can provide to urban and rural communities. We look forward to building on the ITS accomplishments of ISTEA through the proposals for reauthorization included in NEXTEA. These reauthorization proposals would emphasize both researching and deploying ITS applications to enhance transportation safety while also providing the public with an increased level of service and convenience.

In addition to ITS research, development, and technology research, NEXTEA calls for enhanced research, development, and technology in pavements, structures, and safety, all of which have safety payoff benefits.

INTERNATIONAL BORDER CROSSINGS

The NEXTEA also would address concerns of safety and efficiency at our international border crossings, through the proposed Trade Corridor and Border Gateway Pilot Program, a new ITS deployment program, and increased funding for the Interstate Maintenance, National Highway System, and Surface Transportation Programs.

The Trade Corridor and Border Gateway program would provide planning funds for multistate corridor and binational trade transportation planning, and program funds for efficiency and safety improvements to border crossings and border approaches. These corridor and border elements are combined within a single program in recognition of the systemic nature of international trade transportation issues. The Program is authorized at $45,000,000 per year. This program brings together several planning and program elements designed to facilitate multistate and binational transportation efforts, and provide supplemental funding to assist border States and communities in addressing the efficiency and safety related transport challenges imposed by increasing levels of cross border traffic and international trade development.

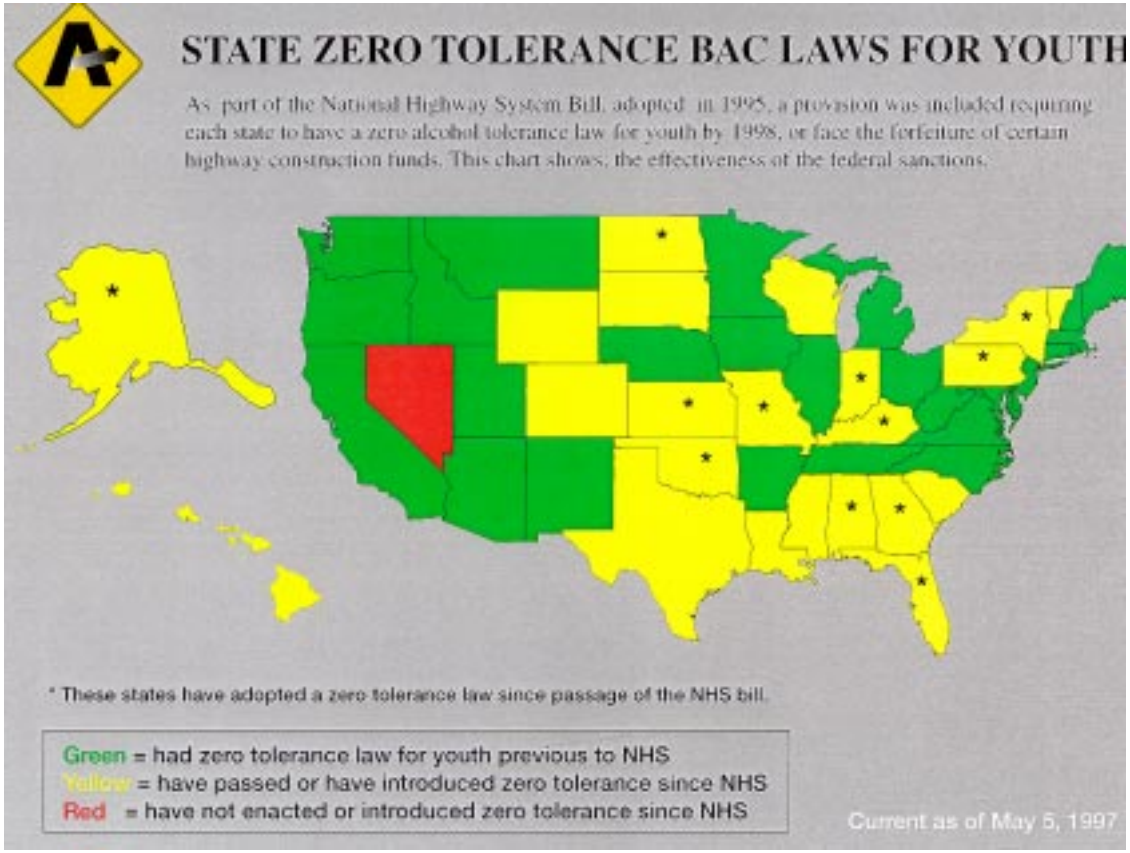
In addition to supplemental planning funds for multistate and binational planning, the program authorized a new discretionary program, available to the States or other implementing authorities to improve the safety and efficiency of international border gateways, through a combination of infrastructure, operational, institutional, and/or regulatory improvements. Grants would be based on several criteria: (1) reduction in travel time through the gateway; (2) leveraging of Federal funds; (3) improvements in vehicle and cargo safety; (4) degree of binational involvement and cooperation, including cooperation with the Federal Inspection Services (Customs, INS, USDA, etc); (5) innovation and transferability to other gateways; (6) local commitment to sustain the effort; and (7) full use of existing facilities prior to any new construction. The program facilitates corridor development and border planning, and addressing the transport impacts of NAFTA implementation and international trade growth. It provides supplementary planning and program support to coalitions of States and our transport and economic development partners to encourage innovation and cooperation in dealing with these efficiency and safety related issues.

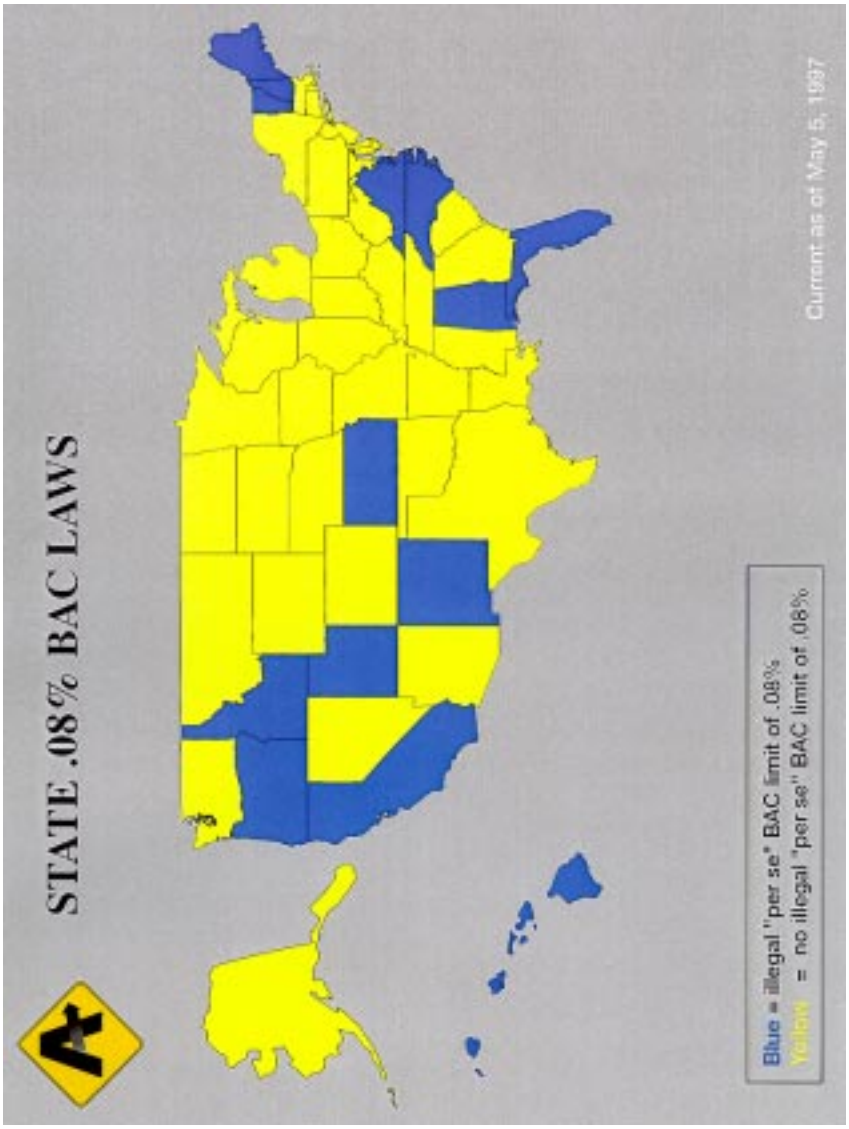
With regard to the U.S.-Mexican border, there is an on-going dispute regarding freight truck traffic stemming from Mexico's prohibition against operations by foreign truckers on Mexican highways. On September 20, 1982, in response to these restrictions, the Congress imposed a moratorium on the issuance of new grants of U.S. operating authority by the Interstate Commerce Commission to Mexican motor carriers. Under the moratorium, which has been renewed regularly, Mexican trucking companies are restricted to operations in the U.S. commercial zones along the U.S.-Mexico border. NAFTA created a timetable for the phased removal of barriers to the provision of motor carrier service between the NAFTA countries with December 18, 1995 as the date by which the United States and Mexico were to permit access to each other's border States for motor carriers of the other country. On that date, however, the Administration announced that it would not implement the truck access provision on schedule because of safety and security concerns. Since then, the U.S. and Mexico have engaged in extensive consultations to develop a safety compliance and enforcement program in Mexico that would ensure safe cross-border operations. We have made considerable progress in these discussions, and are confident that Mexico's actions, in addition to actions we have taken in the U.S. to enhance

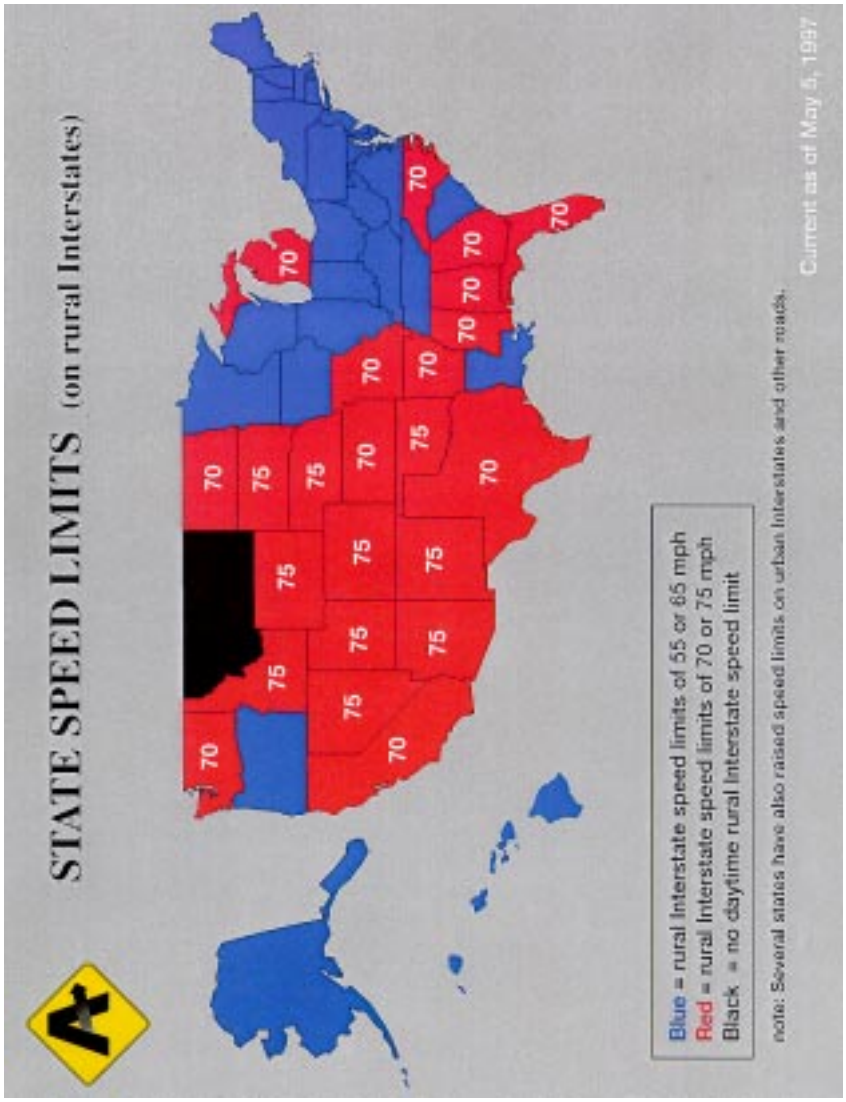
and improve Federal and State enforcement programs, will provide the foundation needed for implementation of NAFTA's trucking provisions in the months to come.

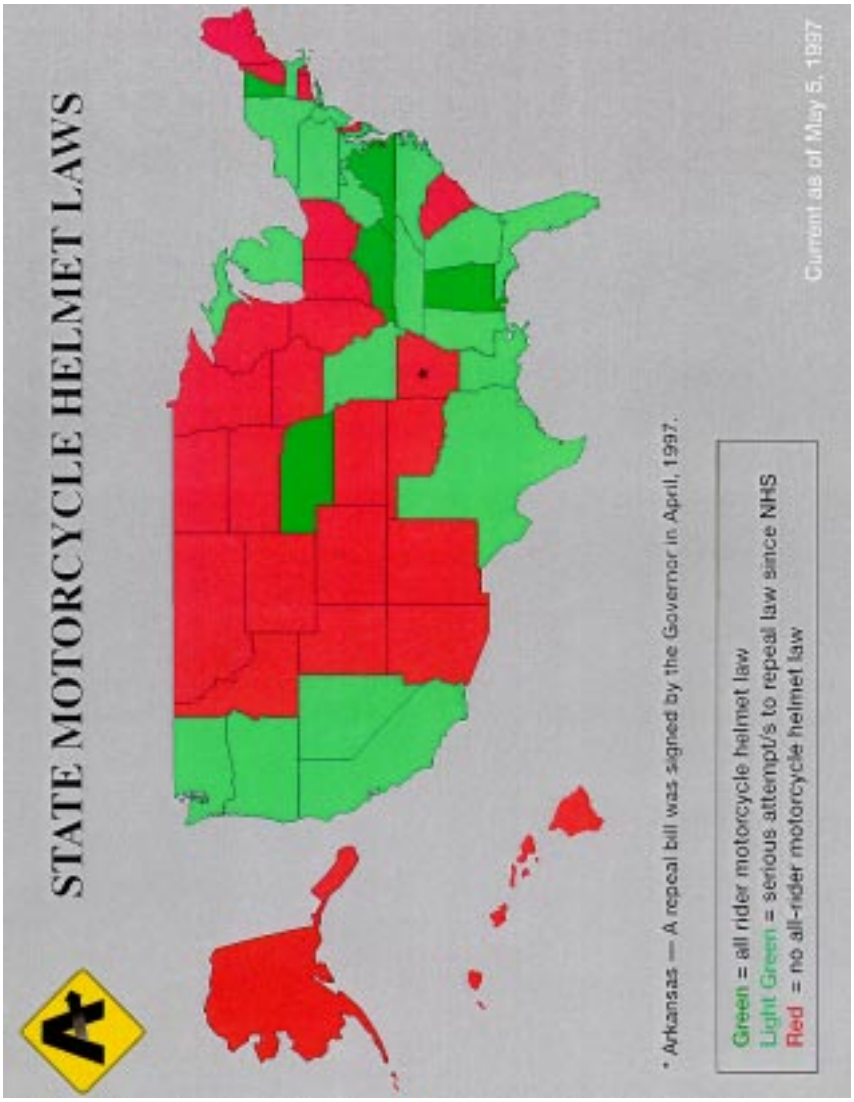
CONCLUSION

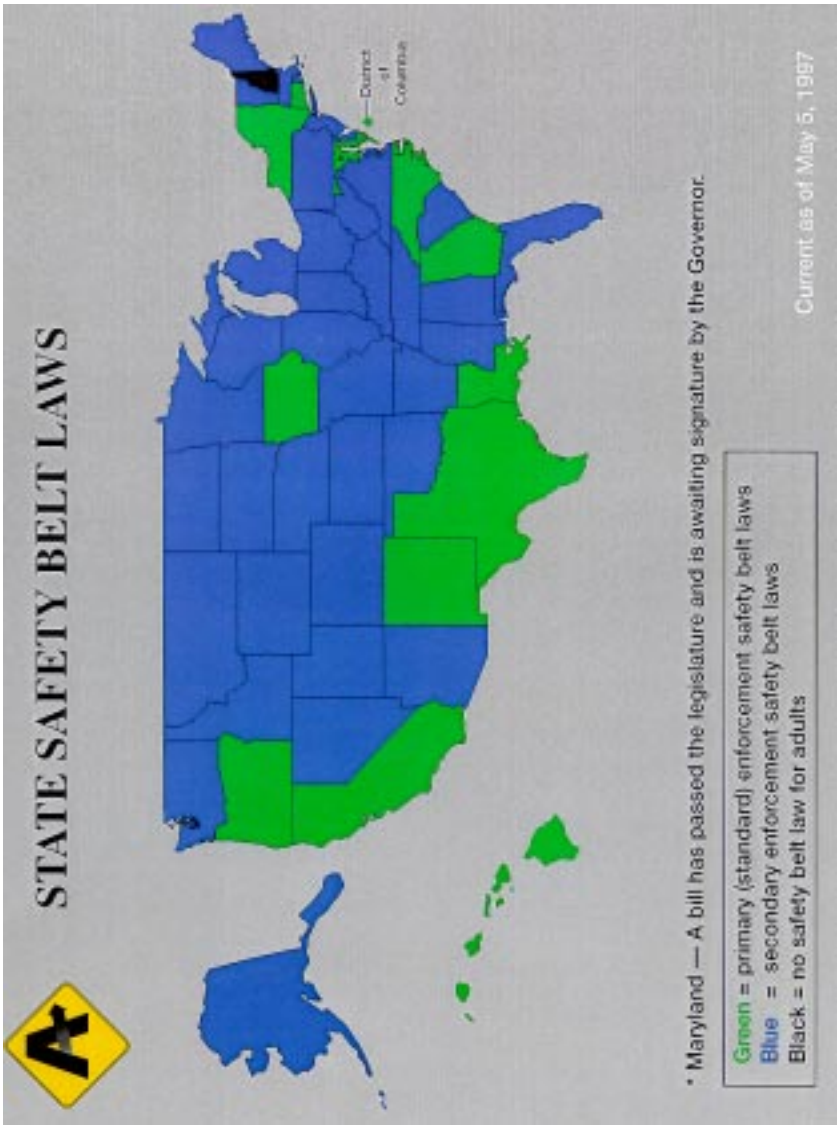
As the foregoing descriptions of our efforts under ISTEA show, the Department and particularly the FHWA and NHTSA, have made improving highway safety their utmost priority. Through the safety programs and funds provided under ISTEA, we have been able to significantly decrease the number of deaths and the degree of serious injuries resulting from crashes on our highway system. The Administration's reauthorization proposal is designed to further these safety gains by, for example, aggressively encouraging increased seat belt use and by funding integrated approaches to emerging problems, such as increasingly aggressive driving, that coordinate driver, vehicle, and roadway responses to the safety risks posed by these new problems. Members of this committee have demonstrated their strong commitment to transportation safety in the past. Now, we ask that you take the next step by acting on our NEXTEA proposals to significantly further our common goal of improved highway safety. We are aware that the members of this committee have pressing safety concerns and we look forward to working together with you to ensure that our Nation's highways are the safest possible.


STATE ZERO TOLERANCE BAC LAWS FOR YOUTH
As part of the National Highway System Bill, adopted in 1995, a provision was included requiring each state to have a zero alcohol tolerance law for youth by 1998, or face the forfeiture of certain highway construction funds. This chart shows, the effectiveness of the federal sanctions.
* These states have adopted a zero tolerance law since passage of the NHS bill.
Green = had zero tolerance law for youth previous to NHS
Yellow = have passed or have introduced zero tolerance since NHS
Red = have not enacted or introduced zero tolerance since NHS
Current as of May 5, 1997


STATE .08% BAC LAWS
Blue = illegal "per se" BAC limit of .08%
Yellow = no illegal "per se" BAC limit of .08%
Current as of May 5, 1997


STATE SPEED LIMITS (on rural Interstates)
Blue = rural Interstate speed limits of 55 or 65 mph
Red = rural Interstate speed limits of 70 or 75 mph
Black = no daytime rural Interstate speed limit
note: Several states have also raised speed limits on urban Interstates and other roads.
Current as of May 5, 1997


STATE MOTORCYCLE HELMET LAWS
* Arkansas — A repeal bill was signed by the Governor in April, 1997.
Green = all rider motorcycle helmet law
Light Green = serious attempt/s to repeal law since NHS
Red = no all-rider motorcycle helmet law
Current as of May 5, 1997



STATEMENT OF ANTHONY R. KANE, EXECUTIVE DIRECTOR, FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Good morning Mr. Chairman, members of the Committee. Accompanying me today is Mr. George L. Reagle, the Associate Administrator for Motor Carriers at the Federal Highway Administration. I would like to highlight five additional points regarding the Administration's reauthorization proposal.

1. *Infrastructure Needs. There are mounting highway infrastructure needs in rural and urban areas and in new growth areas, including increasing border infrastructure requirements. Investments for the future are needed in both the physical infrastructure as well as the communications infrastructure that must be overlaid across today's roadways. Both types of investment are important for safety and both are covered in our reauthorization proposal. In addition to targeted safety programs, our proposed 40 percent increase in the National Highway System (NHS), Interstate maintenance, and Surface Transportation Program authorizations clearly have significant safety benefits.*

2. *Infrastructure Safety Program*. We propose a new stand alone infrastructure safety program that is funded at a higher level over the life of NEXTEA than compared to ISTEA, is more flexible, and has been simplified from today's Surface Transportation Program set aside. The hazard elimination component provides funding for any public road off the Interstate the roads which account for 9110 fatal crashes—-to address such needed measures as guard rails, pavement markings, breakaway signs and geometric improvements. The rail grade crossing component has also increased over today's level and has increased flexibility than today's program.

3. *Motor Carriers.* We have made great gains in Motor Carrier Safety—from 1985 to 1995 fatalities in large truck crashes decreased 12 percent and the fatality rate declined 35 percent. We need to continue to advance our gains and we propose an increase in funding for motor carrier program to $100M per year—$83M for Motor Carrier Safety Assistance Program (MCSAP) grants, which will become completely performance-based by the end of the authorization period. A portion of the MCSAP grants will help fund priorities such as border enforcement. We propose $17M for grants, cooperative agreements, and Federal activities in safety information systems, including the comprehensive Commercial Vehicle Information Systems (CVIS), data analysis and program analysis—-all directed toward achieving en handed safety performance. This is the "heart" of our enforcement program because it provides the information and analysis we use to target the highest risk performers and to identify safety problems.

4. *Flexibility and Incentives.* Our proposal has several safety features that offer more flexibility and incentives to the States:

a) a new $50M/year Integrated Safety Fund available to States with a comprehensive safety planning process—-Funds can be used to enhance the MCSAP grants, the National Highway Safety Trnnsportation Administration (NHTSA) Section 402 program funds, contained in the NHTSA budget or the Safety Infrastructure Program.

b) Expanded Surface Transportation Program (STP) eligibility for motor carrier or section 4021 project use.

c) The Safety Hazard Elimination funds can be used for Section 402 or MCSAP if a State has a good integrated Safety Planning Process.

d) The Rail Grade Crossing Program targets funding to where the crossing problems are and provides for expanded eligibilities, such as education and enforcement to deal with non- compliance with active crossing devices.

5. *Intelligent Transportation Systems (ITS).* Our proposal calls for both increased funding for research and development as well as a new $100M/year deployment incentive program. This will enable us to advance the Intelligent Vehicle Initiative—a safety oriented effort focusing on such activities as collision avoidance systems; and, to advance the deployment of safety ITS uses such as rural MAYDAY Systems, weather related information systems, integration of urban incident management and emergency service systems with congestion management systems, linking safety and inspection strategies into Commercial Vehicle Information Systems, and addressing border safety issues.

Closing

Thank you Mr. Chairman. We are ready for any questions today and offer our services for technical assistance as the legislative process unfolds this year.

RESPONSES BY ANTHONY R. KANE TO ADDITIONAL QUESTIONS FROM SENATOR CHAFEE

Question 1: I have received letters opposing your proposal to allow States to transfer funding from your $500 million Infrastructure Safety Program focused on improving the physical safety of our nation's highway system to other safety programs

such as the Motor Carrier safety program or other safety programs run by the state (e.g., drunk driving prevention programs). These letters assert that the States will transfer a large portion of the funds to these programs. To what degree do you think that states will take advantage of this authority?

Response. The purpose of our proposal is to create an incentive for an inclusive, strategic approach to highway safety that looks at all aspects of the issued rivers as well as roadways—following the integrated approach of ISTEA. Only then should a State turn to the likelihood of shifting funds. We do not envision that the States will transfer a large amount of funds out of the Infrastructure Safety Program to the other highway safety initiatives. In order to be eligible for these funds, a State will have to demonstrate that it has an integrated safety planning process in place which addresses not only the infrastructure safety functions, but also motor carrier and the section 402 programs. Before a transfer of funds from the Infrastructure Safety Program to the motor carrier safety program or to the Section 402 Highway Safety Program could take place, the State agencies involved in this planning process would have to agree that such a transfer was appropriate. Given the fact that infrastructure safety projects are a priority in the States, and the fact that alternative funding for other safety programs would also be available, a transfer of funds toward motor carrier or other safety programs would more likely be made from those other sources; namely, the Surface Transportation Program (STP) or the newly proposed Integrated Safety Fund ($50 million). Since there are also other infrastructure funding sources for roadway safety improvements, such as the STP or National Highway System funds, the Department has proposed that flexibility be provided in the Infrastructure Safety Program to enable the States to supplement other highway safety programs as needed in each State.

Question 2. At the end of 1996, there was more than $300 million of STP safety funding sitting unused. With the tremendous safety problems we have on our nation's highways, why haven't the States used all of the safety money they have been given over the life of ISTEA?

Response. The Department provides the States with their entire portion of contract authority for the various Federal-aid construction programs (Interstate Maintenance, National Highway System (NHS), Surface Transportation (STP), safety, etc.) and a total obligation limitation associated with those programs. As directed by Congress, we give the States flexibility to use all or a portion of their contract authority in any one program, provided the total obligation authority is not exceeded. This approach provides the States with the maximum flexibility to run its construction program. The $310 million in unobligated balances of STP safety set-aside funds reflects that portion of the safety set-aside that the States were not able to expend due to obligation limitations. Nonetheless, experience has shown that the States are obligating funds in the STP safety set-aside at the same rate as they have for the total of the Federal-aid highway programs.

It is also important to keep in mind that, in addition to the STP safety set-aside funds, other Federal-aid program funds support a significant share of all highway related expenditures. For example, highway safety construction projects can be funded as part of Interstate Maintenance, NHS, STP, Intelligent Transportation System and Transportation Enhancement projects. Projects that range from resurfacing roadways to major reconstruction projects to construction of new facilities, have, along with their mobility benefits, significant safety benefits as well.

Question 3. The Department is working on two studies that can provide important information as the Congress develops the ISTEA reauthorization legislation -the Truck Size and Weight Study and the Highway Cost Allocation Study. What is the status of these reports?

Response. Work on the Departmental Comprehensive Truck Size and Weight (TS&W) Study is proceeding. We have delivered an interim product to the Committee which will provide background information on the range of issues associated with this subject. This material provides an important component of the policy architecture that will assist the Congress should alternative TS&W options be deliberated. The Department expects to deliver by this Fall the final Study which will present an assessment of the likely safety, environmental, truck/rail competitive, traffic flow, and infrastructure impacts of a broad range of TS&W policy options.

RESPONSES BY ANTHONY R. KANE TO ADDITIONAL QUESTIONS FROM SENATOR BOXER

Question 1. Mr. Kane, the Administration has proposed a border pilot program that provides about $245 million for the Nation's 14 border states. Is this the amount our states have told you they need? I understand that just California and Texas combined have $2 billion dollars in need for border improvements.

Response. No, the proposed amount of funding for this program does not represent the total amount of funding needed by the States. The Trade Corridor and Border Gateway Pilot Program is designed to leverage Federal funding and to attract new State, local and private funding. This is intended to enable and encourage State and local officials to work cooperatively with their Mexican and Canadian counterparts, appropriate border enforcement agencies, the private sector, and the Federal Government to develop comprehensive plans and programs to improve gateway efficiency and safety.

The proposed program is authorized at $45 million annually through the NEXTEA reauthorization period. However, funds available through other Federal-aid programs, notably the National Highway System Program, the Surface Transportation Program, the CMAQ Program, and the Bridge Program, the ITS Program (both research and deployment) and the SIB and proposed Credit Programs, can also be applied in conjunction with Border Pilot Program funds, to support more comprehensive and costly border improvement programs, if the affected States and MPO's believe this to be a high priority.

Question 2. Mr. Kane, the binational planning grants and incentives to improve efficiencies at the border as proposed in the Administration bill should be part of any program that this subcommittee eventually proposes for the next ISTEA. Do you think that with additional funding there could be ways to expand the Administration's program?

Response. The Administration's proposed total level of funding for border crossing and trade corridor incentive grants is $45 million per year, including both the planning elements for trade corridors and binational planning, and the capital element, authorized for border gateway improvements. As with most transportation programs, additional funding could increase the total available for these activities. However, given the constraints of balancing the budget and competition from other transportation programs, the Administration believes that the proposed funding level represents the best balance of funding achievable. In addition, as noted in the previous question, funds available through other Federal-aid programs can also be applied in conjunction with Trade Corridor and Border Gateway Pilot Program funds, if the States believe this to be a priority.

POTENTIAL SAVINGS DUE TO STANDARD ENFORCEMENT SAFETY BELT USE LAWS

A. Potential in States with Secondary Enforcement Laws (plus New Hampshire, which has no law)

Fatalities and Injuries Which Could Be Prevented

State	Fatal Injuries	Cost Savings	AIS 2–5 Injuries	Cost Savings	AIS 1 Injuries	Cost Savings	Total Savings
Alabama	87	$56,727,219	741	$34,435,011	585	$1,742,715	$92,904,945
Alaska	9	$8,263,125	100	$6,548,700	72	$302,040	$15,113,865
Arizona	53	$39,811,026	812	$39,770,136	558	$1,749,868	$41,331,050
Arkansas	43	$26,560,111	315	$13,862,520	248	$699,856	$41,122,487
Colorado	39	$31,755,633	572	$33,242,924	462	$1,719,102	$66,717,659
Delaware	12	$10,221,636	137	$8,301,515	105	$412,552	$15,935,703
District of Columbia	3	$3,070,806	125	$9,149,875	108	$505,116	$12,725,797
Florida	158	$124,883,450	2,251	$126,886,870	1,852	$6,687,572	$258,439,892
Idaho	18	$11,607,210	171	$7,627,525	138	$406,548	$19,841,283
Illinois	107	$93,280,460	2,029	$126,171,336	1,605	$6,392,715	$225,844,511
Indiana	67	$48,290,652	934	$47,987,052	767	$2,525,731	$98,803,435
Kansas	35	$27,128,255	506	$27,995,968	366	$1,296,372	$56,420,595
Kentucky	59	$38,375,901	776	$35,999,416	688	$2,044,736	$76,420,053
Maine	13	$9,421,775	218	$11,264,060	202	$669,024	$21,354,860
Maryland	57	$s2,697,526	1,176	$77,544,264	872	$3,683,328	$133,925,118
Massachusetts	27	$25,889,706	710	$48,664,710	698	$3,057,938	$77,512,354
Michigan (1)	94	$73,534,696	1,612	$89,946,376	1,349	$4,821,326	$168,302,398
Minnesota	94	$38,393,472	685	$39,101,170	566	$2,068,730	$79,563,372
Mississippi	49	$27,368,754	350	$13,953,100	337	$860,024	$42,181,878
Missouri	83	$62,011,375	1,012	$53,948,708	720	$2,458,080	$118,418,163
Montana (1)	15	$10,080,195	112	$5,380,704	78	$239,538	$15,700,437
Nebraska	20	$14.958,500	302	$16,108,680	279	$953,343	$32,020,523
Nevada (1)	20	$16,061,200	211	$12,048,733	154	$565,026	$28,674,959
New Hampshire (2)	8	$7,018,964	90	$5,620,950	78	$312,702	$12,952,636
New Jersey	52	$55,263,312	1,713	$129,850,539	1,349	$6,550,744	$191,664,595
North Dakota	5	$3,368,060	57	$2,719,356	52	$160,056	$6,247,472
Ohio	112	$84,036,064	2,619	$140,103,405	2,150	$7,370,200	$231,509,669
Oklahoma	42	$27,821,850	516	$24,350,040	431	$1,304,637	$53,476,527
Pennsylvania (1)	120	$96,079,560	1,784	$101,869,968	1,429	$5,227,282	$203,176,810
Rhode Island	4	$3,154,708	101	$5,693,067	100	$360,400	$9,208,175
South Carolina	59	$38,092,996	565	$26,013,165	471	$1389,450	$65,495,611
South Dakota	11	$7,550,367	104	$5,078,320	91	$285,376	$12,914,063
Tennessee	100	$68,320,000	1,167	$56,835,234	937	$2,295,314	$128,080,548
Utah	18	$10.945,584	267	$11,591,004	217	$603,043	$23,139,631

Vermont	8	$5,945,040	88	$4,684,680	75	$254,700	$10,884,420
Virginia	81	$67,766,301	1,102	$65,749,728	791	$3,023,993	$136,540,022
Washington (1)	4	$3,256,988	70	$4,061,470	49	$182,329	$7,500,787
West Virginia	31	$18,404,855	361	$15,302,429	333	$903,429	$34,610,713
Wisconsin	56	$42,331,240	811	$43,735,608	654	$2,258,916	$88,325,765
Wyoming (1)	11	$7,884,371	79	$4,071,344	54	$176,850	$12,132,565
Subtotals	1,843	$1,397,612,964	27,351	$1,533,371,660	22,070	$79,150,721	$3,010,135,345

Notes. (1) estimates are based on expected 15 percentage point increase in usage for states with secondary law.
(2) potential increases in states with usage rates of 71 percent or greater were ''capped'' at 85 percent.
(3) New Hampshire has no law so potential increases may well be higher than 15 percentage points.

B. Estimated Savings Already Obtained In States Which Have Standard Enforcement Laws

Fatalities and Injuries Which Could Be Prevented

State	Fatal Injuries	Cost Savings	AIS 2–5 Injuries	Cost Savings	AIS 1 Injuries	Cost Savings	Total Savings
California	229	$200,041,044	2,730	$170,813,370	1,971	$7,901,739	$378,756,153
Connecticut	14	$15,169,448	312	$24,092,952	238	$1,178,338	$40,440,738
Hawaii	7	$6,242,292	99	$6,255,612	64	$260,800	$12,758,704
Iowa	27	$19,784,034	296	$15,450,608	213	$713,124	$35,947,766
Louisiana	41	$26,012,737	668	$30,218,984	552	$1,600,248	$57,831,969
New Mexico	26	$16,163,472	238	$10,541,258	163	$463,083	$27,167,813
New York	77	$72,418,423	1,990	$133,451,390	1,542	$6,625,974	$212,495,787
North Carolina	75	$52,258,800	1,112	$55,253,056	837	$2,665,008	$110,176,864
Oregon	30	$22,102,140	314	$16,496,932	220	$740,520	$39,339,592
Texas	169	$122,483,088	2,462	$127,213,926	1,739	$5,759,568	$255,461,582
Subtotals	694	$552,675,478	10,221	$589,793,088	7,539	$27,908,402	$1,170,376,968

Note: These estimates assume a 10 percentage point drop in cunnt usage rates if the law were downgraded.

C. Estimated Savings Yet to be Realized In Georgia Which Recently Enacted Standard Enforcement

Fatalities and Injuries Which Could Be Prevented

State	Fatal Injuries	Cost Savings	AIS 2–5 Injuries	Cost Savings	AIS 1 Injuries	Cost Savings	Total Savings
Georgia	92	$66,897,708	1,185	$61,454,100	990	$3,289,770	$131,641,578
Totals	2,629	$2,017,186,150	38,757	$2,184,618,848	30,589	$110,348,893	$4,312,153,891

BACKGROUND AND ASSUMPTIONS FOR ESTIMATING THE IMPACT OF STANDARD ENFORCEMENT LAWS

Background

Safety belt use laws prevent thousands of deaths and usuries each year. States with standard enforcement laws allow police officers to issue citations upon observing a belt use violation. States with secondary enforcement laws require that another violation must be observed before an officer can stop and cite a driver (or other occupant) for failure to buckle up.

In general, states with standard enforcement laws have observed usage rates about 15 percentage points higher from states with secondary enforcement laws. Two states (California and Louisiana) recently upgraded their laws to allow for standard enforcement and experienced increases of 13 and 17 percentage points, respectively. Usually, such impact is measured by subtracting the usage rate in the last full year prior to the law from the first Fill year after the law's implementation.

Based on (a) the historical difference between observed usage in standard versus secondary law states and (b) the more limited experience with law upgrades, NHTSA estimates that a state which upgrades its law will experience an increase in observed belt usage of about 15 percentage points. For example, it is estimated that a state with a usage rate of 60 percent will experience an increase in usage to 75 percent. Impact may vary from state to state. As more states upgrade their laws, we may gain additional information and change our estimate of impact.

Assumptions

Attached are state-by-state estimates of additional deaths, injuries, and societal costs which would be prevented annually for states which upgrade from secondary to standard enforcement laws and experience an estimated 15 percentage point increase observed safety belt use. Also included are estimates of additional deaths, injuries and societal costs already being prevented by states with standard enforcement laws, over and above the savings which would be expected from having secondary enforcement laws.

Each of the state estimates was calculated using a software program called Beltuse, which was designed by NHTSA to aid states and communities in determining the impact of changes in statewide or community-wide safety belt usage rates. This program includes a 1992 fatality data base, which can be used as a baseline from which to measure changes in dualities, injures and societal costs.

For states with secondary laws, estimates of future usage were derived by adding 15 percentage points to the states' most recent (usually 1996) observation survey. Based on the current U.S. experience in primary law states, future use rates were "capped" at 85 percent for states with current usage rates of 71 percent or above. For states which already have a standard enforcement law, it was estimated that current usage was, on average, 10 percentage points higher then if the state had only a secondary law. This is because usage in severe of these states has declined slightly as a result of a lack of enforcement and public information activity.

Additional Notes

Again, the estimated changes in fatalities are from 1992 fatality levels. Use of 1995 fatality levels would result in slightly higher numbers for most states. However, since most states have been using the 1992 numbers (contained within the program) to estimate impact, it was decided to use these same numbers until a revised Beltuse program is released later this year. The new program will use 1995 fatality figures as a baseline.

Estimated changes in non-fatal injury crashes are based on an analysis of the historical relationship between injuries and fatalities. Injury data are categorized by severity level, using an Abbreviated Injury Scale (AIS). Fatalities are classified as AIS–6 injures. Non-fatal injuries range from minor (AIS–1) to severe (AIS–5). In addition to calculating savings related to fatal injuries, savings are calculated for minor (AIS–1) injuries and moderate-to-severe (AIS–2) injuries.

It is necessary to differentiate injuries categories because the effectiveness of safety belts (when worn) varies according to injury severity. Safety belts are estimated to be 45 percent effective in reducing fatalities; 50 percent effective in reducing moderate-to-severe injuries; and 10 percent effective in reducing minor injuries.

Societal cost savings are calculated by the Beltuse program for fatalities and for each level of injury. These estimated savings refer to lifetime costs, which are costs (in 1996 dollars) win be borne by society, over the remaining lives of the persons injured during the year in question. The components of these estimates are medical costs, lost product, and other injury-related costs.

Beltuse also includes an estimate of non-reported crashes and an adjustment for locality cost differences.

STATEMENT OF RICHARD D. CRABTREE, PRESIDENT AND CHIEF OPERATING OFFICER, NATIONWIDE MUTUAL INSURANCE COMPANY

Good morning, my name is Richard Crabtree. I am President and Chief Operatingfficer of the Nationwide Mutual Insurance Company. Nationwide is headquartered in Columbus, Ohio and is the fourth largest writer of automobile insurance in the country. I am here this morning in my capacity as co-chair of Advocates for Highway and Auto Safety (Advocates) Board of Directors. This morning I will share my time as a witness with a former co-chair of Advocates and current co-chair of Advocates' program committee, Joan Claybrook. Ms. Claybrook is the President of Public Citizen which is a nonprofit citizen research, lobbying and litigation organization based in Washington, D.C. with 125,000 members nationwide.

Advocates is a coalition of consumer, health, safety, law enforcement and insurance companies, organizations, and agents working together to support the adoption of laws and programs to reduce deaths and injuries on our highways. As a highway safety organization, Advocates is unique. We focus our efforts on all areas affecting highway and auto safety—the roadway, the vehicle, and the driver. Founded in 1989, Advocates has a long history of working closely with the Committee on Environment and Public Works in the development of Federal legislative policies to advance highway safety. I would also add that Advocates has probably worked in the state of nearly every Senator represented on this Committee to strengthen drunk driving laws, to enact occupant restraint laws, to close dangerous gaps in child restraint laws, and to advance other laws that make our streets and highways safer.

This morning I will discuss the need for this Congress, in this particular legislation, the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA II), to seriously address the unnecessary and preventable carnage on our highways. Ms. Claybrook will then discuss a safety agenda that we urge this Congress to include in ISTEA II. Before we complete our brief remarks before you this morning, hundreds of motor vehicle crashes will have occurred, several individuals who left for work or school this morning will have died, and hundreds of life-threatening injuries will have required emergency medical care.

I. INTRODUCTION

Every day millions of American families leave their homes to travel by car to medical appointments, soccer practices, grocery stores, shopping malls, and libraries. Although our nation's highway system has created mobility opportunities that are the envy of the world, it has also resulted in a morbidity and mortality toll that is not.

What if a commercial airplane crashed, not once a month, but every day, 7 days a week, year in and year out? What if the outbreak of a new flu virus resulted in the death of more than 9,000 of our children under the age of 21? The public outcry would be deafening and the response of Congress would be swift, certain, and decisive.

In fact, the number and frequency of deaths cited in these hypotheticals illustrate the current statistics on death and injury due to motor vehicle crashes every year. Day in and day out, year in and year out, since the late 1970's, approximately 115 Americans will not return home at the end of the day. Every hour more than 400 Americans are taken to hospitals for serious injuries because of motor vehicle crashes. According to annual crash data collected by the National Highway Traffic Safety Administration (NHTSA), an agency of the U.S. Department of Transportation (U.S. DOT), nearly 42,000 people die and another 3.4 million Americans suffer serious injuries every year on our highways because of motor vehicle crashes, costing society $150 billion, or $580 per man, woman and child.

The death toll on our highways makes driving the No. 1 cause of death and injury for young people ages 5 to 27. Highway crashes cause 94 percent of all transportation fatalities and 99 percent of all transportation injuries, yet traffic safety programs receive only 1 percent of the funding of the U.S. DOT budget. The staggering loss of lives and the incidence of life- threatening injuries occurring each year is best described as a public health crisis.

II. THE CHALLENGE

The cause of these deaths and injuries are reported every day in newspapers and on television in communities across the country—drunk driving, speed, aggressive driving, inexperience, and indifference to traffic safety laws. Although some progress

had been made in the mid-1970's and 1980's, there has been no appreciable decline in motor vehicle deaths and injuries in the last 5 years. By measuring fatality rates based on either vehicle miles traveled (VMT) or deaths per 100,000 population, the number of Americans killed in car crashes has remained basically constant the past 5 years.

Reducing motor vehicles deaths and injuries will become more challenging and critical as we enter the 21st century. Yesterday, in this hearing room Advocates, joined by Members of Congress, insurance representatives, medical professionals, law enforcement and victims held a press conference to release a new report, "The Highway Safety Deficit: Who Pays and who Delays." This report outlines the status of the nation's highway safety laws across the country as a backdrop to the current congressional debate about reauthorization of ISTEA. Let me briefly summarize some key findings of the report and the safety obstacles in the road ahead:

Since Congress repealed the National Maximum Speed Limit 24 states have speeds higher than 70 miles per hour (MPH) on rural interstates, with 10 states at 75 mph, and Montana having no daytime speed limits for cars. A troubling trend of increased deaths and injuries as a result of higher speed limits is emerging. New Mexico and California experienced fatalities and injuries on highways where speeds had been increased. In California, roads that retained the 55 mph speed limit showed a 8 percent reduction in fatal crashes. Furthermore, despite the higher posted speed limits, cars are traveling faster. For example, the Insurance Institute for Highway Safety (IIHS) studied vehicle speeds before and after the change in posted speed limits on highways in California, Texas and New Mexico. In California, on highways that had posted speed limits increased to 65 mph, 29 percent of vehicles were traveling at speeds above 70 mph. One year later, 41 percent of the vehicles are those highways were traveling at 70 mph or above.

- In the National Highway System (NHS) designation legislation, a Federal program encouraging states to enact all rider motorcycle helmet laws was repealed. Since January, 21 states that currently have all rider motorcycle helmet laws are considering bills to repeal this lifesaving law. In fact, Arkansas has the distinction of being the first state to repeal its law since the NHS bill was enacted. Texas may be the second.
- The United States has the lowest safety belt usage compared to Western European countries, Canada, Australia and New Zealand. To date, only 11 states and the District of Columbia have primary, or standard, enforcement safety belt laws. States that have standard enforcement laws experience, on average, a 14 percent increase in safety belt use rates. The NHTSA estimates that 45 percent of those who died without belts—12,000 people—could have been saved if they had used safety belts.
- In 1995, drunk driving deaths rose for the first time in a decade. Yet, only 14 states have .08 percent blood alcohol content (BAC) laws despite a recent study by Boston University School of Public Health that 500 to 600 lives would be saved annually if every state adopted .08 BAC.
- Enactment of a provision in NHS which requires states to enact "zero tolerance laws," making it illegal for those under the legal drinking age of 21 to have any alcohol in their systems while operating a motor vehicle, has energized state action. While 26 states, as well as the District of Columbia, had already enacted zero tolerance statutes prior to passage of the Federal law, 11 additional states enacted bills last year and legislation is pending in six other states this year.
- Each year nearly 5,000 Americans die in truck crashes. According to the IIHS, in 1995, 98 percent of the people killed in two vehicle crashes involving passenger cars and big trucks were occupants of the passenger vehicles. There is nearly unanimous public support for a vigorous Federal leadership role in enhancing truck safety and limiting the size and weights of trucks.
- Budget cuts in previous years coupled with inflation have severely weakened the funding of traffic safety grants to states and restrained the resources of law enforcement to enforce traffic safety laws. In 1980, the major traffic safety grant program for states was funded at $196.5 million. In fiscal year 1997 it was funded at $128 million. This reduction in funding means about a 66 percent reduction in the purchasing power of the funding despite the program's enormous benefits.
- According to NHTSA, teenage drivers are significantly over-represented in fatal crashes compared to other age groups. The U.S. Census Bureau estimates that in the year 2000, the youth population (ages 15 to 20) of this country will be 23.9 million, an increase of 10 percent from 1995. In the next decade, this age group is expected to increase by almost 17 percent.

The good news is that effective and successful remedies are on the shelf already or are underway in many states and communities and are responsible for saving lives and preventing injuries. Stricter drunk driving laws, stronger safety belt laws,

increased financial resources to fund traffic safety programs, committed and sustained enforcement of traffic safety laws like speed limits and red light running, comprehensive graduated licensing programs for .inexperienced teenage drivers, improved motor vehicle and truck safety requirements, and limits on the size and weight of big trucks are all part of the solution.

III. NATIONAL AND STATE LEADERSHIP

In any national crisis claiming so many young lives, inflicting so many debilitating and costly injuries and extracting such a substantial personal and financial toll, the country looks to its elected leaders for help to advance solutions and advocate effective strategies. Congress has an opportunity this year to enact a road map for improving highway safety that will reduce deaths and injuries and save Federal taxpayer dollars. One of the most significant bills that Congress will take up in the 105th session is the reauthorization of Federal funding programs to support highway maintenance and construction, transit capital and operating programs, and traffic and motor vehicle safety programs.

In 1991, Congress passed and President Bush signed into law the Intermodal Surface Transportation Efficiency Act, or ISTEA. In addition to setting highway and transit program priorities for states, urban, suburban and rural communities, ISTEA included an extensive highway safety agenda to address preventable deaths and injuries on our highways. For the first time in the history of the Federal highway and transit programs, House and Senate leaders enacted legislative provisions which, in total, comprised a safety agenda that resulted in state adoption of safety belt and all rider motorcycle helmet laws, safer cars and trucks, and reasonable limits on the spread of double and triple-trailer trucks.

Since January, when the first session of the 105th Congress began, the political debate on highway funding conducted by Members of Congress, Administration officials, Governors, state Department of Transportation directors, highway construction lobbies and other interest groups, has centered almost exclusively on the division of Federal gas tax revenues between donor and donee states, the highway and transit funding needs of urban v. rural communities, the determination of what are legitimate v. illegitimate uses of trust fund dollars, and the on-budget v. off-budget congressional battles. Little, if any, of the political discourse has addressed the "public health v. public harm" effects of this legislation. Because of the large sums of money at stake, the political terms of the debate focus on state winners and losers in dollars and cents. But what about the winners and losers among the highway users? Which American families traveling by car will be protected on our highways from drunk drivers, excessive speeding, occupant restraint laws, big trucks and aggressive driving?

Over the 6-year life of the reauthorization bill submitted by the Clinton Administration, the National Economic Crossroads Transportation Efficiency Act (NEXTEA), more than $170 billion in surface transportation spending is being proposed. However, during that same 6 year period of highway funding, unless the tide of fatalities and injuries on our highways is stemmed, almost 250,000 people will die. This number of deaths is roughly the equivalent of the population of the city of Erie, Pennsylvania or Boulder, Colorado. Eighteen million more will be seriously injured, equal to the population of the state of New York or Texas, at a cost of over $900 billion, enough money to cover the full 4 year costs (including tuition, room and board) for twice the number of students currently attending a 4-year public university. The entire cost of the ISTEA II authorization could be covered if we realize just a 20 percent reduction in highway deaths and injuries.

IV. WHAT THE TAXPAYERS SAY

Last year, in anticipation of congressional consideration of the reauthorization of ISTEA, Advocates sought to determine what Americans think about specific highway and auto safety issues, policies, and programs. Advocates commissioned a well-known national pollster, Louis Harris, to survey a cross-section of the public. The results are compelling. The public is seriously concerned about the dangers of highway travel and decisive majorities support a strong Federal response to address highway safety. When releasing the poll results in September of last year, Louis Harris said, "[i]n an era marked sharply by a rush to turn over many substantive areas of government and regulation to the states and localities in many areas, highway and auto safety stands out as a significant exception to the rule."

Despite conventional wisdom that the public wants less government involvement in regulatory matters, decisive majorities of Americans believe it is important for the government to play a strong role in highway and auto safety regulations.

Key findings of the poll are:

- 94 percent say it is important to have Federal regulations of car safety standards, with 77 percent stating such a presence is very important.
- 91 percent assert that Federal regulation of large truck safety on the highways is important, with 74 percent viewing Federal involvement as very important.
- 91 percent believe Federal involvement in assuring safe highways is important, with 78 percent saying such a role is very important.
- 87 percent say it is important to have the Federal Government setting strict rules about food and product safety, highways and airline safety, and safety on the job, with 62 percent citing such regulation as very important.
- 80 percent say a Federal presence is important in passing laws which mandate safety belt use, with 61 percent saying Federal involvement in this area is very important.
- 77 percent believe it is important for the Federal Government to pass laws to get people to wear motorcycle helmets, with 61 percent stating such laws are very important.
- 73 percent say a Federal presence in controlling excessive speed on highways is important, with 47 percent stating this presence is very important.
- 72 percent believe it is important to have the Federal Government setting safe speed limits, with 48 percent stating that this role is very important.

V. THE SAFETEA COALITION

One measure of how seriously Congress is addressing highway deaths and injuries will be found in the safety agenda advanced in ISTEA II. From STEP 21 to STARS 2000, from HOTTEA to NEXTEA, highway construction interests, elected officials and state transportation officials have been rallying in support and in opposition to issues such as new funding formulae, the need for special projects, and program structure. However, the true measure of this legislative initiative will be whether the transportation bill that leads us into the 21st century will advance or retreat on highway safety. Yesterday, Advocates participated with representatives of the medical, business, law enforcement and public interest communities to announce the formation of the SAFETEA Coalition. Attached is a list of the current members in this coalition. To date, more than 60 organizations from all over the country have come together and share the following common views.

It is unacceptable that nearly 42,000 Americans die on our highways and another 3 million more are injured, costing society more than $150 billion every year. It is unacceptable that the rate of safety belt use in our nation is the lowest of any industrialized nation in the world. It is unacceptable that each year approximately 41 percent of all motor vehicle fatalities involve alcohol. It is unacceptable that each year nearly 5,000 Americans die in truck crashes and 100,000 are injured, and almost all are the occupants of cars. And it is unacceptable that truck driver fatigue is a factor in 40 percent of all truck crashes, according to the National Transportation Safety Board (NTSB), yet trucking interests want to expand the hours of driving regulations.

The members of the SAFETEA Coalition are the individuals who pay the tax at the pump and their voice is loud and clear—safety must be a priority in ISTEA II. According to the previously mentioned Louis Harris public opinion poll, nine out of ten Americans want the Federal Government to play a strong leadership role in highway safety, similar to aviation safety and food safety. In fact, Louis Harris, a man who has performed thousands of public opinion polls, stated, "[t]his is the first comprehensive survey I have conducted on highway safety in my 40 years as a national pollster, and I was amazed at the strong level of support for Federal and state measures to make our highways and cars safer." He was particularly struck by the public's sentiments in light of the trend of returning governance to the states.

VI. THE SAFETEA PROPOSAL

Advocates and the SAFETEA Coalition support a comprehensive and feasible plan that needs to be included in ISTEA II and will reduce the human loss on our highways. This list is by no means exhaustive of the safety measures our nation needs to mitigate the public health crisis occurring on our highways. Government studies show that each year, traffic injuries are the principal cause of on-the-job fatalities and the third largest cause of all deaths in the United States. However, far more people are injured and survive motor vehicle crashes than die in these crashes. These injured persons often require medical care and many require long-term care and rehabilitation. For children, the problem is equally dramatic as motor vehicle crashes are the leading cause of death for children ages 6 to 14. In 1995, the 0–14 age group accounted for 7 percent (2,794) of all traffic fatalities. (Source: Presidential Initiative for Increasing Seat Belt Use Nationwide). These figures are par-

ticularly disturbing when considering that traffic "accidents" are not accidental at all. They are preventable and predictable and our nation must move forward with the following legislative proposal to curb the number of people killed on our roads.

A. Traffic Safety Funding

One of the most critical weapons in the battle to reduce deaths and injuries is adequate resources to support programs and initiatives to advance safety. In 1997, the entire budget for NHTSA, for both motor vehicle safety research and regulatory activities, as well as the highway traffic safety grant program for states, was just over $313 million. This allocation represents only 1 percent of the budget of the entire U.S. DOT, including the Federal Aviation Administration (FAA), and yet, highway deaths represent 94 percent of all transportation fatalities and 99 percent of transportation injuries.

The highway safety grant programs are a major tool in the effort to reduce deaths and injuries on the nation's highways and consequently reduce Federal, state and local costs. According to NHTSA studies, the economic benefits (not including consideration of factors for pain and suffering or loss of life) of traffic safety programs exceed their costs by a 9 to 1 ratio. Additional dollars in these programs will be multiplied many times in terms of benefits realized. For this reason, Advocates and the SAFETEA Coalition support increasing the expenditure of Federal resources in a number of specific areas that will reap tremendous benefits in terms of saving lives, reducing serious injuries, but also saving taxpayer dollars.

Since the 1980's, the funding of traffic safety programs has been hit twice. For example, in 1980, the Section 402 traffic safety grant program, a state formula grant-in-aid program, was funded at $196.5 million. For fiscal year 1997 it was funded at $128 million. Not only has this program witnessed a significant drop in funding, but the effects of inflation have also dramatically cut the purchasing power of this program. The 1980 funding level of $196.5 million is equal to about $377 million in 1997 dollars. Thus traffic safety programs have endured a 66 percent reduction in purchasing power.

In addition to supporting the funding increases recommended by the U.S. DOT in its NEXTEA proposal, Advocates supports a sustained and stable funding program for targeted traffic enforcement initiatives. Advocates and the SAFETEA Coalition urge the Senate to provide a half cent from the sale of every gallon of gasoline for safety programs. This would result in approximately $600 million for a variety of highway safety efforts. The $600 million is a small price tag for the $150 billion we all pay every year because of the nearly 42,000 deaths and more than 3 million serious injuries on our highways.

If a half cent is dedicated to traffic safety programs by this Congress, it will significantly help address the problems of aggressive driving, drunk driving, safety belt use, excessive speeding, and red light running. The result will be a safer driving environment for our families. These proposals include:

- $150 million for a national safety belt enforcement program modeled after the "Click It or Ticket" effort in North Carolina. Every state would benefit from the success of this program in increasing safety belt use.
- $150 million for states to use in the enforcement of all traffic safety laws which would begin to address the issue of aggressive driving. Law enforcement resources are severely strained and traffic safety enforcement is oftentimes a low priority. Every state has many of the traffic safety laws we know will reduce deaths and injuries, but most do not have the resources to adequately enforce these laws. The benefits of tough traffic enforcement go beyond safer streets and highways. The strict enforcement of traffic safety laws has payoffs in other areas of crime. I am reminded that Timothy McVeigh was apprehended after the Oklahoma City bombing because of a traffic infraction.
- $200 million for the Section 402 Traffic Safety Grant Programs. This amount is a $33 million increase over the Administration's recommended funding level and brings the program closer to the funding level it would be if cuts and inflation had not diminished its purchasing power.
- $100 million for impaired driving programs. This $60 million increase in funding from the Administration's recommendation would provide the necessary financial resources to address this highway crime.

The American public is gravely concerned about the dangers on our highways and the authorization of these increases would be a conservative, yet constructive, step in achieving a higher level of safety on our highways.

B. Safety Belts

According to insurance and government research, safety belts are the most effective means of reducing fatalities and serious injuries when traffic crashes occur. They are estimated to save 9,500 lives in America each year. Research has found that lap/shoulder belts, when used properly, reduce the risk of fatal injury to front seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.

Not only do safety belts save lives and reduce injuries, but they also provide economic benefits. According to a NHTSA study on the benefits of safety belts, the average inpatient charge for unbelted passenger vehicle drivers admitted to a medical facility as a result of a crash injury was more than 55 percent greater than the average charge for those that were belted, $13,937 and $9,004 respectively. If all unbelted passenger vehicle drivers had been wearing safety belts, inpatient charges would have been reduced by approximately $68 million and actual inpatient costs reduced by $47 million. In all cases of the study, the average inpatient charge was greater for drivers who were unbelted. (Source: NHTSA, "Report to Congress, Benefits of Safety Belts and Motorcycle Helmets," February 1996).

Over the past decade, much of the decline in highway fatalities and injuries has occurred because more motorists are wearing their safety belts, according to NHTSA. Every state but New Hampshire has a safety belt use law, although only 12 have primary, or standard, enforcement laws, which means that law enforcement officers may issue a citation when they observe an unbelted driver or passenger. In the other states, the laws permit only secondary enforcement, which means that, unlike every other traffic violation, an officer can cite a motorist for a safety belt use violation only if the officer has already stopped the vehicle for another infraction, such as speeding or running a red light.

Evidence in NHTSA studies proves that states with standard laws have significantly higher safety belt use rates and experience greater reductions in fatality and injury rates, compared with states that enact secondary laws. States with standard enforcement laws averaged 14 percentage points higher belt use than those with secondary laws. The NHTSA estimates that if every state had a standard enforcement law, nearly 7,000 lives would be saved every year. In fact, California and Louisiana increased their safety belt use rate by 13 and 18 percentage points, respectively, by upgrading their secondary laws to standard. (See attached chart titled "Potential Impact of Enacting Standard Enforcement Safety Belt Use Laws" which provides a state by state analysis of both lives saved and economic savings.)

it is distressing that the rate of safety belt use in the United States is the one of the lowest of industrialized nations. Use rates in Canada, Australia, and several Western European countries exceed 90 percent, while use rates in Great Britain exceed 80 percent. Safety belt use laws in these countries typically allow standard enforcement and also cover occupants of light trucks and vans, in addition to automobiles. Further, fines for noncompliance are generally higher than in the United States, and some jurisdictions assess points against driver's licenses for safety belt use law violations.

In fact, exemplary of the effectiveness of a comprehensive safety belt use plan is Canada's "comprehensive special traffic enforcement programs (STEPs)" Belt use rates in Canada and the United States did not differ markedly until the mid-1980's, when Canadian provinces began implementing STEPs, which are highly publicized enforcement efforts. When Canada decided to establish a national 95 percent safety belt use goal, provinces amended their laws to add driver license penalty points. With these penalty point provisions, belt use has risen to 92 percent for drivers and 90 percent for front seat passengers.

To achieve President Clinton's goal to increase national safety belt use to 85 percent by 2000 and 90 percent by 2005, Advocates believes Congress must enact the following three proposals. First, achieve passage of primary enforcement safety belt laws in every state by withholding or redirecting Federal highway funds of states without primary laws. Experience shows us that states are much more apt to pass safety laws if funding sanctions are attached. There are two prominent examples of the success of this method. The first one is the National Minimum Drinking Age, or 21 year-old drinking age, which was a recommendation from President Reagan's National Commission Against Drunk Driving. It was strongly supported by both Republican and Democratic Governors of states which had already enacted 21 drinking age laws, but shared "blood borders" with other states where the drinking age was lower. Young people would travel to those states to purchase and consume alcohol and then drive back, resulting in a high injury and death toll due to drunk driving.

In the summer of 1984, Senator Lautenberg and Representative Howard shepherded legislation through Congress requiring states to enact laws establishing 21

as the minimum drinking age or face the loss of a percentage of their Federal-aid highway funds. Prior to the law's 1984 enactment, only 16 states had established 21 as their legal drinking age. By fiscal year 1988, when the sanctions took effect, all 50 states had adopted the law. Today, the law enjoys strong public acceptance, even among those under 21, and is credited with having saved over 10,000 lives. It is certain that without the Federal leadership in pushing for uniform adoption of a 21 year old minimum drinking age, blood borders would be in existence today.

A recent example of the effectiveness of sanctions, the NHS legislation included a requirement that states enact zero tolerance BAC laws by fiscal year 1998 or be penalized 5 percent of their Federal-aid highway funds and 10 percent each year thereafter. While 26 states had already enacted zero tolerance statutes prior to passage of the Federal law, an additional 11 states enacted such laws last year, and legislation is pending in six other states this year. It is expected that once again all states will come into compliance before the sanctions take effect.

The second proposal Advocates endorses for inclusion in ISTEA II is the initiation of a $100 million national safety belt enforcement program, similar to the successful "Click It or Ticket" effort launched in North Carolina in 1993. Appeals to "do the right thing" do not work in getting those who do not wear their belts to buckle up, but rather, a standard enforcement law combined with a high visibility enforcement plan, including checkpoints and traffic tickets for drivers not using their belts, proved to be a winning formula in North Carolina. Nearly every law enforcement agency in the state participates in "Click It or Ticket," and the results are impressive.

In the program's first 27 months alone, fatal and serious highway injuries were cut by 15 percent and taxpayers were saved more than $100 million in health care related costs. Since the start of the program, law officers have held over 17,500 checkpoints and issued nearly 130,000 safety belt and over 11,000 child safety seat citations. Furthermore, at checkpoints and roving patrols, law enforcement officers have made more than 469,000 charges for violations other than safety belt, child safety seat or drunken driving offenses. Officers are apprehending car thieves, capturing drug violators, and arresting fugitives who may have driven away if not for this high visibility enforcement of traffic laws. Another related proposal is to provide funds to states for the enforcement of all traffic safety laws, including safety belts and impaired driving laws.

Without the necessary funding, the President's goals for use rates will not be achieved, and the rate of preventable deaths and injuries will continue to soar. Allocation of funds for enforcement of safety laws should be viewed as an investment, if not actually a savings, both in economical terms and in terms of human lives. Increasing the safety belt use rate from the current estimated daytime usage of 68 percent to the goal of the President's Initiative, 85 percent, could prevent an estimated 4,200 fatalities and 103,000 injuries annually. This reduction in injuries and deaths would result in an economic savings of approximately $6.7 billion annually.

C. Impaired Driving

Approximately 2 in every 5 Americans will be involved in an alcohol-related crash at some time in their lives. In 1995 alone, 17,274 people died because of alcohol-related crashes—that means an average of one person was killed every 30 minutes. Forty-one percent (41 percent) of the total traffic fatalities for the year were alcohol-related. Additionally, more than 300,000 persons were seriously injured in crashes where police reported that alcohol was present—an average of one person injured approximately every 2 minutes. (Source: NHTSA Traffic Safety Facts 1995). These statistics are particularly abhorrent considering that there is no such thing as a "drunk driving accident." Almost all crashes involving alcohol could have been avoided if the impaired person behind the wheel was sober.

In an effort to critically examine this national public health crisis, Advocates, Mothers Against Drunk Driving (MADD) and Nationwide Insurance co-sponsored the third "Rating the States" report which surveys the nation's and each state's drunk driving policies and laws. The report is designed to focus attention on the problems of impaired driving and underage drinking, to identify what states are doing to address the problems, and to highlight progress made and challenges that remain. It is unfortunate to announce that our country received the grade of a 'C.' One of the reasons for this low grade is that drunk driving fatalities increased in 1995 for the first time in a decade. This rise may be an indicator that our nation and the media have become complacent about the driving under the influence (DUI) problem. Additionally, improvements are needed in the testing rate of drivers involved in fatal or serious injury crashes. In 1995, only 68 percent of fatally injured drivers and 24 percent of surviving drivers were tested. Furthermore, no states enacted new .08 BAC laws in 1996.

There is some good news in the fight against teenage drinking and driving. Despite an overall increase in alcohol-related fatalities, youth (ages 15–20) alcohol-related fatalities declined by almost 6 percent. This decline occurs at a time when the population of teenage drivers is growing and most national surveys indicated an increase in teenage drinking. This welcome news may be a testament to the effectiveness of zero tolerance BAC laws for young drivers. As you are probably aware, in 1995, Congress passed the NHS bill which included a requirement that states enact a zero tolerance BAC law by fiscal year 1998 or be penalized 5 percent of their Federal-aid highway funds and 10 percent each year thereafter. That sanction has spurred state legislative activity. Since enactment of the provision, 11 states enacted zero tolerance laws, and it is under active consideration in 6 states.

Although our nation is moving in the direction of having zero tolerance BAC laws for all youth, most states have set the legal BAC limit for adults at .10 percent, making it the highest in the industrialized world. Sweden's national BAC limit is .02 percent; Australia (in the more populous states), Finland, France, the Netherlands, and Norway have .05 BAC limits; and Australia (in the remaining less populous states), Austria, Canada, Great Britain and Switzerland have set .08 BAC limits. According to a study by the Boston University School of Public Health conducted last year and published in the American Journal of Public Health, states adopting an illegal BAC limit of .08 percent experienced a 16 percent decline in the proportion of fatal crashes in which the driver's BAC was .08 percent or higher. The researchers concluded 500 to 600 fewer fatalities would occur annually if every state adopted .08 percent BAC limits. (Source: "Initial Assessment of the Effects of .08 percent Legal Blood Alcohol Limits on Blood Alcohol Level of Drivers in Fatal Motor Vehicle Crashes," R. Hingson, Sc.D., T. Heeren, Ph.D., and M. Winter, M.P.H., Boston Univ.). Additionally, the American Medical Association (AMA) supports a .05 percent BAC and urges states to adopt this level. Advocates believes that legislation needs to be enacted which ensures the Nation reaches the goal of reducing alcohol-related traffic deaths by 11,000 or fewer by the year 2005.

Therefore, Advocates urges Congress to include S. 4121 H.R. 981, "The Safe and Sober Streets Act of 1997" sponsored by Senator Lautenberg and Senator DeWine and Representative Lowey in ISTEA II. This legislation would require every state to lower the illegal BAC limit to .08 percent for drivers over 21. Under the law, states that fail to enact the measure would have a percentage of their Federal highway construction funds withheld. Adoption of this legislation in the reauthorization of ISTEA will move the Nation toward a more sensible threshold to measure legal impairment and will save lives.

D. Truck Safety

Each year nearly 5,000 Americans die in truck crashes and 100,000 are injured. (Source: U.S. DOT Fatal Accident Reporting System). According to the IIHS (based on their numbers on the road and the amount they travel) large trucks (tractor-trailers, single-unit trucks, and some cargo vans weighing more than 10,000 pounds) account for a disproportionate share of highway deaths. Consequently, it is not surprising that 90 percent of the American public opposes bigger trucks. (Source: Louis Harris Poll). In fact, last week in the Wall Street Journal, an article titled "More Trucks Shake Residential America" described the public's anger and fear toward big trucks.

The public has good reason to fear big trucks. Truck traffic has jumped from 17.1 billion miles in 1990 to 23.6 billion in 1995, on town and city roads. Truck mileage on interstates is expected to increase about 23 percent from 1990 through 1997, to 58 billion miles. In 1995, 98 percent of people killed in two-vehicle crashes involving a car and a large truck were occupants of the car. (Source: U.S. DOT Fatal Accident Reporting System). While large truck occupant deaths number approximately 600 annually, about 3,600 occupants of passenger vehicles die each year in collisions with large trucks. (Source: IIHS). One reason for this disparity is the vulnerability of people traveling in passenger vehicles when they are involved in crashes with large trucks. Trucks typically weigh 20–30 times as much as passenger cars.

Another problem with big trucks is their braking capability. Loaded tractor-trailers take 20–40 percent farther than cars to stop, and the discrepancy is worse when trailers are empty and speeds are higher because the braking distance disproportionately increases. Inspections of truck rigs in five states in 1990 revealed more than half with serious brake defects, according to the IIHS. Not only are trucks dangerous, but they also cause tremendous damage to our nation's roads attaching a hefty economic price tag. A single heavy truck, even one that meets the Federal Interstate standard of 80,000 pounds, does as much damage as 9,600 cars. Furthermore, conventional trucks pay for only 65 percent of the costs to repair the damage

they do to roads through fuel and user taxes, according to the U.S. DOT. Trucks substantially exceeding 80,000 pounds gross weight pay even less.

For these reasons, Advocates urges the Senate to include H.R. 551, Representative James Oberstar's bill which would establish a freeze on existing weight standards and truck lengths on the Interstate System and the NHS, in ISTEA II. The 1995 National Highway System Designation Act selected 160,000 miles of highways for construction, reconstruction or other forms of upgrading. The NHS will constitute a major new investment in our nation's highways, streets, and bridges, and this expenditure must be protected. Protection means assuring that trucks are held to their present weights and lengths, not only on the Interstate, but on the entire NHS, which includes country roads and city streets. Currently, Federal standards limit trucks to 80,000 pounds on the Interstate system, although grandfather provisions permit some states to allow heavier trucks on their portions of the Interstate highways. Some states allow 57 foot trailers, and one allows trailers 60 feet long. The top limit in the others is 53 feet.

The Oberstar bill would preserve current state weight laws, including those which legitimately exceed the Federal limit, and permit those rigs of more than 53 feet now on the road to continue to operate. Additionally, it would restore to the U.S. DOT authority to review state claims of grandfathered rights to run trucks heavier than Federal limits. Last, it would require U.S. DOT to define what a "non-divisible load" really is, and prevent the continued use of unwarranted special permits as a subterfuge for routinely running heavy trucks on the NHS.

In fact, two state trucking associations, those of Mississippi and Arkansas, oppose any increase in truck size and weight limits. Dean Cotten, president of the Mississippi Trucking Association, said that, "our membership is convinced that the trucking industry does not gain productivity through size and weight increases, rather it is required to purchase new equipment." Cotten also stated, "[s]upporting measures to increase truck size and weights come from those who ignore history and have a blatant disregard for the cost incurred in obtaining it."

These two state trucking associations also fear the consequences of permitting states to determine size and weight limits. "If we throw size and weight back to the states, we'll end up with the same patchwork we had before the Federal 80,000 pound limit was set," stated Lane Kidd, president of the Arkansas Motor Carriers Association. Congress needs to enact a truck size and weight freeze to protect American families who share the road with these big rigs and protect our investment in highways from accelerated road damage.

The case for a freeze is even more compelling because of negotiations concerning the North American Free Trade Agreement (NAFTA). Last June, 58 Senators and 232 House Members wrote to then Secretary of Transportation Federico Pena urging that U.S. negotiators not compromise truck safety by agreeing to the use of longer and heavier trucks on U.S. roads and highways. A recent study by the Government Accounting Office (GAO) which evaluates truck inspections at the U.S. border points out the real danger of allowing bigger trucks into the United States. The GAO report found that fewer than 1 percent of the 3.3 million trucks entering the U.S. were inspected at the border. But of those that were inspected, nearly half were put out-of-service because of safety problems. Inspections of Mexican trucks are not as stringent as inspections of American trucks. If Mexican trucks underwent the same level of inspection the out-of-service rate would likely be even higher.

Border states are being asked to shoulder a significant safety burden that affects all of us. Congress should provide these states with the necessary assistance in terms of infrastructure improvements, more inspectors, and specific legislative guidance that will not permit the safety of the American public to be negotiated away.

A legislated freeze on truck size and weight, similar to the 1991 freeze on LCVs, would raise the level of safety for U.S. motor carriers as well as foreign motor carriers.—The public is weary of the dangers of big trucks and strongly supports Federal leadership in this area.

Advocates also urges that Congress not permit any thawing of the 1991 ISTEA freeze on longer combination vehicles (LCVs). In 1991, the Congress froze the expansion to additional states of large, multi-trailer LCVs to protect the American public from the dangers of bigger trucks. Today, use of LCVs is limited to at least 20 states and should not be expanded.

LCVs are "Twin 48s," also known as "Turnpike Doubles, " triple trailer trucks, also known as "triples," and Rocky Mountain Doubles. A twin 48 is two 48 foot trailers on the back of one tractor, and it weighs as much as fifty cars. A triple is analogous to a ten-story building on its side being hauled down the highway. Rocky Mountain Doubles have a longer semi-trailer with tandem axles and a short "pup " trailer with single axles. These types of trucks are inherently unstable because of

their size and weight which cause the trailers to "sway," or move back and forth in serpentine fashion.

Additionally, the braking problems of single trailer trucks are amplified with LCVs due to their heavier weights, multiple trailers, longer lengths, and the greater likelihood of them mixing both loaded and empty trailers. Furthermore, "offtracking," which occurs when a trailer's rear wheels do not follow the path of the tractor's front wheels, happens more frequently with LCVs than with single trailer trucks. Offtracking can cause LCVs to swing into oncoming lanes of traffic during turns, to hit objects on the road side, to cross over curbs and gutters, and to overturn.

LCVs are also incompatible with cars in traffic. Motorists who pass or are passed by LCVs in wet weather will be blinded by splash and spray on their windshields for longer periods than those passing or passed by single trailer trucks. LCVs also move more slowly on grades and accelerate more slowly than other trucks. Additionally, they require more room when maneuvering on crowded freeways and roads. Furthermore, lane changes and freeway merging by LCVs disrupt traffic and are unsafe. Passing LCVs takes more time and distance—up to 20 percent more—increasing safety risks particularly on two-lane, undivided highways. Last, since LCVs have more trailers and are less stable than single trailer trucks, there is a greater risk when a LCV is involved in a crash that the multiple units will be thrown into adjacent or oncoming lanes of traffic, leading to more severe crashes.

E. Truck Driver Fatigue

Truck driver fatigue is a factor in 40 percent of all truck crashes according to the National Transportation Safety Board. Compound this problem with industry efforts to increase truck driver driving times (hours of service) and you have a written invitation for more devastating crashes on the nation's roadways. Currently, truck drivers can drive 60 hours in 7 days or 70 hours in 8 days. In comparison, air line pilots are permitted to fly only 30 hours in 7 days under normal conditions. Considering that the equivalent of a plane crash occurs on our nation's highways every day, increasing the number of hours truckers drive on the roadways would be a grievous mistake.

Researchers at IIHS estimate that presently more than half of the tractor-trailer drivers violate Federal hours of service regulations on a 1,200 mile route. Increasing the Federal limits will only serve to legalize these drivers' actions, and, further, it will not stop drivers from continuing to exceed the new, higher limits. In 1995, 1,926 people were victims of crashes due to truck driver fatigue. (Source: IIHS). Our nation cannot continue to ignore basic human needs for rest and recovery. Any new regulations that alter hours of service standards should be done in a way that enhances the health and safety of commercial drivers and the American public and reduces the potential for and prevalence of commercial vehicle crashes. Consequently, Advocates urges Congress to reject any efforts to expand hours of service for truck drivers and instead direct the Federal Highway Administration (FHWA) to conduct a rulemaking that reduces commercial driver fatigue and sleep deprivation and improves driver health and safety.

F. Transportation Research and Technology

Safer air bags are now being designed for the near future. However, attaining air bags that perform safely and effectively for all persons in all frontal crashes is an important public safety goal. This goal can be achieved by developing advanced or "smart" air bag technology that shapes the force of the air bag deployment based on the occupant's size and position at the time of the crash as well as the severity of the crash. To provide technology that enables air bags to protect all occupants in frontal crashes, a new generation of sensing devices (sensors) must be developed. Sensor technology, for crash sensors and occupant position sensors, is the weak link in developing advanced air bag design and performance.

To solve this problem, Advocates has proposed that a portion of the funding authorized for the Intelligent Transportation System (ITS) program be used to improve the protection provided by air bags and safety belts to all occupants, especially children and short adults. A program that provided $25 million annually for research and development of crash and vehicle sensors would hasten the accomplishment of advanced air bag technology. Directing ITS resources for this purpose is a logical step since the development of advanced technology for application to highway vehicles to improve safety is a major premise of ITS. In fact, the ITS Program Plan, the master plan for ITS projects, includes a proposal for Pre-Crash Restraint Deployment. This effort was intended to develop advanced sensor and radar technology to improve the response of vehicle safety systems in the event of a crash. The ITS Program Plan recognized that sensor development and safety devices are integrally

related to crash survival. Advocates' proposal adds a new dimension to this ITS concept. Unfortunately, the ITS program has not funded or developed the Pre-Crash Restraint Deployment aspect of the ITS Program Plan.

This important area of safety research and development has gone unfunded even though the ITS program has received approximately $1.3 billion from the Federal Government. The administration is now seeking an additional $600 million for research and development over the next 6 years. In addition, the administration is proposing that ITS projects be eligible for Federal Highway Trust Funds as any other construction project. Despite the vast expenditures of Federal funds, ITS has not produced appreciable improvements in highway safety. Although many claims have been made about the potential for ITS to make vehicles and highways safer, there are few tangible safety results. The ITS safety concepts for passenger vehicles are mostly still in development and will not be available, if at all, for many years to come. Since the ITS program has not initiated safety research and development on vehicle sensors as planned, we urge Congress to promote occupant safety, and to protect children and short adults, by targeting funding for accelerated vehicle sensor research and development.

VII. CONCLUSION

In conclusion, I urge this committee to draw a line in the pavement against increasing deaths and injuries on our highways or accepting the status quo as "good enough." This Congress would never tolerate an airplane crash every single day killing 115 Americans and injuring thousands more as the price of having cheap air fares and unlimited access. Neither should this Congress allow a surface transportation bill to be enacted that does not set specific goals for reducing motor vehicle deaths and injuries and adopts the programs and policies that will achieve them.

Small increases in funding for traffic safety programs and the safety belt incentive program proposed by the U.S. Department of Transportation are only first steps to combating drunk driving, improving truck safety, increasing safety belt usage, and providing adequate resources for traffic enforcement. Much more needs to be done as our safety agenda shows. It will make important and significant gains in bringing down deaths and injuries on our highways. I challenge each of the Members of this Committee to devote as much time advocating safety proposals to improve the safety status of your constituents as you spend debating and generating funding options to improve the financial status of your states.

Advocates and all of the members of the SAFETEA Coalition offer this Committee our assistance in developing legislation that will truly make our highway journey into the 21st a safer road to travel.

Thank you.

HIGHLIGHTS OF FINDINGS FROM "A SURVEY OF THE ATTITUDES OF THE AMERICAN PEOPLE ON HIGHWAY SAFETY": A PUBLIC OPINION POLL CONDUCTED BY LOUIS HARRIS FOR ADVOCATES FOR HIGHWAY & AUTO SAFETY, MAY 1996

INTRODUCTION

Advocates for Highway and Auto Safety (Advocates), a leading national highway safety advocacy group, is an alliance of consumer, health, safety and insurance groups working together to advance highway and auto safety. In May, 1996, Advocates sought to determine how Americans feel about specific highway and auto safety issues, policies and programs. To do so, Advocates commissioned a well-known national pollster, Louis Harris, to survey a cross-section of 1,000 adults during the week of May 22-June 1, 1996.

A broad spectrum of issues was covered and great emphasis was placed on how important Americans feel the government role (both Federal and state) should be in setting standards and passing policies and legislation.

I. Government Presence in Highway and Auto Safety

Despite conventional wisdom that the public wants less government involvement in regulatory matters, decisive majorities of Americans feel it is important for the government to play a strong role in highway and auto safety regulations.

Among the key findings in this area:

—94 percent say it is important to have Federal regulations of car safety standards, with 77 percent stating such a presence is very important.

—91 percent feel that Federal regulation of large truck safety on the highways is important, with 74 percent viewing Federal involvement very important.

—91 percent believe Federal involvement in assuring safe highways is important, with 78 percent saying such a role is very important.

—87 percent say it is important to have the Federal Government setting strict rules about food and product safety, highways and airline safety, and safety on the job, with 62 citing such regulation as very important.

—80 percent feel a Federal presence is important in passing laws which mandate safety belt use, with 61 percent saying Federal involvement in this area is very important.

—77 percent believe it is important for the Federal Government to pass laws to get people to wear motorcycle helmets, with 61 percent stating such laws are very important.

—73 percent say a Federal presence in controlling excessive speed on highways is important, with 47 percent stating this presence is very important.

—72 percent believe it is important to have the Federal Government setting safe speed limits, with 48 percent stating that this role is very important.

II. Strong Support for Youth Highway Safety Issues

More than 9,100 Americans under the age of 21 were killed in highway crashes in 1995. Highway crashes are the leading cause of death and injury of Americans under the age of 30. Therefore, a central focus of the poll dealt with young people. The poll showed that the public wants the most government involvement in areas that affect youth, such as strengthening and enforcing child safety seat laws, underage drinking and impaired driving, and graduating licensing.

A. Child Restraint Laws

- By 84 percent to 14 percent, a decisive majority of the adult public favor making it mandatory for all states to require that all children traveling in vehicles operated by anyone, not just their parents, no matter where "the children are riding must be buckled into special children's safety seats.
- By an even higher 90 percent to 6 percent, the public nearly unanimously believes that "all people driving children, whether they are related to the children or not, should be made responsible for ensuring that the children are properly belted in."

B. Underage Drinking and Impaired Driving

- A 91 percent to 7 percent majority favors passage of uniform laws, under which, "when teenage drivers test positive for any alcohol, they are subject to immediate revocation of their driver's license, and will be subject to strong penalties for driving under the influence." Among the youngest group, those 18 to 19, an 88 percent to 12 percent majority support such laws.
- By 78 percent to 18 percent, a majority of adults nationwide oppose any effort "to roll back the legal drinking age from 21 years of age." Among those under 30, a smaller but still substantial 65 percent to 31 percent majority also opposes any such downward change.

C. Graduated Licensing

On the proposal to enact graduated licensing laws to phase in the full driving privilege for teens, the Harris poll questioned the public on several key components of the proposed law:

- An overwhelming 89 percent to 8 percent majority supports teen drivers holding a learner's permit for at least 6 months before they qualify for a license and that an adult driver must be in the vehicle with the teenagers. Seventy-seven (77) percent of young people agreed.
- 79 percent favors a teen driver moving up to a restricted license for 6 months to a year after taking a behind-the-wheel test. A 2-to 1 majority of young people agree.
- A majority of 88 percent to 9 percent agree that "finally, if after a year or so, the teenager has not violated speed or drinking-when-driving laws, the teenager will be issued a full driver's license." And, 79 percent of teens agreed.
- By 62 percent to 30 percent, a substantial majority of American people agree with the provision that "a young driver, for the first 6 months of licensure would not be permitted to drive after 10 pm or 11 pm. " A clear 56 percent to 39 percent majority of young people disagreed.
- The last area tested specified that "when first licensed, young drivers would not be allowed to transport other teenagers without an adult being present. " A narrow 49 percent to 42 percent of the public agrees. A clear-cut 65 percent to 35 percent of teenagers disagree.

III. Automobile Safety and Consumer Information

Automobile safety is clearly in the forefront when it comes to selecting a new car in the 90's. The American people want safety features in their cars and passenger vehicles, including sport utility vehicles (the fastest growing segment of the new car market) and are willing to pay for such safety features. Furthermore, consumers want crash test results and other safety information available to help them make their purchasing decision.

- By a clear 51 percent to 37 percent, a majority of adult Americans is convinced that "sport utility vehicles are not as safe as most passenger cars." About 1 in 3 (30 percent) believe they are "as safe as most passenger cars," and a small 7 percent feel they are "safer." A sizable majority of 57 percent of all women feel sport utility vehicles are "not as safe," compared with a smaller 44 percent plurality of men who share that view.
- A 75 percent to 19 percent majority flatly say they would be willing to pay $200 to $300 more for a car "that has better safety systems to prevent rollover, better roof crush protection, improved padding on the interior of the car, and better side protection.
- An 85 percent to 11 percent majority of those surveyed want to see all purchasers of passenger vehicles have the government safety ratings of the vehicles (from crash tests) they are contemplating buying at the point of sale.

IV. Large Truck Safety

In the wake of the North American Free Trade Agreement (NAFTA) pressure and other efforts to allow larger trucks and more consecutive hours of driving of trucks on the highways, the public adamantly opts for no compromises with current regulation of trucks on the nation's highways.

- By 83 percent to 13 percent, a majority of the public is opposed to the move to change the number of consecutive hours that a truck driver is allowed to drive on a highway from the current 10 hours to 12 hours.
- 80 percent are fully convinced that "trucks pulling two or more trailers are less safe than trucks pulling only one trailer.'
- By an even higher 88 percent to 7 percent, a majority also is opposed to allowing bigger and heavier trucks on the highways.

V. Safety Belt Use

While 49 states currently have safety belt laws, most are weaker or "secondary enforcement" laws that require police to issue a ticket for some other violation before a safety belt ticket can be written. The public is split down the middle on the proposal that these laws be upgraded to "primary enforcement" status where police are allowed to stop a driver solely for not wearing a safety belt.

- By a close 51 percent to 46 percent, a majority opposes such a change to primary enforcement of safety belt laws.
- Support for giving law enforcement officers the power to make such a change to primary enforcement of safety belt laws runs highest among suburban residents (52 percent in favor), women (51 percent), those 65 and over (59 percent), those with postgraduate degrees (56 percent), Democrats (53 percent), and Latinos (56 percent).
- Most opposed are men (58 percent opposed), residents of the East and Midwest (54 percent), residents of small towns and rural areas (56 percent), young people under 30 (58 percent), political independents (57 percent), and Republicans (55 percent).

VI. Speed Limits and Aggressive Driving

The National Maximum Speed Limit (NMSL) was enacted by Congress in 1974 in response to a national energy crisis. However, one of the unanticipated benefits of the 55 mph speed limit was the dramatic drop in highways deaths. In 1995, Congress repealed the NMSL thereby allowing states to set their own interstate speed limits. As the following results show, while Americans support giving states this power, they are also concerned with the safety implications of the repeal.

- By a 62 percent to 33 percent margin, a 2 to 1 majority of the American people support giving states the power to set whatever speed limits they want, including taking them off entirely.
- However, a 66 percent to 29 percent majority of the public believes that accidents and deaths on the highways will rise again as a result of the repeal.
- And a 64 percent to 31 percent majority feels that higher speed limits will contribute to even more aggressive driving.

CONCLUSION

Clearly now is not the time for the government to "back off" in the area of highway and auto safety. Highway deaths have increased each year since 1992. Last year, 41,798 Americans were killed and an estimated five million others were injured in highway crashes. Support for effective highway and auto safety policies and programs is as strong as ever. At a time when deaths on the highways are increasing, Americans want the government to remain involved in setting safety regulations that affect their safety and the safety of their families and friends on the highways.

STATEMENT OF JOAN CLAYBROOK, PRESIDENT, PUBLIC CITIZEN

Thank you very much. Yesterday, we announced the formation of a safety coalition representing over 60 national, State and local organizations in support of a strong safety goal in the ISTEA legislation. We would like to have this bill be looked upon as a safety bill, not just a funding bill.

The Harris Poll last September showed that 91 percent of the respondents believed that Federal involvement in safety highways is incredibly important, with 78 percent saying such a role is very important.

Since ISTEA I was passed, it's hard to believe but 250,000 Americans have died on our highways. That's not a very long time ago. Also, 18 million have been injured. The number killed is the population of Boulder, Colorado; the number injured is the population of the State of New York. It's a huge number of Americans who are affected every year by this.

The 6-year cost of these crashes is $900 billion. That's enough to fund the full 4-year costs, including tuition, room and board for twice the number of students currently attending a 4-year university.

Our proposals are as follows. One, increase the funding for safety. Mr. Crabtree just mentioned that there's been a substantial reduction since 1980 in the funds. It's a huge reduction. Today, it would be instead of $127 million, it would be almost $400 million. We're asking for $600 million for safety. We think this should be provided by a one-half cent Federal gas tax on every gallon of gasoline.

Why? Motor vehicle crashes represent 94 percent of all transportation fatalities, 99 percent of all transportation injuries, and they get 1 percent of the DOT budget. It's grossly underfunded.

The initiatives that we propose are as follows: $150 million for the National Safety Belt Enforcement Program, modeled after the North Carolina Click It or Ticket Program which has been incredibly successful, an initiative that came from Federal and private funding and has shown that it works; second, $150 million for States in enforcement of all traffic safety laws which would also address the issue you raised several times, Mr. Chairman, of aggressive driving.

We think the higher speed limits, the advertising on television about what's good about a car, all have increased this aggressive driving and enforcement is really the only answer. There has to be improved enforcement and that is not now available.

There should be $200 million for what's called the 402 Grant Program, this is grants to States. That would be an increase of $33 million above what the Administration has requested; and finally, $100 million for impaired driving programs. You've heard today about this issue and that would be a $60 million increase over the Administration's request.

The following proposals we make have no budget impact whatsoever per se, although we believe these funds could be used to help these programs. The first is primary safety felt use laws in every State. We support the Administration's proposal for increasing safety belt use from 85 to 90 percent.

Research shows that the proper use of belts greatly reduces the risk of injury by 45 to 60 percent between cars and trucks. It's important to note, Mr. Chairman, that two-thirds of all fatalities now on the highway of occupants are unbelted.

According to the National Highway Traffic Safety Administration, increasing belt usage would prevent some 4,000 fatalities and 102,000 injuries. That would be an economic savings of $6.2 billion.

Secondly, we support a .08 BAC in every State. You've heard testimony this morning about this. We believe sanctions work well in encouraging State action—in fact, they are essential. We would never have the minimum 21 year old drinking age in this country without passage of that law in 1984. Some 10,000 teenagers' lives have been saved in the last decade because of the at law.

In 1995, Congress adopted as part of the NHS bill a sanction to begin in 1998 for States without a zero BAC for youth. As you know, with age 21 for drinking,

nevertheless, young people are still drinking and if they are arrested, they're measured against the age 21 law, but there should also be a zero tolerance.

This provision has energized State action. At the time of enactment, 26 States had zero tolerance laws. In 1 year, 11 States have adopted this law and legislation is going on in six additional States.

I will point out, Mr. Chairman, that the State of Virginia has been very progressive on these issues. It has a .08 law as well as a primary belt law.

Third, we recommend a freeze on truck size and weight and no thaw in the freeze on longer combination vehicles. Big trucks are dangerous, the public is scared to death of them, 88 percent don't want bigger trucks, 83 percent oppose increasing driving hours on the road. Nearly all deaths resulting from crashes between cars and trucks are occupants of cars.

Our coalition, some 60-plus strong organizations, supports a freeze on truck sizes and weights on the NHS similar to legislation introduced by Representative Jim Oberstar which is H.R. 551. This committee has jurisdiction over truck weights, not truck length. His bill deals with both.

We urge you to protect the American public and the billions of dollars invested in the highway infrastructure by drawing a line in the pavement and saying no more heavier trucks. Two State trucking associations, Mississippi and Arkansas, have already spoken out in opposition to any increase in truck size and weights.

The case for the freeze is even more compelling because of negotiations concerning NAFTA. Last June, 58 Senators and 232 House members wrote to Secretary Pena urging U.S. negotiators not to compromise truck safety by agreeing to use of longer and heavier trucks.

Border States are being asked to shoulder a significant safety burden for all of us in this area. Congress should provide these States with necessary assistance in terms of infrastructure improvement, more inspectors and specific legislative guidance that will not permit the safety of the American public to be negotiated away.

I would point out there is an increasing concern about this. In the State of Texas, there is no permanent facility for inspection of trucks. The area is very urbanized where many of these trucks come across. There is very little room and space to do inspections.

Last night on Night Line, for example, Ted Koppel had a very interesting program in which he showed all the deficiencies of many of these trucks coming across.

A study has been done by the General Accounting Office which also makes this very clear. It recently came out and I submitted the summary of it for the record. We urge you not to permit any thaw in the freeze on longer combination vehicles.

Double and triple trailer trucks are incompatible and dangerous to motorists because of off-tracking, problems with passing these trucks, with braking, with their ability to maneuver on the highway, and many of them are so long that they don't fit the design of the highway on and off ramps themselves. This has been clear for many years.

There is a greater risk that LCVs will lead to more severe crashes and we feel very strongly this freeze should not be removed.

Finally, we don't see the need for any increase in hours of service for truck drivers. In fact, we think they should be shorter. As you know, they are exempt from the Fair Labor Standards Act since 1937. Truck drivers can currently drive 60 hours in a 7-day period or 70 hours in an 8-day period. No one else in America is required to work those hours. In fact, pilots have about one-half to one-third the hours that are required of truck drivers and they have a co-pilot and an automatic pilot.

If you're a truck driver, I challenge any member of this committee to try and meet the standards those truck drivers have to meet every day. If you take your eyes off the road for a second with those big trucks, you're going to have difficulty on the highway. The National Transportation Safety Transportation Board has also done work on driver fatigue and found that it's involved in 40 percent of truck crashes.

One other area which I'd like to mention briefly is the ITS money. We think this is a very substantial fund that has not been adequately used for safety. We would recommend programming $25 million annually for research and development on crash and vehicle sensors to help the development of advanced airbag technology.

Although ITS has already received $1.3 billion from the Federal Government, it has produced no appreciable improvements in highway safety to date.

In conclusion, Mr. Chairman, I would say the committee needs to go beyond the Administration proposal in order to make some gains on highway safety and to make this bill not just a big money bill, but a bill for highway safety. I challenge each member of the committee to devote as much time to advocating safety, to improve the status of your constituents on the highways as you do debating the money that's in this bill and generating funds for the financial issues involved in this bill.

I appreciate very much the chance to speak.

STATEMENT OF KATHERINE P. PRESCOTT, NATIONAL PRESIDENT, MOTHERS AGAINST DRUNK DRIVING (MADD)

Good morning, Mr. Chairman and Members of the Committee.

As National President of Mothers Against Drunk Driving, I am here today to request that before this year is out, the Congress of the United States make it the law of the land that the definition of intoxication in every state be set at .08 blood alcohol content (BAC) for all drivers above the minimum drinking age of 21.

Earlier this year, Senator Mike DeWine of Ohio and Senator Frank Lautenberg of New Jersey, the author of the 21 Minimum Drinking Age law in 1984, introduced S. 412, the Safe and Sober Streets Act of 1997, a bill withholding highway construction funding from states which failed to lower their level of intoxication to .08 BAC after the expiration of a grace period. MADD strongly supports the passage of the Lautenberg/DeWine legislation.

The question raised by S. 412 and the question we raise here today is quite direct. It has long been lawful in the United States to drink and drive. MADD encourages people not to drink and drive and to be constantly aware of the dangers of mixing alcohol with driving a car. Nonetheless, it is legal to drive a car after consuming some measurable amount of alcohol. The question we ask today is: Where do we draw the line?

MADD urges this Committee to draw the line at .08 BAC.

Earlier this year, the National Highway Traffic Safety Administration (NHTSA), along with the National Safety Council, issued a report called "Setting Limits, Saving Lives: The Case for .08 BAC Laws." In this report, NHTSA answers the most frequently asked questions about .08 BAC, which is, how much can I drink before I reach .08 BAC?

The answer is, if you are a 170 lb. male, you can drink four drinks on an empty stomach in the space of 1 hour and not exceed the limit. If you are a 137 lb. female, you can consume three drinks on an empty stomach in a 1-hour period before you reach the .08 BAC limit. MADD believes that .08 BAC is a generous definition of impairment and that level of alcohol consumption can hardly be characterized as social drinking.

You will be hearing, if your have not already heard, a lot of disinformation from the alcohol beverage and hospitality industries on this subject. The purpose of the information is clear to us. They are in the business of selling that 4th or 5th drink to a person who is already substantially impaired: we are in the business of dealing with the consequences of the impairment which results.

.08 BAC will save lives. How many lives? A conservative estimate is 500 to 600 per year. The person who made that estimate is Dr. Ralph Hingson of the Boston University School of Public Health, who accompanies me here today and would be pleased to answer questions you have about the life-saving potential of this measure and the impact .08 laws have had in states that have already adopted .08 as the illegal blood alcohol level .

The alcohol industry likes to try to discredit Dr. Hingson's work in this area because he happens to serve on the MADD National Board of Directors. It so happens that Dr. Hingson was a well-respected researcher in the field of drunk driving prevention well before he ever joined our board and his research on this issue was completed before he was asked to serve on MADD's Board. Senator Lautenberg might recall that Dr. Hingson did some of the most persuasive work on the lifesaving effectiveness of 21 year-old minimum drinking age laws.

You might ask, "Why .08 BAC, why not some other BAC level?" The answer is that while impairment begins with the first drink—which is the reason we set the BAC level for those below the 21 legal minimum drinking age at .02 BAC or less-the point at which all drivers critical driving tasks such as braking, steering, lane changing, judgment and divided attention are significantly impaired is .08 BAC. I would note that the Congress has set the acceptable BAC level for commercial motor vehicle operators, railroad engineers and airline pilots at .04 BAC.

Some of the opponents of .08 BAC have called this measure a step in the direction of prohibition. I would note, Mr. Chairman, that the permissible BAC level in Canada is .08 as it is in Great Britain, Switzerland and Austria. The highest permissible level in Australia is .08 BAC. I know of no one who maintains that Great Britain, Canada or Australia practice prohibition and it is clear that France who has set their BAC limit at .05 does not. The suggestion that .08 BAC constitutes prohibition is ridiculous.

In fact, .08 BAC does not heavily impact the consumption of alcohol. Despite the dire predictions made by its opponents, the passage of .08 BAC in the states has not led to a decrease in alcohol sales. There is no evidence that the per capita consumption of alcohol was affected in any of the five .08 BAC states examined by NHTSA in a recent analysis and even a four-state analysis by several alcohol industry organizations showed virtually no affect on overall consumption. To quote from the NHTSA report, " Smart business owners know that demonstrating concern for their patrons' safety is a good business practice that encourages loyalty."

Mr. Chairman, this nation has made remarkable progress in the fight against drunk driving. I'm proud to say MADD has been part of that fight. You and this Committee can be proud of your role in passing such life-saving measures as 21 and Zero Tolerance for underage drinking. There are tens of thousands of Americas alive today who owe you a debt of gratitude because you had the courage to act. We've come a long way yet have a long journey ahead of us.

Last year 17,274 Americans lost their lives on our nation's highways in alcohol-related fata; traffic crashes. This number constituted the first increase in drunk driving fatalities in a decade. The 17,274 Americans who lost their lives is 17,274 too many. We cannot tolerate this senseless loss of life. While the law tolerates the mixture of drinking and driving, there is a point at which we cannot tolerate this deadly combination and that point for all those over 21 is .08 BAC.

Some will argue that states should have the sole discretion in determining what their drunk driving laws should be. We believe that the states and Congress should listen to the American public and a 1996 survey revealed that 78 percent of those surveyed believe that Federal involvement in assuring safe highways is very important. In a Gallup survey released in 1994, the majority of Americans surveyed supported lowering the illegal blood alcohol limit to .08. We are asking you today to listen to the American public.

When the time came for the 21 minimum drinking age law to be the law of the land, withholding sanctions were appropriate. When the time came for zero tolerance for drivers under the age of 21 to be the law of the land, withholding sanctions were used. The time has now come for .08 BAC to be the law of the land.

Some issues are of such national importance that they transcend state lines and require uniformity across our nation. This was the message that states' rights proponent and former President Ronald Reagan gave when he signed into law the Federal 21 minimum drinking age law. That was the message that former Arkansas Governor and now President Clinton gave when he signed into law the National Highway System bill requiring states to adopt the zero tolerance standard of .02 BAC for young drivers. Every day millions of Americans cross state borders for business or pleasure. They should have a right to safe passage.

Mr. Chairman, I hope that this Committee and this Congress will demonstrate that it will not tolerate an increase in drunk drinking deaths for the first time in a decade. I implore this Committee to draw the line at .08 BAC and make .08 BAC the law of the land before this year is through. The increase in alcohol-related fatalities in 1995 should serve as a wake-up call to this nation, to the American public and media. The drunk driving problem has not been solved and will not be solved until safety becomes our top priority, not only in Washington, but in every state. We must avoid the complacency which can come with success. We must not only continue what has worked in the past, but we must remain vigilant in our efforts to find new solutions to drunk driving, our nation's most frequently committed violent crime. We can no longer tolerate more than 17,000 alcohol-related deaths a year on our nations highways just because they happen one, two or three at a time. The time has come for the U.S. to follow the lead of the other industrialized nations and not lag behind them in efforts to reduce alcohol-related deaths and injuries on our highways.

Thank you for the opportunity to present our views and I and Dr. Hingson look forward to your questions.

RESPONSES BY KATHERINE PRESCOTT TO ADDITIONAL QUESTIONS FROM SENATOR CHAFEE

Question 1. The most recent "Rating the States Report" prepared by MADD, Advocates for Highway Safety and Nationwide Insurance, found that in 1995, drunk driving fatalities increased for the first time in a decade. Why the sudden inform in fatalities?

Response. While no single factor has been attributed to the increase in alcohol-related tragic fatalities that occurred in 1995, it is the general consensus in the highway safety community that complacency in the public and the media as well

as increased demands an law enforcement have all played a role. The progress that has taken place in reducing alcohol-related fatal crashes over the last 15 years has lulled the public and the news media into believing that the drunk driving problem hew been solved. Law enforcement agencies are also being required to do more with less and traffic enforcement is not given a high priority. This is rejected in the fact that drunk driving arrests declined from 1.6 million to 1.3 million, despite the first that drunk daring continues to be the most frequently committed crime in this country. The increase in the 1995 alcohol-related fatalities also reflected a slight increase in female drivers involved in them crashes and an increase in trucks/utility vehicles involved us alcohol-related fatal crashes.

Question 2. Your testimony on page four mentions other individualized nations, such as Great Britain, that have a uniform broad alcohol level of .08. How do the drunk driving fatality rates in counties with straight .08 level compare ninth the rate in the United States?

Response. In the United States, 41.3 percent of all traffic fatalities in 1995 were alcohol-related. The alcohol-related fatality rates in Western European and other countries with .08 blood alcohol limits are outlined below. This data is taken from Transportation Research Board Circular Number 422, April 1994, ISSN 0097–8515, The Nature of and the Reasons for the Worldwide Decline us Drinking and Driving.

Australia

The illegal BAC limits in Australia are .05 or .08 depending on location. The percentage of Australian drivers and riders who had a blood alcohol concentration above the legal limit when they were fatally injured decreased from 44 percent in 1981 to 30 percent in 1992. In 1991, the legal blood alcohol limit for drivers was reduced from .08 to .05 in South Australia. Immediately following the introduction of the limit, roadside surveys revealed a reduction of more than 27 percent in the proportion of drinking drivers with a BAC above .08. In the most recent surveys in 1993, the percentage of drivers who were above .08 BAC was the lowest recorded since 1979.

Great Britain

In 1992, 30.4 percent of fatally injured car and taxi drivers had been drinking prior to the accident. Not only has there been a steady decline in the number of alcohol-related fatalities since 1982, there has also been a steady decline in the blood alcohol levels of drivers involved in these fatal crashes. Data from breath tests of car/taxi drivers suspected of drinking shows that although the accident involved driver population increased by 21 percent between 1980 and 1991, and the testing rate almost trebled, the number of positive screening tests decreased by 30 percent over this period. Between 1982/83 and 1990, the percentage of adult fatalities where the BAC of the driver exceeded .08 decreased from 34 percent to 18 percent and for drivers with a BAC above .15 the decrease was from 22 percent to 13 percent.

Canada

There has been a significant decrease in the magnitude of the drinking and driving problem Canada over the past decade and since the 1980's there has been a significant and consistent decline in the incidence of fatally injured drinking drivers. From 1973 through 1980, approximately 50 percent of driver fatalities had a BAC over .08. However, since 1981, this consistency has disappeared—the percent of fatally injured drivers with BACs over .08 has declined progressively, reaching its lowest level of 35 percent in 1991.

Federal Republic of Germany (West Germany)

In the period from 1975 to 1990 in the Federal Republic of Germany (West), alcohol-related injuries and fatalities in road traffic decreased continuously. The alcohol-related accidents with injuries decreased 32 percent during this period of time while non-alcohol-related accidents with injuries increased by 6 percent. In 1973, the BAC limit of .08 was introduced. In 1973, 83 of 1,000 injured vehicle drivers and 69 of 1,000 injured pedestrians were intoxicated by alcohol. Since that time, the figure decreased until 1990 to 50 intoxicated of 1,000 injured drivers. In 1990, 10 percent of the injuries in road accidents in West Germany were alcohol-related and 18 percent of the fatal road accidents ware alcohol-related.

RESPONSES BY KATHERINE PRESCOTT TO ADDITIONAL QUESTIONS FROM SENATOR BOXER

Question 1. Ms. Prescott, fortunately California is highly rated in your report "Rating the States." In fact, it is one of only four states that received your highest

grade, an A minus. However, I am still concerned that we could not be doing more in my state. After all, the percentage of alcohol-related deaths and injuries in tragic accidents is still just under the national average of 41.3 percent.

Your report suggests the state enact a school-based alcohol education program eliminating the 7-year limit on repeat offenders, among other ideas. Do you see any other substantial legal remedies we could undertake? And, would setting a national standard for zero tolerance affect California, even though we already have that law on the books?

Response. California has in place 29 of the 31 priority DUI countermeasures that MADD and others deem essential to impact alcohol-related crashes and impaired driving in general. The California Highway Patrol released a report on May 19, 1997 that highway traffic deaths in the state for 1996 had reached the lowest level in 34 years. The 1996 percentage of fatal collisions thus involved alcohol was 31.6, the lowest since the California Highway Patrol began to keep track of that figure in 1972.

As you know, in 1990, California lowered the state's legal blood alcohol limit from .10 to .08. The effect of California's .08 law was analyzed by the National Highway Traffic Safety Administration (NHTSA), which found that 81 percent of the driving population knew that the BAC limit was stricter (from a tremendously successful public education effort). The state experienced a 12 percent reduction in alcohol-related fatalities, although some of this can be credited to the new administrative license revocation law. The state also experienced an increase in DUI arrests. Another study published in the American Journal of Public Health comparing California, a .08 BAC state, with Texas, a .10 BAC state, revealed that after the passage of .08 in California there was a 12 percent reduction in the proportion of fatal crashes with a fatally injured driver whose blood alcohol was .08 or more. There was also a 9 percent reduction in the proportion of fatal crashes with a fatally injured driver whose blood alcohol level was .15 or more. This verified that lowering the legal blood alcohol limit to .08 impacted both low and high BAC drivers.

While California has taken a sound public policy approach to address impaired driving, there are several areas where improvement can be made in addition to those recommendations in the Rating the States Report previously referred to. These include the following: programs such as "zebra sticker" program to increase detection and arrests of individuals driving on a suspended license; requiring valid license for vehicle registration, expanded use of ignition interlock program for offenders; expand vehicle impoundment program currently used in San Francisco to statewide levels and increase license suspension/revocation sanctions for repeat offenders.

In response to the question concerning the effect of a national standard for zero tolerance, the National Highway System Bill enacted in 1995, in essence, establishes such a national standard for drivers under the age of 21 by requiring all states to adopt such a law by the year 1998 or risk loss of a percentage of Federal highway construction funds for failure to do so. California has adopted what is considered to many to be a model zero tolerance law. While California has a good law on the books, recent research reveals that the law is not being fully enforced and is being treated as a lesser included offense in that only youth who are believed to be over the adult level of .08 are tested.

May 28, 1997.

THE HONORABLE JOHN CHAFEE, *Chair*
Senate Committee on Environment and Public Works
Senate Office Building
Washington, DC. 20510

DEAR SENATOR CHAFEE: Thank you for the opportunity to testify before the Subcommittee on Transportation and Infrastructure on May 7, 1997 on the subjects of transportation safety, border infrastructure and the Southern California Association of Governments, (SCAG) Freight Facilities Factor proposal for inclusion in the reauthorized ISTEA.

In considering your two questions poses in your May 12 letter, SCAG has the following responses, beginning with the second question first.

1. Unique Attributes of Border States and International Truck Traffic. The main special characteristic of border states is their responsibility as the point of entry for international truck traffic. The additional truck traffic caused by NAFTA has created chokepoints, further producing congestion, delay and unsafe road conditions at our borders and beyond through our regional highway systems which feed into the national interstate system. Approximately 40 percent of imports are consumed in or

destined for our state, while the remainder, 60 percent is transported to virtually every other state in the nation. California is not unique from other border and international port states in this regard. We feel this is a "service" that these states provide to their neighbors and therefore, should receive some additional reimbursement which could be used for improvements on publicly owned freight facilities such truck only lanes and grade crossings While international freight is moved through all states, the impact is concentrated in border states.

While widening and facility expansion is needed by both border states and non-border states, including New Jersey and Pennsylvania and Rhode Island border states also have additional needs such as new and expanded inspection and enforcement programs and facilities which are necessarily costly, yet critical to ensure effective movement of freight both nationally and internationally.

The SCAG Freight Facilities Factor, however, recognizes truck traffic as a major problem throughout the country's transportation system and addresses it through proposed allocation of highway funds based on highway mileage and value of international goods transported. Under our proposal each state receives an allocation reflective of its share of the freight burden.

2. The Administration's Trade Corridor and Border Crossing Planning and Border Gateway Pilot Project in NEXTEA. SCAG supports the concept of this program, along with attendant funding. We do not believe, however, the $45 million for the program is enough to meet both our planning and project implementation needs. In Southern California alone, we have estimated that approximately $671 million is needed to improve our inspection facilities, build transfer facilities and expand existing road lanes so that border crossings connect to interstate routes. For example, in San Diego County at Otay Mesa and in Imperial County at Calexico East, also called Andrate, border facilities were constructed without completion of an effective highway connection, thereby leaving it to the state and local levels to fund.

With almost 10 percent, or S4.5 million of the annual proposed total dedicated to planning functions, we are pleased to see planning at the forefront of this grants incentives and pilot program. We are, however, concerned about the $100,000 cap on states and MPOs under the border gateway portion of the program. We believe this amount is insufficient to carry out planning activities at the state or regional level, even if it is envisioned to be supplementary to other category funds such as STP.

Southern California is pursuing a Southwest Passage program with the three neighboring states and regions in that corridor. It will identify priority improvements needed to create a seamless intermodal transportation system that connects with the rest of the country and with Mexico. The Southwest Passage, which strengthens this country's east-west corridor connections to north-south corridors while emphasizing increased use of the Los Angeles and Houston ports, appears to meet the criteria of this grants incentives and pilot program. We would be unable, however, to obtain the All Finding necessary to complete project due to the $100,000 cap. We recommend removing this cap.

Once again, thank you for the opportunity to testify and respond to your thoughtful questions. We are, as noted above urging the inclusion of the SCAG Freight Facilities Factor in the revised formula allocation under the reauthorized ISTEA and look forward to securing your support for this proposal. If you need further information or clarification, please contact Jim Gosnell, SCAG Planning and Policy Department at 213–236–1889.

Sincerely,

BOB BARTLETT, *SCAG First Vice President,*
Mayor, City of Monrovia.

STATEMENT OF THOMAS J. DONOHUE, PRESIDENT AND CHIEF EXECUTIVE OFFICER, AMERICAN TRUCKING ASSOCIATION

I. INTRODUCTION

Chairman Warner, Senator Baucus, members of the Subcommittee, thank you for holding this hearing on safety and for giving me the opportunity to share with you the trucking industry's recommendations for improving the safety of all motorists on our nation's highways.

ATA Represents the Trucking Industry

The American Trucking Associations, Inc. (ATA) is the national trade association of the trucking industry. We are a federation of over 36,000 member companies and represent an industry that employs over nine million people, providing one out of

every ten civilian jobs. ATA's membership includes nearly 4,200 carriers, affiliated associations in every state, and 13 specialized national associations. Together, ATA represents every type and class of motor carrier in the country.

Safety is Our Driving Goal

While our industry is diverse, we all agree that safety is one of the primary considerations behind every decision affecting our operations. The industry has championed aggressive safety initiatives that have helped to make our nation's truck fleet much safer today than it was just a decade ago. Our initiatives are paying off. Between 1985 and 1995, while the number of miles traveled increased 41 percent, the fatal accident rate dropped 39 percent, the best year ever. Because of the trucking industry's safety efforts, the driving public can be confident that the truck drivers with whom they share the road are safe professionals. Indeed, Federal statistics show that mile for mile, truck drivers have an accident rate less than half that of car drivers. The professional truck driver is the best driver on the road; the industry expects nothing less of them, and neither should the public.

This stellar safety record did not happen by chance, nor was it achieved easily. It was earned through vigorous, industry-led efforts to improve the safety of our highways, our drivers, and our vehicles. For example, ATA has fought for and won:

- The national Commercial Drivers License (CDL), which for the first time required drivers to meet strict national skill and knowledge requirements and gave prospective employers basic information we need to weed out unsafe drivers.
- A more than tenfold increase in the number of inspections of heavy trucks.
- Common-sense, cost-effective drug and alcohol testing to ensure that truck drivers are free of drugs and alcohol when they are behind the wheel.
- The elimination of commercial zones in which trucks and drivers were allowed to operate without having to comply with Federal safety regulations.
- A ban on the use of radar detectors in trucks.

We are currently pursuing additional safety initiatives:

- Recognizing the value that advanced technology brings to safety, we will be spending $6 billion over the next decade to equip our trucks with anti-lock braking systems.
- While fatigue plays a relatively small role as a cause of truck crashes, we need to recognize that fatigue is a concern for all drivers and a problem that affects our entire society. The trucking industry has taken the lead in addressing this challenge, embarking on extensive, ground-breaking fatigue research that has expanded the knowledge base on this subject and set the stage for finding solutions. Just last week we completed a ground-breaking international forum on ways to reduce fatigue in transportation operations.
- We opposed elimination of the national speed limit 2 years ago and continue to encourage states to resist increasing allowable speeds on their highways.
- Recognizing that truckers who wear their safety belts are 20 times less likely to die in an accident, ATA has conducted outreach efforts to encourage truckers to buckle up. According to the National Highway Traffic Safety Administration, wearing a safety belt reduces the risk of fatal injury to front-seat passenger car occupants by 45 percent. We support and encourage efforts to increase safety belt use for all motorists.
- We have expanded our efforts to educate all drivers on how to safely share the road with others. For example, ATA has hosted forty "How-to-Drive" press events throughout the country to point out local traffic hot spots and inform motorists about how to share the road safely with a truck. Members of the America's Road Team, and state and corporate Road Teams, have made safety presentations before more than 1,000 school, business, and media audiences. We have distributed hundreds of thousands of brochures and pamphlets about highway safety, including more than half a million brochures about the dangers of drowsy driving. ATA has also aired public service announcements about the dangers of drowsy driving, reaching millions of radio listeners.
- Finally, we support the common-sense use of conspicuity markings on trailers.

II. WE MUST IMPROVE HIGHWAY SAFETY

The human toll of crashes on our nation's highways cannot be overstated. Nearly 42,000 people die annually in highway crashes and 2.3 million people are seriously injured. That is a national disgrace. To put this in more illustrative terms, the number of fatal accidents is equivalent to a Valujet crash each and every day of the year.

Motor vehicle crashes represent about 40 percent of accidental injuries and deaths each year and are the leading cause of death for young people ages five through 32 years. In addition to the severe human costs associated with highway crashes is the economic burden on all Americans that result from motor vehicle crashes. Crashes create traffic delays which cause more accidents, contribute to air pollution, consume energy, and lower the productivity of the nation's industries and work force. The annual cost to our economy of the deaths, injuries, and property damage is $150.5 billion, the equivalent of $580 for every person living in the United States, or 2.2 percent of the country's Gross Domestic Product. Motor vehicle crash costs funded through public revenues cost taxpayers $13.8 billion in 1994, the equivalent of $144 in added taxes for each household in the United States.

Despite these grim statistics, against ATA's objection, the national maximum speed limit was repealed in 1995. Since then, 34 states have raised their speed limits, and 23 of these 34 states have increased their speed limits to 70 miles-per-hour or greater. We are extremely concerned about the potential impact of these changes on highway safety. Recent reports from two states—New Mexico and Texas—indicate an increase in fatal accidents since those states raised their maximum speed limits. ATA strongly supports the U.S. DOT's research efforts in this area. We urge Congress to develop incentives for states to create speed management programs that will improve highway safety.

III. TRUCKING'S SAFETY PERFORMANCE

As a leading highway safety advocate, the trucking industry is moving ahead with initiatives which will continue to make trucks the safest vehicles on the road and reduce our role in the daily tragedy played out on our nation's highways. However, we all have to acknowledge where the problem is. The fact is that in 88 percent of highway fatalities, trucks are not even involved in the crash. The latest National Highway Traffic Safety Administration (NHTSA) figures show that the fatal accident rate for trucks is going down, even while the number of fatalities for car drivers is going up. Of the crashes causing the remaining 12 percent of the fatalities—where a truck was involved—72 percent of the time the problem began with the driver of the other vehicle. As the statistics bear out, trucks are safe and getting safer, not withstanding what you will hear from some others.

IV. THE ADMINISTRATION'S NEXTEA PROPOSAL WILL NOT IMPROVE HIGHWAY SAFETY

Acting Federal Highway Administrator Jane Garvey acknowledged during recent Senate testimony that the Administration's budget proposal provides insufficient funding for maintenance of our nation's transportation systems. In addition, under NEXTEA, the Administration's proposal for reauthorization, user fee revenues available for investment in the National Highway System (NHS) fall nearly $7 billion short of the $15.6 billion annual Federal funding level necessary to simply maintain these most important highways.

Furthermore, NEXTEA dilutes funds available for national highway needs by providing for greatly increased diversion of user fee revenues to projects that will have extremely limited highway safety benefits. The Administration's proposal raises the funding levels of non-highway programs such as the Congestion Mitigation and Air Quality Program (CMAQ) and Transportation Enhancements Program (TEP). Regardless of how well-intentioned these programs might be, all of them—particularly the TEP—have funded superfluous projects such as the landscaping of a picnic area, enhancement of a jungle trail, rehabilitation of a beach chalet, and preservation of a Shaker barn. Clearly, these projects will not reduce highway fatalities. At the same time, the Administration proposes to cut funding for the Bridge Program, a program which clearly contributes to highway safety.

Finally, the Administration has proposed turning its back on 40 years of history by allowing tolls on the Interstate Highway System. Every motorist's experience with toll barriers teaches us that forcing traffic on a free-flowing Interstate to come to a halt at a toll plaza increases the accident risk. Moreover, tolls could divert drivers from freeways, causing them to use less safe secondary roads. Charging highway users to rent what they have already bought is a travesty. The trucking industry is already paying more in highway taxes than we get back, and under the Administration's proposal, Highway Trust Fund balances will increase to approximately $48 billion by 2002.

V. ATA'S PROPOSAL TO IMPROVE SAFETY

Just as the demands on our industry are constantly changing, our strategies for improving the trucking industry's safety performance must also adapt to meet new challenges. Therefore, ATA has developed a comprehensive strategy which builds on

previous safety efforts and focuses attention on those areas of growing concern. Many laws and regulations were written decades ago, and did not anticipate such innovations as just-in-time (JIT) delivery or modern truck equipment. Our new safety initiatives take into account the just-in-time, 24-hour society that we have become and that increasingly shapes trucking industry operations.

It is essential that safety legislation recognizes the importance of efficient freight delivery to our nation's global competitiveness. We firmly believe that safety does not have to be compromised to achieve financial goals. However, we all have to be smarter in the way we invest limited resources and in the methods we use to affect driver performance and carrier responsibility.

VI. ROADWAY IMPROVEMENTS WILL REDUCE ACCIDENTS AND SAVE LIVES

A key step in improving highway safety is increasing the investment in better highways. While safety improvements such as anti-lock brakes and a reduced drunk driving rate undoubtedly make our highways safer, the fact remains that approximately 30 percent of highway fatalities—11,000 lives each year—are the result of inadequate roadways.

Thanks to the leadership of Chairmen Warner and Chafee, and Senator Bond, a clear majority of Senators have now indicated a recognition of the need for significant increases in highway investment. We applaud these efforts and encourage all Members of Congress to support a program level that will address the many deficiencies of our highways and bridges.

The Condition of our Highways is Unacceptable

The National Highway System (NHS), consisting of the 162,000 miles, or 4 percent of the nation's most critical highway mileage, carries 40 percent of all traffic, 75 percent of truck traffic, and 80 percent of tourist traffic. Despite this high usage, 40 percent of the NHS has been allowed to slip into poor or mediocre condition, and nearly a quarter of NHS routes experience periods of severe congestion. While an annual Federal investment of $15.6 billion is required simply to maintain conditions and performance on the NHS, just $6.5 billion in Federal funding was authorized for investment in the NHS in fiscal year 1997.

Fortunately, sufficient highway user revenues are available to improve the condition of the NHS and bridges and reduce congestion on NHS routes. However, these funds are being diverted to the General Fund and to projects which will contribute little or nothing toward a reduction in the 42,000 fatalities that occur on our highways every year. Spending all highway user revenues in a timely manner and prudently drawing down the $22 billion surplus in the Highway Trust Fund will allow for a total annual investment level of at least $34 billion.

This level of investment is essential to achieving the common goal of significantly improved highway safety. A $19 billion investment in the NHS and a $4 billion investment in bridges is necessary to reduce the absolutely unacceptable carnage on our nation's highways. This level of spending will halt the deterioration of NHS routes and highway bridges, improve road conditions, and ease congestion.

It is important to keep in mind that 47 percent of the NHS is made up of two-lane roads. Many of these roads, and other non-Interstate NHS routes, lack the characteristics that can prevent or lessen the severity of accidents, such as medians or median barriers, twelve-foot lanes, shoulders, and clear zones. These deficiencies contribute to a higher overall fatal accident rate. While the Interstate System has the lowest fatality rate—0.73 fatal accidents per 100 million vehicle miles traveled (VMT)—NHS routes not on the Interstate have a death rate of 1.74, nearly 60 percent higher than the rate for Interstates.

Fortunately, certain countermeasures and treatments can substantially reduce the incidence and severity of crashes on these non-Interstate NHS routes:

Clear Zones are areas adjacent to the roadway which are free of fixed objects and allow motorists to stop safely and regain control of their vehicles. Clear zones can reduce the single-vehicle accident rate on two-lane highways by up to 63 percent.

Gentle Roadside Slopes reduce the risk of vehicles over-turning if they leave the road. Side slopes which are too abrupt are the major factor in roadway departure crashes, representing almost 30 percent of the total number of such crashes. Flattening the side slopes on two-lane rural roads could reduce accidents on these roads by up to 15 percent.

Forgiving Devices are roadway features such as signs and utility poles which breakaway on impact, barrier walls or guardrails which redirect vehicles away from hazards, and crash cushions which absorb the energy of impacts.

Rumble Strips alert drivers encroaching on the road shoulder or approaching some other potentially hazardous situation. Rumble strips are especially useful in preventing fatigue-related accidents. On roads which have very long, straight sections, these features can reduce the number of run off the road crashes by as much as 50 percent.

Signing, Pavement Markings and Reflective Delineation Devices improve driver perception of important roadway features and alert them to changes in roadway geometry or other conditions that might not be otherwise anticipated. Roadway departure crashes are about four times more likely to occur on curved roads than straight roads.

Pavement Improvements provide drivers with greater increased traction for maneuvering and stopping, particularly in adverse weather conditions. Where there are a large number of wet weather crashes, resurfacing can cause a net reduction in crashes, averaging 20 percent over the life of the project.

Preventive Pavement Maintenance can eliminate drop-offs between the road pavement and shoulder, reducing the chance that drivers who wander off the road and try to return will lose control. Maintenance to repair potholes can eliminate erratic maneuvers by motorists.

Widening Lanes provides a larger road surface on which to maneuver during an emergency, reducing head-on collisions and roadway departure crashes. In some studies, more than 3/4 of the crashes on roads with narrow lanes were found to be associated with inadequate lane width. Although 12 feet is the optimum safe lane width, more than 13,000 miles of NHS highways have lanes that are less than 12 feet wide.

Adding or Widening Shoulders provides drivers with additional room to maneuver on narrow roads.

Bridge Needs are Critical

Sufficient funding for a Federal Bridge Program is needed to address a national crisis. Approximately 28 percent of highway bridges are structurally or functionally deficient. FHWA estimates that over the next 20 years more than 200,000 bridges will have to be replaced or repaired just to maintain current conditions; that figure jumps to 450,000 if a commitment is made to significantly improve nationwide bridge conditions.

In addition, narrow bridges are a known cause of crashes, which are often severe. About 300 fatal crashes result annually from collisions with either the bridge abutment or rail. An unknown number of fatalities also result from head-on collisions on bridges, many of which occur as a result of a motorist's tendency to gravitate toward the centerline of a narrow bridge.

Countermeasures can reduce the frequency and severity of these narrow bridge crashes:

Bridge Widening leaves more room for oncoming vehicles to pass, reducing the likelihood of collisions.

Bridge End Treatments, such as crash cushions or guardrail transitions to the bridge ends can reduce crash severity.

Signing, Pavement Marking and Delineation alert drivers to approaching narrow bridges and allow them to position their vehicles safely when crossing bridges.

One of the most pressing issues facing all who rely on Interstate 95 for their personal mobility or ability to conduct their business is the need to replace the Woodrow Wilson Bridge over the Potomac River. Built by the Federal Government in 1961 to carry 75,000 vehicles per day, it now carries a daily total of 175,000 vehicles, including over 17,000 trucks. In addition, the bridge is rapidly deteriorating and has a useful life of no more than 8 years. Closing the bridge to truck traffic within 5 years has been discussed as a method of extending the life of the bridge if a replacement is not completed on time. If bridge traffic is diverted, congestion in the Washington region would become unbearable, leading to many more accidents and fatalities and more air pollution. The ability of trucking companies to meet delivery schedules would be highly compromised, affecting industry productivity throughout the nation.

As the owner of the Wilson Bridge, the Federal Government is responsible for the completion of a replacement structure before it is necessary to close the bridge to traffic. ATA recommends that the Federal Government fully fund the project. This would both facilitate timely completion and prevent the need for construction of a toll facility on one of the nation's busiest Interstate freeways.

VII. ATA'S PROPOSED INITIATIVES TO IMPROVE HIGHWAY SAFETY

America's truckers are the safest drivers on the road and they are getting safer. ATA has identified two areas that would enhance their safety even further, and re-

quires help from this Committee: additional public rest areas and safer rules for non-divisible loads.

Public Rest Areas

A recent study found a shortfall of 28,500 truck parking spaces in public rest areas. According to the study, eight out of ten of the nearly 1,350 rest areas nationwide report truck utilization as either full or overflowing onto the ramps at night. A similar percentage of private truck stop operators also reported that their facilities were full or overflowing at night.

When truck stops are full, truck drivers have little choice but to either park illegally—which can create a hazardous situation—or to continue driving, possibly breaking hours-of-service laws or becoming so fatigued that they put themselves and other motorists at risk. Neither choice is acceptable.

The nationwide cost to develop the necessary parking spaces is estimated to be $489 million to $629 million. Sufficient funds are available within the Highway Trust Fund for this purpose. We urge Congress to address this very serious safety problem by making rest area construction, expansion, improvement, and access eligible under all major funding categories of the Federal-aid highway program.

Non-divisible Load Grandfather Right

FHWA has recently adopted a new definition of the "non-divisible load" regulation and has begun enforcement. Unfortunately, the new definition and its interpretation have caused shippers, carriers and state enforcement agencies to make changes to long-established practices, changes that negatively impact the safety of truckers and the driving public.

For example, Colorado and Wyoming have a long accepted practice of moving two long concrete panels for bridge construction together in an "A-frame" configuration. This method improves the stability of the load and maintains the integrity of the panels, and is considered to be the safest technique for loading and shipping the panels. Unfortunately, FHWA has failed to recognize this evidence and, under the new definition of non-divisible load, has rejected this safe method of transport.

Congress should provide a grandfather right for states which have been managing their non-divisible load transportation needs safely and effectively. It is illogical and dangerous to force states to abandon traditional safe practices without strong evidence that those practices no longer serve the public interest in highway safety.

VII. OTHER ISSUES

ATA is pursuing several other highway safety reforms that involve the jurisdiction of other committees. We hope you will support our efforts to advance these important concepts.

Motor Carrier Safety Assistance Program (MCSAP) Funding

Ensuring that our nation's truck fleet is well maintained and operates within the limits of state and Federal law is essential to the safety of our highways. The vast majority of trucks on the road are in safe condition and are continuously improving. One indication of this is the "out-of-service" rate, i.e. the percentage of trucks inspected found to have a problem that causes them to be pulled off the road until the problem is corrected. Over the past 7 years, while the number of inspections has increased 51 percent, the number of trucks placed "out-of-service" has dropped 34 percent. We want to build on this progress by expanding efforts that ensure America's truck drivers are safe professionals and our nation's truck fleet operates safely and in adherence to the law.

MCSAP, the Federal motor carrier inspection program, has contributed significantly to the improved truck safety record. This program must be expanded. ATA supported the original program and recommends an authorization of $150 million for MCSAP, which is 50 percent higher than the amount proposed under NEXTEA and 60 percent higher than the current authorization.

This higher funding level would increase the number of inspections and help to ensure that trucks on the road are safe. This is especially important because FHWA uses roadside inspections to identify carriers who need more detailed reviews. More inspections, therefore, would identify more companies who should be scrutinized more closely.

Commercial Drivers License (CDL) Improvements

While the national licensing program for truck and bus drivers has had very positive safety effects, it needs to be improved to be a better measure of driver skills and a more effective system for keeping track of driver records. We see four areas that need improvement.

- Performance-Based Testing—Congress should require FHWA to work with the states and industry to raise the skills and knowledge requirements of the CDL to make it a better measure of driver performance. Federal startup funds should be provided; ongoing funding would come from CDL fees.
- Biometric Identifiers—FHWA should select a more effective biometric identifier to ensure that every commercial driver has only one CDL.
- Accurate Information Availability—States should be required to maintain an accurate and timely record of driving violations and related warrants for holders of CDLs. This information should be available to drivers and employers as quickly as possible so that drivers with poor safety records are not able to move between jobs before their poor record is able to catch up with them.
- Accurate Information Sharing—Motor carriers are currently reluctant to share adverse driver record information with subsequent prospective employers of a driver because of the potential for a lawsuit. Carriers need to be free to share accurate information regarding a previous employee with a subsequent employer without being subject to liability damage awards because an unsafe driver was prevented from being hired based on his poor driving record.

Improved Alcohol Testing

Under a Congressional mandate, motor carriers are required to administer, within 8 hours, a post-accident alcohol test to drivers involved in certain accidents.

Carriers, even large ones with full-time safety staffs, have experienced extreme difficulty in locating suitable test facilities and getting drivers to the facilities within the prescribed timeframe.

We recommend that Congress remove the post-accident alcohol testing mandate in favor of a system that allows law enforcement officers to conduct a test if there is reasonable cause to suspect the use of alcohol, and during random testing at sobriety checkpoints. Congress should extend funding eligibility through the current Motor Carrier Safety Assistance Program (MCSAP) for testing conducted outside the bounds of current state DWI/DUI laws performed to comply with Federal regulations.

Driver Safety Qualifications

The physical qualifications to drive a truck safely should be the major concern of trucking companies when they recruit drivers. Currently, carriers have to make the choice between risking a major lawsuit because they refused to hire a driver who was physically or medically unqualified or putting a driver on the road who they believe to be a danger to themselves and other drivers. Congress should amend Federal law to ensure that carriers have the ability to make a reasonable determination as to whether a driver is physically qualified to engage in a particular task or operate a piece of equipment without fear of legal retribution.

Innovative Safety Programs

Under current law, FHWA has very limited ability to explore new or innovative safety regulation programs, even with carriers that have the best safety and compliance records in the industry. If granted such ability, FHWA could move its regulatory framework from the current prescriptive approach to a performance-based approach. We recommend that Federal law be amended to provide FHWA with greater flexibility to initiate pilot safety programs.

Raise the Insurance Liability Limits for In-Bulk Petroleum Products

While technical changes have been made to the requirements regarding minimum financial responsibility levels for motor carriers involved in incidents involving bulk petroleum products, for 17 years there have been no changes made to account for inflation or changes in the transport costs.

The minimum level of financial responsibility required for flammable liquid petroleum products in capacities above 3,500 gallons should be increased from $1 million to $5 million.

Reduce Truck Registration Paperwork

The original goal of the single state insurance registration program (SSRS) was to enable shippers, other carriers and the public to find out about a trucking company's insurance information, in the event of an accident. FHWA now maintains such a system, so the state system, and associated paperwork are unnecessarily duplicative. And, because the Federal system is updated more frequently, it is more accurate.

ATA recommends the repeal of the Federal requirement for a state insurance registration system. The Federal filing system can be strengthened further through automation and by seeking vendors to provide the service.

Intermodal Roadworthiness

Existing Federal law holds motor carriers responsible for ensuring that the intermodal equipment they use, but neither own nor control, meets U.S. DOT Federal Motor Carrier Safety standards. The equipment providers have both the opportunity and capability to ensure that the equipment is roadworthy. However, while motor carriers are held responsible for the equipment, providers do not give carriers the opportunity to perform more than a cursory inspection of this equipment or the opportunity to repair defects that are discovered.

While motor carriers should still be responsible for the equipment they operate, the equipment providers should be responsible and that the equipment they hand over to the motor carrier meets Federal guidelines and that it is safe to operate on the highway. U.S. DOT and state safety inspectors should be given the authority and responsibility to inspect and enforce such requirements. This is the most effective method of ensuring that intermodal equipment is safe to operate before it is taken onto the highway.

Hours of Service Reform

Current hours of service regulations, many of which have been on the books for 60 years, are too inflexible and outdated. We need to revisit these regulations as a way to maintain highway safety and avoid driver fatigue. A 1930's solution to a 1990's problem is unacceptable, and does not address the realities of today's operating environment or JIT delivery systems. New options should be developed that improve highway safety, as well as industry productivity and efficiency.

ATA is absolutely committed to finding workable countermeasures to fatigue. Through extensive research and outreach efforts, ATA has taken a leading role in developing solutions to the fatigue problems that affect all modes of transportation and all facets of our society.

ATA has a multi-faceted action plan to fight fatigue. The plan contains five broad elements: research, rest areas, education and training, hours of service reform, and countermeasures to fatigue. Last week, our Foundation, in cooperation with the U.S. Department of Transportation and representatives from other industry sectors, hosted an international conference on fatigue. Some of the world's leading experts on the subject discussed the latest fatigue research and the most innovative approaches to managing fatigue.

Meals Deduction for Truck Drivers

Truck drivers were the principal victims of the cutback in the meals deduction from 80 percent to 50 percent in 1994. Hours-of-service limits on driving time often force truckers to stay out on the road and incur added meal expenses instead of returning home. The reduction in deductibility means that drivers eat lower cost meals that can be less healthy or travel longer distances off major highways to get lower cost food.

Drivers should not face the penalty of having only a 50 percent deduction for meal expenses that are incurred in connection with a Federal safety mandate. Therefore, we seek a restoration of the 80 percent deduction for business meals for workers covered by U.S. Department of Transportation hours-of-service rules.

Safety Ratings/Audits

Under a recent court decision, FHWA procedures used to assign safety ratings to trucking companies were abolished. The court based its decision on the fact that FHWA had not gone through a public comment period.

The court decision has created an important opportunity to make the safety rating process more equitable and ensure that it truly reflects a motor carrier's overall safety performance. In an effort to move this process along more rapidly, ATA is sponsoring a June 18 forum which will bring together insurance companies, safety experts, representatives from the truck and bus industries, and government officials.

Comprehensive Truck Size and Weight Study

FHWA is currently conducting a comprehensive study on truck size and weight. ATA urges Congress and the Administration to refrain from proposing changes to restrict Federal size and weight laws until the final report is released and all involved parties have had the opportunity to review and discuss the results.

X. CONCLUSIONS

Nearly 42,000 people die on our highways every year. Improvements can be made to our highways and bridges that will reduce this human devastation. The fact that funds which could be made available for these improvements are held back or di-

verted to non-highway purposes is incomprehensible and indefensible. Promotion of a safer, more efficient system of highways and the ability to give states and localities the flexibility and resources to address their unique concerns requires the availability of all highway user revenues for investment. We urge the Committee to support our efforts to improve the safety of carriers and drivers, and to ensure that trucks are properly maintained and operated legally.

The first step in addressing highway safety is to identify the real roots of the problem. Eighty-eight percent of fatal accidents do not even involve trucks. A third of all fatal crashes are caused by roadway hazards, not the vehicle or driver. The responsibility for reducing crashes must be placed with every driver, not a select few who are easily singled out. Federal, state, and local transportation officials must commit to making the improvements to their highways that will curtail the number and severity of crashes. They must also make a commitment to ensure that vehicles and drivers are safe. Without sufficient funding, however, these efforts cannot be carried out. Congress has a responsibility to invest the money that highway users pay into the Highway Trust Fund in programs that will address the critical safety needs of our nation's roads and drivers.

RESPONSES BY TOM DONOHUE TO ADDITIONAL QUESTIONS FROM SENATOR CHAFEE

Question 1. What legislative changes would cause the greatest reduction on truck related accidents and fatalities?

Response. We should significantly increase spending on highway safety programs in the ISTEA reauthorization. ATA supports a larger safety program in ISTEA and special emphasis on safety issues. Increased investment in highway infrastructure will improve safety and reduce the 42,000 fatalities that occur annually on the nation's highways. We also need to have targeted safety programs to improve safety procedures.

Over the past decade, the trucking industry's support for safety measures has contributed to a 39 percent reduction in the fatal accident rate for crashes involving trucks. However, in over 30 percent of highway fatalities—11,000 lives every year—inadequate roadways are cited as a factor in the fatality. The Federal Highway Administration reports a backlog of more than $300 billion in the funding needed for road repairs. A significant increase in the size of the highway infrastructure program would address root causes of these fatalities. Taxes already being collected from highway users would support an increase from the current $20 billion annual program to a $34 billion annual program.

A range of safety efforts that extend beyond infrastructure concerns, and which focus on both drivers and vehicles, should also be pursued. For instance, since only 12 percent of fatal accidents involve trucks, we have launched an education campaign to teach all drivers techniques to drive more safely. We hope to work in partnership with the U.S. Department of Transportation to expand these efforts. To address driver fatigue, more funding should be available for additional highway rest areas. We believe that it is time to reexamine the 10-year old commercial driver license program and find ways to improve the program's ability to identify safe drivers and weed out bad drivers. To take overweight and unsafe trucks off the road, more funds should be available to states for truck inspection facilities and portable scales.

I look forward to working with you and the Committee to promote initiatives that will make our roads safer for all. As we head into the new century, safety must become a key factor behind any decision regarding the investment of highway user fees.

Question 2. What is your position on H.R. 551, the bill introduced by Representative Oberstar that would affect truck size and weights. Which portion of the bill do you oppose? Which portion do you support?

Response. We do not support any of the provisions of H.R. 551. This bill would reduce safety by encouraging the retention of older trailers, preempt state law and reduce state flexibility, prevent efforts to reduce highway congestion, create competitive disadvantages and lessen intermodal opportunities, and hinder national defense and commerce. The bill is poorly thought out and poorly drafted.

- Bill Would Reduce Safety. Section 2 would not allow any new trailers longer than 53 feet to be used on NHS highways, other than fire-fighting equipment. It would have the perverse effect of preventing companies from buying new trailers with safety improvements, such as anti-lock brakes. There is no study that documents that longer trailers are unsafe.
- States Know Their Roads Best. H.R. 551 would substitute Federal dictates for state analysis. Section 3(a) would not allow any vehicle to operate that was "not in

conformance with Interstate weight limits." This would require states to impose the Interstate System highway limits on state roads and roll back weight limits that exist in many states for agricultural, forest and specialty products.

- Increase Truck Congestion. Economic projections show that freight tonnage will increase 30 percent by the year 2000. Requiring smaller trucks for the same or increasing volume of goods will add trucks to the highways. This will increase congestion and provide more exposure to accidents.
- Creates Competitive Disadvantages. Some ports allow trucks with containers weighing up to 95,000 pounds to travel on state roads, even though they could not travel on Interstate System roads. Under this bill, the container weight would have to be reduced by reloading the cargo into two containers. This will increase congestion and put these ports at a competitive disadvantage. Ships will divert from these ports to states that have higher Interstate grandfather weights.
- Hinders Defense and Commerce. Companies could not purchase new trailers longer than 53 feet that are needed to accommodate oversize military tanks, large farm and hospital equipment, and large plant machinery. Moreover, on National Highway System roads not on the Interstate System, the literal language of the provision would prevent permits for new non-divisible load movements.
- Bill is Poorly Thought Out. Clear proof of the poor thinking behind the bill is that it amends a statute that was repealed in 1994 by P.L. 103–272[1] and remodified. Moreover, the proposed bill is not in step with reality, because, it would force the country to solve the transportation problems of the 21st century with limits set in 1956. We do not limit the size of today's airplanes to those that were operating in 1956.

Question 3. What is your reaction to AASHTO's 1987 policy position stating that to be compatible with existing highway design and safety needs, the maximum length for semitrailers should be no more than 48 feet?

Response. After thorough discussion, AASHTO wisely deleted this position from its current policy. Instead, the 1997 "AASHTO Transportation Policy Book, January 1997," in the AASHTO Comprehensive Domestic Freight Policy (April 1995) PR–5–95, contains 12 policy principles for the development of a comprehensive national freight policy (see attachment).

In general terms, ATA agrees with the AASHTO positions. With regard to truck size (trailer length) and weight, the AASHTO policy PR–5–95 states, "Size and weight standards should be routinely evaluated against direct and indirect infrastructure, environmental and public costs and benefits and within the context of a national freight transportation policy, and modified (when appropriate) to reflect transportation system conditions and technological advances. "

RESPONSES OF TOM DONOHUE TO ADDITIONAL QUESTION FROM SENATOR BOXER

Question 1. Mr. Donohue, when we talk about border infrastructure, of course, a large part of the tragic is southbound, from the United States. What kind of economic impact does congestion at our borders have for the trucking industry?

Response. As you have said in the past and we totally agree, "America's economic future is tied to the efficient transport of goods and people both in and out of our country and across the country. We cannot be the economic world leader if gridlock wins the day." We also agree that the Administration's border crossing and trade corridors grant program is woefully under funded. We believe your proposal authorizing $125 million per year for a border infrastructure fund is a far more realistic approach to solving our border infrastructure problems.

Travel delays in the nation's 50 largest urban areas, as a result of increased congestion, cost society an estimated $50.32 billion every year. Congestion increases the risk of accidents and interferes with the trucking industry's ability to serve its customers "just-in-time" delivery needs. In San Diego alone, congestion delays are estimated to cost each registered vehicle $390.00 per year.[2]

But congestion is not just an infrastructure issue. It is a problem inherent in the complicated system of transferring freight at the border today—and perpetuated by the delay in implementing the NAFTA trucking provisions. Today, because we cannot deliver freight directly into Mexico, we must use multiple carriers. It is a three-step process which involves a carrier on the U.S. side, a Mexican drayage carrier

---

[1]Revision of Title 49, Transportation, United States Code, July 5, 1994.

[2] Urban Roadway Congestion—1982 to 1993, Volume 1 and 2, Research Report 1131–8, August 1996, Texas Transportation Institute, The Texas A&M University System, College Station, Texas.

to bring freight across the border, and a Mexican carrier on the other side of the border.

An industry of middlemen has developed at the border to transfer freight between terminals for inspection (and reinspection in some instances). This, in addition to brokers, freight forwarders, and warehousemen, creates unnecessary and expensive steps in the freight transfer.

A recent study by Texas A&M University estimates that this inefficient system costs the auto industry alone over $2 million annually for southbound auto shipments at the Port of Laredo. The multiple carrier system contributes greatly to congestion and significantly overburdens an already strained border infrastructure. Opening the border, as the United States committed to do when NAFTA was signed, would greatly alleviate the congestion at the border since ultimately, we could use one truck to move freight from the U.S. to Mexico.

AASHTO Transportation Policy Resolution

AASHTO COMPREHENSIVE DOMESTIC FREIGHT POLICY (APRIL 25, 1995)

WHEREAS, the United States has one of the most developed freight transportation systems in the world providing many choices to move raw materials, finished products, ant other goods to serve the nation's defense and economic needs; and

WHEREAS, this system has evolved over time reflecting changes in technology, development patterns, and the needs of private industry; and

WHEREAS, as the Nation moves toward a more service-oriented, global economy, with few multi-national economic blocs and more decentralized manufacturing, and as the Nation faces the need to increase national competitiveness, American businesses are seeking to reduce the time and cost for products to reach international and domestic markets and more efficient transportation, distribution and logistics systems; and

WHEREAS, consistent with national economic goals and objectives, the American Association of State Highway and Transportation Of finials (AASHTO) has reassessed its comprehensive freight policy principles and has determined that a redefinition and reaffirmation of its freight policy principles is warranted;

NOW, THEREFORE, BE IT RESOLVED by the AASHTO Board of Directors that AASHTO committees should be guided by a set of approved AASHTO policy principles in developing a comprehensive domestic freight policy; and

BE IT FURTHER RESOLVED that the following set of AASHTO policy principles for development of a comprehensive national freight policy are hereby adopted and replace those policy principles adopted in June, 1991:

1. The freight transportation infrastructure should enhance domestic economic productivity while encouraging continued user (both business and carrier) investment.
2. Public investment in transportation infrastructure should augment and leverage private sector investment and promote competitive free marker atmosphere for Height transportation.
3. The public sector should, in partnership with users and the private sector, exercise a leadership role in the planning and development of a safe and efficient system for the movement of goods which is responsive to technological advances and market trends.
4. The unimpeded free flow of domestic and international trade should be facilitated through the implementation of intelligent transportation system technologies and effective, uniform administrative procedures and regulations, and efficient taxation policies.
5. Safety in all transportation modes should remain a priority and should be a key factor in transportation decisionmaking.
6. Public costs of transportation facilities and services should be recovered through appropriate user charges.
7. National freight transportation policy should guide development of state and regional freight policy while permitting flexibility to address geographic, economic and transportation differences unique to specific states or regions.
8. National clean air and energy conservation policies and objectives should be facilitated.
9. The long-term stability and adequacy of the transportation infrastructure should be ensured by encouraging financially sound investments and partnerships, facilitating the development of intermodal connections and terminals, and committing adequate government funds to maintain and expand the freight transportation infrastructure.

10. Size and weight standards should be routinely evaluated against direct and indirect infrastructure, environmental and public costs and benefits and within the context of a national freight transportation policy, and modified (when appropriate) to reflect transportation system conditions and technological advances.
11. Research and development of new technology/innovations which facilitate increased productivity, safety and environmental quality should be encouraged and supported.
12. The need to provide a multimodal transportation system with effective intermodal connections to support increasing international trade is a national priority and should be recognized along with the need to develop and adopt international standards for freight moving equipment and facilities.

STATEMENT OF JAMES L. KOLSTAD, AMERICAN AUTOMOBILE ASSOCIATION

Mr. Chairman and members of the Committee, I am James L. Kolstad, vice president for Public and Government Relations at the American Automobile Association. I appreciate the opportunity to be here today to bring you AAA's views on reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA). As you may know, AAA is a federation of 99 independent clubs across North America with nearly 40 million members.

I want to review AAA's positions on ISTEA safety initiatives and then turn briefly to other aspects of ISTEA reauthorization.

The safety of the motoring public is AAA's primary concern and 42,000 highway deaths, 6 million accidents and $150 billion in cost annually percent strongly suggest it should be a high national priority. The reauthorization of ISTEA presents the opportunity to address this issue aggressively.

We have reached the point in this country in which safety is directly affecting mobility and our economic well-being. The fact is people make decisions on where to live, where to work, where their children will go to school, where to shop and where to recreate on the assumption they will be able to get there safely and efficiently by automobile. So access to good roads has become fundamental to our way of life.

Today, all levels of government invest $35 billion annually in highways and bridges. Compare that number with the Federal Highway Administration's figures on annual highway and bridge capital needs for the period 1998–2002: $53 billion to maintain current conditions and $72 billion to improve conditions. You can see why AAA is concerned. The sad fact is that with any funding proposal being considered by Congress, the Nation will still be billions short to just maintain the status quo.

Being "pro-safety" seems like an easy choice. We have never heard a Member of Congress say he or she is opposed to safety. But neither have we ever heard a Member of Congress say their No. 1 concern is funding safety improvements.

AAA believes it is time to not only "talk safety", but to "fund safety."

According to the AAA Foundation for Traffic Safety, there are many projects that would have a direct and positive impact on safety. For example: Widening lanes and bridges which are too narrow; removing dangerous obstacles in close proximity to the edge of thousands of miles of roadway; repairing roads with dangerous shoulders or no shoulders and increasing the radius on curves that are too sharp. (1 have provided a copy of the AAA Foundation's study to the Committee and request I be included in the official hearing record. I also ask that the attached AAA safety brochure be included in the hearing record.)

In short, roads built to higher standards have much lower crash rates. Improvements to lower-grade roads produce cost savings that exceed expenditures by nearly three-to-one.

Yet these are the kinds of highway improvements that are being deferred or ignored in every state because full investment of Highway Trust Fund revenues is continually thwarted by budget games. AAA calls upon Congress to increase significantly the Highway Trust Fund investment in highway safety improvements such as those we have described. This is an investment of their gasoline tax dollars that AAA members desire and expect.

Another safety improvement FAA endorses is improving the safety data collection in this country. The nation needs adequate data to make the proper policy decisions on what safety improvements will produce the most benefits. For example, only fatality data is being used today with any degree of uniformity. Yet, less than 2 percent of all crashes involve a fatality, so the bulk of the problem goes unaddressed.

Another kind of data problem is that states have more data and access to data than they are willing to use. So we somehow must provide incentives to states to use data to make sound judgments and we need to broaden the data base. We need

to establish links to state and national driver licensing data, state Global Positioning System (GPS) data (used to identify high accident locations), citation, arrest and conviction data, and health care data (to identify the number injured, cost and severity). But Federal funding is needed to make it happen.

AAA believes the Transportation Enhancement program may provide a funding option. We support creating an eligible category in the TE program to provide funding for safety improvements, such as safety information systems.

AAA believes safety is a much higher priority than some projects currently funded by the TE program. We believe even more strongly that states should have increased flexibility to invest in safety improvement projects from the TE account.

Now to other provisions AAA strongly supports in ISTEA reauthorization.

First, funding levels for highways and bridges should be significantly increased. An increase in funding could be facilitated by taking the Highway Trust Fund "off-budget," as Congressman Shuster's bill H.R. 4 would do; by investing the unspent balance in the Fund on transportation; and by redirecting to the Highway Trust Fund the 4.3 cents per gallon motor fuels tax now going to deficit reduction.

AAA is pleased that fifty-seven Senators—ten from this committee—have signed the Warner/Baucus letter to Budget Committee Chairman Domenici requesting an annual investment of $26 billion in highways. Unfortunately, even with this additional revenue, the Nation still faces a substantial shortfall to just maintain existing conditions.

AAA also believes that a strong but responsible Federal role in transportation policy and financing must be maintained. The preservation of a national transportation system is in everyone's interest. That's why we have serious concerns about proposals to "turn back" or "devolve" Federal taxing authority to the states.

When we say a responsible Federal role is necessary, we mean the Federal Government must commit to investing all of the revenues in the Highway Trust Fund. In addition, unfunded mandates and sanctions not directly related to the safety or to the integrity of transportation programs should be eliminated. For example, we applaud the goals of President Clinton's recently unveiled safety package, which include increased seatbelt use and enactment of primary enforcement laws. But we oppose sanctions—which seem to be the President's method to achieve these goals. The better approach is to offer incentives to states.

Of course, the key question is: where do we get money for these incentives. Much of the money can be found by agreeing to the $26 billion funding level recommended by 57 Senators, taking the transportation trust funds off-budget, transferring to the Highway Trust Fund the 4.3 cents per gallon gas tax now going to the general fund, and appropriating the full amount authorized for each of the next 6 years.

Another area of concern to AAA is the potential for increasing truck size and weight. AAA surveys find that heavier and larger trucks are strongly opposed by our members. We oppose any Congressional change in the size and weight limits of trucks and support the continued "freeze" on longer combination vehicles (LCVs).

AAA also opposes toll roads as a general principle, believing that to the maximum extent possible, all highway facilities should be toll-free. For more than 80 years, the underlying principle of the Federal-state highway program has been developing and preserving this nation's vast network of quality, toll-free highways. Tolling the existing Federal-aid highways—including the Interstate System—would represent a major change in course. Instead of a pay-as-you-go highway network based on fuel taxes already collected from motorists, responsibility for funding highway maintenance and construction would be loaded onto future trips of highway users. In other words, "build now, pay now, and pay later!"

Mr. Chairman, our nation is in an era of limited Federal resources. We must recognize that choices, intelligent choices, must be made to achieve what is most important to the public. The vital signs of our transportation infrastructure signal a system in trouble. An investment in this infrastructure protects lives and leaves America's leaders of tomorrow—our children—with a fighting chance of keeping America the strongest nation on earth. Thank you.

RESPONSES BY JAMES L. KOLSTAD TO ADDITIONAL QUESTIONS FROM SENATOR CHAFEE

Question 1. The AAA pamphlet you included with your testimony entitled Crisis Ahead: America's Aging Highways and Airways included a table presenting potential decreases in related crashes for a number of highway improvements, for instance increasing lane width to 12 feet could decrease crashes by 12 to 40 percent. Which of these improvements listed would be the best investment for saving lives?

Response. AAA's pamphlet lists a number of improvements that are needed if we are to enjoy further improvements in the safety of automotive travel—including increasing lane width, increasing shoulder width, removing roadside hazards, decreasing road curvature, and installing median barriers.

The AAA Foundation for Traffic Safety issued a report Safety Effects Resulting from Approval of the National Highway System, which found that the greatest impact on fatal crashes from capital improvements would be to require all roads to have 12-foot lanes. (The Interstate was built with 1 2-foot lanes.) The National Highway Traffic Safety Administration's Traffic Safety Facts 1995 reveals that "Failure to keep in proper lane or running off road" leads the list of "Related Factors for Drivers Involved in Fatal Crashes"—with 15,873 fatalities or 28.3 percent of total drivers involved in fatal crashes. The vast majority of these fatalities results from either collisions with fixed objects along the roadside or rollovers, which can be caused by sideslopes that are too steep.

In a perfect world, highways would have a clear zone of at least 20 feet from the pavement edge. Despite the acknowledged safety benefits of clear zones, however, environmental and aesthetic concerns, along with such other constraints as cost, have hampered the widespread use of clear zones.

Therefore, AAA believes the best investment for saving lives would be to require all roads to have 12-foot lanes. Where practicable, removing obstacles adjacent to the roadway and reducing the steepness of sideslopes adjacent to the highway will also save lives. These are realistic goals, and would contribute to highway safety and the prevention of lost lives.

Question 2. At the end of 1996, there was more than $300 million of STP safety funding sitting unused. With the tremendous safety problems we have on our nation's highways, why haven't the States used all of the safety money they have been given over the life of ISTEA?

Response. States have not used all of the STP safety funding for a variety of reasons, but the best answer is that the obligation limits placed on contract authority programs ensure that all the available funding will not be used each year. The spending rate for Section 130 and Section 152 programs actually is commensurate with other contract authority programs subject to the Appropriations Committees' obligation ceiling.

AAA suggests that, if Congress is serious about addressing highway safety, the railroad grade crossing program (Sec. 130) and the hazard elimination program (Sec. 152) be exempted from the obligation limitation. In other words, Congress should take whatever steps necessary to ensure that the programs funded by ISTEA's safety set-aside program are fully funded each year. While AAA firmly believes Congress should provide 100 percent of contract authority for all highway programs, the safety set-aside programs, at the very least, should be given this treatment. Otherwise, Congress may find it increasingly difficult to explain to the American public that, although the number of accidents, injuries, and fatalities could be lessened substantially if highway improvements had been funded from motorist taxes, that investment in safety was sacrificed at the budget deficit altar.

Question 3. In your opinion, how effectively do States use their safety set-aside funds?

Response. AAA believe states have effectively used their safety set-aside funds in the Hazard Elimination Fund. We do have one recommendation, however. Currently, the state planning process (Sec. 135(c)) does not require, or even mention the need for, safety planning as a part of that process. AAA believes that requiring states to include safety into their planning would encourage states to use such tools as interactive modeling to look at their zoning, growth projections, average daily traffic, and other data to determine if and where roads should be upgraded or expanded to meet those projections.

AAA also suggests a close look at ISTEA's formula for railroad grade crossings (Sec. 130). Currently, funds do not necessarily go to states with the most need and money is apportioned to states where grade crossings simply do not constitute a major problem.

Question 4. Do you have any indication of the number of lives that are lost each year due to inadequate roadway elements, such as shoulder width or lane width?

Response. As stated in the response to Question 1, "failure to keep in proper lane or running off road" leads the list of "related factors for drivers involved in fatal crashes"—with 15,873 fatalities. The highway safety community, however, agrees that the data are not adequate to answer your question more precisely. The AAA Foundation for Traffic Safety found in 1995 that useful state data often are nonexistent and inconsistent.

AAA is very concerned about the lack of adequate data; accurate and useful determinations of the need for highway safety improvements, as well as their effectiveness, cannot not be made without good data. We have recommended that Congress make safety information systems an eligible category category in the Transportation Enhancement program. We also believe that the Administration's NEXTEA provision for safety data funding—while woefully inadequate—deserves serious consideration. AAA suggests Congress at least consider a pilot program of providing Federal funding for safety data collection in ISTEA reauthorization. Seed money would only go so far toward providing the data to accurately answer your question, however. To adequately provide the needed data, a nationwide, uniform safety data collection system—or network of systems—would need to be implemented.

STATEMENT OF BRENDA BERRY, CITIZENS FOR RELIABLE AND SAFE HIGHWAYS (CRASH)

Citizens for Reliable and Safe Highways deeply appreciates the opportunity to address this Senate Committee on the important issue of truck safety. CRASH is a national grassroots organization of about 43,000 members who want commercial trucks operated on our shared roads as safely as possible.

Voters of all backgrounds and all political persuasions oppose truck size and weight increases for safety reasons. There are precious few issues on which there is nearly unanimous agreement among Republicans, Democrats, young and old drivers, and high and low income voters. Truck safety is one of them. A Lou Harris poll conducted last year showed 88 percent of voters oppose allowing bigger and heavier trucks on the highways; 91 percent of voters rank the Federal Government's control over the safety of large trucks as "very important."

Truck safety is a life and death issue. Over one million Americans have been seriously injured in a truck-involved crash within the last 10 years. In the same period, 50,000 people have needlessly died. This is the equivalent of wiping out a mid-size town in my state of Virginia, or any one of the states represented on this committee.

Truck-involved crashes have caused about 5,000 deaths and 100,000 injuries each year since 1984. This death toll is equivalent to a ValuJet crash each and every week. Of course, if the airline industry were involved in plane crashes every week, they would be grounded!

We know this Senate would never tolerate a major airline crash every week on the argument that it facilitates a more profitable aviation industry. Yet this is the argument used by the trucking industry against rules which would improve the safety of commercial trucking.

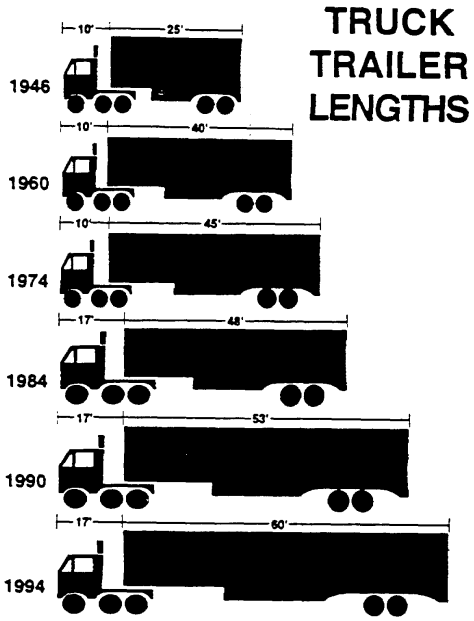
Even with tragedies occurring every day, American Trucking Associations is demanding a thaw in the Federal freeze on truck sizes and weights. What if the airline industry demanded, in the aftermath of TWA 800 crash, a reduction in regulations on airline safety? We have a wish list for NEXTEA, which supports the provisions of H.R. 551 introduced recently. l) We urge this Congress to keep the freeze on Longer Combination Vehicles and single trailer truck dimensions. Multi-trailer trucks are inherently unstable, and therefore unsafe on highways. 2) We urge working rules for truck drivers that guarantee drivers get adequate daily rest. Fatigue is a leading cause in 31–41 percent of truck crashes. 3) We urge you to freeze truck size and weight. That includes preventing exemptions by state and local governments that would allow bigger and heavier trucks. Longer and heavier trucks will only lead to even more highway deaths each year. The cost in human lives for interstate heavy- haul trucking is many times that of the airline and rail industries put together.

We urge you to look to the provisions of H.R. 551, which places safety above trucking company profits, and introduce similar provisions in your version of NEXTEA.

Victims and safety advocates don't have the trucking lobbyists' money, but we do have a lot of heart and determination. We also have public opinion on our side. It is time to make existing trucks safer, not bigger and heavier.

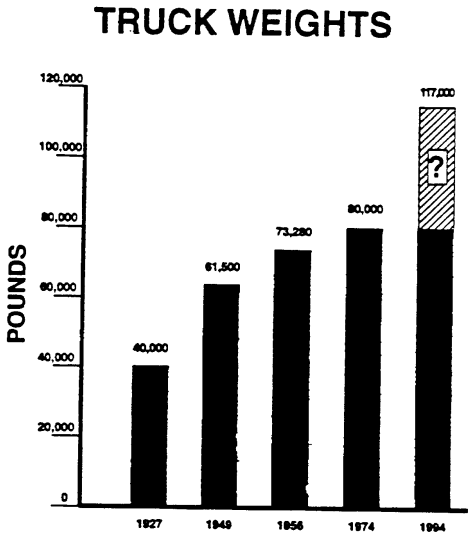
TRUCKS CONTINUOUSLY GET LONGER AND HEAVIER

Over the past 50 years, there has been a dangerous pattern of ever-increasing truck weights and lengths. The chart below shows the continuous growth in the length of trucks.[1]



[1]1990: All but a handful of northeastern and mid-Atlantic states had approved 53 foot trailers by 1990. In 1994, all states except Rhode Island allow 53 foot trailers. 1994: As of June, 1993, 11 states allowed trailers 57 feet or longer. Texas, Oklahoma, and Kansas allow trailers that are 59.6 feet long. Wyoming allows trailers 60 feet long. In 1987 the American Association of State Highway and Transportation Officials (AASHTO) adopted a policy calling for a national semitrailer length of **no more than 48 feet** in order to be compatible with existing highway design and safety needs. "Guide for Maximum Dimensions and Weights of Motor Vehicles and for the Operation of Nondivisible Load Oversize and Overweight Vehicles," AASHTO, April, 1987.

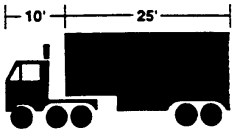
Similarly, trucks have become progressively heavier.[2]



[2]Source for all years before 1994: Transportation Research Board, Twin Trailer Trucks, Special Report 211, p. 30. Source for 1994: Although there is now an 80,000 federal cap, because of the grandfather clause, many states issue special permits to exceed 80,000 pounds. The Federal Highway Administration does not know the number of special permits nor the number of overweight trips run under such permits. A Report to Congress from the Secretary of Transportation, "Overweight Vehicles -- Penalties & Permits, US Department of Transportation, April, 1993, p. iv. The maximum truck weight carried pursuant to special permits in Wyoming is 117,000 pounds. Summary of Size and Weight Limits, American Trucking Associations, 1993.

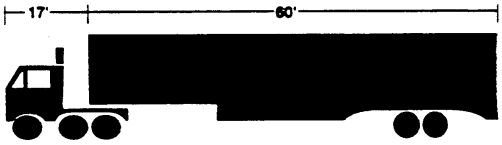
In sharp contrast, automobiles have been getting smaller and lighter since the 1970's.

COMPARISON OF TRUCK—AUTO LENGTHS



1946 TRACTOR WITH 25' TRAILER

1946 BUICK LENGTH = 17.85 FT.



1994 TRACTOR WITH 60' TRAILER

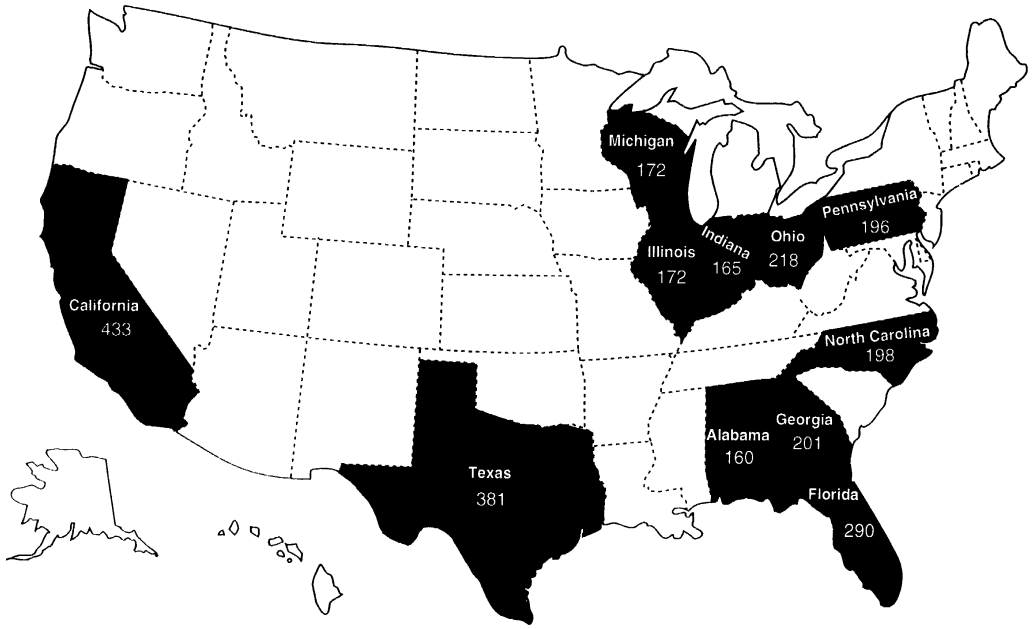
1994 ACCORD LENGTH = 15.33 FT.

1997 Crash safety report

RANKING THE STATES

- Fatalities in Crashes Involving Large Trucks, 1995
- fatalities in crashes involving large trucks, 1995, per capita
- fatalities in crashes involving large trucks, 1995, per vehicle miles traveled
- Additional information, excerpts from traffic safety facts, 1995

CRASH Ranks Top Ten Most Dangerous States For Large Truck Fatalities

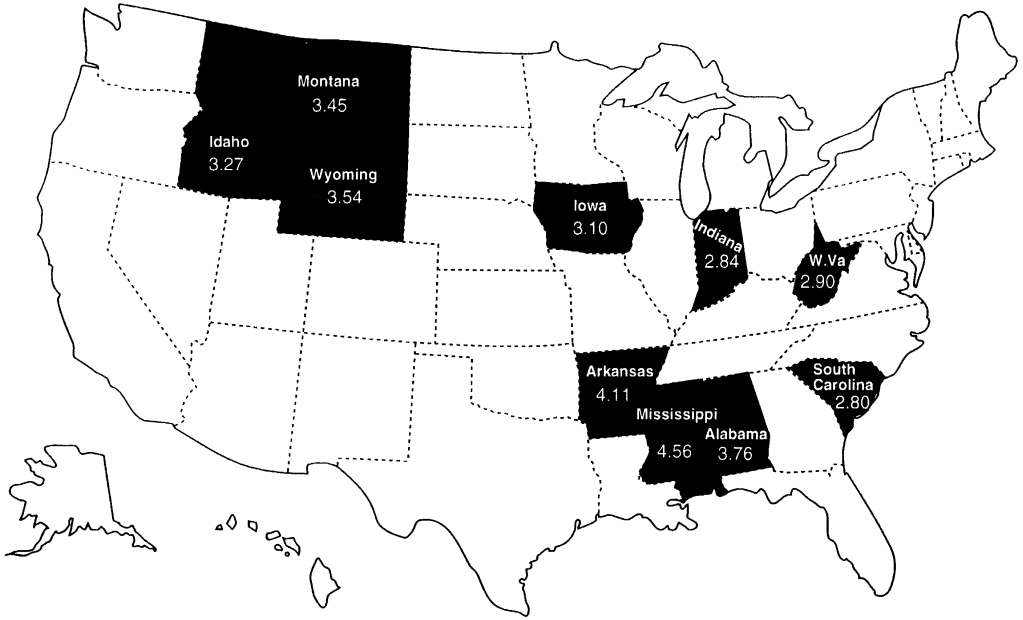


Actual Truck Crash Fatalities Per State

- SOURCE: FHWA, FARS, NHTSA

1-800-CRASH-12 415.777.3942 FAX 415.777.1950 http://www.trucksafety.org

CRASH Ranks Top Ten Most Dangerous States For Large Truck Fatalities



Truck Crash Fatalities Per 100,000 People

- SOURCE: FHWA. FARS. NHTSA. Census Bureau

1-800-CRASH-12 415.777.3942 Fax 415.777.1950 http://www.trucksafety.org

Fatalities in Crashes Involving Large Trucks, 1995[1]

State	Fatalities
1. California	433
2. Texas	381
3. Florida	290
4. Ohio	218
5. Georgia	201
6. NorthCarolina	198
7. Pennsylvania	196
8. [tie] Michigan	172
8. [tie] Illinois	172
9. Indiana	169
10. Alabama	160
11. New York	149
12. Tennessee	129
13. Mississippi	123
14. Kentucky	106
15. South Carolina	103
16. Arkansas	102
17. Virginia	98
18. Missouri	97
19. [tie] Wisconsin	96
19. [tie] Louisiana	96
20. Oklahoma	91
21. Arizona	89
22. Iowa	88
23. New Jersey	81
24. Minnesota	78
25. Washington	76
26. Oregon	72
27. Kansas	68
28. Maryland	59

State	Fatalities
29. Colorado	53
30. West Virginia	53
31. New Mexico	47
32. Nebraska	45
33. Idaho	38
34. Massachusetts	36
35. Utah	35
36. Nevada	31
37. Montana	30
38. Connecticut	29
39. Maine	27
40. Wyoming	17
41. Vermont	15
42. South Dakota	14
43. North Dakota	12
44. New Hampshire	10
45. Delaware	9
46. Alaska	8
47. [tie] Rhode Island	3
47. [tie] Hawaii	3
48. District of Columbia	1
(There are three ties: #s 8, 19, and 47) = 50 states plus District of Columbia	

Source:

1. U.S. Department of Transportation Fatal Accident Reporting System (FARS) Database, "1995 Fatal Crashes Involving Large Trucks," issued through National Highway Traffic Safety Administration (NHTSA) Center for Statistics and Analysis. Also see NHTSA's Traffic Safety Facts 1995: *Large Trucks*, Table 4: "Large Truck Involvement in Fatal Crashes by State, 1995," Washington D.C., 1996.

Fatalities in Crashes Involving Large Trucks, 1995 per 100,000 Population

STATE	FATALITIES PER CAPITA
1. Mississippi	4.56
2. Arkansas	4.11
3. Alabama	3.76
4. Wyoming	3.54
5. Montana	3.45
6. Idaho	3.27
7. Iowa	3.10
8. West Virginia	2.90
9. Indiana	2.84
10. South Carolina	2.80
11. [tie] Georgia	2.79
12. [tie] New Mexico	2.79
13. Oklahoma	2.78
14. [tie] North Carolina	2.75
15. [tie] Nebraska	2.75
16. [tie] Kentucky	2.75
17. Kansas	2.65
18. Vermont	2.56
19. Tennessee	2.45
20. Oregon	2.29
21. Louisiana	2.21
22. Maine	2.18
23. Arizona	2.11
24. Florida	2.05
25. Texas	2.04
26. Nevada	2.03
27. Ohio	1.95
28. South Dakota	1.92
29. Wisconsin	1.87

STATE	FATALITIES PER CAPITA
30. North Dakota	1.87
31. Missouri	1.82
32. Michigan	1.80
33. Utah	1.79
34. Minnesota	1.69
35. Pennsylvania	1.62
36. Virginia	1.48
37. Illinois	1.45
38. Colorado	1.42
39. Washington	1.40
40. California	1.37
41. Alaska	1.33
42. Delaware	1.26
43. Maryland	1.17
44. New Jersey	1.02
45. Connecticut	.89
46. New Hampshire	.87
47. New York	.82
48. Massachusetts	.60
49. Rhode Island	.30
50. Hawaii	.25
51. District of Columbia	.18

Sources:
U.S. Department of Transportation Fatal Accident Reporting System (FARS) Database, "1995 Fatal Crashes Involving Large Trucks," issued through National Highway Traffic Safety Administration (NHTSA) Center for Statistics and Analysis (also see NHTSA's Traffic Safety Facts 1995: *Large Trucks*, Table 4: "Large Truck Involvement in Fatal Crashes by State, 1995," Washington D.C., 1996) compared to population of each state as reported by Bureau of the Census, 1995 (also available at http://www.census.gov/population/www/). For state populations see also Traffic Safety Facts 1995 Table 103: "Persons Killed, Licensed Drivers, Registered Vehicles, Population and Fatality Rates by State," pp.142-143, Washington D.C. 1996.

Fatalities in all Crashes involving Large Trucks, 1995
Ranked by Vehicle Miles Traveled (VMT)

State	1995 Fatalities in Crashes Involving Large Trucks[1]	Fatalities Divided by Large Truck VMT, 1995[2]
1. Idaho	38	30.9
1. Minnesota	78	30.9
2. Maine	27	30.6
3. Mississippi	123	27.7
3. West Virginia	53	27.7
4. Kansas	68	27.0
5. Vermont	15	26.9
6. Montana	30	26.6
7. Alabama	160	26.3
8. Nebraska	45	25.9
9. Kentucky	106	25.8
10. Arkansas	102	25.5
11. Georgia	201	23.5
12. Tennessee	129	23.0
13. South Dakota	14	22.8
14. Iowa	88	22.6
15. Michigan	172	22.3
16. Florida	290	20.6
17. New Mexico	47	20.2
18. Oregon	72	20.0
19. Wisconsin	96	18.7
20. North Carolina	198	18.6
20. Wyoming	17	18.6
21. Nevada	31	18.5
22. Texas	381	17.5
23. Pennsylvania	196	17.3
23. Arizona	89	17.3
24. Washington	76	17.2
25. Indiana	165	17.0
26. Utah	35	16.9

27. Ohio	218	16.6
28. California	433	15.7
29. Virginia	98	15.6
30. Louisiana	96	15.5
31. Illinois	172	15.2
32. Connecticut	29	14.8
32. New Jersey	81	14.8
33. Maryland	59	14.6
34. New York	149	14.4
35. North Dakota	12	14.1
36. Colorado	53	13.7
37. Massachusetts	36	12.5
38. New Hampshire	10	11.8
39. Rhode Island	3	10.7
40. Delaware	9	10.0
41. Hawaii	3	9.4
Oklahoma	91	not available

Source:

1. U.S. Department of Transportation Fatal Accident Reporting System (FARS) Database, "1995 Fatal Crashes Involving Large Trucks," issued through National Highway Traffic Safety Administration (NHTSA) Center for Statistics and Analysis. Also see NHTSA's Traffic Safety Facts 1995: *Large Trucks*, Table 4: "Large Truck Involvement in Fatal Crashes by State, 1995," Washington D.C., 1996.

2. VMT is Vehicle Miles Traveled by Medium/Heavy Trucks. Medium/Heavy Trucks are 10,000-26,000 and 26,000-80,000 pounds or more according to the National Highway Traffic Safety Administration (NHTSA); or the group including "Single-Unit Trucks other than 2-Axle, 4-Tire," "Single Trailer ," and "Multi-Trailer" Trucks according to the Federal Highways Administration (FHWA). The groups do not match perfectly because of the different classification systems by weight and by configuration, respectively. Estimate based on Arterial Roads and Larger (both Rural and Urban), U.S. DOT Federal Highways Administration (FHWA), Annual Vehicle Miles of Travel and Related Data Tables VM-2 and VM-4 "Distribution of Annual Vehicle-Miles of Travel by Highway Category and Vehicle Type" 1990-1996. Interpretation based on discussions with FHWA Office of Data Management. Measurements are per 10^9 large truck vehicle miles traveled.

Statewide Fatality and VMT Information, 1994-95

State	1995 Fatalities in Crashes involving Large Trucks[1]	1994-1995, % Incr./Decr. in Fatalities in Crashes invl. Large Trucks[2]	1994-1995, % Incr./Decr. in Overall Traffic Fatalities[3]	1995 Fatalities in Crashes invl. Large Trucks per Capita[4]	% of Annual VMT by Large Truck Traffic[5]
Alabama	160	-6%	3%	**3.76**	12
Alaska	8	60%	2%	1.33	5
Arizona	89	-5%	14%	2.11	13
Arkansas	102	12%	4%	**4.11**	15
California	433	12%	-1%	1.37	10
Colorado	53	-13%	10%	1.42	11
Connecticut	29	7%	2%	.89	7
Delaware	9	-18%	8%	1.26	12
D.C.	1	-50%	-16%	.18	3
Florida	290	-6%	4%	2.05	11
Georgia	201	-6%	4%	**2.79**	10
Hawaii	3	-40%	7%	.25	4
Idaho	38	0%	5%	**3.27**	10
Illinois	172	-16%	2%	1.45	12
Indiana	165	5%	-1%	**2.84**	15
Iowa	88	14%	10%	**3.10**	15
Kansas	68	15%	0%	**2.65**	10
Kentucky	106	-3%	9%	**2.75**	10
Louisiana	96	-19%	5%	2.21	16
Maine	27	0%	-1%	2.18	7
Maryland	59	-25%	3%	1.17	9
Massachusetts	36	-20%	1%	.60	6
Michigan	172	-8%	8%	1.80	9
Minnesota	78	-11%	-8%	1.69	8
Mississippi	123	**26%**	**10%**	**4.56**	15
Missouri	97	-34%	2%	1.82	12
Montana	30	50%	6%	**3.45**	12

State	1995 Fatalities in Crashes involving Large Trucks[1]	1994-1995, % Incr./Decr. in Fatalities in Crashes invl. Large Trucks[2]	1994-1995, % Incr./Decr. in Overall Traffic Fatalities[3]	1995 Fatalities in Crashes invl. Large Trucks per Capita[4]	% of Annual VMT by Large Truck Traffic[5]
Nebraska	45	-13%	-6%	**2.75**	11
Nevada	31	11%	6%	2.03	12
New Hampshire	10	25%	-1%	.87	8
New Jersey	81	-4%	2%	1.02	9
New Mexico	47	7%	9%	**2.79**	11
New York	149	-29%	0%	.82	9
North Carolina	198	-4%	1%	**2.75**	14
North Dakota	12	33%	-16%	1.87	13
Ohio	218	-2%	0%	1.95	13
Oklahoma	91	10%	-3%	**2.78**	n.a.
Oregon	72	13%	16%	2.29	12
Pennsylvania	196	-11%	3%	1.62	12
Rhode Island	3	-50%	10%	.30	4
South Carolina	103	-1%	4%	**2.80**	8
South Dakota	14	-18%	0%	1.92	8
Tennessee	129	-12%	-5%	2.45	10
Texas	381	-8%	0%	2.04	12
Utah	35	9%	-5%	1.79	11
Vermont	15	50%	38%	**2.56**	9
Virginia	98	-26%	-3%	1.48	9
Washington	76	41%	2%	1.40	9
West Virginia	53	-13%	6%	**2.90**	11
Wisconsin	96	-14%	5%	1.87	10
Wyoming	17	-23%	18%	**3.54**	13

Sources:

1.U.S. Department of Transportation National Highway Traffic Safety Administration (NHTSA) National Center for Statistics and Analysis, Traffic Safety Facts 1995: *Large Trucks*, Table 4: "Large Truck Involvement in Fatal Crashes by State, 1995," Washington D.C., 1996.

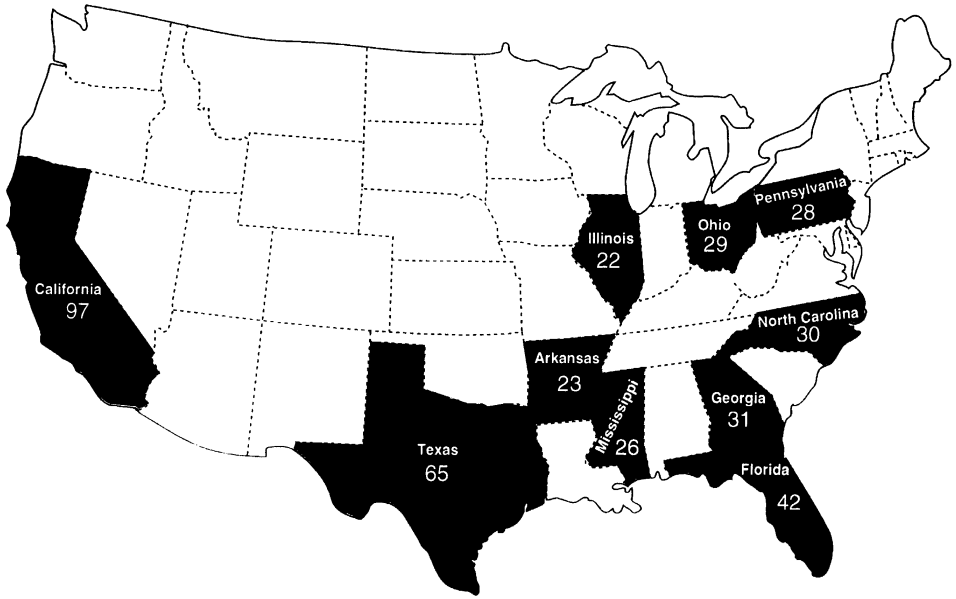
2.Comparison of state data presented in NHTSA Traffic Safety Facts 1994 and NHTSA Traffic Safety Facts 1995.

3.U.S. DOT NHTSA, Traffic Safety Facts 1995, Figure 28: "1995 Traffic Fatalities by State and Percent Change from 1994," pp. 136-137, Washington D.C., 1996

4.Infra Note 1 and Census Bureau, 1995. See also Traffic Safety Facts 1995 Table 103: "Persons Killed, Licensed Drivers, Registered Vehicles, Population and Fatality Rates by State," pp.142-143, Washington D.C. 1996

5.VMT is Vehicle Miles Traveled by Medium/Heavy Trucks. Medium/Heavy Trucks are 10,000-26,000 and 26,000-80,000 pounds or more according to the National Highway Traffic Safety Administration (NHTSA); or the group including "Single-Unit Trucks other than 2-Axle, 4-Tire," "Single Trailer ," and "Multi-Trailer" Trucks according to the Federal Highways Administration (FHWA). The groups do not match perfectly because of the different classification systems by weight and by configuration, respectively. Estimate based on Arterial Roads and Larger (both Rural and Urban), U.S. DOT Federal Highways Administration (FHWA), Annual Vehicle Miles of Travel and Related Data Tables VM-2 and VM-4 "Distribution of Annual Vehicle-Miles of Travel by Highway Category and Vehicle Type" 1990-1996. Interpretation based on discussions with FHWA Office of Data Management.

CRASH Ranks Top Ten States For Truck Drivers Killed On The Job
Actual Truck Driver Fatalities Per State



- SOURCE: U.S. Department of Labor,
Bureau of Labor Statistics,
1995 Census of Fatal Occupational
Injuries, Washington, D.C., 1996

1-800-CRASH-12 415.777.3942 Fax 415.777.1950 http://www.trucksafety.org

Truck Driver Fatalities, 1995

State	Truck Driver Fatalities[1]
1. California	97
2. Texas	65
3. Florida	42
4. Georgia	31
5. North Carolina	30
6. Ohio	29
7. Pennsylvania	28
8. Mississippi	26
9. Arkansas	23
10. Illinois	22
11. Indiana	21
12. Virginia	20
13. Tennessee	19
14. Oregon	18
15. New York	17 (except NYC)
16. Kentucky	16
17. South Carolina	15
18. Michigan	14
18. Alabama	14
18. New Jersey	14
19. Wisconsin	12
20. Utah	11
20. West Virginia	11
20. Kansas	11
20. Louisiana	11
21. Colorado	10

22. Maryland	9
22. Washington	9
23. Nebraska	8
23. Arizona	8
23. Wyoming	8
23. Nevada	8
23. Missouri	8
24. Idaho	7
24. Oklahoma	7
25. Connecticut	6
25. New Mexico	6
25. Minnesota	6
26. Montana	5
26. South Dakota	5
27. Maine	4
27. Alaska	4
28. Iowa	3
28. North Dakota	3
Delaware	n/a
D.C.	n/a
Hawaii	n/a
Massachusetts	n/a
New Hampshire	n/a
Rhode Island	n/a
Vermont	n/a

1.U.S. Department of Labor, 1995 Census of Fatal Occupational Injuries, Washington D.C., 1996.

SOURCES FROM AND METHOD BY WHICH DATA WAS SECURED FOR THE *CRASH* RANKS THE STATES PRESS RELEASE

SOURCES FOR FATALITY STATISTICS

U.S. Department of Transportation National Highway Traffic Safety Administration (NHTSA) National Center for Statistics and Analysis, Traffic Safety Facts 1995: *Large Trucks*, Table 4: "Large Truck Involvement in Fatal Crashes by State, 1995," Washington D.C., 1996.

Comparison of state data presented in NHTSA Traffic Safety Facts 1994 and NHTSA Traffic Safety Facts 1995.

U.S. DOT NHTSA, Traffic Safety Facts 1995, Figure 28: "1995 Traffic Fatalities by State and Percent Change from 1994," pp. 136-137, Washington D.C., 1996.

SOURCE FOR POPULATION STATISTICS

Infra Note 1 and Census Bureau, 1995. See also Traffic Safety Facts 1995 Table 103: "Persons Killed, Licensed Drivers, Registered Vehicles, Population and Fatality Rates by State," pp.142-143, Washington D.C. 1996

SOURCE FOR VEHICLE MILE TRAVELED DATA

VMT is Vehicle Miles Traveled by Medium/Heavy Trucks. Medium/Heavy Trucks are 10,000-26,000 and 26,000-80,000 pounds or more according to the National Highway Traffic Safety Administration (NHTSA); or the group including "Single-Unit Trucks other than 2-Axle, 4-Tire," "Single Trailer ," and "Multi-Trailer" Trucks according to the Federal Highways Administration (FHWA). The groups do not match perfectly because of the different classification systems by weight and by configuration, respectively. Estimate based on Arterial Roads and Larger (both Rural and Urban), U.S. DOT Federal Highways Administration (FHWA), Annual Vehicle Miles of Travel and Related Data Tables VM-2 and VM-4 "Distribution of Annual Vehicle-Miles of Travel by Highway Category and Vehicle Type" 1990-1996. Interpretation based on discussions with FHWA Office of Data Management.

METHOD FOR ARRIVING AT PER CAPITA DATA

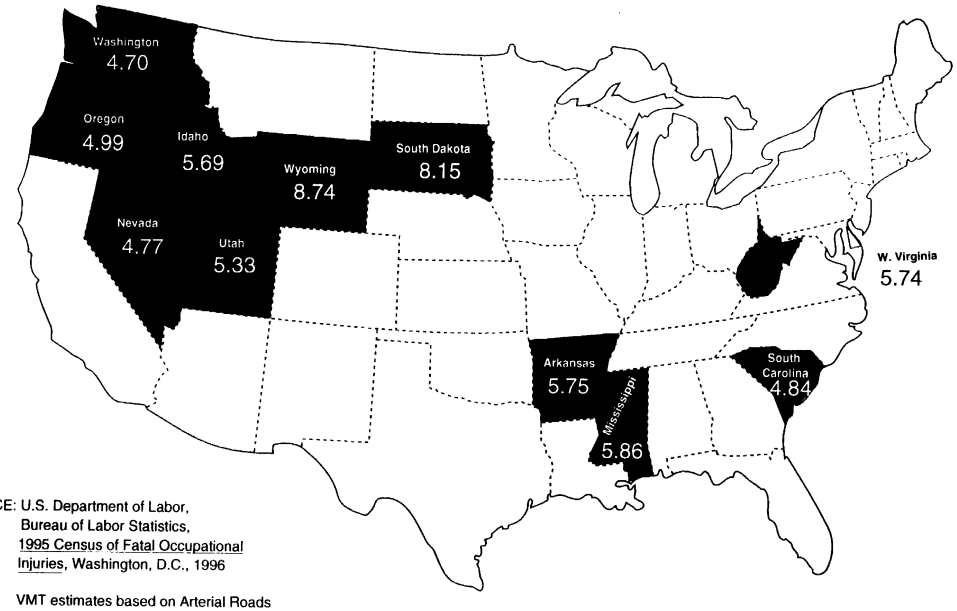
Truck fatality numbers divided by population equals truck deaths per capita

1997 Crash safety report

Working conditions and fatalities among commercial Truck Drivers

- TRUCK DRIVER FATALITIES ON THE JOB, BY STATE, 1995
- TRUCK DRIVER FATALITIES ON THE JOB, PER LARGE TRUCK VEHICLE MILES TRAVELED, BY STATE, 1995
- ADDITIONAL INFORMATION: TRUCK DRIVER FATALITIES AND INJURIES ON THE JOB, COMPARED TO OTHER PROFESSIONS, 1995

CRASH Ranks Top Ten States For Truck Drivers Killed On The Job
Truck Driver Fatalities Per Large Truck Vehicle Miles Traveled



- SOURCE: U.S. Department of Labor, Bureau of Labor Statistics, 1995 Census of Fatal Occupational Injuries, Washington, D.C., 1996

VMT estimates based on Arterial Roads and Larger (both Rural and Urban), U.S. DOT Federal Highway Administration (FHWA), Annual Vehicle Miles of Travel and Related Data Tables VM-2 and VM-4 "Distribution of Travel by Highway Category and Vehicle Type" 1990-1996

1-800-CRASH-12 415.777.3942 Fax 415.777.1950 http://www.trucksafety.org

Truck Driver Fatalities, 1995
per Large Truck Vehicle Miles Traveled

State	Truck Driver Fatalities, 1995[1]	Truck Driver Fatalities per VMT[2]
1. Wyoming	8	8.7
2. South Dakota	5	8.2
3. Mississippi	26	5.9
4. Arkansas	23	5.8
5. [tie] Idaho	7	5.7
5. [tie] West Virginia	11	5.7
6. Utah	11	5.3
7. Oregon	18	5.0
8. [tie] Nevada	8	4.8
8. [tie] South Carolina	15	4.8
9. Washington	9	4.7
10. Nebraska	8	4.6
11. Maine	4	4.5
12. [tie] Kansas	11	4.4
12. [tie] Montana	5	4.4
13. Kentucky	16	3.9
14. Georgia	31	3.6
15. California	97	3.5
16. Tennessee	19	3.4
17. [tie] Louisiana	11	3.5
17. [tie] North Dakota	3	3.5
18. Virginia	20	3.2
19. [tie] Connecticut	6	3.1
19. [tie]Connecticut	6	3.1
20. Texas	65	3.0
21. North Carolina	30	2.8
22. [tie] New Jersey	14	2.6
22. [tie] New Mexico	6	2.6
22. [tie] Colorado	10	2.6
23. [tie] Minnesota	6	2.4

23. [tie] Pennsylvania	28	2.4
24. Wisconsin	12	2.3
25. [tie] Indiana	21	2.2
25. [tie] Maryland	9	2.2
25. [tie] Ohio	29	2.2
26. Alabama	14	2.0
27. Michigan	14	1.8
28. [tie] Arizona	22	1.6
28. [tie] New York	17 (except NYC)	1.6
29. Missouri	8	1.1
30. Iowa	3	0.8
31. Illinois	22	0.6
32. [tie] Rhode Island[3]	1	0.004
32. [tie] Vermont	2	0.004
33. [tie] Massachusetts	1	0.001
33. [tie] New Hampshire	1	0.001
Delaware	0	0.0
D.C.	0	0.0
Oklahoma	7	VMT not available from FHWA

Source:

1. Department of Labor, Bureau Labor Statistics, 1995 Census of Fatal Occupational Injuries, Washington D.C., 1996.

2. VMT is Vehicle Miles Traveled by Medium/Heavy Trucks. Medium/Heavy Trucks are 10,000-26,000 and 26,000-80,000 pounds or more according to the National Highway Traffic Safety Administration (NHTSA); or the group including "Single-Unit Trucks other than 2-Axle, 4-Tire," "Single Trailer ," and "Multi-Trailer" Trucks according to the Federal Highways Administration (FHWA). The groups do not match perfectly because of the different classification systems by weight and by configuration, respectively. Estimate based on Arterial Roads and Larger (both Rural and Urban), U.S. DOT Federal Highways Administration (FHWA), Annual Vehicle Miles of Travel and Related Data Tables VM-2 and VM-4 "Distribution of Annual Vehicle-Miles of Travel by Highway Category and Vehicle Type" 1990-1996. Interpretation based on discussions with FHWA Office of Data Management. Measurements are per 10^9 large truck vehicle miles traveled.

3. For Rhode Island through District of Columbia, "truck driver fatality" numbers are from U.S. DOT National Highway Traffic Safety Administration (NHTSA) because U.S. DOL 1995 Census (see note 1) does not provide information on these states. See U.S. DOT Traffic Safety Facts 1995, Table 106, "Percent of Occupants Killed, by State and Vehicle Type," which is the closest approximation available, although not an identical measurement.

Top Ten States
for Truck Drivers Killed on the Job
Ranked by Vehicle Miles Traveled

There are 2,861,000 truck drivers in the United States, and nearly nine million people who have jobs related to trucking. According to the Department of Labor Census of Fatal Occupational Injuries, for every 100,000 truck drivers, 26 die on the job - putting the rate of fatal injuries among truck drivers above the national average. Driving a truck for a living today is a high risk occupation.

The Department of Labor reports that truck drivers nationally sustained 163,800 cases of job-related injuries and illnesses warranting time off for recuperation, which lasted an average of 8 work days. About 30% of the job-related harm was due to "overexertion," raising questions about truck drivers' obligations to load and unload freight, wait long hours to pickup and drop off loads, and work around the clock.

According to the industry magazine Trucking and Transport Leasing, "Driver turnover in the truckload industry often runs at least 100% per year. Drivers are sometimes on the road for weeks at a time, and there are many other unpleasant aspects of the job." The turnover rate is far above 100% for some companies, signaling a need for dramatic change in the working conditions of truck drivers -- before the lives of many more hard-working men and women are lost.

Fatal Occupational Injuries, 1995

Professional Pilots for Scheduled Air Passenger Transportation	**6**
Professional Bus Drivers	**17**
Professional Locomotive Operators, Conductors and Yardmasters	**22**
Professional Truck drivers	**749**

State	Truck Driver Fatalities on the Job, 1995 [1]	% of State's Total Annual VMT, by Large Trucks, 1995 [2]	Truck Driver Deaths per 10 billion VMT, 1995
1. Wyoming	8	13	8.74
2. South Dakota	5	8	8.15
3. Mississippi	26	15	5.86
4. [tie] Arkansas	23	15	5.75
4. [tie] West Virginia	11	11	5.74
5. Idaho	7	10	5.69
6. Utah	11	11	5.33
7. Oregon	18	12	4.99
8. South Carolina	15	8	4.84
9. Nevada	8	12	4.77
10. Washington	9	9	4.70

Sources:

1.U.S. Department of Labor, 1995 Census of Fatal Occupational Injuries, Washington D.C., 1996.

2. Large trucks are, according to the National Highway Traffic Safety Administration (NHTSA), Medium/Heavy Trucks 10,000-26,000 and 26,000-80,000 pounds or more; or, according to the Federal Highways Administration (FHWA), the group including most (but not all, according to the TIUS database) "Single-Unit Trucks other than 2-Axle, 4-Tire," all "Single Trailer ," and all "Multi-Trailer" trucks. The groups do not match perfectly because of the different classification systems by weight and by configuration, respectively.

VMT is Vehicle Miles Traveled. VMT estimates are based on Arterial Roads and Larger (both Rural and Urban), U.S. DOT Federal Highways Administration (FHWA), Annual Vehicle Miles of Travel and Related Data Tables VM-2 and VM-4 "Distribution of Annual Vehicle-Miles of Travel by Highway Category and Vehicle Type" 1990-1996. The VMT estimates are purposely not adjusted for lane mileage of the several road type categories because, to the best of our knowledge, the data presented to FHWA for charts VM-2 and VM-4 have already been adjusted by weighting VMT by relative proportions of road types in each state. VMT data for classes of vehicles are estimates because most states do not collect data on non-weekdays, when the proportion of passenger car traffic to commercial vehicle traffic may be generally higher; there may be irregularities regarding data collection over certain weeks or months of the year; and state data used here excludes roads smaller than Arterial Roads (rural and urban) on which the proportion of large trucks is relatively small. Interpretation of the FHWA VMT data has been aided by discussions with the FHWA Office of Data Management.

SOURCES FROM AND METHOD BY WHICH DATA WAS SECURED FOR THE *CRASH* RANKS THE STATES PRESS RELEASE

SOURCES FOR FATALITY STATISTICS

U.S. Department of Transportation National Highway Traffic Safety Administration (NHTSA) National Center for Statistics and Analysis, Traffic Safety Facts 1995: *Large Trucks*, Table 4: "Large Truck Involvement in Fatal Crashes by State, 1995," Washington D.C., 1996.

Comparison of state data presented in NHTSA Traffic Safety Facts 1994 and NHTSA Traffic Safety Facts 1995.

U.S. DOT NHTSA, Traffic Safety Facts 1995, Figure 28: "1995 Traffic Fatalities by State and Percent Change from 1994," pp. 136-137, Washington D.C., 1996.

SOURCE FOR POPULATION STATISTICS

Infra Note 1 and Census Bureau, 1995. See also Traffic Safety Facts 1995 Table 103: "Persons Killed, Licensed Drivers, Registered Vehicles, Population and Fatality Rates by State," pp.142-143, Washington D.C. 1996

SOURCE FOR VEHICLE MILE TRAVELED DATA

VMT is Vehicle Miles Traveled by Medium/Heavy Trucks. Medium/Heavy Trucks are 10,000-26,000 and 26,000-80,000 pounds or more according to the National Highway Traffic Safety Administration (NHTSA); or the group including "Single-Unit Trucks other than 2-Axle, 4-Tire," "Single Trailer ," and "Multi-Trailer" Trucks according to the Federal Highways Administration (FHWA). The groups do not match perfectly because of the different classification systems by weight and by configuration, respectively. Estimate based on Arterial Roads and Larger (both Rural and Urban), U.S. DOT Federal Highways Administration (FHWA), Annual Vehicle Miles of Travel and Related Data Tables VM-2 and VM-4 "Distribution of Annual Vehicle-Miles of Travel by Highway Category and Vehicle Type" 1990-1996. Interpretation based on discussions with FHWA Office of Data Management.

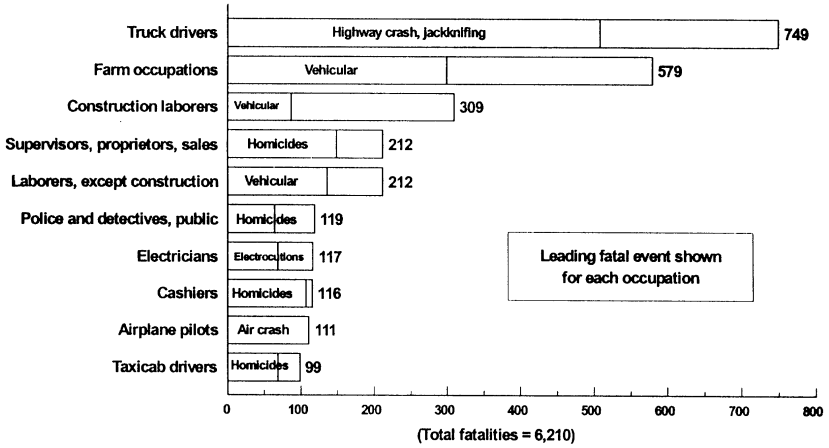
METHOD FOR ARRIVING AT PER CAPITA DATA

Truck fatality numbers divided by population equals truck deaths per capita

News United States Department of Labor

Bureau of Labor Statistics Washington, D.C. 20212

Chart 2: Occupations with large numbers of worker fatalities and the leading event, 1995



Truck driver fatalities, primarily involving highway crashes and jackknifings, accounted for 12 percent of the job-related fatalities.

THE WALL STREET JOURNAL.

TUESDAY, APRIL 29, 1997

TRANSPORTATION

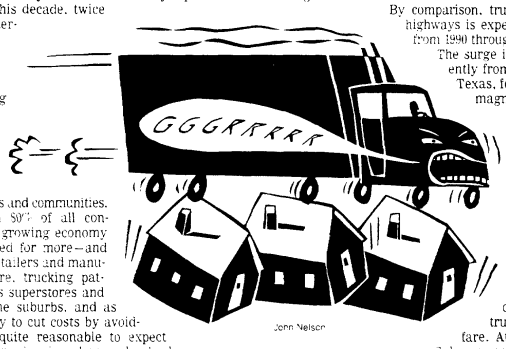
More Trucks Shake Residential America

By ANNA WILDE MATHEWS
Staff Reporter of THE WALL STREET JOURNAL

Steve Waskow lives in idyllic Princeton, N.J., but says he might as well be sleeping at a truck stop. Day and night, eighteen-wheelers roar past on the two-lane road outside his colonial home.

"The whole house trembles," says Mr. Waskow, a photographer, who came back from one vacation to find that his bed had moved three feet from all the shaking. "I have guests who say, 'How do you sleep here?' "

Residential America, long spared the rumbling of big trucks, is waking up to a new reality: Truck traffic has jumped 50% on town and city roads this decade, twice as fast as it has on interstate highways, federal figures show. And the invasion is only beginning: With the economy growing, big trucks will rack up a fifth of all their mileage on city and suburban streets this year, chewing up roads and disturbing the peace of many towns and communities.



John Nelson

Trucks today haul 80% of all consumer goods, and the growing economy only increases the need for more—and faster—deliveries to retailers and manufacturers. What's more, trucking patterns are changing, as superstores and plants move out to the suburbs, and as trucking companies try to cut costs by avoiding toll roads. "It's quite reasonable to expect truck traffic will be growing in urban and suburban areas. That's where the customers are," says Michael Jackson, senior vice president of the American Trucking Associations.

But homeowners from suburban Cleveland to Southern California are already mounting a grass-roots campaign against the industry, pushing for everything from lower speed limits to outright truck bans on certain streets. In the rural outpost of Antwerp, Ohio, where there are more trucks passing through (2,900 a day) than people in town (2,000), town officials are trying to build a special bypass route for trucks. In San Francisco, a once obscure advocacy group called Citizens for Reliable and Safe Highways has seen its membership shoot up 70% in two years. It now boasts 43,000 members.

"I've never seen an issue grab the populace the way this has," says Marvin Reed, mayor of Princeton. There, residents have started sticking fluorescent orange protest signs on manicured yards. "If we call a meeting in which trucks are going to be a topic, it's packed. They've had it with trucks."

According to the Federal Highway Administration, truck mileage on city streets jumped from 17.1 billion miles in 1990 to 23.6 billion in 1995, the most recent year tracked. By the end of this year, projects Martin Labbe Associates, an industry consultant, the figure will hit 25.7 billion miles—a 50% increase for the decade. By comparison, truck mileage on interstate highways is expected to increase just 23% from 1990 through 1997, to 58 billion miles.

The surge in traffic plays out differently from town to town. Roanoke, Texas, for example, has become a magnet for tractor-trailers now that a new cargo airport nearby has attracted huge warehouse centers for companies like Nestle SA and Food Lion Inc. As trucks cut through this once quiet Dallas bedroom community, they leave dirt and dust that literally coats cars along Oak Street—so much that the town recently moved to ban trucks from the thoroughfare. At the Head 2 Toe Beauty Salon, owner Lou Roberts is afraid to let customers' children sit outside. "It's like a highway," says Ms. Roberts. "It's loud and dangerous, and really annoying."

It's costly, too. In 1994 alone, tractor-trailers caused $3.9 billion in road-repair and building costs to local governments, according to Sydec Inc., a transportation consulting firm in Reston, Va. Just outside San Diego, the city of Santee, Calif., has been forced to put more police patrols on Mission Gorge Road, a main thoroughfare now for close to 2,800 trucks a day. Total cost: $250,000 a year. "It's cracks, it's potholes, it's just wear and tear," says the city's mayor, Jack Dale, adding that all the noise

Please Turn to Page B8, Column 6

and pollution from the trucks has also ruined his morning jogs.

Trucking companies insist the invasion isn't their fault. Indeed, it is consumers, not truckers, who have caused the growth in freight. Trucks move nearly everything Americans eat, drink or wear, and shoppers are also demanding up-to-the-minute style in the things they buy. Retailers respond with quicker turnover and greater variety in their offerings. In turn, they are calling for smaller, more frequent shipments from trucks. The trend is similar among America's manufacturing firms, which are cutting back inventory and costs with the same so-called "just-in-time" freight deliveries.

"Everything is just moving more quickly," says John M. Smith, president and chief executive officer of CRST International Inc., a major trucking company. "This is part of efficiency."

Trucking officials also point out that factories and distribution centers are moving from inner cities to smaller towns and suburbs, seeking cheaper labor and lower rents. These new industrial areas don't always have good access to highways. "In some towns, the only way to get to the industrial park is to go through a residential area," says John Lanigan, president of transportation for Schneider National Inc., a Green Bay, Wis.-based trucking giant. Adds Mr. Jackson, of the American Trucking Associations: "Trucks deliver to where people, stores and plants are located."

But critics say that the trucking industry, after slumping earlier in the decade, is also trying to boost profits at the expense of American towns and cities. One easy way: avoiding highways with high tolls. That may explain Antwerp's problem: After tolls on the Ohio turnpike were boosted 25% two years ago, truck traffic on the highway fell by 123,000 vehicles.

What's more, companies like CRST International admit they're delivering goods at the worst time of day now – at night. The company, based in Cedar Rapids, Iowa, once did most deliveries between 6 a.m. and 4 p.m. It now operates around the clock. At least half of his customers are open past daylight, up from about 15% a decade ago, says Mr. Smith, the company president.

"Our customers dictate when and where we arrive," he says.

STATEMENT OF BOB BARTLETT, MAYOR, CITY OF MONROVIA, CA, ON BEHALF OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

INTRODUCTION

Good morning Chairman Warner and Members of the Subcommittee. My name is Bob Bartlett and I am the Mayor of the City of Monrovia located in Los Angeles County. I am also the First Vice President the Southern California Association of Governments (SCAG) and Chairman of the SCAG Administration Committee. SCAG is the Metropolitan Planning Organization (MPO) for the six counties of Ventura, Los Angeles, Orange, San Bernardino, Riverside and Imperial and the 184 cities therein. Thank you for inviting me to participate in the hearing today. I am most appreciative of Senator Barbara Boxer's extra effort to ensure that Southern California is represented on today's important issue of the linkage between transportation safety and goods movement.

In my presentation I will cover two main topics: 1) improving border transportation infrastructure so that our roads are made safer; and 2) the SCAG proposal for including a goods movement factor in the reauthorized Intermodal Surface Transportation Efficiency Act (ISTEA) and how it relates to improved transportation safety.

But before I begin, SCAG would like to stress that ISTEA is working well, and that as a signatory to the California Consensus Principles, we support retaining its basic form with only incremental changes. The established regional and local decisionmaking process should be retained in the reauthorization of ISTEA through the roles and responsibilities of Metropolitan Planning Organizations. Furthermore, SCAG finds the Congestion Mitigation/Air Quality (CMAQ) program works well and we support full CMAQ funding under the reauthorized ISTEA. The essence of the SCAG message is that the reauthorized ISTEA needs a revised formula that includes a goods movement factor so that our nation can achieve its twin goals of strong global competitiveness and safer transportation systems.

BORDER INFRASTRUCTURE NEEDS

California's increasing need for improved border infrastructure stems from the 1994 enactment of the North American Free Trade Agreement (NAFTA) and the emergence of the United State, Mexico and Canada as the world's largest trade zone. With projections estimating that trade between Mexico and the United States will increase by 93 percent by the year 2000 which is only 2 1/2 years away, our state's border infrastructure is already experiencing growing pains. Fully one-third of all imports from Mexico come through California. While this is good for our nation's economy, it has substantially increased the burden on the transportation infrastructure at the border, causing congestion, delays and unsafe road and rail conditions. While it is often thought that a seamless system, moving goods unimpeded across the border exists, in fact, this is not the case.

The reality is that at some of California's five ports of entry border crossings, non-truck vehicular traffic has increased 138 percent, truck traffic has increased 257 percent and pedestrian crossings has increased 4130 percent between 1983 and 1991. Post-NAFTA, these numbers have so mushroomed that in 1995, our transportation system carried over 27 million northbound auto crossings annually with an estimated 83 million passengers. On the same roads we had 690 thousand northbound truck crossings in 1 year and nearly 16 million pedestrian crossings. Our ports of entry, many of which are composed of only two lane roads, have become chokepoints preventing the efficient movement of goods, giving way to costly time delays and unsafe road conditions.

Currently in California, border crossing delays range from 45 minutes in off-peak periods to 2 1/2 hours during peak periods. These delays are costly—to the point that 7 out of 10 U.S. industries and 5 out of 10 Mexican industries had at least 50 percent of survey respondents say they would pay a premium for time definite, guaranteed delivery. With the final stage of NAFTA implementation scheduled for the year 2000, when trucking companies from all three NAFTA countries will be allowed complete access into each country, these delay times will grow exponentially if we do not invest in border infrastructure expansion.

Border infrastructure improvements are also needed to ensure safer road conditions. In the U.S. over the 5-year period of 1990 through 1995, there has been an average of 41,600 annual traffic related fatalities. Truck occupants account for nearly 25 percent of these total annual fatalities. While most of these deadly accidents do not occur at the border, they do occur our regional transportation systems which are increasingly impacted by vehicles hauling NAFTA trade related goods.

In addition, regulatory differences between countries make safety conditions worse. Mexican trucks are generally three times as old as U.S. trucks and are not required to have front brakes, as do U.S. and Canadian trucks. Also, Mexican drivers do not have to obtain special training to transport hazardous materials, as do U.S. and Canadian drivers. Truckers in the U.S. are limited to 10 hours of daily driving time while Canadian truck drivers are limited to 13 hours a day. There is no limit on the number of hours Mexican truckers are allowed to drive daily. Finally, the U.S. is the only NAFTA signatory that requires random drug testing. The combination of harmonized regulations and infrastructure improvements will ensure smoother and safer transnational goods movement.

In the face of these trade and safety barriers, we still have the most extensive inspection program of the four border states. California inspects, on average, a whopping 2 percent of all vehicles crossing from Mexico. And we are doing the best! Our inadequate and antiquated infrastructure, compounded by the other major barrier of non-harmonized regulatory requirements, as I just mentioned, has made it impossible to provide on-time and safe transportation of goods to the rest of the nation. We do have plans for border infrastructure improvements such as construction of a permanent, six bay inspection facility located one-quarter of a mile away from the border at Otay Mesa in the City of San Diego. This port of entry, now served by an undivided roadway which increasingly experiences grid-lock due to accidents, is considered a safety hazard. The improvements are estimated to cost $10 million and yet this is not enough. Road and rail improvements at Otay Mesa and the other two ports of entry, San Ysidro and Tecate, in San Diego County are estimated at $347 million. This does not include the inspection facility or Federal port of entry improvements that are also needed for the growing goods movement across the Mexican border.

We also have plans to improve the two border crossings in Imperial County, located in the SCAG region. To accommodate the more than 14 million crossings, composed of trucks, non-truck vehicles and passengers in 1995 at Calexico, and the approximate 1.6 million total crossings at Andrade, also called Calexico East, in the same year, we have plans for road expansions on three state routes, new truck inspection docks, state-of-the- art cargo facilities and rail modernization. The total cost for these critical projects is $323.5 million and yet less than one third of that total has the necessary funding commitments behind it. To complete these projects, we still need an additional $217.7 million and we need the Federal Government to play a key role in providing funding to alleviate these chokepoints. While state and local governments also must provide funding for these improvements, we need the Federal Government to be a strong partner so that our borders can support the trade growth that comes with the full implementation of NAFTA.

Senator Boxer, along with her co-sponsor Senator Bingaman, recognizes the Federal responsibility for border infrastructure in the bill S. 408 which provides over $640 billion over 4 years in Federal funding for the construction of new facilities as well as improvements on the existing system for our nation's trade needs. This bill contains a good mix of grants and loans while including the necessary requirement for state and local funding matches. We support this bill because it moves in the right direction of government partnerships in the full implementation of NAFTA.

We are also supportive of many of the Administration's motor vehicle safety provisions contained in the second part of its NEXTEA proposal. We desperately need the proposed adoption of international and national vehicle standards, harmonized with functionally equivalent or compatible U.S. commercial vehicle standards, as well as the proposed education campaign and proposed technical assistance to Mexico to assist them with implementing these essential safety standards.

SCAG'S FREIGHT FACILITIES FACTOR

Clearly the biggest reason for improving the infrastructure at border crossings is to accommodate the burgeoning goods movement associated with not just NAFTA but also our country's increasing commitment to global competitiveness. We can already see the impacts of global trade on our local highways in Southern California. SCAG recently completed a study of some of the most congested parts of our regional transportation system, specifically Interstates 5 and 15 and State Route 60 which are used by trucks to move freight from the Los Angeles Basin through San Bernardino and Riverside on to Las Vegas and the rest of the country. We discovered that if the growth trend continues, as much as 70 percent of the capacity of these highway lanes will be filled with trucks. Where will the cars go?

As the gateway to the Pacific Rim, California receives almost one third of the nation's imports from other countries in addition to Mexico and 60 percent of those

goods move through our state by truck or train to the rest of the nation. We know that other states, particularly those with major water and air ports also share the burden of moving international goods destined for the rest of the country. Therefore, SCAG has developed a goods movement factor that allocates funds based on a state's relative share of international trade.

The current ISTEA gave high priority to clean air, congestion reduction and enhancements but failed to provide the same funding priority to freight despite requirements in the Act that states and Metropolitan Planning Organizations must plan for freight as part of the commitment to the nation's policy of intermodalism. The time has come to give the same priority to moving freight under the reauthorized ISTEA.

SCAG's freight factor formula allocates funds to the states in proportion to a combination of both the value of imported and exported freight moved through their customs districts and the mileage of both highway and rail in the state. Under the formula, each state receives a minimum allocation to acknowledge each state's role in freight movement. Also, the formula contains a pooling feature so that the states that have overlapping port areas or shared port authority such as New York and New Jersey receive an equitable distribution. Using this formula, the state of California could receive an increase of more than 1.5 percent over what it currently receives in total ISTEA funds. This is not a small figure given that the current ISTEA authorized $155 billion total over 6 years. Others states do proportionately well under our proposal.

SCAG recommends that the following freight projects, at a minimum, be eligible for funding under the proposed formula: connectors to intermodal facilities, grade crossing improvements, truck lanes and dedicated truck routes, and other bridge and highway improvements designed primarily to support freight transportation and increase safety. Funding for these projects is critical both to support increased trade and to ensure highly efficient transportation systems that are safer for drivers, passengers and pedestrians.

Contrary to popular belief, states with substantial international goods movement via truck do not benefit financially from the service of moving these goods. The only compensation we receive is from diesel gas tax which is not proportionately returned to the state because trucks, hauling goods on the interstate system, do not necessarily pay gas tax in the state whose roads they use the most. For example, trucks will fill up their tanks in Arizona but use the road system in California without buying gas and paying tax in our state. This proposal recognizes that allocating funding based on system use is a more equitable and simpler solution than changing truck drivers' gas pumping behavior or state gas tax rates.

We have received considerable support for the concept of including a goods movement factor in the reauthorized ISTEA formula from members of both the Senate and House, including the majority of the California delegation, as well as the U.S. DOT, state DOTs, ports, and key industry sectors. Today I ask that this subcommittee join the rest of the transportation policymaking community in supporting a goods movement factor under the reauthorized ISTEA. CONCLUSION

The proposals to provide Federal funding for the improvement and expansion of border infrastructure in support of full implementation of NAFTA, as well as inclusion of a goods movement factor that apportions funding based on a state's relative share of international trade need your support. It is not just California, but all states in the country that benefit not only from increased global competitiveness but also stronger transportation safety regulations and enforcement. To that end we look forward to working with the Subcommittee to assure that border crossing infrastructure improvements and an international goods movement factor, both which respond to Federal mandates and critical transportation related needs, are included in the next ISTEA and other related legislation to better implement our national transportation policies.

STATEMENT OF ELIZABETH BAKER, MARYLAND HIGHWAY ADMINISTRATION, ON BEHALF OF NATIONAL ASSOCIATION OF GOVERNORS' HIGHWAY SAFETY REPRESENTATIVES

I. Introduction

Good morning. My name is Elizabeth Baker, Chief of the Traffic Safety Division of the Maryland Highway Administration. I am representing the National Association of Governors' Highway Safety Representatives (NAGHSR). NAGHSR is a nonprofit organization representing state highway safety agencies. Its members are appointed by their Governors and are responsible for implementing the Federal nonconstruction highway safety grant programs. (These grant programs are under the jurisdiction of the Senate Commerce Committee.) However, NAGHSR's members

work closely with the state departments of transportation which have primary responsibility for implementing the safety construction programs, and some of the NEXTEA safety construction proposals have implications for the non-construction safety programs.

Today, I'd like to discuss two issues: 1) NAGHSR's philosophy about the reauthorization of the Federal safety programs and 2) the Association's position on the Administration's proposed NEXTEA legislation. In deference to the Committee's jurisdiction, we will limit our remarks to the safety construction and related portions of the NEXTEA proposal.

II. NAGHSR's Views on Reauthorization

A. Justification for Federal Involvement in Safety

In NAGHSR's view, there is clearly a critical role for the Federal Government in highway safety.

Motor vehicle crashes are a major and costly public health problem for this country. According to The Economic Cost of Motor Vehicle Crashes, 1994, prepared by the National Highway Traffic Safety Administration (NHTSA), motor vehicle injuries and fatalities cost the Nation $150.5 billion annually—2.2 percent of the gross national product—in medical costs, workplace costs, lost productivity, insurance administration, legal and court costs, property damage, and other costs. Roughly 9 percent ($13.8 billion) of all motor vehicle crash costs are paid for by public revenues, including 6 percent ($9.2 billion) from Federal revenues and 3 percent ($4.6 billion) from state and local revenues. In effect, taxpayers pay an additional $144 per household annually to cover the costs of motor vehicle crashes.

Eleven percent ($17 billion) of total crash costs is for medical treatment. Twenty-four percent of medical costs ($4.08 billion) is borne by the public. Of this amount, $2.38 billion are Federal costs and $1.7 billion are state costs.

In addition, motor vehicle crashes are the leading cause of workplace fatalities and injuries. Work-related motor vehicle crashes on and off the job cost employers $53 billion in 1992, according to the latest analysis prepared by NHTSA. To produce profits equal to employer costs of motor vehicle-related injury, employers would need $530 billion in sales—more than three times the annual growth of the U.S. economy.

Motor vehicle crashes are the leading cause of death and injury for persons between the ages of 6–28. They are the leading cause of all unintentional injuries and one of the leading causes of serious head injury, including epilepsy. 41,798 people were killed and 3.4 million people were injured in motor vehicle crashes in 1995—one fatality every 12.5 minutes and one injury every 15.5 seconds.

Federal action is urgently needed to address this serious problem, save lives, and reduce public health, workplace and related expenditures. The costs of inaction in highway safety are great. According to NHTSA's report, Saving Lives and Dollars, if the fatality and injury rate remained at the 1992 (and current) rate of 1.7 fatalities per 100 million miles of travel, motor vehicle-related fatalities would still increase by the year 2000. Projected fatality and injury-related economic costs would increase by $7.4 billion. If the fatality and injury rate increased from the 1.7 rate, total injuries, fatalities and costs would increase even more. The number of fatalities would increase by 5,280 and the economic costs would increase by $13 billion (including a $350 million increase in publicly funded health care and an additional $1 billion in taxes to cover lost tax revenue and increased public assistance) in 2000.

A modest Federal investment in highway safety could yield substantial savings in both public and private sector costs. At a time when the Administration and Congress are exploring ways to reduce health care costs across the nation, Federal funding for programs which help prevent costly motor vehicle fatalities and injuries should not be overlooked. Given the size of the highway safety problem and the importance of Federal highway safety grant funds in solving that problem, it is clear that the Federal Government must continue to be directly involved in highway safety issues.

B. Federal Role in Safety

NAGHSR strongly believes that there is a legitimate and appropriate role for the Federal Government in highway safety and that role is one of partner. Over the past forty years, the Federal-aid highway program has been a "federally assisted, state-administered" program: the Federal Government provides the funding, leadership, guidelines, and assistance to the states, and the states implement the program. In our view, the Federal highway safety program has been and should continue to be implemented in that same manner.

The Federal Government can provide leadership by setting national goals, addressing emerging issues, convening summits on issues, developing national edu-

cational campaigns, and providing guidance on issues that are no longer mandatory, such as excessive speed.

The Federal Government can also assist states in moving toward more cost-effective, performance-based programming. By re-engineering Federal grant program administration so that it is more results-oriented, states will be allowed to set their own goals, develop creative strategies that are appropriate for their states, and evaluate their progress in meeting goals.

The Federal Government can provide training, develop training standards, develop and demonstrate new programs and technology, facilitate technology and information sharing, and research and evaluate highway safety issues and programs.

The Federal Government should provide adequate funding so that states and communities will be able to implement comprehensive and effective highway safety programs. Federal funding for the highway safety grant programs have remained relatively constant and at levels well below the authorized amounts. At the same time, demands on the grant programs have increased substantially while the buying power of those programs have declined. Significantly more funds will be needed in the future if we are to continue to make progress in safety.

C. Reauthorization Philosophy

States strongly support Federal highway safety programs which give them the flexibility to address their priority highway safety needs. Federal programs should allow states to determine the mix of highway safety projects which are appropriate for them through a state problem identification and planning process. Consequently, NAGHSR is strongly supportive of performance-based programming. Under such an approach, states must identify their goals, identify strategies that satisfy those goals, monitor their progress in reaching the goals, and evaluate the effectiveness of the strategies that have been selected. Performance-based programming is results-oriented: it allows states to work toward specific results without dictating how those results must be achieved.

States support Federal highway safety programs which are flexible enough and provide enough resources for states to focus on emerging issues. Drowsy driving, aggressive drivers, older drivers, repeat impaired driving offenders, young adult drinking drivers, and women drivers are some of the issues that have emerged in recent years and for which there are insufficient Federal programs and resources. At least three of these issues—older drivers, fatigue and aggressive drivers—will require improvements in roadway safety.

States support Federal highway safety programs which encourage coordination and cooperation between the diverse state and local agencies with an interest in safety. In every state there are many agencies with responsibility for some aspect of highway safety. This may include the state department of transportation, highway safety office, motor carrier safety administrator, railroad agency, law enforcement agency, emergency medical services agency, education department, health department and other state agencies. Several of these agencies must satisfy different Federal safety planning and programming requirements. Until ISTEA, there was little attempt to coordinate state safety plans and programs or maximize the use of Federal safety grant funds.

ISTEA required states to implement a Safety Management System (SMS) and five other management systems. Under SMS, states were required to identify a safety "focal point" or lead agency within a state which would coordinate all safety-related activities. They were also required to form an SMS advisory committee with members of state agencies with an interest or responsibility for safety. States were required to develop a process for identifying state safety problems and selecting the priority problems, develop a coordinated plan to address those problems, and monitor and evaluate the safety strategies which were implemented.

Last year, the SMS and other management system requirements were repealed under the National Highway System Act. However, all of the states have opted to continue to coordinate state and local safety activities, some to a greater degree than others. NAGHSR believes that the reauthorization should place a premium on this kind of safety coordination and, unlike ISTEA, should provide resources to states for that purpose.

D. Sanctions v. Incentives

NAGHSR firmly believes that incentives, rather than sanctions, are the right way to positively influence state behavior. Incentives reward states that already have appropriate laws and programs in place and induce other states to enact such laws and programs. Incentives induce states to "stretch," to try a little harder, and to strengthen laws and programs already in place. However, incentives do not penalize states if they do not attain their goals.

The Section 410 impaired driving incentive grant program is an excellent example of an incentive program that works. In fiscal year 96, 32 states were approved for 410 funding. In fact, there have been more states applying for Section 410 grants than there is available funds. The 410 program has successfully contributed to the passage of state impaired driving legislation: Since enactment of ISTEA and partly as a result of the Section 410 program, 8 states enacted .08 BAC laws, 34 states enacted zero tolerance laws, and 10 states enacted administrative license revocation laws.

The Federal Government has too often forced states to address a particular highway safety issue by threatening them with sanctions if they fail to act in the specified manner and during a specified time period. The sanctions are often not targeted to the problem or issue: states with impaired driving problems may have their highway construction funds withheld even though the withholding may do little to solve the impaired driving problem. Further, sanctions are frequently counter-productive: by withholding Federal highway construction funds from non-compliant states, the highways become deteriorated, which in turn, leads to unsafe driving conditions.

Redirection of funds has not been any more successful than sanctions in our view. Although the redirection is a more targeted approach and the states do not lose any Federal highway construction funding, it is still problematical. In many states, the redirection provisions of ISTEA created divisions between the state highway safety office and the state department of transportation. Last year, before the final passage of the NHS Act, the highway safety offices in several non-compliant states were pressured by their DOTs to release the redirected highway construction funds even before they were legally allowed to do so. The DOTs believed that the highway safety offices were holding their construction funds hostage. The situation was particularly troubling in those cases where the state highway safety offices are part of the state DOT. At the state level, the redirection created resentments, confusion, and ill will toward highway safety which was directly in conflict with the intent of the legislation.

Sanctions and redirection measure state progress only in terms of their ability to pass a single, often narrowly defined piece of legislation. They ignore the fact that there may be more than one appropriate approach to a highway safety problem and fail to measure a state's overall performance in addressing that problem. These approaches ignore the fact that the legislation may have less than the desired results unless the public is adequately informed about the law's existence and potential consequences, the law is adequately enforced, and it is adjudicated in a manner consistent with legislative intent. The sanctions/redirection approach overlooks the attempts states may have made to pass the legislation and ignores differences in state problems, needs, and resources. Both approaches assume that the Federal Government—and only the Federal Government—knows what is best for the states. As a result, these paternalistic, heavy-handed approaches have created an enormous amount of resentment among the states. Sanctions and redirection have the potential for doing more harm than good, as occurred with the National Maximum Speed Limit.

For these reasons, we urge the Committee to oppose proposals currently circulating which would sanction states for failure to enact .08 BAC laws and redirect construction funds if states fail to enact primary safety belt laws. Congress should enact strategies that bring the safety community together rather than those that pull them apart.

III. NAGHSR Response to NEXTEA

A. FHWA 402 Program

Under ISTEA, the 402 behavioral safety program has been authorized in two separate titles by two Senate authorizing committees. This committee had jurisdiction over the FHWA portion of the program—that portion which concerns roadway safety. The FHWA 402 program is essentially a planning program which allows states to identify roadway safety-related problems. The states then use their STP funds to address and correct the identified problems.

Last year, NHTSA and FHWA (the Federal agencies which jointly administer the 402 program) convinced the Appropriations Committees to fund the program in a single appropriation instead of two separate appropriations, as had historically occurred. This change was intended to streamline the manner in which states receive their 402 allocations. States have been supportive of this change because it has greatly facilitated the obligation of 402 funds.

The Administration has proposed that the legislative authorities for these two portions of the program should also be combined. NAGHSR strongly concurs. There no longer appears to be any reason for the separate authorities. The program planning and implementation requirements have been jointly developed and program

oversight is jointly administered. The distinction between the program components has become blurred over time. For example, FHWA has developed a red light running program which is aimed at affecting the behavior of driver at traffic signals.

DOT has altered, with considerable state input, the administration of the Section 402 program so that it is more performance-oriented. NAGHSR strongly supports this approach and recommends that it be continued under the reauthorization. NAGHSR also supports the Administration suggestion that the national safety priorities be continued as Federal guidelines. Few other changes should be made to the program.

B. Safety Infrastructure Program

NEXTEA would replace the safety set-aside under the Surface Transportation Program by combining the safety construction programs into a single authorization which would be known as the Infrastructure Safety Program. Funding for rail grade crossing and hazard elimination would remain separate, but there would be greater transferability from the grade crossing program into the hazard elimination program. There would also be flexibility from the hazard elimination program into the non-construction safety programs if a state met the integrated safety planning requirements under the Integrated Safety program. The funding ratios for the two programs would be about 1/3 for the grade crossing portion and 2/3 for the hazard elimination program. NEXTEA would also broaden the funding eligibility by allowing up to half the grade crossing portion of the funding to be used for traffic enforcement, grade crossing education and trespassing countermeasures.

NAGHSR supports all of these provisions and believes that the funding proportions reflect the size of the problem in each area. We support the proposed formula changes in the rail grade crossing program which will help direct Federal funds where they are most needed. We strongly support the change in the funding eligibility and believe that the changes make the rail grade crossing program a more comprehensive safety program. NAGHSR also supports the increased flexibility between the grade crossing program and the hazard elimination program, and between the latter program and the non-construction program.

However, at least one transportation organization is concerned that 100 percent of hazard elimination program funds can be transferred into the non-construction programs. The group has suggested that the authorizing legislation should also allow funds to be transferred from the non-construction programs into the hazard elimination program so that the transferability is reciprocal.

NAGHSR would strongly oppose such a suggestion. Based upon past experience, we believe that the state departments of transportation would transfer non-construction program funds into construction programs so that there would be little or no motor carrier or behavioral funding remaining. NAGHSR suggests that a cap (e.g. 25 percent) be placed on the amount of the hazard elimination funds which could be transferred to other programs in order to protect the integrity of those funds and address the group's concerns. If that approach is unacceptable, NAGHSR would support dropping the transfer provision entirely.

C. Integrated Safety Program

NEXTEA would create a new integrated safety fund to encourage the continuation of the kind of integrated, coordinated planning previously required under the Safety Management System requirements. Qualifying states would have to compete for funds and satisfy certain eligibility criteria. States would have to show that they have an integrated safety planning process and have established goals and performance benchmarks. Qualifying states could use the funds for safety construction, motor carrier or behavioral program purposes.

NAGHSR supports the proposed Integrated Safety Program in concept. We believe that it encourages the kind of coordinated safety planning which should be a goal of the reauthorization. However, the eligibility criteria are not fully outlined in NEXTEA, so it is difficult to envision exactly how the program would be implemented. We encourage DOT to explore possible implementation strategies with Congress as well as safety and transportation organizations to clarify this proposal before a reauthorization bill is finalized.

For example, Congress could consider a grant eligibility criteria relating to occupant protection. States could receive Integrated Safety program grant funds if they enacted a primary safety belt law or satisfied a specific safety belt use rate (e.g., 75 percent in the first 2 years and 80 percent in the last 3 years). This would provide incentives to states to improve their safety belt use rates rather than punishing states if they do not. It would complement the proposed (but under funded) occupant protection incentive grant program and provide additional funding for an important national safety priority.

D. Program Funding

The biggest safety problem that needs to be addressed in the reauthorization is the lack of adequate funding for all highway safety programs. Federal funding for driver and vehicle highway safety programs has not kept pace with inflation, the growth in licensed drivers and registered vehicles, or the increase in travel in the country. Hence, the "buying power" of the Federal safety dollar has greatly diminished.

Total funding for non-construction behavior programs has been too small relative to the size of the problem and has not increased at a sufficient rate. At the same time, demands for highway safety grant funds have increased tremendously. New issues (such as fatigue, aggressive driver, young adult drinking driver) have emerged for which there are no new Federal highway safety funds. New initiatives such as SMS planning and Safe Communities have been launched without the benefit of new Federal funding.

Without adequate funding, the rate of progress that has been made in highway safety cannot be sustained. We've made great progress by reaching the easy targets and implementing the easy "fixes." In order to influence the behavior of hard-to-reach and other target populations and address safety problems in a comprehensive and coordinated manner, the states will need significantly more resources.

The Administration has proposed to fund the 402 program at only $25 million per year above current levels. The Safety Infrastructure program is slated to be funded at the same level as fiscal year 97 funding for the grade crossing and hazard elimination programs.

Needless to say, the proposed funding in NEXTEA for the safety grant programs is a slight improvement over current funding. It is not, however, consistent with the fact that safety is DOT's "north star" and the leading priority of the Department. NAGHSR urges that funding for the safety grant programs should be increased above the levels recommended by the Administration, particularly funding for the 402 program. Current funding for non-construction safety programs is less than 1 percent of the Federal-aid highway program. Funding for those programs should be doubled. Funding for safety construction should increase by more than the proposed $100 million level.

The need for increased funding is clear. The time for that increase is now. If safety is truly a top priority, then let's start funding it in a way that matches safety's priority status.

We concur that the proposed funding for all of the programs in NEXTEA is insufficient and that Congress must find a way to increase the overall funding. NAGHSR is pleased that Senator Chafee has proposed legislation which would allow some increases in overall funding. We view the legislation as a step in the right direction and are optimistic that Congress will find a way to increase transportation funding without damaging efforts to balance the Federal budget.

NAGHSR looks forward to working with this Committee as it considers reauthorization of Federal safety grant programs. We appreciate the opportunity to testify before you on these important issues.

RESPONSES OF BARBARA L. HARSHA TO ADDITIONAL QUESTIONS FROM SENATOR CHAFEE

Question 1. Where is it appropriate to draw the line with respect to Federal leadership in setting national goals?

Response. As noted in our May 7 testimony, NAGHSR believes that the Federal Government can provide leadership by setting national goals in consultation with states and other safety partners, addressing emerging issues, convening summits on issues, developing national educational campaigns, and providing guidance on issues that are no longer mandatory, such as excessive speed. The Department of Transportation has already shown leadership by establishing impaired driving goals for the year 2005 with its state, local, industry, and grassroots partners. The Secretary has recently established occupant protection goals for the year 2005.

The Federal Government can also show leadership by providing the funding and technical assistance to states to help them meet the goals. DOT already does both. Through the Section 402 State and Community Highway Safety grant program, as well as the Section 410 Impaired Driving grant program, DOT provides states with resources (albeit limited ones) to address impaired driving, occupant protection and other highway safety issues. The Department provides technical assistance to states through research, demonstration grants, and program development.

NAGHSR does not argue with the authority of the Federal Government to condition grants in order to compel the states to satisfy specified goals. This is one way

that the Federal Government can exhibit leadership, but it is a way that involves high costs.

NAGHSR believes, as do other state, law enforcement and transportation organizations, that sanctions and penalties are a very ineffective and unsatisfactory way to address Federal safety concerns. States increasingly find such an approach to be coercive and divisive. States are increasingly resentful of what they perceive to be Federal intrusion which, in turn, can create a backlash against the very highway safety issues Congress is trying t.advance. States also perceive this heavy-handed approach to be contradictory to the performance-based approach the Federal Government has encouraged through the recently enacted Government Performance Results Act. They will comply with the sanctions only reluctantly and often at the last possible moment. They will do the minimum amount that is necessary to avoid the penalties and may not enforce the required laws once they are in place. We firmly believe that a sanction or penalty which requires state implementation will not be successful without state support in the first place.

NAGHSR believes that it is more effective and productive to work with the states rather than dictating the actions states must take. We are disappointed that DOT did not show leadership by convening a meeting of key Governors and state legislators to ask them what they would be willing to commit toward efforts to improve safety belt use and reduce impaired driving. We are also disappointed that DOT has not requested funding for its incentive proposals at high enough levels, particularly since past experience with the 410 program has shown that incentives work, and work well.

Congress must weigh the costs and benefits of various leadership options and determine which option is potentially the most successful and which addresses Congressional concerns in the most effective manner.

Question 2. Do you think that "sanctions" such as the minimum 21 drinking age are of some value, or are all sanctions counterproductive?

Response. NAGHSR believes that the key to the effectiveness of sanctions is support by the public and elected officials. drinking age sanctions have been effective because there was broad support for them by both the general public and state and local elected officials. . Elected officials at all levels consistently support measures which improve the safety of persons who are too young to make informed decisions by themselves. NAGHSR strongly supports the 21 drinking age sanction because it has been effective, and we would work against any measure to repeal it.

Other sanctions have been dismal failures because they did not have broad support, regardless of how good a public policy they may have been. The National Maximum Speed Limit is a case in point. The public did not support the limits, nor did state and local elected officials. . People did not alter their driving behavior because of the sanctions. Drivers drove at excessive speeds when the limit was in effect and before its repeal.

Some states complied with the sanctions by manipulating their method of compliance. They posted speed monitoring stations at points where drivers had to slow down (e.g., at the top of a hill) or on low traffic volume locations. In effect, they orchestrated the monitoring system so that the monitoring reports would show the acceptable number of automobiles at posted speeds. Those states that were unable to manipulate the speed reports in this manner sought and successfully achieved Congressional moratoria on the sanctions. Congress never penalized a single state for noncompliance, so the sanctions were never a credible vehicle for compelling the states to act.

The Section 159 requirement is another case in point. In 1990, Congress enacted legislation which required states to enact laws which revoked or suspended the driver's license of anyone convicted of a drug offense or face highway sanctions. States could comply by enacting the necessary law or by adopting a resolution, endorsed by both the Governor and the state legislature, indicating the state's opposition to the 159 requirement. The presumption of the Section 159 requirement was that the elected officials would find it politically difficult to endorse such a resolution and appear to be "soft" on drugs. However, as of 1996, only 20 states had enacted the necessary legislation. Thirty states adopted the requisite resolution. The 159 requirement did not have the support of the elected officials in the majority of states. For those states, the requirement has become little more than a paperwork exercise.

As noted in our testimony, NAGHSR supports both primary belt laws and .08 BAC laws, and we encourage states to enact both. The Association also believes that the public supports efforts to improve safety belt use and reduce impaired driving. We do not, however, believe that the public fully understand the difference between a secondary and primary safety belt law or between .08 BAC and .10 BAC. We believe that there may be a backlash against the stricter laws (particularly with respect to the safety belt laws) if the laws are required before the public is better edu-

cated and is fully supportive of them. Finally, we contend that state elected officials oppose the penalties and sanctions, as evidenced by the recent letter of the National Governors' Association and the recently adopted policy position of the National Conference of State Legislatures. All of these elements suggest that the proposed impaired driving sanctions and safety belt penalties will be unsuccessful.

STATEMENT OF ROBERT A. GEORGINE, PRESIDENT, BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AFL–CIO

Thank you for the opportunity to testify before your committee today on safety-related issues as they apply to the Intermodal Surface Transportation Efficiency Act (ISTEA), which when passed will be known as NEXTEA.

The original ISTEA legislation was landmark legislation. For the first time in the nation's history, the Federal Government passed legislation not just to and construction of individual highways, bridges or transportation systems, but to think in terms of regional and national infrastructure systems. It was an important difference then, and it remains important today as you struggle with how best to utilize the limited funds available for such a large and wide-spread national infrastructure picture.

Even though we are in an era of government downsizing and constrained Federal spending, the nation's businesses and their workers cannot be competitive in the 21st Century without a well-financed transportation network. In many parts of the nation, but especially along our coastlines which facilitate imports and exports, infrastructure improvement is critical. These areas strengthen our national position as a primary gateway for international trade and commerce. In many localities, but dramatically within border towns that facilitate international shipments by road traffic, significant infrastructure expenditures are a necessity. To that end, Congress is in a position to send a strong signal about our nation's priorities during this authorization process.

We, the Building and Construction Trades Department, the Transportation Trades Department and the affiliated national and international unions from both AFL–CIO departments, support those who seek to redirect the deficit reduction tax to the Highway Trust Fund.

The 4.3 cent gas tax, enacted in 1993 for deficit reduction, should go to support the Highway Trust Fund programs, and ought to be distributed equitably and fairly within our Federal surface transportation system. We support allocating a half cent for Amtrak capital needs with the 3.8 cents balance going to support additional investments in highway and transit needs under existing formulas.

The Department of Transportation, the White House and Congressional committees all seek new ways to expand the upgrading of the national infrastructure. The Administration's proposal to bring state governments into this process through creation of the State Infrastructure Banks, or SIBs, as they have become known, is an interesting concept. However, we disagree with it.

We believe the Federal Government is stepping away from its responsibility to achieve a cohesive national infrastructure program by creating a structure that will fund only state-oriented programs.

Proponents suggest this will ensure participation and responsibility within the states to make critical decisions about projects built within their borders. SIBs, as presently configured in the draft proposal by DoT, would involve the states in the raising of funds to finance programs not ordinarily financed through the Federal process.

While this may have some beneficial effect for states able to attract investors, the possibility remains that a future Administration or Congress may abrogate responsibility to adequately fund a national transportation program that benefits all states and all of our citizens.

Among the proposals being considered for construction through SIBs would be such varied projects as the construction of water systems, water ports, inland waterways, airports, schools and libraries. The SIBs could use funds to provide loan guarantees, lines of credit, and limited direct lending to states and localities for infrastructure projects.

It is also proposed that private parties, such as individual and multiemployer union pension funds, could be investors in SIBs. If present prospects unfold, then participation of these funds would likely be precluded unless strong worker rights language was incorporated into any agreement.

It is too early yet to know if the final bill language will allow pension plan investments. However, the concept is feasible if SIBs are structured in a way that would allow fund administrators to meet required fiduciary obligations. It is also imperative that the members of those union funds are employed to build the projects.

NEXTEA is without doubt the most important construction bill to come before Congress before the end of the century. For this reason, each and every one of the 15 national and international unions affiliated with the Building and Construction Trades Department is a strong and vocal advocate of this legislation.

Those of you serving on this committee have been asked to make difficult, expensive and important decisions about America's future. Congress approved $155 billion in 1991 for ISTEA. This year, the Clinton Administration has proposed spending $175 billion over the 5-year life of this bill, nearly $40 billion of which would be obligated for surface transportation in the first year of NEXTEA.

The Building and Construction Trades supports a higher authorization level. Given the importance of our nation's infrastructure to national and international commerce, it might be worthwhile to consider raising the total money in the bill, if not this year, then as soon as possible.

Preserving the key elements of ISTEA in the NEXTEA bill is important. It is good that an intergovernmental partnership, a commitment to safety, enhanced planning and a concern for the environment are included in the bill. Flexibility, intermodalism and infrastructure investments should be retained and expanded.

Unfortunately, the committee must choose its priorities on the basis of the present state of the existing infrastructure. And, there is much from which to choose.

More than a quarter million miles of American roads are considered either poor or mediocre. Of all American highway systems in this nation, only 39 percent of highways are judged to be in good condition.

A total of 186,559 bridges over 20 feet in length are considered deficient. This represents 32 percent of all the bridges in the nation. Highway fatalities have risen every year since 1991, with 41,798 fatalities recorded in 1995, the last year for which information is available. Three of every four of these deaths occurred on two-lane roads. The American Highway Users Alliance computed the figures cited above, and also provided us with the information which follows:

- It costs the Nation an average annual investment of $54.8 billion just to maintain the present state of repair of the national highway system.
- It would require an average of $74 billion a year of combined Federal, state and local expenditures to improve present conditions on the nation's highways.
- The Department of Transportation, for the first year of NEXTEA, authorizes $39 billion of Federal money for surface transportation. That means the states and local governments are going to have to contribute substantially if the Nation is going to make discernible improvements soon.

In today's world, a modern four-lane highway can cost $5 million a mile in areas where construction is relatively easy. Governor Paul E. Patton of Kentucky, in testimony in March before the House Surface Transportation Subcommittee, said he estimated, in his state where roads must be built in rugged mountainous terrain, the cost of that same mile of four-lane highway can cost $30 million. He further testified that in his state, more than half of the rural county roads are unpaved.

The significance of these overwhelmingly bad statistics is not simply to demonstrate the problem, but the need for solutions. I know that is the goal of this committee. We pledge the skill of our members to ensure that badly needed repairs and possible improvement of the nation's infrastructure will be accomplished. And as we pledge the support and dedication of our members to rebuilding America, we applaud the Committee for considering the safety and health issues that are necessarily raised when the subject turns to construction.

The construction industry includes a wide range of diverse, frequently changing activities that occur on temporary worksites under a variety of circumstances. The vast majority of construction contractors are classified as small employers (with less than 100 employees) who have limited resources and few full- time personnel with safety and health expertise. This is complicated by the existence of multiemployer worksites where communication and coordination are difficult at best. Until recently, construction ranked as the leading industry sector in work- related injuries and deaths.

Nonfatal work-related injuries and illnesses are reported every year by the Bureau of Labor Statistics. In 1995, these rates fell to the lowest level in nearly a decade. Still, construction remains a dangerous way to make a living. It is, in fact, the second highest, most dangerous sector, with an injury incidence rate of 10.6 cases per 100 equivalent full-time workers. In 1995, this translated to 484,900 work-related injuries and illnesses with 190,600 of those involving lost days of work.

According to the National Safety Council, 350,000 construction workers suffer from disabling injuries every year. In 1995, an additional 1,040 died in work-related

accidents (20 percent of all work-related deaths). This represents 16 deaths a year for every 100,000 construction workers. That means that on any given day, four workers will die because of constructionsite accidents. In my opinion, most of them are preventable.

The three most common causes of deaths in construction involve falls (representing almost a third of fatalities), followed by "contacts' with objects or equipment, and electrocution. These types of injuries are, however, not the only life- threatening or debilitating dangers in construction. In addition, workers are exposed to hazardous substances and work processes that have been related to illnesses with long latency periods—like asbestosis or cancer.

BLS data, as presented above, does not adequately represent these types of events as they most often occur years after the worker has left the worksite and are never recorded on the BLS survey. BLS conservative estimates, based on sampling, do indicate that at least 500,000 occupational illnesses are recognized or diagnosed each year.

Construction workers face the risk of lead poisoning related to the repair or demolition of old bridges and other structures coated with lead paint. They are at high risk of silicosis because of the quartz found in work materials as they chip, hammer, drill, crush, load, haul and dump rock; use abrasive blasting of concrete or silica sand; demolish concrete or masonry; or dry sweep and use air pressure on concrete, rock or sand dust.

Asbestos, which was phased out in the 1970's and 1980's, still presents a danger to construction workers in demolition or renovation activities with potential long-term health effects that include asbestosis and cancer. The potential injury list is long and includes noise-induced hearing loss, respiratory problems associated with welding; and neurologic and reproductive hazards related to exposure to solvents and other materials. The two leading workers' compensation costs nationwide are associated with ergonomic issues (including back injuries) and skin problems (including irritant and contact dermatitis)—to which construction workers are prone.

Because of the dangers and high injury rates in construction, workers compensation insurance costs are high. John Burton, Editor of the Workers Compensation Monitor, estimates that the cost to workers' compensation for all construction-related accidents and illnesses is in the range of 11.6 billion dollars a year. Although construction workers represent 5 percent of the work force, they account for 15 percent of all workers' compensation claims. The Colorado Compensation Insurance Loss Prevention Department reports that costs per case in 1995 were 40 percent higher for construction, compared with all other industries. According to the Engineering News Record, construction contractors often pay $30 (and sometimes as high as $80) in workers' compensation premiums for every $100 in payroll.

With such dramatic statistics before us, it is important to note that there are differences between a union and a non-union work force when it comes to safety and health. In a study by Dedobbeleer, et al., which appeared in the Journal of Occupational Medicine, researchers at the University of Montreal and Johns Hopkins University examined differences between union and non-union construction workers in terms of safety performance and of demographic, employment, and socio-psychological factors related to safety performance.

The data show that union and non-union construction workers differ significantly in terms of certain employment characteristics, perceptions of the workplace and other socio-psychological characteristics. Union construction workers are more experienced, have more stable employment and have been more exposed to safety training than non-union workers. . . Union workers also report more often that proper equipment is available, that regular safety meetings are held, and that co-workers have a favorable attitude toward safety practices. . . Furthermore, union workers have a higher level of knowledge of safety practices and perceive having more control over their own safety on the job. . .

[The]. . . results of this study have several implications. First, they suggest that non-union constructionsites need special attention because they recruit the largest group of workers who have the lowest safety performance. . . This is more crucial as accessibility to formal training opportunities and safety meetings is less frequent in non- unionsites. Second, they imply that unions are playing an important role in occupational safety by contributing to two factors that have been shown to have an important impact on construction workers' safety performance in a previous study: safety training and perception of control over one's safety on the job.

Union construction workers are the best trained and prepared to safeguard against accidents on the job. Training and employee participation have been shown to result in increased worker morale, decreased injury and illness rates, higher productivity, reduced workers' compensation costs and increased profits. These are the goals of the Building and Construction Trades Department.

To achieve our objectives, we have embarked on a standardized training initiative in collaboration with our affiliated unions and their employer counterparts. Our 10-hour worker hazard-awareness training program will be integrated into the apprenticeship systems of every craft within the next three to 4 years. After training is completed, each worker will receive a card certifying that they were trained according to OSHA standards. We believe that this type of training should be legislated because of the hazards construction workers face.

Using this training as a baseline, our members will continue to build greater safety and health knowledge through the unions' journey-level training system. Already, the majority of our unions have incorporated the hundreds of specific OSHA training requirements that affect their trade into their infrastructures. This includes training for workers engaged in hazardous waste remediation and removal; asbestos- and lead-abatement; confined-space work; rehabilitation and renovation at factories covered by process safety management; scaffold erection, dismantling and use; fall protection; and a myriad of others.

As Federal and state government resources devoted to safety and health diminish, safety and health in the workplace will depend heavily on the ability of the construction labor-management trusts to deliver all of these types of training—and more. Already, across the country, owners and contractors are beginning to require and/or to negotiate a variety of training beyond what OSHA mandates before a construction worker ever sees the worksite; and, they rely heavily on the apprenticeship and journey-person training systems to deliver it. In Texas, owners are requiring the type of 10-hour awareness training referenced above. In Ohio, the "Passport" program calls for 16 hours of specified safety and health training. In Alaska, there is legislation that mandates a 16-hour training program for painters using oil-based paints—because of the potential risk to the painters and the environment.

According to the Vincent study which surveyed construction service users, quality training results in high quality workmanship, a more productive worker, a more competent worker and a safer worker. These translate to economic benefits. Over the long run, this means there will be fewer cost overruns and less need for rework and call backs. Doing construction work right the first time means owners will save money. The unionized segment of the work force also provides organizational efficiency which is extremely important for projects that are scheduled for long periods of time.

Our members are the best trained, most skilled and safest craft workers in the world. This is due in large part to our extraordinary apprenticeship and journey worker upgrading programs administered by joint labor/management committees.

Each year, our jointly administered programs train 170,000 apprentices to journey status, and provide continuing education retraining for an additional 250,000 journey workers. All of this is done at 1,000 facilities around the Nation which are operated through labor-management trust funds spending $300 million annually for training.

Our apprenticeship members receive classroom as well as on-the-job training. Additionally, our trust fund programs place great emphasis on continuing education, including safety training that familiarizes workers with the myriad of hazards that are inherent in the construction industry. And, because of their safety training, our members are more productive.

The Building and Construction Trade unions welcome the opportunity to train new entrants into our crafts. For decades, the training programs operated by labor-management trusts in the construction industry have been the apprenticeship models for all the industry. In fact, they are the models for the world. Just this week, I participated in a ceremony that turned a state-of-the-art apprenticeship program over to Solidarnosc, the Polish Trade Union. It was a program we were asked to develop 4 years ago to help the Polish workers and the Polish government prepare for the skills needed in their developing private economy.

Today there are two apprenticeship facilities fully functioning in Poland with trained Polish instructors who are training electricians, bricklayers, plumbers and other crafts. Graduates are being employed in a budding commercial and residential industry.

Just this year, in January, at the request of the State Department, we began another project to help the Egyptian construction union develop an apprenticeship program in Cairo. By September 1997, we will have trained 12 Egyptian instructors, developed curriculum and guided them through their first training classes. By next year, hundreds of Egyptian apprentices will be learning construction trades through our assistance. We want to do the same right here in the United States. The Administration's proposal has set aside funds to train welfare recipients in transportation occupations.

The Building Trades support such an effort, but we urge that the training be conducted through our time-tested and proven apprenticeship programs. Short-term, quick fixes that have been attempted in the past, serve no one. Efforts to create a skilled craft worker should be approached with the same sense of professionalism needed to train for other occupations. We urge this Committee to make apprenticeship the preferred training method for those seeking jobs in construction.

Congress cannot hope to attain anything approaching equivalency in a training program that lasts only weeks. What the government risks if it persists in high- profile programs with low-level achievement, is to doom trainees to further disappointment, adding bitterness to the despair they already possess. More importantly, as I have tried to demonstrate in my earlier testimony, poor training causes accidents and deaths.

Today, our very success in building a wonderful transportation infrastructure is part of our problem. As an example, I cite Interstate 15 which runs from Los Angeles, California, to Las Vegas, Nevada. It once was a barely used two-lane highway running through the desert eastward from L.A. Because of it, Las Vegas developed into an economically successful family centered entertainment phenomenon.

But today, Interstate IS is one of the most over-used interstate systems in the world, filled with thousands of cars each day. There is an overabundance of motorists who want to travel that road, and simply not enough lanes to accommodate all of them. The accident rate has climbed to dangerous levels as a result.

The problems of Interstate 15 affect two states. The answer to their problem must come from the Federal Government which, alone, can look beyond state borders. I urge the Department of Transportation, the Federal Highway Administration and the Congress to select I-I5 as a national demonstration project. It epitomizes the very purpose of ISTEA. It is an important infrastructure project and it will result in a stronger economy for the surrounding areas.

Thank you.

References

Bureau of Labor Statistics, U.S. Department of Labor. "Workplace Injuries and Illnesses in 1995," released March 12, 1997.

Burton, J. Personal communication via letter from the Workers' Compensation Monitor, March 21, 1995.

Dedobbeleer, N.; Champagne, F.; and German, P. "Safety performance among union and nonunion workers in the construction industry, "Jour. of Occ. Med., Volume 32, No. 11, November 1990.

Engineering News Record, Marsh and McLennan, "Compensation Insurance Base Rates," 237(14):78–79. New York: McGraw Hill Company, 1996.

National Safety Council. Accident Facts: 1996 Edition, Itasca, IL, 1996.

Vincent, J. Survey of Construction Service Users, Indiana University, Institute for the Study of Labor in Society, p. 6, 1986.

Wahl, G. Personal communication with the Center to Protect Workers' Rights (research arm of the Building and Construction Trades Department) from the Colorado Compensation Insurance Loss Prevention Department, December 20, 1996.

STATEMENT OF EDWARD WYTKIND, EXECUTIVE DIRECTOR, TRANSPORTATION TRADES DEPARTMENT, AFL–CIO

Good morning. My name is Edward Wytkind. I am Executive Director of the Transportation Trades Department, AFL–CIO (TTD), whose 29 affiliated unions represent several million workers in the transportation industry. I am pleased to have this opportunity to express our views the reauthorization of the Intermodal Transportation Efficiency Act, or ISTEA.

Let me first commend you, Mr. Chairman, Ranking Member Senator Max Baucus, and the entire Committee for holding this hearing and for inviting all interested parties to share their views and concerns about the future of our nation's surface transportation policy and related safety programs. ISTEA reauthorization will bring us to the next century with what we hope will be a well- balanced policy blueprint for the nation's long-range surface transportation needs. Because this legislation will be the single biggest job creator this Congress considers, we consider its completion this year among our most important legislative priorities.

While many who will or have appeared at this hearing will bring different opinions about certain aspects of ISTEA, I think we can, or at least should, agree that ISTEA has been extremely successful in developing long-term transportation infrastructure planning to the benefit of American communities—large and small, urban, suburban and rural. The original landmark Act, which was a broad bipartisan ef-

fort, authorized $155 billion for highways, bridges, and bus and rail transit systems. It created millions of good paying jobs, inspired economic development, brought planning decisions to a more localized level, and provided the Nation with increased and safer transportation choices.

We are hope?ful that this Committee and the entire Congress will again act in a bipartisan manner to build on the successes of ISTEA by maintaining the essential framework and focus of this critical transportation and infrastructure investment legislation. To that end, there are a number of issues that I will highlight for you as you move forward with ISTEA reauthorization.

SECURE MAXIMUM FUNDING LEVELS

Securing the highest possible reauthorization levels for all surface transportation investment programs must be the most important goal of those leading the reauthorization of ISTEA. For transportation labor, this is one of our top priorities. Deep spending cuts in recent years have already reduced transportation choices, shelved or delayed important highway and transit infrastructure projects, imposed higher fares and devastating service cuts on passengers, stalled productivity gains by transportation companies and their employees, led to a crumbling highway infrastructure plagued with chronic congestion, and denied thousands of good jobs generated by sound transportation investments.

In an era of government downsizing and constrained Federal spending, Congress must realize that the nation's businesses and their workers cannot be competitive in the 21st century without a well financed transportation network. To that end, Congress is in a position to send a strong signal about our nation's priorities during ISTEA reauthorization.

The 1997 ISTEA bill therefore must provide ending for highway and transit programs, inter- city bus and rail service, safety enforcement and other programs. Moreover, Congress must develop a more reliable and long-term funding mechanism to stop the financial hemorrhage of our national passenger railroad—Amtrak. But it must not accomplish this goal by cutting ending levels and then forcing the various transport modes to compete against one another for a diminishing pool of funds.

To this end, we believe that the 4.3 cents motor fuel tax imposed on the users of highways in 1993 for deficit reduction should be redirected into the Highway Trust Fund and distributed equitably and fairly within our Federal surface transportation program. From these new moneys, we support allocating a 1/2 cent for Amtrak capital needs with the 3.8 cent balance going to support additional investments in highway and transit needs under traditional formulas. This move will boost much needed investments in a number of surface transportation programs and will redirect several billion dollars annually in fuel tax revenues back to their longstanding purpose: the support and maintenance of our nation's transportation system.

Under the 1991 Act, a portion of the funds can be "flexed" among different program categories. These provisions empower local planners to set spending priorities based upon the unique needs of their communities and transportation system. This program has permitted a fair and rational distribution of transportation dollars while adhering to basic Congressional priorities with respect to highway and transit accounts. The balance achieved in this program has proven sensible and therefore should be preserved in the reauthorization legislation.

PROTECT WORKER RIGHTS

As we all know, the 1991 Act granted states and localities added flexibility in administrating transportation programs—a policy we supported so long as federally established labor standards and worker protections were not undermined in the process. Fortunately, the 1991 legislation insisted on the maintenance of these basic protections.

Laws like the Davis-Bacon Act and Section 13(c) of The Federal Transit Act have been instrumental in ensuring wage and job stability and protecting collective bargaining rights. The 13(c) program has provided a sensible mechanism to ensure that workers are not unfairly treated as a result of the distribution of Federal transit assistance or structural changes in transit systems. In the performance of Federal contracts, prevailing wage laws such as the Davis-Bacon Act prevent construction and service contractors from undercutting industry wage and benefit standards to the detriment of workers and their communities. If we eliminate these protections in the name of "reform," or try to waive their application in certain instances, we threaten the basic rights and jobs of workers and we ignore the indispensable role

they play in guarding against the use of Federal dollars to bring down the wages and standards of living in communities.

If I can leave a single message today it is that the labor movement is committed to advancing a strong ISTEA reauthorization bill. We intend to work with Members on both sides of the aisle and to enlist the support of our rank-and-file leaders and members across the country to help make this legislative priority a reality. However, we are just as prepared to turn our attention to fighting any and all efforts to use ISTEA to attack longstanding worker protections and labor standards. We are hopeful that the Congress maintains its focus on advancing the best ISTEA legislation possible with a proper focus on providing the Federal transportation investments needed for the 21st century.

ENHANCE TRANSPORTATION SAFETY

ISTEA must continue to ensure the safe and efficient operation of our transportation network, its users, and workers. Deregulation, industry consolidation and Federal budget cuts have forced workers employed in the transportation industry into an increasingly dangerous and unpredictable workplace. We must therefore avoid policies that narrow the margin of safety for workers and the traveling public, particularly since highway fatalities have risen for two consecutive years. Declining wages for professional motor carrier drivers, for example, have opened the door for inexperienced drivers who receive inadequate training in the safe operation of their vehicles to proliferate in the market, as companies and owner-operators are forced to cut corners in order to remain competitive.

Adequate Federal funds must be committed for the personnel and resources to carry out enforcement programs including driver training, vehicle registration, and adequate safety inspection facilities. We must also guard against industry specific safety exemptions, such as the pilot program adopted in the 104th Congress which may allow the waiver of various safety laws for over 2 million trucks. Moreover, we will strongly oppose any proposals to roll back the ability of the Department of Transportation or the Occupational Safety and Health Administration to carry-out their vital workplace safety enforcement and policymaking responsibilities.

For workers in the transit industry, improving safety and security in the workplace is also a major priority. For example, drivers, other employees and passengers continue to face significant security risks such as assaults and incidents of harassment. Congress must combat these risks by committing resources for labor-management training programs directed toward the unique safety and security issues in the transit industry. In the transit and intercity rail and bus sectors, Federal funding decisions must reflect the industry's requirements to meet the costs associated with compliance under the Americans with Disabilities Act and Federal drug and alcohol testing requirements.

Industry Specific Exemptions

During the 1995 debate over the critically important National Highway Systems (NHS) legislation, Congress attached a provision that could exempt some 2 million trucks from record- keeping, hours-of-service, safety inspections, insurance requirements, the National Driver Register—which tracks repeat traffic violators—and other safety-related requirements as to how these vehicles should be maintained, equipped and loaded. Under this so-called "pilot" provision, delivery trucks weighing between 10,001 and 26,000 pounds would be exempt from major safety requirements even though they account for 50 deaths and 1,000 injuries per month, at a cost of –500 million annually. This is the type of policy that undermines transportation safety and that we will vigorously oppose when ISTEA is reauthorized.

Special "niche" exemptions from hours-of-service (HOS) regulations were also contained in the NHS legislation, which granted exemptions (in whole or in part) for drivers of trucks carrying agricultural products or construction materials and for public service utility vehicles, with no regard to size or weight. Congress should not be in the business of legislating or second guessing hours-of- service regulations. Driver alertness and fatigue are complex issues that deserve the scrutiny and attention of the regulatory process, which is constantly seeking to address issues in this area through the rulemaking process.

Separately, Congress should direct more funding to enforcement. of current regulations. For example, the reauthorization bill should require the Office of Motor Carriers to publish an 800 number for drivers to call to report hours-of-service violations demanded of a driver by the company and afford better whistle-blower protections to those individuals.

NAFTA Safety Issues

Let me now address our continuing concerns with the NAFTA land transport provisions that were scheduled to go into effect in December 1995. These provision would grant Mexican commercial motor carriers access to the four U.S. border states and by the year 2000 to the entire United States. While the Clinton Administration wisely postponed those provisions in December 1995, it is under extraordinary pressure from our trading partners, business interests, and elements of the trucking industry to lift the restrictions. It is still evident today, however, that the United States is ill prepared to deal with the massive inflow of Mexican motor carriers onto our nation's highways. Border enforcement facilities are inadequate to handle the inflow of Mexican motor carriers that in most cases are in violation of U.S. safety and equipment standards, lack adequate insurance, and are operated by drivers not subject to comparable hours of service and rest period regulations. Since 1 in 4 of these vehicles are carrying some form of hazardous waste, a very dangerous situation on our nation's highways may be created. Furthermore, Mexican truck drivers earn as little as $7 a day, opening the door for the massive displacement of American truck drivers by U.S. trucking companies who are looking to exploit lower wage Mexican drivers. ISTEA's highway safety goals will be severely compromised by this job loss as qualified drivers are further displaced by Mexican drivers with significantly less training and knowledge of U.S. highway safety regulations.

Indeed, insufficient progress has been made in U.S.-Mexico negotiations since the border opening was postponed 16 months ago. And a recent General Accounting Office (GAO) Report, Commercial Trucking; Safrty Concerns About Mexican Trucks Rem?ain Even as In?spection Activity Increases (GAO/RCED–97–68), has confirmed our longstanding position. The report concludes, among other things, that approximately 1 out of every 100 Mexican trucks entering our borders is inspected, and of those inspected, 45 percent are declared out-of-service for such violations as bald tires, cracked frames and unqualified drivers.

The GAO also found that the U.S. Department of Transportation had spent almost $300,000 to train Mexican inspectors to inspect Mexican trucks, yet less than 20 percent of those inspectors are still employed by the Mexican agency. Even more astounding was a GAO finding that Texas does not have a single permanent truck inspection facility at the border and has only 29 inspectors on the U.S. side to cover two-thirds (today over 4,500 daily) of all the truck traffic that enters the United States from Mexico.

We find merit in the Administration's proposed Trade Corridor and Border Crossing Incentive Grant Program and the Border Gateway Pilot Program as contained in Section 1030 of its NEXTEA proposal. We are encouraged by a recognition of the threats that NAFTA represents to U.S. highway safety and to the physical infrastructure of our national highways. But until NAFTA's motor carrier provisions are renegotiated, such programs are band-aid fixes that will fail to address the underlying flaws in the NAFTA transport provisions as originally negotiated and eventually agreed upon in the NAFTA agreement approved by Congress.

The only way to resolve the highway safety threat posed by NAFTA is to alter the trucking provisions that created the problem in the first place. This means adding to the core NAFTA agreement measurable and enforceable safety standards and enforcement programs equal to or higher than existing U.S. safety standards. Side agreements and letters of understanding are easily ignored, require a true commitment on both sides of the border, and virtually impossible to enforce.

PRIVATE ENTERPRISE PARTICIPATION

As all of us know, there has been increased attention placed on the role the private sector should play in the delivery of transportation services. While we recognize the longstanding role of private sector participation in our industry, I want to emphasis that decisions relating to public or private control of the transportation infrastructure, and particularly transit service, should be left to local planners.

Congress recognized the wisdom of this policy during consideration of the original ISTEA bill when it included specific protections against the use of Federal transportation grants to force privatization on communities ill-prepared for or disinterested in this type of transition or service option. We recognize the need to encourage private investment in our transportation infrastructure and the desire to develop new ways to finance important investments, but we warn against heavy- handed policies that would permit, or in fact promote, the irresponsible sell-off of our transportation network in the name of cost savings that have usually proven illusory.

I must emphasize that we ultimately believe that transportation facilities should continue to serve the public interest and not be dedicated solely to generating profits for private interests. At the very least, these decisions should be left to local au-

thorities who are better equipped to make transportation decisions based on their local needs. To that end, we state our continuing support for President Clinton's recission of transit privatization rules that placed undue pressure on local transit grant recipients to explore privatization options at any and all costs. Those policies distracted attention and resources from providing vital services to the traveling public and harmed workers and communities. The labor movement is committed to preserving current privatization policies governing the Federal transit grant program and will combat any proposals in ISTEA to turn back the clock.

THE PLANNING PROCESS

Under current law, a wide array of interests including labor organizations are permitted to receive, review, and comment on the annual and long-range transportation investment programs developed by Metropolitan Planning Organizations (MPOs) before final approval is granted for these plans. As this Committee is well aware, workers are directly affected by MPO spending and policy decisions and thus their unions offer a unique perspective to assist MPOs in developing workable and efficient plans.

The role of workers and their unions at the planning table is to help ensure that employee issues are not merely cast aside when core planning decisions are made. Many of the successes that ISTEA has produced can be traced to the positive and constructive role that workers and their unions have played at the local level. While we support the MPO program design embodied in the 1991 legislation, we believe a mandatory role for union representatives should be reaffirmed and, to the extent possible, strengthened in the reauthorization bill this year.

INNOVATIVE FINANCING

Separately, we continue to evaluate the impact of innovative financing mechanisms, such as the State Infrastructure Bank (SIB) pilot program, and seek to ensure that these proposals do not compromise worker rights or allow federally assisted entities to avoid compliance with various statutes designed to protect the public interest.

Any expansion of this program in ISTEA reauthorization must require that all projects supported by 5113 funds meet important Federal standards including those designed to protect workers. Transportation labor is prepared to support sensible innovative financing proposals, but not if their implementation is done at the expense of vital Federal standards which may negatively impact the jobs and rights of workers in the transportation and building and construction industries.

FINAL OBSERVATIONS

ISTEA has represented a historic shift in transportation policy for this country. Thousands of communities, businesses and workers across the country have benefited greatly from the 1991 Act. It would be most unfortunate if some choose to use the ISTEA reauthorization process to advance radical change in policy that would harm workers. As we've stated all along, we are prepared to work with the authorizing committees to advance a strong bill that supports our surface transportation programs into the 21st Century. However, we stand equally as prepared to wage a spirited campaign against any measures that will harm the rights or threaten the jobs of workers.

We are ready to do our share, to work with you every step of the way to advocate a long-term commitment to finance our nation's transportation needs. ISTEA is really about the future competitiveness of our country as the safe and efficient movement of people and goods becomes a growing challenge.

We will look for this Committee's leadership to help craft a bill that meets the nation's surface transportation needs by building on the successes of ISTEA and maintaining the essential policy framework which led to its enactment in 1991.

Thank you for providing us this opportunity to share our views.

March 14, 1997.

THE HONORABLE WILLIAM J. CLINTON,
President, The United States of America,
The White House,
Washington, DC 20500

DEAR MR. PRESIDENT: We are writing to express strongly the need for current U.S.-Mexican border trucking restrictions to remain in effect. Protecting the safety of the traveling public and our commercial drivers must remain the highest priority.

Withholding full border state access for Mexican motor carriers has not impaired the growth of U.S.-Mexican trade. A steadily increasing volume of goods is flowing freely in both directions and the Mexican economy has made impressive progress to recover from its economic recession.

Despite overly optimistic reports to the contrary, there has not been sufficient progress in addressing safety deficiencies to justify expanding privileges for Mexican motor carriers. To date, numerous efforts have failed to effect an agreement between the United States and Mexico to ensure that full border state access will not threaten highway safety. Although planning and coordination activities are underway, they are no substitute for proven enforcement systems in Mexico and the United States. Declarations that all trucks, U.S. or foreign, must meet U.S. safety standards are meaningless without adequate oversight by competent inspectors.

Few of the 11,000 Mexican trucks now crossing daily into the United States are inspected. Fully half of those inspected at Laredo are ordered out of service for such serious safety violations as bald tires, cracked frames, missing lug nuts, and unqualified drivers. Allowing Mexican carriers to drive freely throughout the four U.S. border states, with no assurance whatsoever of their safety, would unnecessarily endanger the traveling public.

Unfortunately, broad-stroke agreements will not protect highway safety. We need improved border facilities to provide adequate space for comprehensive inspections and assurance that the Mexican government will furnish timely safety and compliance histories of carriers and drivers. Until then, current safeguards must remain firmly in place.

We deeply appreciate your consideration of these concerns.

Sincerely,

JACK QUINN, *Member of Congress.*
JAMES OBERSTAR, *Member of Congress.*

Members of Congress Who Signed Letter to President Clinton—March 25

Alabama
Robert E. Bud" Cramer, D–5, AL
Spencer Bachus, Red, AL
Earl F. Hilliard, D–7, AL
Arkansas
Sam Farr, D-Delegate, AS
California
Vic Fazio, D–3, CA
Lynn Woolsey, D–6, CA
George Miller, D–7, CA
Nancy Pelosi, D–8, CA
Ronald V. Dellums, D–9, CA
Ellen O. Tauscher, D–10, CA
Tom Lantos, D–12, CA
Fortney "Pete" Stark, D–13, CA
Zoe Lofgren, D–16, CA
Walter Holden Capps, D–22, CA
Bradley J. Sherman, D–24, CA
Henry A. Waxman, D–29, CA
Xavier Becerra, D–30, CA
Matthew G. Martinez, D–31, CA
Julian C. Dixon, D–32, CA
Esteban Torres, D–34, CA
Jane Harman, D–36, CA
Loretta Sanchez, D–46, CA
Bob Filner, D–50, CA
Duncan Hunter, R–52, CA
Colorado
Diana DeGette, D–1, CO
Connecticut
Barbara B. Kennelly, D–1, CT
Sam Gejdenson, D–2, CT
Rosa DeLauro, D–3, CT
Christopher Shays, R–4, CT
James H. Maloney, D–5, CT
District of Columbia
Eleanor Holmes Norton, D-DC
Florida
Corrine Brown, D–3, FL
Tillie Fowier, R–4, FL
Clifford Stearns, R–6, FL
John L. Mica, R–7, FL
Michael Bilirakis, R–9, FL
Carrie Meek, D–17, FL
Ileana Ros-Lehtinen, R–18, FL
Robert Wexler, D–19, FL
Peter Deutsch, D–20, FL
Lincoln Diaz-Balart, R–21, FL
Georgia
Sanford Bishop, D–2, GA
Michael "Mac" Collins, R–3, GA
Cynthia Ann McKinney, D–4, GA
John Levis, D–5, GA
Hawaii
Neil Abercrombie, D–1, HI
Patsy Mink, D–2, HI
Illinois
Bobby L. Rush, D–1, IL
Jesse L. Jackson, Jr., D–2, IL
William O. Lipinski, D–3, IL
Luis Gutierrez, D–4, IL
Rod R. Blagojevich, D–5, IL
Danny K. Davis, D–7, IL
Sidney Yates, D–9, IL
Gerald Jerry Weller, R–11, IL
Jerry Costello, D–12, IL
Lane Evans, D–17, IL
Ray LaHood, R–18, IL
Glenn Poshard, D–19, IL
Indiana
Peter J. Visclosky, D–1, IN
David M. McIntosh, R–2, IN
Tim Roemer, D–3, IN
Julia Carson, D–10, IN
Iowa
Leonard L. Boswell, D–3, IA
Kentucky
Scotty Baesler, D–6, KY

Maine
Tom Allen, D–1, ME John Baldacci, D–2, ME
Maryland
Benjamin L. Cardin, D–3, MD
Albert Wynn, D 4, MD
Steny Hoyer, D–5, MD
Elijah E. Cummings, D–7, MD
Constance Morella, R–8, MD
Massachusetts
John W. Olver, D–1, MA
Richard E. Neal, D–2, MA
James P. McGovern, D–3, MA
Barney Frank, D–4, MA
Martin Meehan, D–5, MA
John F. Tierney, D–6, MA
Edward J. Markey, D–7, MA
Joseph P. Kennedy, II, D–8, MA
Joseph Moakley, D–9, MA
William D. Delahunt, D–10, MA
Michigan
Bart Stupak, D–1, MI
Debbie Stabenow, D–8, MI
Dale E. Kildee, D–9, MI
David Bonior, D–10, MI
John Conyers, Jr., D–14, MI
Carolyn Cheeks Kilpatrick, D–15, MI
John Dingell, D–16, MI
Minnesota
Gil Guthnecht, R–1, MN
David Minge, D–2, MN
Bruce F. Vento, D–4, MN
Martin Olav Sabo, D–5, MN
William "Billy" Luther, D–6, MN
Collin C. Peterson, D–7, MN
James L. Oberstar, D–8, MN
Lynn N. Rivers, D–13, MN
Mississippi
Gene Taylor, D–5, MS
Missouri
William Clay, D–1, MO
Richard Gephardt, D–3, MO
Ike Skelton, D–4, MO
Karen McCarthy, D–5, MO
Pat Danner, D–6, MO
New Jersey
Robert E Andrews, D–1, NJ
Frank LoBiondo, R–2, NJ
Christopher H. Smith, R–4, NJ
Frank Pallone, D–6, NJ
William J. Pascrell, D–8, NJ
Steven R. Rothman, D–9, NJ
Donald M. Payne, D–10, NJ
Robert Menendez, D–13, PI
New York
Michael P. Forbes, R–1, NY
Rick A. Lazio, R–2, NY
Peter T. Kutg, R–3, NY
Carolyn McCarthy, D 4, NY
Gary Ackerman, D–5, NY
Thomas J. Manton, D–7, NY
Jerrold Nadler, D–8, NY
Charles Schumer, D–9, NY
Edolphus Towns, D–10, NY
Major Owens, D–11, NY
Nydia Velazauez, D–12, NY
Carolyn Maloney, D–14, NY
Charles B. Rangel, D–15, NY
Jose Serrano, D–16, NY
Eliot Engel, D-L7, IN' Y
Nita M. Lowey, D-i8, NO
Sue W. Kelly, R–19, NY
Benjamin A. Gilman, R–20, NY
Michael McNulty D–21, NY
Gerald B.H. Solomon, R–22, NY
Sherwood Boehlert. R–23, NY
John M. McHugh, R–24, NY
James Walsh, R–25, NY
Maurice Hinchey, D–26, NY
Louise Slaughter, D–28, NY
John J. LaFalce, D–29, NY
Jack Quinn, R–30, NY
North Carolina
Eva Clayton, D-l, NC
Bobby R. Etheridge, D-:, NC
David Price, D–4, NC
W.G. "Bill" Hefner, D–8, NC
Melvin Watt, D–12, NC
North Dakota
Earl Pomeroy, D-At Large, ND
Ohio
Tony P. Hall. D–3, OH
Ted Strickland, D–6, OH
Marcy Kaptur, D–9, OH
Dennis I. Kucinich, D–10, OH
Louis Stokes, Dell, D–11, OH
Sherrod Brown, D–13, OH
Thomas C. Sawyer, D–14, OH
Ralph Regula, R–16, OH
James A. Traficant, Jr., D–17, OH
Robert Ney, R–18, OH
Oregon
Elizabeth Furse, D–1, OR
Earl Blumenauer, D–3, OR
Peter A. DeFazio, D–4, OR
Darlene Hooley, D–5, OR
Pennsylvania
Thomas Foglietta, D–1. PA
Robert Borski, D–3, PA
Ron Klink, D–4, PA
Tim Holden, D–6, PA
Joseph M. McDade, R–10, PA
John Murha, D–12, PA
William Coyne, D–14, PA
Paul McHale. D–15, PA
Michael F. Doyle, D–18, PA
Frank R. Mascara, D–20, PA
Phil English, R–21, PA
Rhode Island
Patrick J. Kennedy, D–1, RI
Robert A. Weygand, D–2, RI
South Carolina
John M. Spratt, Jr., D–5, SC
James E. Clyburn, D–6, SC
Tennessee
Bob Clement. D–5, TN
Bart Gordon, D–6, TN
John S. Tanner, D–8, TN
Harold E. Ford, Jr., D–9, TN
Texas
Jim Turner, D–2, TX
Nick Lampson, D–9, TX
Ron Paul, R–14, TX
Sylvestre Reyes, D–16, TX

Sheila Jackson Lee, D–18, TX
Henry B. Gonzalez, D–20, TX
Martin Frost, D–24, TX
Karen L. Thurman, D–28, TX
Gene Green, D–9 TX
Vermont
Bernard Sanders, I-At Large, VT
Virginia
Rick Boucher, D–9, VA
Frank R. Wolf, R–10, VA
Washington
Jack Metcalf, R–2. WA
Jim McDermott, D–7, WA
Adam Smith, D–9, WA
West Virginia
Alan Mollohan, D–1, WV
Robert E. Wise, D–2, WV
Nick Joe RahalL, II, D–3, WV
Wisconsin
Scott Klug, R–2, WI
Ron Kind, D–3, WI
Gerald Kleczka, D 4, WI
Thomas Barrett, D–5, WI
David R. Obey, D–7, WI
Jay W. Johnson, D–8, WI

STATEMENT OF THE AMERICAN INSURANCE ASSOCIATION

Distinguished Chairman and Members of the Committee: The American Insurance Association (AIA) represents more than 300 insurers which provide 34 percent of the country's commercial vehicle insurance and 9 percent of its private passenger automobile coverage. For decades, AIA insurers have written automobile insurance in every state and many are international companies. Their collective experience in transportation issues, as financial intermediaries and safety advocates, is important to the national debate over ISTEA II and the future of transportation funding and planning in the United States.

ISTEA Has Performed Well

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) has largely achieved its objectives to foster"a National Intermodal Transportation System that is economically efficient and environmentally sound . . . " Section 2 of ISTEA cites national goals for reducing energy consumption and air pollution, promoting economic development and international commerce, improving public transportation, reducing traffic congestion and encouraging innovation. In furtherance of these goals, ISTEA and related actions have: funded highways and bridges, supported and expanded mass transit, addressed environmental issues improved transportation planning and enhanced safety.

Our collective progress over the decade on safety issues is shown by Exhibits 1 and 2. Injuries and death rates have been dramatically reduced. In the most recent years, however, there has been a gradual reversal of the positive trends, which demonstrates the need for continuing safety efforts.

While disagreements over the funding allocations between states and transportation modes have occurred, and indeed could be expected in any context in which there is not enough money to satisfy every desire, ISTEA has served the Nation well. This should not be forgotten in determining where we go from here.

Funding for Highways and Bridges and Mass Transit Should Be Increased

At the base of any funding discussion should be this principle—all transportation taxes (e.g., gas taxes) should be used on transportation projects and planning. Allocating all gas tax moneys for transportation purposes would, in itself, help reduce pressure for more radical departures from the public policies embedded in ISTEA. Even a cursory look at any densely populated area, such as the Washington, D.C. metropolitan area, proves the need for more transportation resources. For example, rail service to Dulles Airport and the Woodrow Wilson Bridge, alone, would cost more than $3 billion. Additional resources are also urgently needed to fund the upkeep of the Metro Rail System, improve bus service and expand highways where mass transit is not feasible or congestion has reached crisis levels.

Beyond the issue of the overall amount of funding is how it is allocated by transportation mode. We strongly support adequate funding for mass transit, as well as highways and bridges.

Getting people off the roads and into mass transit in urban areas is important for reducing highway congestion that leads to motor vehicle accidents and high insured losses. Insurance data demonstrate that the highest accident rates, claims frequencies and resulting insurance premiums are in the most heavily congested areas. For example, the rate for bodily injury liability claims in congested areas can be twice or more of the statewide averages.

Mass transit is important for assuring that workers can get to their jobs, thereby improving productivity and reducing the ranks of the unemployed. Mass transit is also critical for the mobility of older citizens, some of whom are not able to drive any longer. Even commuters who drive because they have no mass transit available to them benefit from the reduced traffic congestion resulting from mass transit use

by people who might otherwise be on the roads. Therefore, AIA supports full funding for mass transit construction, maintenance and operations.

We have no position on how funds are disbursed among the states. We strongly believe, however, that this issue should not be used to shift money away from mass transit or other federally determined priorities, such as safety.

Continuing Federal Leadership on Safety is Critical

ISTEA has successfully encouraged the states and private industry to make historic gains in safety. Despite reduced accident rates, however, motor vehicle crashes are still a serious national problem and still claim 40,000 lives, five million injuries and more than $150 billion in economic losses annually. This toll far exceeds the losses from any other transportation mode.

By leveraging highway funds, the Federal Government has encouraged the enactment of drunk driving, seatbelt, and other laws by dozens of states. Federal regulatory actions have also brought about much safer cars and truck designs and have led to safer motor carrier operations. Although the economic effect of this progress on insurance premiums has been somewhat muted by a growing tendency to file lawsuits in auto cases, there is no doubt that auto insurance losses would have been much greater without the ISTEA safety programs. (See Exhibits 3 and 4)

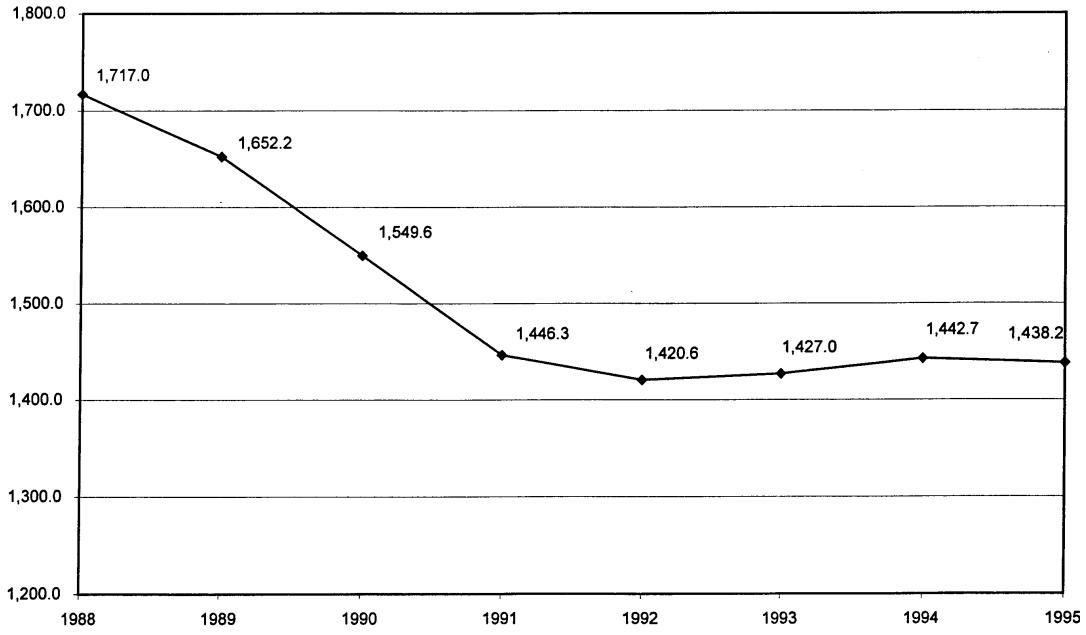
While grants and redirection of Federal funds for safety objectives should continue to be authorized, we believe that, where necessary, denial of Federal funds should be an option. The greatest progress in the past has been achieved on safety when all of these measures were available. Further, use of such authority is not an unfunded mandate (e.g., a Federal law that requires the states and local governments to expend money to companies without offsetting Federal funds). According to NHTSA, states and local governments pay nearly 10 percent of auto accident medical care costs. If anything, Federal incentives to reduce motor vehicle injuries are nothing more than a mandate for the states to save their own tax money and that of their residents by enacting measures which will reduce auto accident deaths, injuries and economic costs paid by governments, individuals and businesses.

ISTEA should, therefore, include a set of objectives, programs and funding levels for identified safety programs, for example the private passenger auto recommendations of the SAFETEA Coalition. (See Exhibit 5) ISTEA II safety priorities should include provisions to encourage the states to enact primary enforcement seatbelt laws, drunk driver initiatives, administrative license revocation laws, measures to deter aggressive driving, speed limit enforcement, graduated licensing laws for the youngest drivers and measures oriented to older drivers.

Conclusion

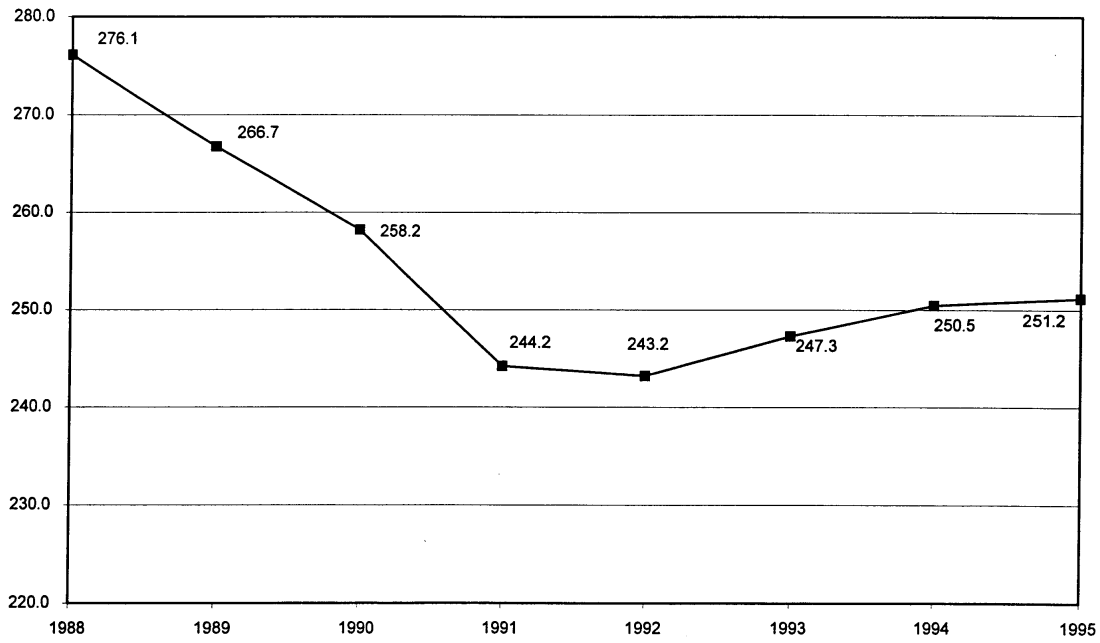
Federal leadership as embodied in ISTEA, in partnership with state and local governments and the private sector, has brought about significant improvement in transportation planning, environmental protection, intermodalism, and traffic safety. Let's not throw the baby out with the bath water by terminating this successful partnership. ISTEA and it objectives and programs should not be abandoned, but maintained and strengthened in ISTEA II.

NUMBER OF MOTOR VEHICLE ACCIDENTS COUNTRYWIDE
PER 100 MILLION VEHILCLE MILES



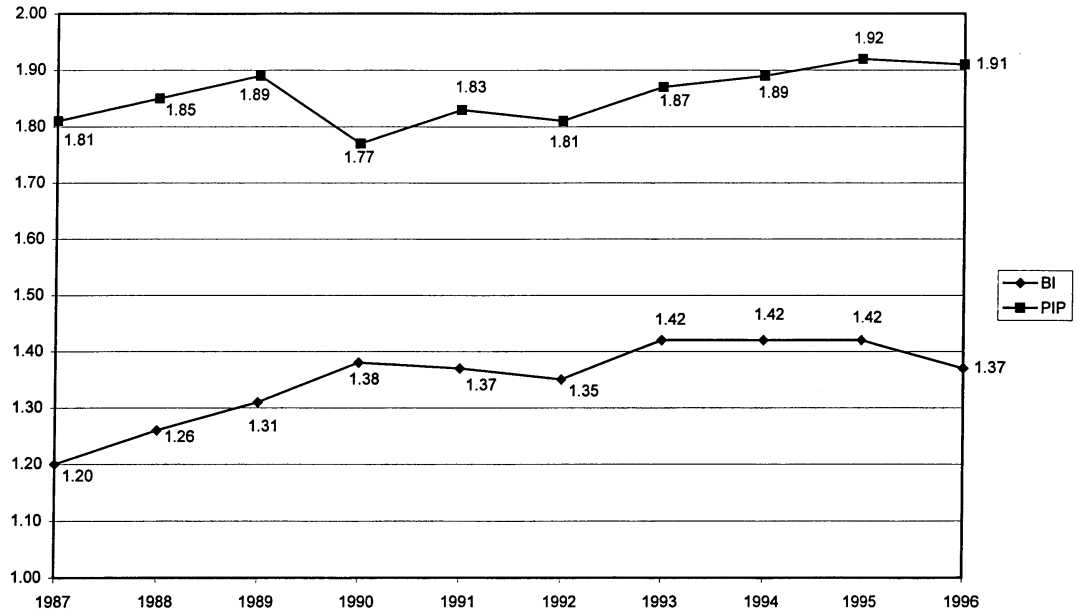
Sources: Insurance Information Institute *The Fact Book*, various issues; American Insurance Association analysis

NUMBER OF MOTOR VEHICLE INJURIES COUNTRYWIDE
PER 100 MILLION VEHICLE MILES



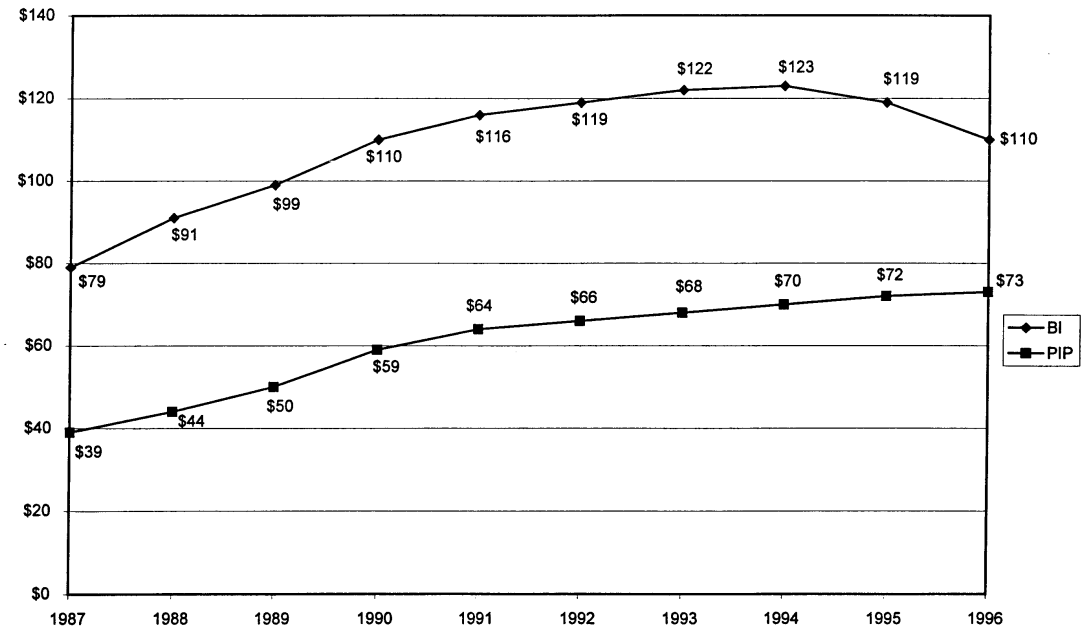
Sources: Insurance Information Institute *The Fact Book*, various issues; American Insurance Association analysis

COUNTRYWIDE PAID CLAIM FREQUENCIES*:
BODILY INJURY LIABILITY AND PERSONAL INJURY PROTECTION



Source: NAII, Fast Track Monitoring System, 1987-1996.
*Frequencies are per 100 earned car years.

COUNTRYWIDE AVERAGE LOSS COSTS:
BODILY INJURY LIABILITY AND PERSONAL INJURY PROTECTION



Source: NAII, Fast Track Monitoring System, 1987-1996.

American Journal of Public Health

Reprint

Public Health Briefs

Lowering State Legal Blood Alcohol Limits to 0.08%: The Effect on Fatal Motor Vehicle Crashes

Ralph Hingson, ScD, Timothy Heeren, PhD, and Michael Winter, MPH

ABSTRACT

Objectives. This study was undertaken to determine whether reductions in alcohol-related fatal crashes following adoption of 0.08% legal blood alcohol limits were independent of general regional trends.

Methods. The first five states that lowered legal blood alcohol limits to 0.08% were paired with five nearby states that retained a 0.10% legal standard. Within each pair, comparisons were made for the maximum equal available number of pre- and postlaw years.

Results. States adopting 0.08% laws experienced 16% and 18% relative postlaw declines in the proportions of fatal crashes involving fatally injured drivers whose blood alcohol levels were 0.08% or higher and 0.15% or higher.

Conclusions. If all states adopted 0.08% legal blood alcohol limits, at least 500 to 600 fewer fatal crashes would occur annually. (*Am J Public Health.* 1996;86:1297–1299)

Introduction

In 1994, 16 589 people died and nearly 297 000 persons were injured in alcohol-related traffic crashes.[1] Several different types of studies have reported that driver impairments begin at blood alcohol levels well below the 0.10% legal standard in most states. Experimental laboratory studies have shown that at 0.08%, a level reached by a 150-lb person consuming four drinks an hour on an empty stomach, there is reduced peripheral vision, poorer recovery from glare, poor performance on complex visual tracking, and reduced divided attention performance.[2] Driver simulation and road course studies have revealed poor parking performance, impaired driver performance at slow speeds, and steering inaccuracies[3]; roadside observational studies have identified speeding and breaking performance deterioration.[4] A national comparison of drivers in single-vehicle fatal crashes with drivers not in fatal crashes but stopped at roadside surveys indicated that each 0.02% increase in blood alcohol level nearly doubles the risk of fatal crash involvement. In all age and sex groupings, the fatal crash risk at a blood alcohol level of 0.05% to 0.09% was at least nine times greater than that at zero blood alcohol.[5]

To reduce alcohol-related fatal traffic crashes, 14 states have lowered the legal blood alcohol limit from 0.10% to 0.08%. Johnson and Walz[6] monitored six different measures of driver involvement in alcohol-related fatal crashes in the first five states to adopt 0.08% laws. Nine of the 30 pre- to postlaw comparisons identified statistically significant decreases. However, comparison areas were not included to assess whether the postlaw declines were independent of general regional trends. Thus, this study was undertaken to assess whether, relative to nearby states, states adopting a 0.08% legal limit experienced a reduction in the proportion of fatal crashes involving (1) fatally injured drivers with blood alcohol levels of 0.08% or higher and 0.15% or higher, and (2) any driver with a blood alcohol level at 0.08% or higher and 0.15% or higher.

Methods

Prior to 1992, five states had lowered the legal blood alcohol limit from 0.10% to 0.08%: Utah (August 1983), Oregon (November 1983), Maine (August 1988), California (January 1990), and Vermont (July 1991). Each of these states was paired with a nearby state that retained a 0.10% legal limit. Within each pair, comparisons were made for the maximum equal number of available pre- and postlaw years. Thus, Utah was compared with Idaho from August 1976 to July 1991, Oregon with Washington from November 1976 to October 1991, Maine with Massachusetts from August 1984 to July 1993, California with Texas from January 1986 to December 1993, and Vermont with New Hampshire from July 1990 to June 1993.

To minimize potential bias resulting from variation in testing policies, the analysis initially focused on fatally injured drivers with blood alcohol levels of 0.08% or greater. During the analysis period, blood alcohol test results were available from the US Fatal Accident Reporting System for 81% of fatally injured drivers

The authors are with the Social and Behavioral Sciences Department and the Department of Epidemiology and Biostatistics, Boston University School of Public Health, Boston, Mass.

Requests for reprints should be sent to Ralph Hingson, ScD, Boston University School of Public Health, 85 E Newton St, M840, Boston, MA 02118.

This paper was accepted April 12, 1996.

TABLE 1—Proportion of Fatal Crashes with a Fatally Injured Driver Whose Blood Alcohol Was 0.08% or More, Before and After the Passage of 0.08% Legal Blood Alcohol Limits in 5 States

0.08% Law States and Comparison States	Proportion before 0.08% Law (n)	Proportion after 0.08% Law (n)	% Change in Proportion (RR − 1)	Ratio of RRs (95% CI)
Oregon (0.08%)	0.29 (1275/4455)	0.24 (1023/4186)	−15% (0.85)	0.82 (0.75, 0.89)
Washington	0.28 (1735/6184)	0.29 (1582/5390)	+5% (1.05)	
Utah (0.08%)	0.14 (319/2252)	0.16 (329/2085)	+11% (1.11)	0.78 (0.64, 0.95)
Idaho	0.15 (310/2057)	0.22 (382/1773)	+43% (1.43)	
Maine (0.08%)	0.26 (262/1024)	0.22 (207/942)	−14% (0.86)	0.93 (0.77, 1.12)
Massachusetts	0.22 (726/3241)	0.21 (562/2703)	−7% (0.93)	
California (0.08%)	0.22 (4275/19370)	0.19 (3174/16278)	−12% (0.88)	0.82 (0.77, 0.88)
Texas	0.20 (2364/11924)	0.21 (2340/10961)	+8% (1.08)	
Vermont (0.08%)	0.25 (47/186)	0.25 (46/181)	+1% (1.01)	1.45 (0.87, 2.44)
New Hampshire	0.22 (62/280)	0.15 (34/222)	−31% (0.69)	
Overall law effect				0.84 (0.78, 0.90)

Note. RR = relative risk; CI = confidence interval.

in the study states. Because not all drivers in fatal crashes are fatally injured, the proportion of crashes with any driver with blood alcohol levels of 0.08% or greater was also examined. Included were analyses of the proportion of crashes with drivers—fatally injured or otherwise—with blood alcohol levels of 0.15% or greater to examine whether 0.08% laws reduce crashes involving severely intoxicated drivers.

The proportion of fatal crashes involving fatally injured and other drivers with blood alcohol levels at or above 0.08% or 0.15% was examined instead of the absolute number of crashes involving drivers with these alcohol levels. This was done to control for both the long-term downward trend in total fatal crashes from 1980 to 1993[7] and changes in exogenous variables that might influence the total number of fatal crashes, such as the economy, the safety characteristics of vehicles and highways, and the price of fuel.

Within each state, the change in the level of alcohol involvement in fatal crashes from before to after the implementation of a 0.08% law is described through the ratio (relative risk) of the postlaw to prelaw proportion of crashes with drivers with high blood alcohol levels. A relative risk less than 1.0 indicates a reduction in the level of alcohol involvement. This relative risk is related to the percentage of change in the proportion of crashes with drivers with high blood alcohol levels:

$$\text{Percentage Change} = 100\% \times (p_{post} - p_{pre})/p_{pre} = RR - 1,$$

and changes are described through this percentage change.

Within each state pair, the relative change (and the 95% confidence interval [CI]) in the proportion of alcohol-involved crashes in the law state relative to the control state was calculated as the ratio of the two relative risks. Subtracting 1 from this ratio gives the percentage change in the proportion of alcohol-involved crashes in the law state relative to the control state.

Meta-analytic methods[8] were used to calculate an overall relative change due to 0.08% laws across the set of five state pairs. States implemented their 0.08% laws in different years and under different circumstances. A test of the heterogeneity of effects across the five state pairs was thus conducted to test the significance of state-to-state variation in effects. Regardless of the observed variation in effects, the relative change in the proportion of crashes involving drivers with high alcohol levels was treated as a random effect in the meta-analysis. A pooled estimate and standard error for the natural log of the ratio of relative risks from each state pair were calculated. This estimate and its 95% confidence interval were transformed back to the scale of the ratio of relative risks for presentation, and subtracting 1 from this ratio gives an estimate for the overall percentage of change in the proportion of alcohol-involved crashes in law states relative to control states.

Results

Four of the five 0.08% law states showed a reduction relative to their control states in the proportion of crashes with a fatally injured driver whose blood alcohol was 0.08% or greater (Table 1). The 95% confidence intervals for these relative reductions remained below 1.0 for three of the five law states. The variation across the five law states in these relative reductions was not significant ($P = .168$). The pooled estimate of the law effect suggests that overall, the 0.08% law states experienced a 16% postlaw reduction in the proportion of fatal crashes with a fatally injured driver whose blood alcohol was 0.08% or greater (95% CI = 22%, 10%). Overall, the 0.08% law states also experienced an 18% postlaw reduction in the proportion of fatal crashes with a fatally injured driver whose blood alcohol was 0.15% or greater (95% CI = 23%, 13%) (Table 2).

Similar results were observed for the proportion of fatal crashes with any driver whose blood alcohol was 0.08% or greater (a 13% reduction) or 0.15% or greater (a 19% reduction) (data available on request).

Discussion

Several methodological issues should be considered in interpreting the results of this study. First, blood tests were obtained from 88% of fatally injured drivers in the 0.08% law states and from 74% of such drivers in comparison states, and these proportions did not change from pre- to postlaw years. This high consistent rate of testing favors the validity of results measuring fatally injured drivers. Blood tests were completed on half of all drivers in fatal crashes in study states during the analysis.

TABLE 2—Proportion of Fatal Crashes with a Fatally Injured Driver Whose Blood Alcohol Was 0.15% or More, Before and After the Passage of 0.08% Legal Blood Alcohol Limits in 5 States

0.08% Law States and Comparison States	Proportion before 0.08% Law (n)	Proportion after 0.08% Law (n)	% Change in Proportion (RR − 1)	Ratio of RRs (95% CI)
Oregon (0.08%)	0.22 (992/4455)	0.18 (769/4186)	−17% (0.83)	0.79 (0.70, 0.88)
Washington	0.20 (1266/6184)	0.21 (1158/5390)	+5% (1.05)	
Utah (0.08%)	0.10 (220/2252)	0.12 (245/2085)	+20% (1.20)	0.91 (0.72, 1.15)
Idaho	0.11 (232/2057)	0.15 (265/1773)	+33% (1.33)	
Maine (0.08%)	0.19 (198/1024)	0.15 (143/942)	−21% (0.79)	0.77 (0.61, 0.97)
Massachusetts	0.15 (493/3241)	0.15 (418/2703)	+2% (1.02)	
California (0.08%)	0.16 (3009/19370)	0.14 (2291/16278)	−9% (0.91)	0.82 (0.76, 0.89)
Texas	0.15 (1780/11924)	0.16 (1804/10961)	+10% (1.10)	
Vermont (0.08%)	0.19 (36/186)	0.19 (34/181)	−3% (0.97)	1.23 (0.68, 2.23)
New Hampshire	0.17 (48/280)	0.14 (30/222)	−21% (0.79)	
Overall law effect				0.82 (0.77, 0.87)

Note. RR = relative risk; CI = confidence interval.

Second, unlike previous studies, this analysis included comparison states to control for regional fatal crash trends.

Third, 0.08% law states may have been more concerned about alcohol-impaired driving and more responsive to legislative initiatives to reduce the problem. They were more likely to have other stringent laws that have been shown to reduce alcohol-related fatal crashes. All 0.08% law states had criminal per se laws in effect prior to the study, compared with only two comparison states: Texas and Vermont. The comparison states of Idaho and Washington introduced criminal per se laws during the study. It is likely that the 0.08% law effects were independent of criminal per se laws. Before the 0.08% law, reductions in alcohol-involved fatal crashes were seen both in pairs of states where both 0.08% law states and comparison states had criminal per se legislation throughout the study and in pairs where comparison states adopted the law during the study period.

All five 0.08% law states also had administrative licence revocation laws during the study, three of which were implemented within 1 year of the state's 0.08% law. Administration licence revocation laws have been associated with 5% declines in fatal crashes.[9] Among the control states, only New Hampshire had this law during the study period. This restricted our ability to separate the effects of 0.08% legislation from administrative licence revocation laws. Maine was the only 0.08% law state to implement an administrative licence revocation law prior to the study period and hence the only state where post-0.08% law reductions in alcohol-involved fatal crashes could be clearly separated from the effects of administrative licence revocation laws passed during the study period.

Finally, this analysis focused only on fatal crashes. Studies of other traffic laws indicate that the magnitude of their impact can be influenced by accompanying educational and enforcement efforts.[10-12] Studies of 0.08% laws are needed that not only assess the laws' impact on fatal crashes but also measure how effectively the laws are implemented.

On balance, the results of this study suggest that 0.08% laws, particularly in combination with administrative licence revocation, reduce the proportion of fatal crashes involving drivers and fatally injured drivers with blood alcohol levels of 0.08% or higher and 0.15% or higher. This legislation warrants consideration in other states. □

Acknowledgments

This study was supported by grants from the National Institute on Alcohol Abuse and Alcoholism, the US Centers for Disease Control and Prevention, and the Massachusetts Governor's Highway Safety Bureau.

The study is dedicated to Lori Lynn Webb and Mitch Pewitt, both of whom died, and Kara Webb Hensel and Millie and Roy Webb, who were seriously injured, in a crash involving a driver with a 0.08% blood alcohol level.

References

1. *The Costs of Alcohol-Related Traffic Crash Injuries.* Washington, DC: US Dept of Transportation, National Highway Traffic Safety Administration; 1994. DOT HS 808 021.
2. Moskowitz H, Burns M. Effects of alcohol on driving performance. *Alcohol Health Res World.* 1990;14:12–14.
3. Mortimer RG, Sturgis SP. Effects of low and moderate levels of alcohol on steering performance. In: Israelstam S, Lambert S, eds. *Alcohol, Drugs and Traffic Safety.* Toronto, Canada: Addiction Research Foundation; 1975:329–345.
4. Damkot DK, Perrine MW, Whitmore DG, Todissie SR, Geller HA. *On the Road: Driving Behavior and Breath Alcohol Concentration,* Vols 1 and II. Washington, DC: Dept of Transportation; 1975. Technical Report DOT HS 364 37567.
5. Zador P. Alcohol-related relative risk of fatal driver injuries in relation to driver age and sex. *J Stud Alcohol.* 1991;53:301–310.
6. Johnson D, Walz M. *A Preliminary Assessment of the Impact of Lowering the Illegal Per Se Limit to .08% in Five States.* Washington, DC: US Dept of Transportation, National Highway Traffic Safety Administration; 1994; Technical Report 1–8. DOT HS 808 207.
7. *Traffic Safety Facts, 1994.* Washington, DC: US Dept of Transportation, National Highway Traffic Safety Administration; 1995. DOT HS 808 292.
8. DerSimonian R, Laird N. Meta-analysis in clinical trials. *Controlled Clin Trials.* 1986;7: 177–188.
9. Zador P, Land A, Fields M, Weinberg K. Fatal crash involvement and laws against alcohol impaired driving. *J Public Health Policy.* 1989;10:467–485.
10. Blomberg R. *Lower BAC Limits for Youth: Evaluation of the Maryland .02 Law.* Washington, DC: US Dept of Transportation; 1992. DOT HS 806 807.
11. Voas RB, Lacey JH. Issues in the enforcement of impaired driving laws in the United States. In: *Surgeon General's Workshop on Drunk Driving Background Papers.* Rockville, Md: US Dept of Health and Human Services, Office of the Surgeon General; 1989:136–156.
12. Ross HL. *The Deterrent Capability of Sobriety Checkpoints: Summary of the American Experience.* Washington, DC: National Highway Traffic Safety Administration; 1992. NHTSA Technology Transfer Series 28.

Alcohol and the Driver

Council on Scientific Affairs

• Scientific investigations have produced 50 years of accumulated evidence showing a direct relationship between increasing blood alcohol concentration (BAC) in drivers and increasing risk of a motor vehicle crash. There is scientific consensus that alcohol causes deterioration of driving skills beginning at 0.05% BAC or even lower, and progressively serious impairment at higher BACs. Drivers aged 16 to 24 years have the highest representation of all age groups in alcohol-related road crashes; young drivers involved in alcohol-related fatal crashes have lower average BACs than older drivers. Alcohol impairs driving skills by its effects on the central nervous system, acting like a general anesthetic. It renders slower and less efficient both information acquisition and information processing, making divided-attention tasks such as steering and braking more difficult to carry out without error. The influence of alcohol on emotions and attitudes may be a crash risk factor related to driving style in addition to driving skill. Biologic variability among humans produces substantial differences in alcohol influence and alcohol tolerance, making virtually useless any attempts to fix a "safe" drinking level for drivers. The American Medical Association supports a policy recommending (1) public education urging drivers not to drink, (2) adoption by all states of 0.05% BAC as per se evidence of alcohol-impaired driving, (3) 21 years as the legal drinking age in all states, (4) adoption by all states of administrative driver's license suspension in driving-under-the-influence cases, and (5) encouragement for the automobile industry to develop a safety module that thwarts operation of a motor vehicle by an intoxicated person.

(*JAMA* 1986;255:522-527)

THREE resolutions relating to alcohol and driving were referred to the Board of Trustees at the 1984 Annual Meeting of the House of Delegates. The House requested that a comprehensive report on alcohol and its effects be prepared for the 1985 Annual Meeting.

Resolution 18 called for the American Medical Association (AMA) to study methodology intended to deter the use of an automobile by an intoxicated person. Resolution 64 asked the AMA to urge Americans to refrain from driving under the influence of alcohol, asked the AMA to conduct an education campaign on this subject, and asked the AMA to support mandatory suspension of a driver's license for one year for any conviction for a moving violation if any alcohol is found in the driver's blood. Resolution 83 urged an AMA study of recent legislation among the states on driving while impaired, with incorporation of the effective elements into model legislation for distribution to the membership.

In addressing the concerns cited in the resolutions, reviews were undertaken of current literature on (1) the relationship between blood alcohol levels and driver impairment, (2) scientific issues regarding the reliability of methods to test blood alcohol levels in drivers, and (3) alcohol-impaired driving countermeasures.

Epidemiology of Alcohol in Road Crashes

Studies carried out in the United States and other developed nations since the 1930s indicate a strong, direct relationship between increasing blood alcohol concentration (BAC) in a motor vehicle driver and increasing risk of his involvement in a road crash.[1,2]

A driver's relative risk of having a road crash shows a dramatic rise as

From the Council on Scientific Affairs, Division of Personal and Public Health Policy, American Medical Association, Chicago.

Report A of the Council on Scientific Affairs, adopted by the House of Delegates of the American Medical Association of the Annual Meeting, June 1984.

This report is not intended to be construed or to serve as a standard of medical care. Standards of medical care are determined on the basis of all of the facts and circumstances involved in an individual case and are subject to change as scientific knowledge and technology advance and patterns of practice evolve. This report reflects the views of the scientific literature as of June 1984.

Reprint requests to Division of Personal and Public Health Policy, Council on Scientific Affairs, American Medical Association, 535 N Dearborn St, Chicago, IL 60610 (John C. Ballin, PhD).

See also pp 450 and 529.

Members of the Council on Scientific Affairs include the following: John R. Beljan, MD, Philadelphia; George M. Bohigian, MD, St Louis; William D. Dolan, MD, Arlington, Va; E. Harvey Estes, Jr, MD, Durham, NC; Ira R. Friedlander, MD, Chicago; Ray W. Gifford, Jr, MD, Cleveland, Chairman; John H. Moxley III, MD, Beverly Hills, Calif, Vice-Chairman; Peter H. Sayre, Boston, Medical Student; William C. Scott, MD, Tucson; Joseph H. Skorn, MD, Chicago; Rogers J. Smith, MD, Portland, Ore; James B. Snow, Jr, MD, Philadelphia; John C. Ballin, PhD, Chicago, Secretary; James L. Breeling, Staff Author.

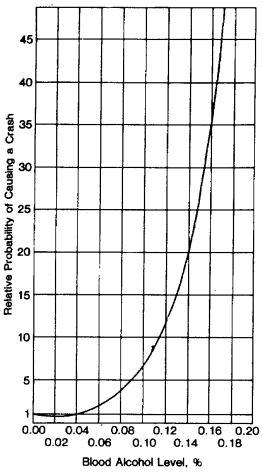


Fig 1.—Relative probability of causing crash rises with rising blood alcohol levels.

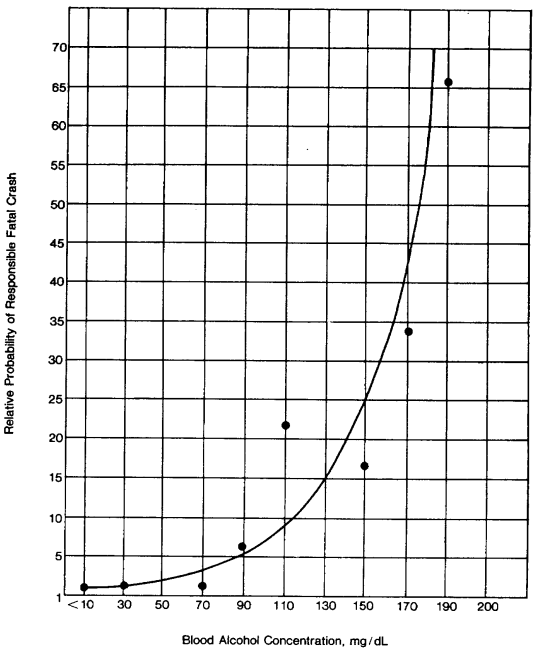


Fig 2.—Relative probability of being responsible for fatal crash rises with rising blood alcohol concentrations.

the driver's BAC increases (Figs 1 and 2).[3,4] Alcohol-impaired drivers are believed to be responsible for 25% to 35% of all crashes causing serious injury and 6% of all crashes. In single-vehicle crashes, 55% to 65% of fatally injured drivers have BACs of 0.10% or greater.[7]

In most states of the United States, a BAC of 0.10% is the legal definition of being under the influence of alcohol for driving-under-the-influence (DUI) prosecution. Since 1960 the AMA has recommended that a blood alcohol level of 0.10% be accepted as prima facie evidence of being under the influence, a position that the Council on Scientific Affairs believes should be revised to a lower BAC in light of scientific evidence. Significant alcohol involvement in injury-causing road crashes begins at a driver BAC of 0.05%. In a recent review, Johnston[5] concluded that 10% of drivers in crashes that cause property damage had BACs of 0.05% or greater and that 16% to 38% of drivers in injury-causing crashes had BACs of 0.05% or greater (Table 1).

In 1982, one in three persons killed in Australian road crashes and one in five injured had a BAC of 0.05% or more.[5] McDermott and Strong[6] found that drivers with alcohol levels of 0.05% or more have a greatly increased risk of being involved in a road crash causing injury or death. In the first three years of compulsory BAC testing of adult road crash victims in Australia's Victoria State, 27.1% of 21,863 male driver casualties and 8.7% of 9,187 female driver casualties had BACs exceeding the Victoria legal limit of 0.05%. Soderstrom et al[7] reported that of 413 road crash victims with measurable BACs at an emergency medical services center in Maryland, 91 had BACs of less than 0.10%.

Alcohol involvement in crashes had been called an epidemic, with little diminution in its proportions despite heightening of public consciousness by the activities of various community groups and anti-drunk-driving campaigns.[8] Ravages of the epidemic have been greater among the young. Fatal Accident Reporting System (FARS) data show, from 1977 to 1981, a steady increase in the overall proportion of measureable blood alcohol levels in drivers aged 16 to 25 years involved in fatal crashes.[9] The authors believed the data to be more representative of patterns of alcohol use in that age group than improvement in BAC testing and reporting.

Drivers aged 16 to 19 years have the highest rate of alcohol-involved fatal crashes per unit of travel.[4] Epidemiologic data from FARS also indicate over a number of years that younger drivers involved in fatal crashes have lower average BACs than older drivers.[10] Previous reviews of biographical variables in alcohol-

Table 1.—Incidence of Blood Alcohol Concentrations of 50 mg/dL, by Crash Severity and Type of Road User

Type of Road User	Crash Severity, %		
	Property Damage	Injury	Fatal
Driver	≈10	16-38	45-55
Passenger*	. . .	25	25-35
Motorcyclist	. . .	22-25	35
Pedestrian*	. . .	19-25	30

*Percentage shown is of those older than 14 years.

related crashes furnished the same finding.

The role of alcohol in crashes of teenage drivers also is indicated in FARS data for 1981 showing that twice as many with positive BACs were involved in single-vehicle crashes as opposed to multiple-vehicle fatal crashes. A driver in a single-vehicle accident is presumed responsible for his own crash. In the same data, five times more male than female teenage drivers were involved in single-vehicle fatal accidents, bearing out by trend if not by precise ratio another consistent biographical finding.[9]

Analysis of 1983 FARS data showed that 33% (17,764) of all drivers in fatal road crashes that year were 16 to 24 years old. Of that number, 38% (6,833) were alcohol involved, compared with 26% in all other age groups. Fatalities in road crashes involving drinking drivers aged 16 to 24 years numbered 7,784 in 1983, of whom 51% (3,992) were the drivers themselves.[11]

A model developed by Simpson[12] (Fig 3) shows the relative risk by age group of having a fatal crash if drivers were impaired by BACs of 0.08% or greater. With the risk of a sober driver having a fatal crash set at 1, the risk for impaired 16- to 17-year-olds is 165.

Young drivers are overrepresented in crashes and also in alcohol-involved crashes when BACs are low to moderate. Overrepresentation may include exposure (miles driven) as a component. Overrepresentation at low BACs may be a function of younger drinkers having less alcohol tolerance than experienced drinkers and younger drivers having less experience than older drivers.[10]

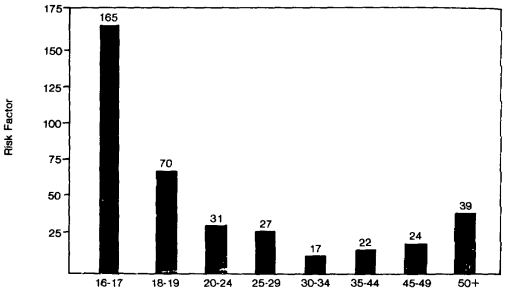


Fig 3.—Age group and risk of fatal collision if impaired.

The Effects of Alcohol

One effect of alcohol in road crashes is its contribution to enhancement of injury in alcohol-impaired victims. Prevention or limitation of trauma is less likely in alcohol-impaired drivers because they are less likely to use seat belts.[13,14] Contrary to the popular belief in being "too drunk to get hurt," more alcohol-impaired crash victims suffer serious injury than sober victims.[15] Alcohol complicates the physician's task of treating trauma: neurologic injury may be masked by drunkenness, and acute and/or chronic intoxication may be linked to a considerable range of metabolic disturbances, as well as to altered responses to anesthesia and alterations in host defenses against infection.[7] Experimentally controlled injuries to laboratory animals result in lower survival rates for animals first given alcohol and more extensive intracranial hemorrhage in alcohol-impaired animals after experimental penetration of brain tissue.[16,17]

The influence of alcohol related to driving behavior and driving skills is mediated through its effects on the central nervous system, similar to those of general anesthetic. Alcohol in small doses may cause performance of driving-related skills to fall off; in moderate to high amounts, alcohol diminishes performance across the board with general impairment of nervous function. Effects may vary with psychological profiles, tolerance to alcohol, and experience with the drug.

Dose/weight charts may not be appropriate guides to drinking behavior.[18] Biologic variability of response to alcohol has been demonstrated under controlled experimental conditions with both male and female subjects: in single-dose drinking tests the elapsed time from end of drinking to peak BAC varied from 14 to 138 minutes in one group, and in a follow-up study the same investigator found a 14-fold variation between absorption times in different subjects.[19,20] Women achieve higher peak BACs than men when given identical weight-adjusted doses.

A review of seven studies spanning a 50-year period (Table 2) indicates that at BACs of up to 0.05%, 0% to 10% of persons were considered to be "drunk"; at levels of 0.05% to 0.10%, 14% to 68% of persons were considered to be "drunk"; and at levels of 0.10% to 0.15%, 83% to 97% were considered to be drunk.[21]

The deleterious effect of alcohol at BAC levels of 0.05% to 0.06% is seen in persons performing curve-negotiating "driving" tasks under laboratory conditions. Verhaegen et al[22] concluded that at BACs between 0.05% and 0.06%, performance in information processing and curve-negotiation skill deteriorated in test subjects. Burns and Moskowitz[23] observed a 10% to 15% degree of impairment at BACs of 0.05% to 0.08% when subjects had to perform a divided-attention task of tracking and reaction.

Table 2.—Relation Between Blood Alcohol Level and Drunkenness

% of Persons Found to Be Drunk										
0.00-0.05*	0.051-0.10	0.101-0.15	0.151-0.20	0.201-0.25	0.251-0.30	0.301-0.35	0.351-0.40	0.401	Total Persons Examined	Investigators†
0	19	50	83	93	98	100	100	. . .	1,984	Widmark 221
2	38	93	97	99	100	100	. . .	. . .	950	Schwarz 195
10	18	47	83	90	95	96	93	100	1,000	Jetter 133
10	68	81	92	97	100	. . .	. . .	. . .	1,712	Andersen 9
0	46	50	92	100	100	100	100	100	140	Harger 111
0	14	69	90	94	94	100	100	100	100	Prag 186
7	25	49	85	93	97	98	100	99	750	Hine 123
4	32	62	89	95	98	99	99	100	6,594	. . .

*Percent weight by volume (0.05% w/v=50 mg/dL; 0.15% w/v=150 mg/dL) of blood alcohol.
†Numbers under names of investigators are reference citations in reference 35, source of Table 2.

Attwood et al[22] tested drivers on closed-course conditions and using a multivariate analysis technique found that drivers with BACs of 0.06% to 0.08% exhibited more variability than alcohol-free drivers in lane position, brake use, and steering controls. Impairment of judgment by alcohol was demonstrated at BACs as low as 0.04% when skilled bus drivers misjudged their ability to drive a vehicle through a space as much as 12 in narrower than the bus.[23]

Johnston[1] states that many tests of alcohol use and skills relevant to driving show that both information acquisition and information processing are rendered slower and less efficient, and the ability to carry out a divided-attention task that requires intellectual time sharing is impaired. He hypothesizes that when impaired drivers enter curves, they devote so much attention to the steering task that other perception of cues related to road curvature suffers, and they fail to reduce speed adequately.

Chemical Tests for BAC

Determination of BAC is made directly by chemical testing of blood drawn from the subject or indirectly by testing of expired breath or urine. More and more, breath-alcohol analysis is performed for the purpose of determining the concentration of alcohol in breath, rather than for attempted conversion to blood-alcohol concentration. Other fluids and tissues may be tested but usually are not in the living subject; recently, there has been a revival of interest in saliva-alcohol testing.

Laboratory methods for analysis of blood samples include (1) chemical reduction of acid dichromate, (2) enzymatic oxidation by alcohol dehydrogenase with colorimetric determination of NADH (the reduced form of nicotinamide - adenine - dinucleotide) conversion, and (3) gas-liquid chromatography. Choice of the method used by a laboratory may be influenced by the size and sophistication of the facility and the reliability of the method for confirmation of roadside breath analyses. All three methods have strengths and weaknesses, but gas chromatography is the most accurate and best suited for handling large numbers of samples. It also has the advantage of sensitivity to other aliphatic alcohols or volatile toxins that a suspect may have been ingesting with, or without, ethanol.[24]

Breath analysis is by far the most common method of measuring BAC. The concentration of ethanol in one volume of blood is stated in most textbooks and highway safety regulations to be equivalent to that in 2,100 volumes of alveolar air.[25]

Dubowski[26] challenges the 2,100:1 conversion factor on the basis of sophisticated chemical analyses of blood and breath alcohol. He and O'Neill place the mean alcohol partition factor between blood and breath, in the postabsorptive phase in healthy adult males, at approximately 2,300:1, with a range of 1,797:1 to 2,763:1 for 95% of a population of 393 healthy adult men and a range of 1,555:1 to 3,005:1 for 99.7%. Quantitative breath-alcohol analyzers are all currently factory calibrated to a conversion factor of 2,100:1 to meet official guidelines of the National Highway Traffic Safety Administration. Dubowski questions whether the conversion of breath alcohol concentration to BAC should be retained for forensic purposes and recommends that breath alcohol concentration alone be used for statutory definition of DUI.

That the 2,100:1 ratio is too low has been raised as a possibility to explain why breath analysis values from one well-regarded instrument are on the average 10% to 15% lower than alcohol concentration in blood samples taken at the same time.[27]

In a seven-month trial in London of three types of breath-testing instruments used in the United States, the breath-testing instruments tended to underread actual blood alcohol levels by 0 to 20 mg/dL in the BAC range of 0.05% to 0.10%.[30]

The US National Highway Traffic Safety Administration publishes model specifications for the performance, calibration, and testing of breath alcohol testing devices to ensure their reliability.

DUI Countermeasures

Strengthening of state DUI laws has been a trend over the past several years.

State legislators are apparently recognizing that a growing national

consensus against driving under the influence must be backed by specific laws needed by police, courts, and licensing agencies to get alcohol-impaired drivers off the road.

The AMA in May 1982 issued to state and medical specialty societies a document titled "Drunk Driving Laws" and urged state medical associations to consider seeking enactment of legislation to strengthen DUI laws in their respective states.

The AMA House of Delagates at its 1983 Annual Meeting (Resolution 95, A-83) reaffirmed AMA policy to encourage each state medical society to seek and support legislation to raise the minimum drinking age to 21 years, and it urged all physicians to educate their patients about the dangers of alcohol abuse in general and operating a motor vehicle while under the influence of alcohol in particular.

Among the more visible and easily identified strengthening of state DUI laws is the replacement of "presumptive" by "per se" laws. The latter laws make it illegal in and of itself to drive with a BAC over certain specified limits. In states with "illegal per se" laws, proof of driving under the influence of alcohol is automatic when a properly administered test of the specified type shows the driver's BAC to be over a specified limit. Most states with illegal per se laws set the BAC limit at 0.10%, but the range among all such state laws is from 0.08% to 0.15%.

A variation on the illegal per se law is a two-step law adopted in some states: (1) illegal per se set at a specified BAC, and (2) presumption of driving under the influence set at a lower BAC, requiring supporting evidence other than breath or blood test for prosecution.

The Highway Users Federation recommends an illegal per se law as one provision in any driving legislative package. Provisions include (1) administrative driver's license suspension, whereby the license of any driver arrested for driving under the influence is suspended for a specified period, with harsh penalties imposed for driving while the license is suspended (the measure is aimed at the repeat offender); and (2) recording of all alcohol-related arrests, a provision meant to identify repeat offenders and particularly those whose alcohol-related arrests are frequently plea bargained to a lesser charge not related to alcohol.

In reviewing the recent records of control measures, Waller[11] identified two as being associated with positive results: (1) An increase in the age at which one can be issued a driver's license or can drink legally seems to have a positive effect in reducing the number of alcohol-related crashes by 16- and 17-year-olds. (2) License suspension or revocation is the most cost-effective countermeasure yet identified for reducing driving by drunk driving offenders. Arrest, trial, and imprisonment are far more expensive in public servant time and public funds. Revocation of a license for driving under the influence may be mandatory on conviction or may occur administratively upon evidence that the person committed the offense. Waller noted that several investigators have reported that one third to two thirds of persons with revoked licenses continued to drive while the revocation or suspension was in effect but were driving less often and more carefully; multiple DUI offenders who were suspended had better subsequent records than comparable convictees whose licenses were not suspended.

The impact of per se legislation upon deterrence of alcohol-impaired driving was unclear in four reviews of the data, according to Waller. A difficulty often encountered was the inability of the reviewer to separate the effect of per se laws from that of other countermeasures instituted at about the same time in the same states.[11]

Comparison of mandatory licensing sanctions with education and rehabilitation programs for DUI offenders in four states demonstrated clear superiority of the licensing sanctions in reducing DUI recidivism and subsequent crash involvement.[12]

Research and Human-Related Risk Factors

Multidisciplinary investigations of driving and drinking are rare to nonexistent. Multiple foci of research interest—eg, highway and auto safety, pharmacology, alcohol and substance abuse, trauma treatment, legislation, and regulation—have tended to operate without strong linkages.

On three occasions, in 1972, 1978, and 1983, large assemblies of North American investigators ranked human-related risk factors at or near the top of DUI research needs. In each instance, the group asked for multivariate studies that incorporate human-related variables of an attitudinal-personality nature and a long-term research strategy coordinated through some central organization.[13]

Youthful driving and drinking is an area where research on multicausality seemed urgently warranted to investigators, in light of the peculiarly high risk of death and injury from alcohol-related crashes in this group.[14] Some suggestive research indicates that drinking and driving populations contain drinking/driving/crash-prone subpopulations in whom the influence of alcohol on emotions and attitudes may be an important causative factor.[15] The influence of alcohol on an emotionally charged driving style may be as important as its influence on driving skill.[16]

Social and cultural factors that influence the magnitude, characteristics, and persistence of the drinking and driving problem are not yet defined. Whether sustained shifts in social norms related to drinking and driving can be brought about—as they were in relation to littering, smoking, and diet/fitness/heart disease—is a question yet to be answered.[16]

Conclusions

1. Alcohol causes deterioration of driving skills beginning at 0.05% BAC (50 mg of ethanol per deciliter of blood) or even lower. Deterioration progresses rapidly with rising BAC to serious impairment of driving skills at BACs of 0.10% and above, according to scientific consensus.

2. Drivers with BACs of 0.05% to 0.10% are significantly represented in road crash statistics.

3. Drivers aged 16 to 21 years have the highest rate of alcohol-involved fatal crashes per mile, with lower average BACs than older drivers.

The Council on Scientific Affairs recommends that the AMA (1) direct public information and education against *any* drinking by drivers and encourage other organizations to do the same; (2) adopt a position sup-

porting a 0.05% BAC as per se illegal for driving and urge incorporation of that position into all state DUI laws; (3) reaffirm the position supporting 21 years as the legal drinking age, strong penalties for providing alcohol to persons younger than 21 years, and stronger penalties for providing alcohol to drivers younger than 21 years; (4) urge adoption by all states of an administrative suspension or revocation of driver licenses after DUI conviction and mandatory revocation after a specified number of repeat offenses; (5) encourage automobile industry efforts to develop a safety module that thwarts operation of a car by an intoxicated person.

References

1. Norman LG: *Road Traffic Accidents: Epidemiology, Control, and Prevention*, public health paper 12. Geneva, World Health Organization, 1962.
2. McLean AJ, Holubowycz OT: Alcohol and the risk of accident involvement. Proceedings of the Eighth International Conference on Alcohol, Drugs and Traffic Safety, Stockholm, June 15-19, 1980.
3. Perrine MW: Alcohol involvement in highway crashes: A review of the epidemiologic evidence. *Clin Plast Surg* 1975;2:11-34.
4. Laurie W: Alcohol and the road toll. *Med J Aust* 1981;1:226-227.
5. Johnston IR: The role of alcohol in road crashes. *Ergonomics* 1982;25:941-946.
6. McDermott F, Strong P: Compulsory blood alcohol testing of road crash casualties in Victoria: The first three years. *Med J Aust* 1978; 2:612-615.
7. Soderstrom CA, DuPriest RW, Benner C, et al: Alcohol and roadway trauma: Problems of diagnosis and management. *Am Surg* 1979; 45:129-136.
8. Fell JC: Tracking the alcohol involvement problem in U.S. highway crashes, in *Proceedings of the 27th Annual Conference of the American Association for Automotive Medicine*. Arlington Heights, Ill, American Association for Automotive Medicine, 1983, pp 23-42.
9. Patterns of alcohol use among teenage drivers in fatal motor vehicle accidents—United States, 1977-1981. *MMWR* 1983;32:344-347.
10. Blood alcohol concentrations among young drivers—United States, 1982. *MMWR* 1983; 32:646-647.
11. Temporal patterns of motor-vehicle fatalities associated with young drinking drivers—United States, 1983. *MMWR* 1984;33:699-701.
12. Simpson HM: The impaired-driver problem vs the impaired problem driver. *Trans Assoc Life Ins Med Dir* 1978;61:178-192.
13. Wagenaar AC: *Restraint Usage Among Crash-Involved Motor Vehicle Occupants*, report UMTRI-84-2. Ann Arbor, University of Michigan Transportation Research Institute, 1984.
14. Council on Scientific Affairs: Automobile-related injuries: Components, trends, prevention. *JAMA* 1983;249:3219.
15. Rockerbie RA, Martin GR, Parkin HE: Blood alcohol in hospitalized traffic crash victims. Proceedings of the Eighth International Conference on Alcohol, Drugs, and Traffic Safety, Stockholm, June 15-19, 1980.
16. Nicholas GG, De Muth WE: Blunt cardiac trauma: The effect of alcohol on survival and metabolic function. *J Trauma* 1980;20:58-60.
17. Persson LI, Rosengren LE, Hansson HA: Ultrastructural studies on blood-brain barrier dysfunction around cerebral stab wounds, aggravated by acute ethanol intoxication. *Acta Neurol Scand* 1978;57:405-417.
18. O'Neill B, Williams AF, Dubowski KM: Variability in blood alcohol concentrations: Implications for estimating individual results. *J Stud Alcohol* 1983;44:222-230.
19. Dubowski KM: Human pharmacokinetics of ethanol: I. Peak blood concentrations and elimination in male and female subjects. *Alcohol Tech Rep* 1976;5:55-63.
20. Dubowski KM: Human pharmacokinetics of ethanol: Further studies. *Clin Chem* 1976; 22:1199.
21. Committee on Medicolegal Problems: *Alcohol and the Impaired Driver*. Chicago, American Medical Association, 1968, p 11.
22. Verhaegen P, van Keer E, Gambart R: The influence of small doses of alcohol on the rate of decision making. Proceedings of the Sixth International Conference on Alcohol, Drugs and Traffic Safety, Toronto, 1975.
23. Burns M, Moskowitz H: Effects of diphenhydramine and alcohol on skills performance. *Eur J Clin Pharmacol* 1980;17:259-266.
24. Attwood DA, Williams RD, Madill HD: Effects of moderate blood alcohol concentrations on closed-course driving performance. *J Stud Alcohol* 1980;41:623-634.
25. Cohen J, Dearnaby EJ, Hansel CEM: The risk taken in driving under the influence of alcohol. *Br Med J* 1958;1:1438-1442.
26. *Gradwohl's Clinical Laboratory Methods and Diagnosis*. St Louis, CV Mosby Co, 1980, pp 406-407.
27. Hirsch CS, Morris RC, Moritz AR: *Handbook of Legal Medicine*. St Louis, CV Mosby Co, 1979, pp 90-91.
28. Dubowski KM, O'Neill B: The blood/breath ratio of ethanol. *Clin Chem* 1979;25:1144.
29. Laurie W: Alcohol and the road toll. *Med J Aust* 1981;1:247.
30. Emerson BJ, Hollyhead R, Isaacs MD, et al: The measurement of breath alcohol. *J Forensic Sci Soc* 1980;20:1-70.
31. Waller PF: Licensing and other measures in the control of the drinking driver. Presented at the North American Conference on Alcohol and Traffic Safety, Baltimore, June 12-14, 1984.
32. Hagen RE: Evaluation of the effectiveness of educational and rehabilitation efforts. Presented at the North American Conference on Alcohol and Traffic Safety, Baltimore, June 12-14, 1984.
33. Simpson HM: Human-related risk factors in traffic crashes. Presented at the North American Conference on Alcohol and Traffic Safety, Baltimore, June 12-14, 1984.
34. Simpson HM, Mayhew DR, Warren RA: Epidemiology of road accidents involving young adults. *Drug Alcohol Depend* 1982;10:35-63.
35. Haight FA: Current problems in drinking, driving: Research and intervention. Presented at the North American Conference on Alcohol and Traffic Safety, Baltimore, June 12-14, 1984.
36. Donelson AC: Evaluation of socio-cultural factors in drinking and driving. Presented at the North American Conference on Alcohol and Traffic Safety, Baltimore, June 12-14, 1984.

ALCOHOL ALERT

National Institute on Alcohol Abuse and Alcoholism No. 35 PH 371 January 1997

Alcohol Metabolism

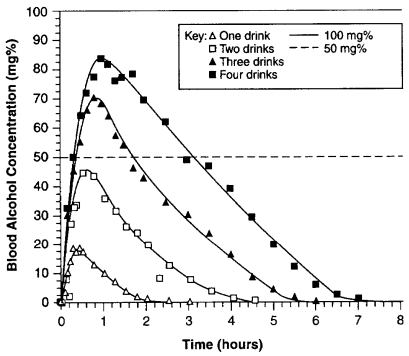
Metabolism is the body's process of converting ingested substances to other compounds. Metabolism results in some substances becoming more, and some less, toxic than those originally ingested. Metabolism involves a number of processes, one of which is referred to as oxidation. Through oxidation, alcohol is detoxified and removed from the blood, preventing the alcohol from accumulating and destroying cells and organs. A minute amount of alcohol escapes metabolism and is excreted unchanged in the breath and in urine. Until all the alcohol consumed has been metabolized, it is distributed throughout the body, affecting the brain and other tissues (1,2). As this *Alcohol Alert* explains, by understanding alcohol metabolism, we can learn how the body can dispose of alcohol and discern some of the factors that influence this process. Studying alcohol metabolism also can help us to understand how this process influences the metabolism of food, hormones, and medications.

Alcohol Alert, a publication of the National Institute on Alcohol Abuse and Alcoholism, provides timely information on alcohol research and treatment to health professionals and other interested people. This issue is the thirty-fifth in the series.

The Metabolic Process

When alcohol is consumed, it passes from the stomach and intestines into the blood, a process referred to as absorption. Alcohol is then metabolized by enzymes, which are body chemicals that break down other chemicals. In the liver, an enzyme called alcohol dehydrogenase (ADH) mediates the conversion of alcohol to acetaldehyde. Acetaldehyde is rapidly converted to acetate by other enzymes and is eventually metabolized to carbon dioxide and water. Alcohol also is metabolized in the liver by the enzyme cytochrome P450IIE1 (CYP2E1), which may be increased after chronic drinking (3). Most of the alcohol consumed is metabolized in the liver, but the small quantity that remains unmetabolized permits alcohol concentration to be measured in breath and urine.

The liver can metabolize only a certain amount of alcohol per hour, regardless of the amount that has been consumed. The rate of alcohol metabolism depends, in part, on the amount of metabolizing enzymes in the liver, which varies among individuals and appears to have genetic determinants (1,4). In general, after the consumption of



Blood alcohol concentration (BAC) after the rapid consumption of different amounts of alcohol by eight adult fasting male subjects.* (Adapted from Wilkinson et al., *Journal of Pharmacokinetics and Biopharmaceutics* 5(3):207–224, 1977.)

100 mg% is the legal level of intoxication in most States. 50 mg% is the level at which deterioration of driving skills begins. (*JAMA* 255:522–527, 1986.)

*If the same number of drinks are consumed over a longer period of time, BAC's will be lower.

A Commentary by NIAAA Director Enoch Gordis, M.D. 3

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service • National Institutes of Health

one standard drink, the amount of alcohol in the drinker's blood (blood alcohol concentration, or BAC) peaks within 30 to 45 minutes. (A standard drink is defined as 12 ounces of beer, 5 ounces of wine, or 1.5 ounces of 80-proof distilled spirits, all of which contain the same amount of alcohol.) The BAC curve, shown on the previous page, provides an estimate of the time needed to absorb and metabolize different amounts of alcohol (5). Alcohol is metabolized more slowly than it is absorbed. Since the metabolism of alcohol is slow, consumption needs to be controlled to prevent accumulation in the body and intoxication.

Factors Influencing Alcohol Absorption and Metabolism

Food. A number of factors influence the absorption process, including the presence of food and the type of food in the gastrointestinal tract when alcohol is consumed (2,6). The rate at which alcohol is absorbed depends on how quickly the stomach empties its contents into the intestine. The higher the dietary fat content, the more time this emptying will require and the longer the process of absorption will take. One study found that subjects who drank alcohol after a meal that included fat, protein, and carbohydrates absorbed the alcohol about three times more slowly than when they consumed alcohol on an empty stomach (7).

Gender. Women absorb and metabolize alcohol differently from men. They have higher BAC's after consuming the same amount of alcohol as men and are more susceptible to alcoholic liver disease, heart muscle damage (8), and brain damage (9). The difference in BAC's between women and men has been attributed to women's smaller amount of body water, likened to dropping the same amount of alcohol into a smaller pail of water (10). An additional factor contributing to the difference in BAC's may be that women have lower activity of the alcohol metabolizing enzyme ADH in the stomach, causing a larger proportion of the ingested alcohol to reach the blood. The combination of these factors may render women more vulnerable than men to alcohol-induced liver and heart damage (11–16).

Because women metabolize alcohol differently from men, women may be more vulnerable to liver and heart damage.

Effects of Alcohol Metabolism

Body Weight. Although alcohol has a relatively high caloric value, 7.1 Calories per gram (as a point of reference, 1 gram of carbohydrate contains 4.5 Calories, and 1 gram of fat contains 9 Calories), alcohol consumption does not necessarily result in increased body weight. An analysis of data collected from the first National Health and Nutrition Examination Survey (NHANES I) found that although drinkers had significantly higher intakes of total calories than nondrinkers, drinkers were not more obese than nondrinkers. In fact, women drinkers had significantly lower body weight than nondrinkers. As alcohol intake among men increased, their body weight decreased (17). An analysis of data from the second National Health and Nutrition Examination Survey (NHANES II) and other large national studies found similar results for women (18), although the relationship between drinking and body weight for men is inconsistent. Although moderate doses of alcohol added to the diets of lean men and women do not seem to lead to weight gain, some studies have reported weight gain when alcohol is added to the diets of overweight persons (19,20).

Alcohol may lead to further weight gain in persons who are already overweight.

When chronic heavy drinkers substitute alcohol for carbohydrates in their diets, they lose weight and weigh less than their nondrinking counterparts (21,22). Furthermore, when chronic heavy drinkers add alcohol to an otherwise normal diet, they do not gain weight (21).

Sex Hormones. Alcohol metabolism alters the balance of reproductive hormones in men and women (23–28). In men, alcohol metabolism contributes to testicular injury and impairs testosterone synthesis and sperm production (24,29). In a study of normal healthy men who received 220 grams of alcohol daily for 4 weeks, testosterone levels declined after only 5 days and continued to fall throughout the study period (30,31). Prolonged testosterone deficiency may contribute to feminization in males, for example, breast enlargement (32). In addition, alcohol may interfere with normal sperm structure and movement by inhibiting the metabolism of vitamin A, which is essential for sperm development (30,33). In women, alcohol metabolism may contribute to increased production of a form of estrogen called estradiol (which contributes to increased bone density and reduced risk of coronary artery disease) and to decreased estradiol metabolism, resulting in elevated estradiol levels (28). One research review indicates that estradiol levels increased in *premenopausal* women who consumed slightly more than enough alcohol to reach the legal limit of alcohol (BAC of

Alcohol metabolism affects male and female reproductive hormones.

0.10 percent) acutely (28). A study of the effect of alcohol on estradiol levels in *postmenopausal* women found that in women wearing estradiol skin patches, acute alcohol consumption significantly elevated estradiol levels over the short term (34).

Medications. Chronic heavy drinking appears to activate the enzyme CYP2E1, which may be responsible for transforming the over-the-counter pain reliever acetaminophen (Tylenol™ and many others) into chemicals that can cause liver damage, even when acetaminophen is taken in standard therapeutic doses (3,35,36). A review of studies of liver damage resulting from acetaminophen-alcohol interaction reported that in alcoholics, these effects may occur with as little as 2.6 grams of acetaminophen (four to five "extra-strength" pills) taken over the course of the day in persons consuming varying amounts of alcohol (35,37). The damage caused by alcohol-acetaminophen interaction is more likely to occur when acetaminophen is taken after, rather than before, the alcohol has been metabolized. Alcohol consumption affects the metabolism of a wide variety of other medications, increasing the activity of some and diminishing the activity, thereby decreasing the effectiveness, of others (35).

Medications may be rendered harmful or ineffective as a result of alcohol metabolism.

Alcohol Metabolism—A Commentary by NIAAA Director Enoch Gordis, M.D.

The study of metabolism has both practical and broader scientific implications. On the practical side, information on how the body metabolizes alcohol permits us to calculate, for example, what our blood alcohol concentration (BAC) is likely to be after drinking, including the impact of food and gender differences in the rate of alcohol metabolism on BAC. This information, of course, is important when participating in activities for which concentration is needed, such as driving or operating dangerous machinery.

With respect to its broader scientific application, metabolism, which has long been studied, is emerging with new implications for the study of alcoholism and its medical consequences. For instance, how is metabolism related to the resistance of some individuals to alcoholism? We know that some inherited abnormalities in metabolism (e.g., flushing reaction among some persons of Asian descent) promote resistance to alcoholism. Recent data from two large-scale NIAAA-supported genetics studies suggest that alcohol dehydrogenase genes may be associated with differential resistance and vulnerability to alcohol. These findings are important to the study of why some people develop alcoholism and others do not. Studies of metabolism also can identify alternate paths of alcohol metabolism, which may help explain how alcohol speeds up the elimination of some substances (e.g., barbiturates) and increases the toxicity of others (e.g., acetaminophen). This information will help health care providers in advising patients on alcohol-drug interactions that may decrease the effectiveness of some therapeutic medications or render others harmful.

BOSTON UNIVERSITY SCHOOL OF PUBLIC HEALTH,
May 8, 1997.

HON. JOHN WARNER, *Chairman,*
Subcommittee on Transportation and Infrastructure,
Committee on Environment and Public Works,
Washington, DC 20510

DEAR SENATOR WARNER: I am enclosing for your committee's consideration a report published in the American Journal of Public Health in September 1996 entitled, "Lowering State Legal Blood Alcohol Limits to 0.08 percent: The Effect on Fatal Motor Vehicle Crashes", which I coauthored with Timothy Heeren, Ph.D. and Michael Winter, M.P.H. The report was cited by Senators Lautenberg and DeWine as well as Representative Lowey yesterday in their testimony before your committee proposing Federal Legislation to encourage all states to reduce their legal blood alcohol limit to .08 percent. I would strongly urge the committee members to read the article in its entirety with particular attention to the methods section and the discussion in which we review the strengths and limitations of our study design.

I believe it is important for you and other committee members to have this study available to read in view of the letter you cited at the hearing from Richard Berman, the General Council of the American Beverage Institute. That letter stated no "unbiased studies" have provided evidence that lowering legal blood alcohol limits to .08 percent will reduce fatal traffic crashes.

Mr. Berman has on several occasions at public hearings and in the media alleged that the results of our study on .08 percent laws are biased because 1) Mothers Against Drunk Driving (MADD) commissioned the study, 2) I am a member of the National Board of Directors of Mothers Against Drunk Driving (MADD), 3) that I conducted the study to become a member of that Board in order to receive financial remuneration from them, and 4) that my bias is obvious because I dedicated the article to the Webb family of Franklin, Tennessee. That family lost a daughter and

a nephew and suffered permanent injuries from burns they incurred in a crash involving a driver at .08 percent blood alcohol level.

In response to Mr. Berman's allegations: 1) Mothers Against Drunk Driving did not pay for any aspect of this research. It was undertaken while I was working on grants from the National Institute on Alcohol Abuse and Alcoholism of the National Institutes of Health, the Massachusetts Governor's Highway Safety Bureau, and the U.S. Centers for Disease Control. 2) I do serve on MADD's National Board of Directors. However, the article was completed in the final text prior to my beginning service on MADD's Board. 3) My service to MADD is voluntary. MADD has rules that strictly forbid remuneration of Board Members for their service. I am proud of my appointment to the MADD Board and applaud that organization for appointing research scientists to their Board and consulting committees in an effort to bring science directly to bear on their policy decisions.

Finally, my dedication of the study to the Webb family did not influence the results of the study. I first met Millie Webb at a National Lifesavers Conference in Indianapolis after my first public presentation of our study results. I asked her if I could dedicate the results of the study to her family, only after the study had been peer reviewed and accepted for publication by the American Journal of Public Health and was in final galley proof. I made this dedication so that their family could be associated with a study in a scientific journal that reported legal blood alcohol limits of .08 percent could prevent other families from experiencing the psychological and physical pain they have endured as the result of a crash caused by a driver at .08 percent. The dedication was also a reminder to the readers of the Journal of the personal human suffering behind the public health problems we seek to understand and address through our research.

I would welcome an opportunity to meet with you or any member of the committee to directly respond to questions regarding the methods, findings, and interpretation of our research as well as research by the National Highway Traffic Safety Administration and others regarding .08 percent laws. I trust this research will be the legislative focus of attention as the .08 percent law is debated, not the innuendoes and charges of bias that have been and may again be leveled at me, my coauthors and our study by the legal council of the American Beverage Institute because I offer volunteer service to Mothers Against Drunk Driving.

Sincerely,

RALPH HINGSON, SC.D.
Professor and Chair.

P.S. Enclosed are also copies of a recent report from the National Institute on Alcohol Abuse and Alcoholism (NIAAA) indicating the number of drinks that need to be consumed to reach .08 percent, and the American Medical Association report over 10 years ago recommending a legal blood alcohol limit of .05 percent. In the NIAAA report, the average adult male weighed 170 pounds and fasted for 10 hours prior to alcohol consumption.

STATEMENT OF THE NATIONAL ASSOCIATION OF INDEPENDENT INSURERS

The National Association of Independent Insurers (NAII) is a national trade association composed of more than 560 property-casualty insurance companies which insure about one-third of the large trucks in the United States. NAII members also insure about one-third of the private passenger automobiles in the country. Accordingly, our members have an acute interest in assuring that America's highways are safe.

NAII is an active member of the American Highway Users Alliance and the Roadway Safety Foundation, and we endorse the AHUA testimony supporting reauthorization of the Federal highway program with increased funding for highway building, roadway maintenance, and safety programs.

NAII submits this additional written statement to comment on one aspect of the important issue of highway safety that relates to NAFTA. Specifically, NAII wants to make certain that NAFTA implementation does not result in increased fatalities and injuries, or more property, environmental, or infrastructure damage. In that spirit, NAII supports increased funding for the Federal Highway Administration and the Motor Carrier Safety Assistance Program so that officials can recruit, train, and deploy more motor carrier safety enforcement personnel at U.S.-Mexican border crossings. Currently, the number of vehicle inspections performed at the border is insufficient to keep out unsafe drivers and trucks, according to two recent General Accounting Office reports.

The General Accounting Office reported to Congress in February 1996 that many trucks from Mexico operating in the U.S. border commercial zone were in poor con-

dition and did not meet U.S. safety standards for trucks. The report also indicated that Mexican drivers often do not have valid licenses or insurance. GAO also observed that enforcement varies significantly among the border states and is not aligned with need. At the same time, the report found that Mexico has limited facilities and personnel to implement its own safety enforcement program. GAO just released a followup report earlier this month which found that about 45 percent of the trucks inspected from Mexico during 1996 were placed out of service with serious safety problems.

These reports justify the administration's decision to impose a moratorium on NAFTA implementation and delay action on applications from Mexican trucking companies to operate beyond the U.S. border commercial zone until safety and security can be assured and reliably demonstrated.

We urge Congress, as it considers ISTEA reauthorization legislation, to approve adequate funding for FHWA and the motor carrier safety assistance program in order to assure that safety inspection programs are in place and that Mexican trucks coming into the U.S. pose no greater threat to safety than U.S. trucks.

STATEMENT OF FRAYDUN MANOCHERIAN, MANOCHERIAN FOUNDATION

Summary

The Manocherian Foundation is a non-profit organization dedicated to reducing accidents, deaths and disability on our highways. The Foundation was established in 1962 by Mr. Fraydun Manocherian, who as a high school student, lost two friends to a drunk driving crash.

It is extremely important that the reality of highway fatalities not be overlooked when your Subcommittee makes important decisions about how to structure safety programs of the Department of Transportation. Highway fatalities have increased in recent years, the fatality rate based on vehicle miles traveled is stagnant, and the human tragedy of highway crashes continues to plague us all in epidemic proportions.

Although great progress has been made over the past 15 years in reducing road trauma, our achievements are not the envy of the world and many other countries have achieved better results in critical areas like drunk driving and safety belt use.

Funds spent on highway safety return more benefit to American taxpayers than many, if not most, government programs. Studies conducted by the National Highway Traffic Safety Administration conclude that $6 dollars in benefits are returned to the Nation for every Federal dollar invested in the vehicle safety programs of the agency, and $30 for every dollar invested in the behavioral aspects of highway safety. Reductions in health care costs, lost productivity, job training, insurance costs, and police and emergency services costs are the result of this investment.

Since progress has slowed in recent years, it is time to devote additional resources to this national health problem. In order to again achieve further gains and the historical return on investment in improving driver, passenger, pedestrian, and bicyclist behavior, new initiatives and approaches to spending Federal dollars must be considered.

Increases in the funds available for state programs, like those proposed by NHTSA in the NEXTEA legislation for alcohol incentive and occupant protection grants, is money well spent. But it is time to aggressively attack the problem. We propose a six-point program for the next 6 years that would have several features:

1) require NHTSA to articulate national goals to be achieved in 5 years for safety belt use, percentage of alcohol-related fatalities, and the highway fatality rate,

2) support traffic law enforcement directly with added resources,

3) develop modern educational tools taking advantage of Internet, CD-Rom and other technologies,

4) conduct aggressive research to understand aggressive behavior on the highway and its relationship to other in jury-causing behavior,

5) increase national advertising to create awareness of this national tragedy, and

6) establish a combination incentive/sanction program for the states to enact appropriate drunk driving and safety belt use laws.

Incremental increases in resources will simply not get the job done. By putting further resources into national research and outreach programs, the driving public will be assured that reducing highway death and injury is a national priority and that the appropriate research is conducted to understand behavior and to act on further gains.

We have proposed to the Appropriations Committees that $34 million be added to the NHTSA budget request of $330 million in fiscal year 1998 to begin this important work. But a longer term solution should be considered in the NEXTEA reauthorization One additional single percentage point of funds from the Highway Trust Fund applied to national NHTSA programs would result in about $260 billion additionally becoming available and would fund the programs described above. It is appropriate that the NHTSA authorization rise to the $600 million level over the life of NEXTEA. Since over 90 percent of all transportation-related fatalities occur on OUT nation's highways and 80 percent of those are attributable to driver errors, the additional amounts are appropriate and necessary.

A full discussion is presented below.

The Problem

Despite large successes over the past 15 years, 42 thousand people died on our highways in 1996 with over 3 million reported injuries. Increases in fatalities have taken place in each of the last several years although slight reductions occurred in calendar year 1996. While the fatality rate, measured in fatalities per 100 million vehicle miles traveled, has been reduced dramatically over the past 15 years, the rate of approximately 1.7 is essentially unchanged since 1992.

Although the United States has a solid record of achievement in reducing highway deaths and injures, we are by no means the world leaders, particularly in important areas like drunk driving and safety belt use. in the United States, over 41 percent of highway fatalities are alcohol related while other countries, Scandinavian countries in particular, routinely achieve alcohol-related fatality percentages of less than 30 percent.

Safety belt use in this country is stalled at 68 percent while Canada, Australia, Great Britain, and other countries routinely achieve belt use over 85 percent with some, like Canada, over 90 percent Since each 10 percent of safety belt increase saves 2,000 lives per year, the potential for further improvement is enormous.

The heart of the problem lies with the willingness of drivers and passengers in this country to aggressively engage in risk-taking behaviors. Not buckling up, driving drunk, driving too fast, not wearing a motorcycle helmet, and even jaywalking or not wearing a bicycle helmet are all manifestations of risk-taking.

Highway Safety Economics

According to a NHTSA report released in 1996, highway deaths and injuries cost the Nation over $150 billion in 1994, up from $137 billion in 1990. That amounts to 2.2 percent of the Nation's Gross Domestic Product and $580 for every person living in the United States. Every fatality costs society $830,000 and each critically injured survivor $706,000.

There are few of us who do not pay the bill in one of several ways. According to the NHTSA study, the costs of highway crashes are distributed as follows:

TYPE OF LOSS	AMOUNT OF LOSS
Productivity and workplace losses	$58.6 billion
Property damage	$52.1 billion
Medical costs	$17.0 billion
Travel delay	$4.4 billion
Legal and court costs	$5.9 billion
Emergency services	$1.7 billion
Insurance administration	$10.5 billion
Rehabilitation	$156 million
TOTAL	$150.4 BILLION

Despite their enormous cost, highway crashes needn't extract this toll from the lives of families, government, and business Highway crashes are not random events over which there is no control. Many highway crashes and the consequences of them are controllable. The bottom line is that highway crashes are still a huge economic and social problem in this country and the amount of resources we are devoting to reducing the toll is very small in proportion to the problem.

NHTSA's Budget in Perspective

NHTSA's total budget request for fiscal year 1998 is $333 million There are several ways to put this figure in perspective. The first is to compare this amount to the $150 billion lost each year in highway crashes. NHTSA studies have concluded

that the return on investment ranges from $6 dollars for every dollar spent on vehicle programs and up to $30 dollars for each dollar spent on programs to alter driver and passenger behavior. With this solid return, further investment, particular in the behavioral programs, makes economic sense. The current levels of investment are far below that which is comparable to the problem and far below those needed to achieve effective economic gain and reduce the devastating effect on families from losing loved ones.

The Highway Trust Fund collects approximately $26 billion per year, and the NHTSA budget makes up just over I percent of that figure. The economics of highway safety demand a greater investment. And since about 80 percent of the cause of highway injury lies with driver and passenger behavior, that new investment should be weighed heavily toward changing behavior.

Recent experience with air bag safety makes the effort more important. An extraordinary amount of attention has focused on changing Federal Motor Vehicle Safety Standard 208 The subject has become almost daily fare in the nation's newspapers and electronic media and NHTSA has come under increasing fire to alter the standard to allow air bags to become less aggressive and to promote the development of the so-called "smart bags". But the simple truth is that the majority of the deaths attributable to air bags could have been avoided through the use of safety belts and ensuring the children under 12 are seated in the rear seat Again, the need is to increase efforts toward the appropriate use of safety restraints already available in every air bag equipped vehicle

The Proposal

The traditional approach to changing behavior on our highways is to 1) enact good state laws, 2) effectively enforce them, and 3) educate drivers and passengers on the importance of avoiding alcohol, buckling up, reducing speed, and other behaviors. When applied aggressively, effective reductions in fatalities and injuries will result. A number of state programs have repeatedly demonstrated the usefulness of this approach. Foreign experience, particularly safety belt use programs in Canada, Australia, and Great Britain, and drunk driving programs in Scandinavia and Australia, have achieved excellent success using this approach.

NHTSA's traditional role in promoting these programs is threefold: 1) conduct national advertising and programs through national organizations to identify highway safety as a national priority and to create issue awareness, 2) develop and provide technical and educational support, both in a research and program development sense, and 3) administer the state and community grant program.

In recent years, the state and community grant program has received increased funding from Congress, principally through the section 402 grant program An additional $12.5 million was provided in fiscal year 1997 funds for the NHTSA section 402 program, a result of combining the Federal Highway Administration and NHTSA requests The same amount is asked for by NHTSA for fiscal year 1998. In addition, NHTSA has asked for an addition $8.5 million for fiscal year 1998 in alcohol incentive grants and a new $9 million program for occupant protection incentive grants.

But Americans want more. A recent poll conducted by Louis Harris for Advocates for Highway and Auto Safety concluded that 9 out of 10 Americans want the Federal Government to display strong leadership in highway safety.

For national level programs, however, conducted through the section 403 program, only small amounts of additional money are being sought for an air bag safety campaign, for emergency services support, and a new youth drug initiative. The total amount of increase is $4 million, but occupant protection and alcohol program development efforts will actually receive less funding under the Administration proposal. The highway safety research request is flat at about $5 million.

While progress Is being made in funding state and community efforts, the amounts available for national level programs is inadequate, especially given the stagnation in reducing highway fatality and injuries and the Nation's mediocre performance in highway safety compared to the rest of the world.

If the Nation is to commit resources commensurate to the problem, new investment in changing behavior should support state and community efforts and the need for national leadership in several areas:

1) Set national goals to be achieved over the next 5 years.

- National leadership requires developing national expectations. Aggressive goalsetting is an important facet of national leadership and costs nothing.
- The key areas for which goals should be set are: overall national highway fatality rate, percentage of alcohol-related fatalities, and safety belt use rates.
- NHTSA should decide the goals to be reached and the timeframe without delay and in concert with the highway safety community.

- NHTSA has now set safety belt use goals for the year 2000 and 2005 under the National Strategy to Increase Seat Belt Use. This is a step in the right direction. NHTSA should now revisit its drunk driving goals and establish a goal for the fatality rate.

2) Develop an aggressive new program to support traffic law enforcement efforts nationwide directly through police organizations and state highway safety offices.

- Less than $1 million in the NHTSA request supports traffic law enforcement through national organizations and through financial aid and technical assistance to the states.
- An additional $19 million per year initially with funds growing throughout the life of NEXTEA is needed to replicate the success of programs like North Carolina's safety belt and drunk driving programs. Additional resources should be provided to the law enforcement community to reverse the trends of recent years toward less traffic law enforcement.
- 3) Develop and distribute aggressive education approaches using modern education and communication tools targeting high risk populations.
- Fatality rate reductions among the highest risk populations are stagnant, including the vulnerable risk-taking populations of 21–34 year-old males. Older drivers and new drivers need special attention and program approaches need to be developed. Less than $3 million in program development funds are requested in the NHTSA budget and very few of the NHTSA programs designed to reach youth, older drivers, and the 21–34 age groups have been evaluated.
- An additional $7 million annually growing throughout the life of NEXTEA is needed to develop innovative approaches to reach the vulnerable populations, including full evaluations of existing educational approaches to these problems and the development of new technology using the latest Internet, CD-Rom and other electronic and motivational approaches.

4) Conduct new research to better understand risk-taking and aggressive driving behavior on the highway.

- Understanding why some drivers and passengers take risks by not wearing safety belts, driving drunk, speeding, or engaging in other behaviors is fundamental to developing effective programs. Although NHTSA has made some progress in understanding risk-taking, these fundamental understandings are crucial to developing national leadership in highway safety. The NHTSA highway safety research budget only contains $550 thousand devoted to this type of research.
- An additional $5 million annually growing throughout the life of NEXTEA for risk-taking research is needed. Understanding behavior and how driver and passenger risk-taking behaviors are linked to other non-highway injuries is essential if the NHTSA priority of establishing Safe Communities is ever to reach its potential.

5) Significantly increase public service advertising.

- Of the total NHTSA budget request of $333 million, only about $1 million is devoted to national public service advertising for highway safety.
- An additional $4 million annually growing throughout the life of NEXTEA is appropriate to bolster current national efforts and to assist states and communities in supporting increased traffic law enforcement.

6) Establish a combination of incentives and sanctions to encourage states to enact appropriate safety belt use and drunk driving laws.

- With secondary enforcement and fines ranging from $25-$50, state safety belt use laws are not taken seriously by the driving public and by law enforcement officers. Only 14 states have enacted legislation establishing .08 blood alcohol limits. States that have enacted .08 limits have seen approximately a 10 percent reduction in alcohol-related fatalities.
- Congress should consider establishing a system of grant incentives for those states enacting both measures with highway construction fund reductions if they are not enacted within 5 years. A $50 million incentive grant program initially, growing over the life of NEXTEA is an appropriate response to the problem.

The total added funds under these proposals is $84 million in the first year of NEXTEA, roughly a 25 percent increase in NHTSA's budget and less than ½ of 1 percent of the expected revenues in fiscal year 1998 to the Highway Trust Fund.

Highway safety program spending should represent a larger portion of Highway Trust Fund revenues. Miles traveled on the Nation's highways is a direct measure of exposure to safety risks and directly affects the amount of money flowing to the Highway Trust Fund. The more miles traveled, the greater the risks, and the more resources that should be available to counter those risks and to make further progress in reducing these intolerable human and economic wastes. If an additional 1 percent of Highway Trust Fund money were dedicated to NHTSA programs, the programs described above and others could be funded easily. We believe it is time

for Congress to consider such an approach. As Congress considers the next ISTEA reauthorization, the portion devoted to highway safety should be proportional to total revenues and should increase dramatically over the life of the bill.

Thank you very much.

LAURENCE N. ROHDE.

Committee of Environment and Public Works.

HONORABLE LADIES AND GENTLEMAN: First of all I would like to thank you for this opportunity to be heard. My name is Laurence N. Rohde and I am a citizen and resident of Bethlehem, Pennsylvania. I am the holder of a CDL license and [eel that in enacting the Intermodal Surface Transportation Efficiency Act of 1991 there were issues overlooked in section's 402a 40's–410 US 23. The enforcement of DWI/DUI under these sections seems to be lacking a fairness to the accused. If we want this kind of punishment is in everyone interest to make sure that the law is fair.

Since the enactment of Intermodal Surface Transportation Act of 1991 Public Law 102–240 Dec. 18, 1991. The state should have been required to have a standard operating procedure in use for the enforcement of the drunk driving law as it pertains to the CDL. Having the prepared statement read to the accused is not a procedure. The statement is nothing more than a phantom statement of rights when the accused is not allowed the right to act upon it. When there is no procedure in effect to allow the accused access to independent testing as it seems the law is fundamentally unfair.

When a state such as New Jersey has no procedure other than to read the following prepared statement;

1. You have been arrested for operating a motor vehicle under the influence of intoxicating liquor or drugs or with a blood alcohol concentration of .10 percent or more.

2. You are required by law to give samples of your breath for the purpose of making chemical tests to determine the content of alcohol in your blood.

3. A record of the taking of the samples, including the date, the time and the results. will be made. Upon your request, a copy of that record will be made available to you.

4. Any warnings previously given to you concerning your right to remain silent and your right to consult with an attorney do not apply to the taking of breath samples and do not give you the right to refuse to Aver or to delay giving samples of your breath for the purpose of making chemical tests to determine the content of alcohol in your blood. You have no legal right to have an attorney, physician, or anyone else present, for the purpose of taking the breath samples.

5. After you have given samples of your breath for chemical testing, you have the right to have a person or a physician of your own selection, and at your own expense, take independent samples and conduct independent chemical tests of your breath, urine or blood.

6. If you refuse to give samples of your breath, you will be issued a separate summons for this refusal.

7. According to N.J.S.A. 39:4–50a, if a court of law finds you guilty of refusing to submit to chemical tests of your breath, then your license to operate a motor vehicle will be revoked for a period of 6 months. If your refusal conviction is in connection with a subsequent offense under this statute, your license to operate a motor vehicle will be revoked for a period of 2 years. The Court will also fine you a sum of between $250 and $500 for your refusal conviction.

8. Any license suspension or revocation for a refusal conjunction will be in addition to any license suspension or revocation imposed for any related offense.

9. If you are constricted of refusing to submit to chemical tests of your breath, you must also satisfy the requirements of a program of alcohol education or rehabilitation.

10. I repeat, you are required by law to give samples of your breath for the purpose of making chemical tests to determine the content of alcohol in your blood. Now, will you give the samples of your breath?

There are no checks and balances in a prepared statement that makes no provisions for allowing a defendant access to independent tests. Without access to independent tests there is no way in which the results obtained by a bias police officer can be challenged This is one of the reasons when the Commercial Drivers License went into effect; the law should have made provisions for the DWI/DUI stops made When a person such as a truck driver is given this kind of summons he can lose his livelihood and sole means of support for his/her family. We can not allow this on one mans word against the other Since the court will always side with the police this again calls for a standardized procedure to ensure fairness.

As of yet New Jersey State Police Still Have no Standard operating procedure for administering the breath tests. When defendant who drives for a living and can lose his only means of support it is imperative that this test be administered either in the presence of a supervisor or another oilmen to ensure that the test that is given is fair. Since the state police still use the Smith & Wesson Breathalyzer models 900 and 900 A, which are hands on and being used by the same officer that makes the stop it is imperative that the defendant be given a fair chance to challenge the results.

The Supreme Court was intent on insuring a defendants right when in Siilverthorne v. United States, 251 U.S. 385, 392 (1920) Rights proclaimed in the Constitution had not become but "a form of words," in the hands of government officials. So reading a prepared statement and not allowing the defendant the right to exercise his rights does not constitute a right. Therefore not allowing a defendant the right of challenge is reminiscent of storm trooper tactics in Germany 50 years ago.

The following is a recommendation, having given much thought about this in great detail. If considered I feel most would agree is fair to both the state and the accused:

(1) When testing is done it should be witnessed by either a superior officer or a impartial witness.

(2) Access should be given to challenge the results of a police administered test; after all if a positive reading comes about from a independent test would this not be a advantage to the state,

(3) Removal of the 1950's technology used such as the hands on operation of the 900 and 900a models of breathalyzers (since these require a hands on operation by a police officer who may or may not be biased).

Since these measures would not cost the Federal Government a huge amount of funds to implement and would also give a individual fair and balanced chance to prove his/her innocence, I feel it is not to much to ask of the committee. Since I have allergies and use an inhaler that gives positive results a simple blood test would have allowed me to prove my innocence. Caught by the unfair practices of New Jersey I have still been without a license going on 2 years. I realize that issue of driving under the influence is a very hot topic but if this has happened to me; we must assume it has happened to many more. Therefore I request that if the ISTEA bill is to go through the committee makes provisions for fairness to all and not just the few states that would abuse it to receive a larger unfair portion of the funding allocated. To abuse this for the goal of receiving highway funds the state is not entitled is definitely a serious concern for all Americans.

The following excerpt is from testimony provided by Judith Lee Stone, President Advocate for Highway and Auto Safety on September 19, 1996, given to the House Subcommittee on Surface Transportation. If the proposals made by her are to be considered then there must also be cheeks and balances to ensure the seizure of vehicles is not to be abused,

Section 410

Section 410 establishes a Federal alcohol incentive grant program designed to encourage states to enact strong, effective anti-drunk driving legislation and improve the enforcement of these laws. Section 410 also promotes the development and implementation of innovative programs to combat impaired driving.

Since funding for the Section 408 program ended in fiscal year 1994, Section 410 has been the sole incentive program to institute activities needed to combat the nation's serious problem with impaired drivers. Increases in the number of states passing Administrative License Revocation Laws, .08 ABC laws, and 02 ABC laws can be attributed in large measure to a desire to qualify for Section 410 incentive funds.

States may compete for basic grants and up to seven supplemental grants A state can receive a basic grant if it adopts and implements five out of even of the following:

1. an expedited license suspension program for drunk drivers;
2. a self-sustaining drunk driving prevention program;
3. a .10 ABC law in the first 3 years of the program; a .08 ABC law in the last 2 years;
4. a non-discriminatory statewide program for stopping motor vehicles to determine if the operator is driving under the influence (NHS added performance-based alternative criteria for states whose constitutions prohibit sobriety checkpoints);
5. an effective system for preventing those under 21 from obtaining alcoholic beverages;
6. mandatory jail or community service for repeat DWI/DUI offenders, and

7. a law enacted and enforced which finds any person under 21 years old to be legally intoxicated if their BAC is .02 or more of this criteria was added by NHS).

Supplemental grant funding is available to states that meet additional criteria, including open container laws, strict drugged driving prevention programs, and mandatory BAC testing programs.

As part of ISTEA, Congress amended Section 410 to expand eligibility criteria and increase funding authorizations. Further amendments were made in Public Law 1052–388, which altered grant eligibility requirements and funding procedures Most recently, the NHS changed eligibility requirements, providing states with more options for meeting basic grant requirements.

The result of these changes in eligibility requirements has been that more states are applying for the grants—that's the good news. In fiscal year 1992, 19 states qualified under the revised regulations Five new states qualified during fiscal year 1993, 3 new states in fiscal year 1994, and 2 new states in fiscal year 1995. total of 29 states have now achieved eligibility, and NHTSA anticipates that as many as 36 states may qualify during fiscal year 1996

The bad news is that there is not enough money to fund the states. Based on the obligation limit for fiscal year 1995, NHTSA was able to fund the states at only 75 percent of their formula calculation.

At the level of $25 million provided for fiscal year 1996, the 34 to 36 states expected to qualify win receive approximately 63 percent of their eligible grant. The 410 program ceases to be an "incentive" for the enactment of highway safety laws that we know work if there are insufficient funds.

According to the Lou Harris poll, there is little doubt about where the American people stand on establishing tougher standards governing drinking and driving, especially when it pertains to teenagers. Ninety-one percent favored passage of uniform laws under which teenage drivers when testing positive for any alcohol would be subject to immediate revocation of their driver's licenses and would be subject to strong penalties for driving under the influence. Among the youngest group, those 18 to 19, an 88 percent majority support such laws. Also, 78 percent of adults nationwide oppose any effort to roll back the legal drinking age from 21 years of age.

Further, in a significant new development in this area, a solid majority back a tough step that would strengthen the impact of the campaign against drunk driving. Sixty-six percent of those poked are so strongly opposed to driving while impaired that they support a measure that to have law enforcement authorities work out an arrangement with local TV news and newspapers that for people found guilty of driving under the influence of alcohol, the names and photos of all such offenders would be released to the media reporting that they have had their licenses revoked and their vehicles seized if they are repeat offenders. Lou Harris analyzed this response and commented, "[t]he heavy sentiment to widely disseminate the names and photos of those who are convicted for drunk driving is a significant development, for it means the American people are playing for keeps to put an end to the tragic consequences of drunk driving" Perhaps more aggressive measures, like this popular emerging idea or vehicle impoundment, should be considered as additional potential criteria for funding.

CONCLUSION

In closing I would ask that if, the proposal made by Judith Lee Stone, President Advocate for Highway and Auto Safety, is to be considered. The proposal I have made would also be considered so there night be an equal distribution of enforcement instead of the one sided way these laws are enforced today in a matter such as this it would be only fair to have balance both for the state and the individual. This would truly balance the rights of an individual and the rights of the state.

The ISTEA bill calls for standards in the receiving of the CDL; it only makes sense to call for standards in revoking the CDL. If countries other than the United States can enforce "National Laws," it stands to reason we can. This would make an abuse of the justice system a harder task instead of the free-for-all it is now This would also cut done in the abuse of inflated figures for a larger share of the dollars allocated for enforcement.

Thank you for your time and I hope this brings to the attention of the committee some of the problems that come about when we center our focus on a problem without focusing on the problem of solutions that are rushed to appease groups with no regards for the rights of individuals whose lives could be effected permanently Our government was founded on the rights of individuals so we must consider these rights when we draft laws that are able to take away one of these rights. Most would say the right to drive does not exist and that it is a privilege; however when a person drives to feed and clothe his/her family I would say his/her right to free-

dom of choice in the pursuit of happiness is being taken away. As a weD-developed country we can not allow this decision to be based solely on the word of one individual who may or may not be bias from the start. Others would not be ignored.

Sincerely,

LAURENCE N. ROHDE.

GENERAL ACCOUNTING OFFICE REPORT: COMMERCIAL TRUCKING—SAFETY CONCERNS ABOUT MEXICAN TRUCKS REMAIN EVEN AS INSPECTION ACTIVITY INCREASES

APRIL 1997

SAFETY CONCERNS ABOUT MEXICAN TRUCKS

The North American Free Trade Agreement (NAFTA) provided for, among other things, the U.S.-Mexican border to be opened on December 18, 1995, for increased commercial truck traffic within the border states—four in the United States (Arizona, California, New Mexico, and Texas) and six in Mexico. Before that date, trucks making the 12,000 daily border crossings were limited to commercial zones (designated areas several miles deep) along the border. However, on December 18, 1995, the U.S. Secretary of Transportation announced that Mexican trucks would continue to have access only to commercial zones until U.S. safety and security concerns were addressed. This delay of access is still in effect. NAFTA also provides for commercial trucks from Mexico to travel throughout the United States as of the year 2000.

In February 1996, we reported that many trucks from Mexico operating in U.S. commercial zones in mid 1995 were not meeting U.S. safety standards and that the four U.S. border states' readiness for enforcement varied significantly.[1] As the year 2000 approaches, the United States needs to be assured that trucks entering the country from Mexico will be safe and operated safely. This follow-on report describes (1) the results of Federal and state inspections of Mexican trucks entering the United States in 1996, (2) actions by the Federal Government and border states to increase truck safety enforcement at the border, and (3) the Federal enforcement strategy to ensure that trucks from Mexico comply with safety standards when entering the United States.

From January through December 1996 (the most recent date for which data were available as of March 1997), Federal and state officials conducted more than 25,000 inspections of trucks from Mexico. On average each month, about 45 percent of the vehicles were placed out of service for serious safety violations, such as for having substandard tires or for being loaded unsafely. This rate compares unfavorably to the 28-percent out-of-service rate for U.S. trucks inspected across the United States in fiscal year 1995 (the most recent year for which nationwide data were available). (However, because inspectors target for inspection those vehicles and drivers that appear to have safety deficiencies, their selections are not random. As a result, the out-of-service rates may not necessarily reflect the general condition of all vehicles.) Although border inspection officials believe that trucks from Mexico are safer than they were in late 1995, the monthly out-of-service rates for trucks from Mexico in 1996 ranged from 39 percent to 50 percent, with no consistent trend.

The border states of Arizona, California, and Texas have increased their capability to inspect trucks at major border locations.[2] Collectively, the three states had 93 state truck inspectors assigned to border crossing locations as of January 1997. In addition, the U.S. Department of Transportation (DOT) approved 13 new temporary positions (2-year appointments) to place Federal safety inspectors at major border crossing locations. California, with about 24 percent of the truck traffic from Mexico, opened two large permanent inspection facilities. It has the most rigorous inspection program, with the goal of inspecting, at least once every 90 days, every truck entering the state from Mexico. While both Texas and Arizona, collectively with more than three-quarters of the truck traffic from Mexico, have more than doubled the number of inspectors at border crossing locations, their efforts are less comprehensive. For example, neither has invested in inspection facilities at border crossing locations, in part, because of a lack of space at some urban crossings and the view that NAFTA is a national issue that should not be financed with state funds.

Under a broad strategy to help create a "compliance mind-set" for Mexican trucks crossing into U.S. commercial zones, DOT has undertaken a number of activities to promote truck safety. These include providing funds to the border states to increase

---

[1] Commercial Trucking: Safety and Infrastructure Issues Under the North American Free Trade Agreement (GAO/RCED–96–61, Feb. 29, 1996).

[2] New Mexico receives less than 1 percent of the northbound truck traffic, and its activities are not included in this report.

border inspection activities, conducting educational campaigns for Mexican truck operators on U.S. safety standards, and attempting to build the capacity of selected Mexican enforcement agencies to inspect trucks within that country. In February 1997 DOT announced that its program that provides grants for statewide safety enforcement activities will incorporate performance-based goals to increase truck and driver safety. Also, in March 1997, DOT submitted a legislative proposal to the Congress as part of the reauthorization of the Intermodal Surface Transportation Efficiency Act that would incorporate this initiative. In addition, other proposed provisions would help states to address concerns about the border infrastructure and safety.

NAFTA, which was agreed to by Canada, Mexico, and the United States in 1992 and implemented in the United States through legislation in 1993, contained a timetable for the phased removal of trade barriers for goods and services between the three countries. Beginning December 18, 1995, Mexican trucking companies were to have been able to apply for the authority to deliver and backhaul cargo between Mexico and the four U.S. border states. However, on that date the Secretary of Transportation announced an indeterminate delay because of safety and security concerns. NAFTA's timetable calls for all limits on cross-border access (i.e., truck travel within the three countries) to be phased out by January 2000. Until expanded access is granted, trucks from Mexico continue to be limited to commercial zones along the border (generally, areas between 3 and 20 miles from U.S. border towns' northern limits, depending on each town's population).

For several decades, the United States has been expanding inspection and enforcement programs nationwide to encourage safer U.S. trucks and truck operation. DOT has, among other things, (1) issued minimum safety standards for trucks and commercial drivers, (2) provided grants to states to develop and implement programs that would lead to the enforcement of these safety standards, and (3) conducted reviews of about one-third of all domestic interstate trucking companies in order to determine overall compliance with safety regulations. Through the Motor Carrier Safety Assistance Program (MCSAP), DOT works in partnership with states to enforce Federal truck regulations. As the states adopt Federal safety regulations, DOT provides financial assistance for enforcement. Although DOT maintains a presence in all states to promote truck safety and requires that states comply with minimum Federal regulations and requirements related to truck safety, it relies on the states to develop their own strategies for enforcement.

NAFTA also established the Land Transportation Standards Subcommittee to work toward compatible truck safety and operating standards among the countries. While U.S. and Canadian commercial trucking regulations are largely compatible, major differences existed between U.S. and Mexican regulations concerning drivers' qualifications, the hours of service, drug and alcohol testing, the condition of vehicles (including their tires, brakes, parts, and accessories), accident monitoring, and the transport of hazardous materials. According to DOT, progress has been made in making truck safety and operating standards compatible, and discussions are still ongoing.

NAFTA's three member nations have accepted the truck inspection standards established by the Commercial Vehicle Safety Alliance (CVSA).[3] For the most part, there are two types of inspections conducted according to the trilaterally accepted truck inspection guidelines—"level–1" and "level–2" inspections.[4] The level–1 inspection is the most rigorous—a full inspection of both the driver and vehicle. The driver inspection includes ensuring that the driver has a valid commercial driver's license, is medically qualified, and has an updated log showing the hours of service. The level–1 vehicle inspection includes a visual inspection of the tires and of the brakes' air pressure, among other things, and an undercarriage inspection that covers the brakes, frame, and suspension (see fig. 1). The level–2 inspection, also known as a "walk-around inspection," includes a driver inspection and a visual inspection of the vehicle. It does not include the careful undercarriage inspection. Trucks that fail inspections for serious safety violations are placed out of service—that is, they are halted until the needed repairs are made.

Figure 1: California State Inspector Performing a Level–1 Inspection (See figure in printed edition.)

---

[3] CVSA is an association of state, provincial, and Federal officials responsible for the administration and enforcement of motor carrier safety laws in the three countries.

[4] Level–1 and level–2 inspections constitute about 80 percent of the inspections nationwide. Level–3 inspections, which account for about 18 percent of all inspections, focus on the driver's records rather than the vehicle's condition. Level–4 and level–5 inspections, which constitute fewer than 2 percent of all inspections, are special-purpose inspections.

A level–1 inspection includes an undercarriage inspection of the brakes, frame, and suspension.

OUT-OF-SERVICE RATES AVERAGED ABOUT 45 PERCENT IN 1996

From January 1996 (the first full month of detailed records of inspections) through December 1996 (the most recent month for which data were available as of March 1997), Federal and state safety inspectors conducted over 25,000 safety inspections of about 3 million Mexican trucks crossing into the United States. These inspections resulted in an out-of-service rate of about 45 percent for serious safety violations. The monthly out-of-service rates ranged from 39 percent to 50 percent, with no consistent trend (see fig. 2).

Figure 2: Out-of-Service Rates for Trucks From Mexico, 1996 (See figure in printed edition.)

The average monthly out-of-service rate of 45 percent compares unfavorably with the 28-percent rate for 1.8 million U.S. trucks inspected on the nation's roads during fiscal year 1995 (the most recent year for which nationwide data are available). However, because inspectors target for inspection vehicles and drivers that appear to have safety deficiencies, their selections are not random. As a result, the out-of-service rates may not necessarily reflect the general condition of all vehicles.

In addition, while about half of the 1.8 million inspections of U.S. trucks were level–1 inspections, only slightly more than one-quarter of the inspections of trucks from Mexico were this type. Level–1 inspections are more stringent than level–2 inspections and result in higher out-of-service rates.[5] Consequently, if more of the inspections of trucks from Mexico had been level–1 inspections, the resulting overall out-of-service rate likely would have been somewhat greater than 45 percent.

The out-of-service rates for trucks entering the United States from Mexico have also been substantially greater than those for U.S. trucks operating within individual border states (see fig. 3). California's data show less disparity, which may be because regular inspections since the late 1980's have made Mexican carriers traveling into California more knowledgeable about U.S. truck safety standards.

Figure 3: State-by-State Comparison of Out-of-Service Rates (See figure in printed edition.)

Federal and state truck inspectors we contacted in Arizona, California, and Texas told us that trucks from Mexico are upgrading equipment to improve safety. In their opinion, trucks from Mexico are safer now than they were in late 1995. For example, the inspectors told us that they often find fewer violations per truck, and some previous violations (such as instances of drivers sitting on milk crates rather than secured seats) are now seldom seen. They credit the increased inspections at the border (discussed later in this report) with heightening Mexican carriers' awareness of and willingness to comply with U.S. truck safety requirements. They commented that the inspections have helped bring about improvements with tires, brakes, and other equipment. Also, many Mexican drivers we spoke to were eager to learn about U.S. safety regulations so they could strive to meet them.

Many U.S. and Mexican trucking industry and association officials we contacted said that the relatively high out-of-service rates for trucks from Mexico do not mean that Mexican truck operators will drive unsafe trucks into the United States once access to the remaining portions of the border states and to the United States as a whole is granted. They told us that most trucks currently operating and being inspected at border crossings are used exclusively for short-haul operations and tend to be older trucks that are more likely to have equipment problems leading to out-of-service violations. They believe that Mexican truck operators choosing to operate farther into the United States will use higher-quality trucks because doing so is in their interest. For instance, Mexican trucking companies would not want their trucks to break down or to be taken out of service far from their bases of operations, where repairs would be more difficult and costly, the officials explained. While this reasoning seems plausible, we were unable to obtain information that would confirm or refute it.[6]

---

[5] For the United States as a whole, the fiscal year 1995 out-of-service rate for level–1 inspections was about 33 percent, and the rate for level–2 inspections was about 19 percent. Of the U.S. border states, only California conducts primarily level–1 inspections of trucks from Mexico.

[6] As of February 1997, 170 Mexican carriers had applied to DOT for the authority to operate with full access to the four border states once such access is granted under NAFTA. The application requirements, which mirror those for U.S. firms seeking domestic operating authority, contain no information on the characteristics of the firms' truck fleets.

FEDERAL AND STATE GOVERNMENTS HAVE INCREASED ENFORCEMENT ACTIVITY IN THE FOUR BORDER STATES

Most trucks from Mexico enter the United States at 7 of the 23 crossing points for commercial trucks. To provide some assurance that the 12,000 trucks crossing from Mexico into the United States each day will be safe and operated safely, the three border states in our review and DOT have increased enforcement markedly at the major border locations.

MOST TRUCKS FROM MEXICO CROSS AT SEVEN BORDER LOCATIONS

Although there are 23 locations where northbound trucks from Mexico may enter the United States, about 90 percent of the trucks enter at 7 major crossings—in California (Otay Mesa and Calexico), Arizona (Nogales), and Texas (El Paso, Laredo, McAllen, and Brownsville) (See fig. 4.)

Figure 4: Locations of Border Crossings and Permanent Truck Inspection Facilities (See figure in printed edition.)

Trucks from Mexico enter the United States through the U.S. Customs Service's ports of entry. Trucks passing through Customs then enter truck inspection facilities where such inspection facilities exist. At locations where separate permanent facilities do not exist, Customs has generally allowed state and Federal truck inspectors to carry out their safety inspections on the agency's property.

Permanent facilities allow more rigorous truck inspections to take place, provide scales and measuring devices to screen all trucks for the violations of being overweight or oversize, provide cover to keep inspectors out of the extreme heat prevalent at the border, and signal to the trucking community a permanent commitment to enforcing truck safety standards.

In the past year, California opened two permanent truck inspection facilities at its major border crossings, where it aims to inspect and certify the trucks entering the state from Mexico once every 3 months. Texas, with about two-thirds of the truck traffic from Mexico, and Arizona, with about 10 percent of the traffic, have no permanent truck inspection facilities at any of their border locations. Discussions within Texas and Arizona are under way regarding constructing at least one permanent facility in each state.

THE NUMBER OF STATE AND FEDERAL INSPECTORS HAS INCREASED, AND MOST ARE WORKING AT MAJOR BORDER CROSSINGS

As of January 1997, the three border states in our review had 93 truck inspectors stationed at border crossing locations (see table 1). In addition, DOT approved new temporary positions for 13 truck safety inspectors and, as of January 1997, had 11 of them working at the border. (The 13 positions are for a 2-year term only.) These Federal truck inspectors took over for six DOT safety specialists who had been temporarily reassigned to inspect trucks from Mexico at border locations from December 1995 through August 1996. Customarily, DOT does not routinely conduct roadside inspections at fixed locations.

Table 1: Northbound Truck Traffic and Inspectors at the Seven Busiest Border Crossing Locations

Fiscal Year 1996

Border location[1]	Number of Truck Crossings		Percentage of local crossings	Number of Inspectors assigned (as of January 1997		
	Fiscal year 1996	Weekday average[2]		State	Federal	Total (Percentage of total)
Otay Mesa, Calif	520,908	1,992	17	28	1	29 (28 percent)
Calexico, Calif	169,403	648	5	19	1	20 (19 percent)
Nogales, Ariz	225,274	862	7	7	2	9 (9 percent)
El Paso, Tex	577,152	2,208	19	9	2	11 (11 percent)
Laredo, Tex	899,754	3,441	29	8	2	10 (10 percent)
McAllen, Tex	198,260	759	6	5	0	5 (5 percent)
Brownsville, Tex	224,537	858	7	7	2	9 (9 percent)
SUBTOTAL	2,815,288	10,768	90	83	10	93 (89 percent)
All others	297,803	1,138	10	10	1	11 (11 percent)
Total	3,113,091	11,906	100	93	11	104 (100 percent)[3]

[1] Three border locations have more than one crossing point: Brownsville has three, and Laredo and El Paso have two each.

[2] Most locations have limited weekend crossings, when many Mexican carriers choose not to operate and some U.S. Customs facilities have limited hours.

[3]The percentages do not add to 100 because of rounding.

Source: Data from Customs, DOT, and California's, Arizona's, and Texas' enforcement agencies.

Most state truck inspectors (83 of 93) have been stationed at the major border crossing locations. A year earlier, the three border states in our review had 39 inspectors assigned to the major border crossing locations (see table 2).

Table 2: State Inspectors at Major Border Crossing Locations, December 1995 and January 1997

Border State	Number of Inspectors Assigned	
	December 1995	January 1997
California	24	47
Arizona	1	7
Texas	14	29
Total	39	83

Source: State enforcement agencies.

In addition, DOT has assigned its inspectors to each state and then, with one exception, assigned them to the busiest locations within each state. There are relatively few Federal inspectors, and their appointments are temporary, since, under MCSAP, states have the primary responsibility for developing enforcement strategies.

CALIFORNIA FACILITIES AND INSPECTORS

California, with about 24 percent of truck traffic from Mexico, has the most rigorous border state truck inspection program and has been inspecting trucks from Mexico in its commercial zones for several years. In 1996, California opened permanent truck inspection facilities at its two major border locations—Otay Mesa and Calexico (see fig. 5). California constructed these facilities, which cost about $15 million each, with Federal and state highway funds that had been earmarked by the state for roadway projects because it considered these facilities to be of a higher priority. California's decision was made easier because land was available for purchase adjacent to Customs' ports of entry.

Figure 5: State Truck Inspection Facilities at Otay Mesa and Calexico, California (See figure in printed edition.)

These facilities have been allocated a total of 47 full-time inspectors: Twenty-three are California Highway Patrol officers, and 24 are civilian truck inspectors. The use of civilian inspectors, for whom the pay and training costs are less, has helped boost California's overall number of inspectors. The state inspectors are assisted by two Federal inspectors.

The state officials in charge of operations at these facilities told us that one of their objectives is to inspect and certify every truck from Mexico at least once every 90 days. Additionally, all trucks from Mexico are weighed and checked for proper size before traveling on U.S. roads. Currently, California has enough inspectors at its ports of entry that many of them spend their time on roads in border zones checking the safety of U.S. trucks operating in the area.

TEXAS FACILITIES AND INSPECTORS

With about 66 percent of all truck traffic from Mexico (more than 2 million truck crossings in fiscal year 1996) and four of the seven major border crossing locations, Texas continues to face the greatest enforcement burden. (Figure 6 shows aspects of the four Texas locations.) Texas' situation has been more complicated because three of its major locations have had two or three bridges each, where trucks cross the Rio Grande into the United States. However, in mid 1996 Customs consolidated the truck traffic in McAllen, Texas, by closing one of the two bridges to northbound trucks. Such consolidation might be possible for other major locations in Texas. As of January 1997, Texas had no permanent truck inspection facilities at any of its 11 border locations. In Laredo, for example, inspectors work in an uncovered parking area in extreme heat and humidity for much of the year.

State and Federal officials have announced plans to retrofit some existing buildings to establish a truck inspection facility at Texas' fourth busiest truck crossing

location just outside of McAllen, although Federal and state officials have not set a completion date for this project. According to state transportation officials, state truck enforcement officials, and transportation authorities in academia, four primary reasons have kept Texas from building truck inspection facilities at border locations:

- Key state agencies see NAFTA as a national issue and are reluctant to use state funds to enforce its provisions;
- most of the major border crossings are in urban areas (Laredo, El Paso, and Brownsville), where little space is available to accommodate truck inspection facilities that would be adjacent to border entry points;
- the state agency responsible for inspecting trucks, the Department of Public Safety, has traditionally worked (and prefers to work) in a roving fashion, conducting roadside truck inspections rather than working out of one location; and
- many Texas border cities have developed close economic and social relationships with their Mexican sister cities directly across the border and resist increased inspections if they perceive that a major crackdown on trucks could undermine such relationships.

Figure 6: Truck Inspection at Major Border Crossing Locations in Texas (See figure in printed edition.)

As of December 1995, Texas had 22 officers and troopers (inspectors) covering its 11 border locations, but about 2 years later, as of January 1997, Texas had increased this staffing by nearly 70 percent to 37. Traditionally, these inspectors spent only about 25 percent of their time actually inspecting trucks, but, according to state officials, in 1996 that percentage grew substantially. Eight of the 13 Federal truck inspector positions have been allocated to Texas' major border locations. Also, state truck inspectors in Texas have trained small cadres of local police officers in Brownsville, Laredo, and El Paso to check trucks and drivers periodically for safety. For example, according to an El Paso official, 29 city police officers were trained to perform truck inspections in November 1995, and, as of December 1996, those officers were performing inspections on U.S. and Mexican trucks 1 day out of every 2 weeks, on average.

ARIZONA FACILITIES AND INSPECTORS

Arizona receives about 10 percent of the total truck traffic from Mexico—about 314,000 crossings in fiscal year 1996. Of the state's six ports of entry, Nogales received the majority (about 72 percent) of these trucks. As of January 1997, Arizona had no permanent truck inspection facilities, but state officials were discussing whether to build one near the Nogales port of entry (see fig. 7).

Figure 7: Truck Inspection Area Inside U.S. Customs Lot at Nogales, Arizona (See figure in printed edition.)

As of September 1996, two state inspectors were permanently stationed at the border—one in Nogales and one in San Luis. Recently passed state legislation, however, increased this number to nine in November 1996—seven near Nogales and two in San Luis. However, according to a state enforcement official, in early 1997 Customs withdrew its permission for state enforcement personnel to conduct their enforcement activities on the Nogales Customs lot. He told us that state inspectors no longer conduct inspections in the Customs lot and are now performing their enforcement activities away from the border.

In addition, as of September 1996, there were two Federal truck inspectors assigned to Nogales and one assigned to San Luis. A DOT official told us that the Federal inspectors are still working out of the Nogales Customs lot and that DOT is trying to reach a formal agreement with Customs to allow both Federal and state truck safety inspections at this location.

DOT HAS DEVELOPED A STRATEGY TO IMPROVE MEXICAN TRUCKS' COMPLIANCE WITH U.S. SAFETY REGULATIONS

DOT has developed a strategy to help implement NAFTA. This strategy entails measures to be taken in the border states and within Mexico to improve compliance with U.S. truck safety regulations, such as providing funding for state enforcement activities and educational campaigns on U.S. safety regulations directed at Mexican drivers and trucking companies. Opportunities exist for increasing the strategy's effectiveness. These opportunities would involve (1) helping the border states establish results-oriented enforcement strategies for trucks entering the United States from Mexico and (2) working with other Federal and state agencies so that the seven major border locations have at least minimum truck safety inspection facilities. These actions, if undertaken, would also help DOT better understand the de-

gree to which U.S. safety regulations are being complied with as a prelude to opening all of the United States to commercial trucks from Mexico.

DOT'S GOALS AND STRATEGIES TO PROMOTE SAFE TRUCKS FROM MEXICO

According to DOT officials, the Department's goals are to foster a "compliance mind set" among Mexican truck operators and to see a continuous improvement in adhering to U.S. truck safety standards. To meet these goals, DOT has a three-pronged strategy that consists of (1) cooperative Federal and state enforcement of U.S. safety and operating standards, (2) the dissemination of information to ensure that Mexican truck operators have what they need to know to operate in the United States, and (3) the development of compatible safety and operating standards in all three NAFTA countries. Several of the specific initiatives under this strategy are:

- developing a "safety assessment process" that the Mexican government can use to determine the extent to which Mexican operators (1) understand their obligations and the processes the United States uses in truck safety enforcement and (2) comply with U.S. requirements;
- providing more than $1 million[7] annually since fiscal year 1995 in grants to the four border states to prepare for enforcement activities related to NAFTA, such as increasing the number of state inspectors stationed at the border;
- conducting educational campaigns on U.S. safety standards, including training seminars and leaflets, for Mexican drivers and truck companies;
- approving 13 DOT truck inspector positions for 2 years to demonstrate a Federal commitment to truck safety;
- working with CVSA and state truck enforcement agencies to train inspectors in Mexico in an attempt to increase truck safety overall in that country;
- contracting with the International Association of Chiefs of Police to conduct a series of truck safety forums in the U.S. border states to allow U.S. and Mexican enforcement officials to discuss strategies and other truck safety issues of mutual concern; and
- participating with the Land Transportation Standards Subcommittee, established under NAFTA, to develop compatible safety and operating standards in all three NAFTA countries.

These initiatives have had mixed results. For example, MCSAP funding for activities related to NAFTA has resulted in a greater inspection presence at the border; however, the inspector training initiative was less successful. In this regard, DOT officials believe that one of the keys to ensuring that trucks from Mexico are safe is to have Mexico improve its truck inspection program so that more trucks are inspected there before traveling into the United States. However, U.S. efforts to fortify Mexico's inspection program encountered problems. Beginning in 1991, DOT provided about $278,000 to train Mexican truck inspectors. From 1993 to 1995, about 285 Mexican inspectors received the necessary 2-week certification course. However, the lead U.S. trainer characterized these efforts as unsuccessful, since, as of late 1996, only about 50 of these inspectors were still employed by the Mexican truck inspection agency, and no regular truck inspection activity ever took place in Mexico as a result of this training.

DOT is now prepared to provide additional funding (about $96,000 left from the first training effort and more, if needed) for further truck inspector training in Mexico. To overcome one of the flaws of the first effort, which trained civilians who had limited authority to stop trucks along the roadside and issue citations, future training will be for Mexico's Federal Highway Patrol officers, who will have the requisite authority (although truck inspections will not be their sole duty similar to state truck inspectors in the United States). According to DOT officials, Mexico's Federal Highway Patrol is the most stable enforcement agency in Mexico and therefore should not be affected by any economic or political changes in Mexico.

DOT, again working with CVSA, had targeted the fall of 1996 to begin the new training. This target was not met and DOT now expects the new training to begin in early 1997. DOT officials are negotiating with Mexican officials to be sure that Mexico provides assurances that the newly trained inspectors will be used to conduct inspections along the border. Because of the delays in the Federal effort and in order to develop working relationships with their Mexican counterparts, both Arizona and Texas state officials have begun negotiating with Mexico's Federal Highway Patrol officials in adjacent Mexican border states to begin their own training efforts in those states.

---

[7] These funds are in addition to the basic MCSAP grants for statewide enforcement activities.

DOT officials told us that the intent of the training is that Mexican inspectors will inspect northbound trucks, that is, those trucks entering the United States, and that the first vehicles to be inspected will be those of carriers that have applied for the authority to operate in the four U.S. border states. They added, however, that trucks belonging to these carriers will be inspected regardless of the trucks' destinations—either to the United States or within Mexico.

Even if Mexico establishes a truck inspection program, DOT's expectation of having Mexican officials inspect northbound trucks before they arrive in the United States may not be fully realized. A high-level Mexican government official told us that the country's emphasis in inspecting trucks will be on ones coming into Mexico rather than on northbound trucks leaving Mexico.

OPPORTUNITIES TO WORK WITH STATES TO DEVELOP PERFORMANCE-BASED ENFORCEMENT STRATEGIES

Opportunities exist for DOT to work in partnership with the border states to develop performance-based, results-oriented enforcement strategies to, among other things, measure the progress being made by Mexican trucks in meeting U.S. safety regulations. These strategies, which would identify clearly what the states intend to accomplish, could be developed in cooperation with each border state considering the local conditions and resources available.

Currently, under MCSAP, DOT sets broad national goals but allows states to define local problems, the approach to take in addressing them, and the resources to be employed. Our review of current MCSAP grant agreements with the border states (for both basic grants to carry out statewide enforcement plans and enforcement activities related to NAFTA) showed that while the states planned to use funds, in part, to increase their enforcement presence at the border, none of the grants specified the development of performance measures with goals for the results to be expected from truck safety inspections. As a result, as described earlier, DOT and others generally must rely on anecdotal and qualitative information.

DOT has recognized the need to move toward performance-based goals for motor carrier safety. In February 1997 DOT announced that its program that provides grants for statewide safety enforcement activities will incorporate performance-based goals to increase truck and driver safety. Although funds for basic MCSAP grants will be distributed by formula, DOT plans to explore approaches to provide some form of incentive funding to states that meet national and state objectives for safety. DOT plans to implement this change in fiscal year 1998. Also, in March 1997, DOT submitted a legislative proposal, as part of the reauthorization of the Intermodal Surface Transportation Efficiency Act, that would incorporate this performance-based, results-oriented approach.

California's activities already include a results-oriented aspect: As described, the state has the goal of inspecting every truck from Mexico once during each 90-day period, though this is not specified by the state's MCSAP grant. The strategy relies on providing CVSA inspection stickers for trucks passing level–1 inspections or correcting safety violations. A current inspection sticker means that a truck will not be subject to state or Federal inspection, except in the case of an obvious equipment problem, for a 3-month period. On our recent trip to California's truck inspection facilities at Otay Mesa and Calexico, we saw truck after truck crossing the scales of the inspection station with color-coded CVSA inspection stickers. Almost all the truck traffic we observed was repeat traffic, according to California inspection officials. It was easy to identify which trucks had been determined to be safe (those with current CVSA stickers), which trucks were due to be reinspected (those with outdated stickers), and which trucks had yet to be inspected (those without stickers).

The majority of the truck traffic from Mexico at the five major border locations in Arizona and Texas is also of a repeat nature, according to state enforcement officials. In each of these states, enforcement officials told us that the state has the goal of signaling to Mexican carriers that it is serious in enforcing truck safety standards. Each state's basic strategy to accomplish this goal is to increase the presence of state inspectors at major border locations to convince Mexican carriers to upgrade the safety of their trucks. However, Arizona and Texas have not established quantitative goals to help them measure the extent to which Mexican carriers are complying with U.S. safety regulations. In addition, since they conduct primarily level–2 truck inspections on the border, which cannot result in CVSA stickers, they have no way of identifying the trucks that have complied. As a result, the officials sometimes end up reinspecting recently inspected vehicles.

OPPORTUNITIES FOR DOT TO ENCOURAGE CONSTRUCTION OF TRUCK INSPECTION FACILITIES

A 1995 study conducted by the International Association of Chiefs of Police for DOT concluded that the lack of truck inspection facilities at the U.S.-Mexican border gives no assurance to interior states that trucks from Mexico will be screened for safety upon entering the United States. Furthermore, according to DOT, it does not have any discretionary funds available to the border states to build weight or inspection facilities. However, the states can use Federal-aid highway funds apportioned to them for this purpose if they choose to do so.[8]

Historically, DOT has not taken an active role in planning with Federal and state agencies to build or rehabilitate facilities whose functions might include truck safety enforcement. However, DOT has had opportunities to work with the General Services Administration (GSA)[9] and the states to ensure that border facilities meet current and future needs for truck safety inspections. GSA has a process allowing all Federal agencies that have a need to operate along the border to provide input during the preparations for new border stations. While DOT does not control this process, as an agency with a stake in safety enforcement at border crossing locations, it can choose to be an active participant.

DOT has missed opportunities to ensure that the upgrading of U.S. Customs installations included space and facilities adjacent to or on Customs' property for state and Federal inspectors to perform truck safety inspections. For example, in 1995, DOT had the opportunity but did not participate in the coordinated Federal effort to design a new Customs border crossing installation near McAllen, Texas. By not participating, DOT lost the opportunity to secure a truck inspection facility in the new installation. However, in late 1996, Federal DOT officials in Texas did get involved in the planning phase for a proposed inspection facility, which envisioned renovating some unused Customs buildings at McAllen. Similarly, according to a GSA official, DOT indicated interest in having a portion of a new border crossing at Brownsville contain a protective canopy, scales, an area for vehicles transporting hazardous materials, and parking space for out-of-service vehicles (at a cost that GSA estimated at about $1 million). However, as of January 1997, when GSA was finalizing the design, DOT had not resumed discussions with the agency to provide input or commit funds for the project.

As discussed earlier in this report, Arizona and Texas have not constructed truck inspection facilities. One reason given is money. Many state officials we spoke to believe that such facilities would cost as much as those in California and that the Federal Government should pay for them since NAFTA represents national interests. However, to achieve a marked improvement over the current conditions in Arizona and Texas, truck inspection facilities would not have to be on a scale with the $15 million facilities in California. Even facilities with minimal elements such as a scale, a canopy, an inspection pit, and a small office, would represent vast improvements over the current situations in Arizona and Texas, which involve working outdoors in difficult climatic conditions. According to GSA and California Department of Transportation officials, such a truck inspection facility could be built for between $1 million and $2 million, excluding land costs.

In addition to securing funds, another significant challenge is the need for large spaces for truck inspection facilities. As pointed out by DOT's September 1995 Best Practices Manual for Truck Inspection Facilities, a critical element is parking, where vehicles failing to comply with U.S. regulations can be detained and repaired. Three of Texas' major border locations are in urban areas that lack space to park more than a few large trucks. While the Customs Service has generally allowed state and Federal agencies to inspect trucks within its property, this may not always be the case, as the recent experience in Nogales shows. Since the available space at Customs facilities is limited, it is paramount in the long term that DOT be more involved in planning new additions to or replacements of major border installations.

The March 1997 legislative proposal contains provisions for planning improvements within the trade corridor and at border crossings and establishing the Border Gateway Pilot Program. The proposal would authorize (1) planning funds for multistate and binational transportation and (2) funds for improvements to border

---

[8] The Federal-aid highway program is designed to aid in the development of an intermodal transportation system. The decision to use Federal-aid highway funds to build a truck inspection facility at the border depends on the priority the project is given, considering other needs in a state.

[9] GSA provides planning, engineering, and other expertise when a Federal agency qualifies to build or rehabilitate a Federal facility.

crossings and approaches along the Mexican and Canadian borders. Under the proposal, funds provided for "border gateway" projects, such as constructing new inspection facilities, may be used as the nonFederal matching funds for other Federal-aid highway funds, as long as the amount of the "border gateway" funds does not exceed 50 percent of a project's total cost. A DOT official also told us that funds to help address these needs will be included in DOT's fiscal year 1998 budget request. As of mid-March 1997, the full budget request had not been submitted to the Congress.

CONCLUSIONS

DOT and the three border states in our review have acted to increase inspection activities at the border and in other ways to foster increased compliance with U.S. safety regulations by Mexican trucks. While Mexican trucks entering the United States continue to exhibit high out-of-service rates for serious safety violations, Federal and state officials believe that their efforts have had a positive effect and that Mexican trucks are now safer than they were in 1995. However, there is no hard evidence on which to test this belief; much of the officials' information is anecdotal. Compliance cannot be assessed at the border because results-oriented quantitative measures are not in place.

We believe that DOT can improve commercial truck safety enforcement at the border by encouraging border states to set specific, measurable results-oriented enforcement strategies for truck inspections at border crossings and by assisting them in doing so. We recognize each state has unique circumstances and that implementing results-oriented strategies would require that more level–1 inspections be conducted. DOT's move to performance-based, results-oriented MCSAP grants for statewide safety enforcement activities is a large step in the right direction. However, unless discrete performance-based, results-oriented measures are developed specifically for Mexican trucks entering the United States, DOT will still possess only anecdotal information on the extent to which trucks from Mexico meet U.S. safety regulations. As widespread concerns exist over whether trucks from Mexico comply with U.S. safety regulations, we believe that border-specific performance measures are needed.

We also believe that DOT needs to be more proactive in securing inspection facilities at planned or existing border installations. We recognize there are various reasons why facilities do not exist at some border locations and that in some instances a lack of funding or space or other reasons may preclude adding these inspection facilities. But DOT's leadership in promoting and securing more permanent inspection facilities is needed to achieve more effective truck safety inspections at the border. DOT has submitted a legislative proposal, and DOT officials have indicated that a budget proposal will be submitted that will, in part, allow states to address concerns about the border infrastructure and safety. However, the prospects for enactment are unknown. In the meantime, DOT needs to be more active in the planning process for border installations to ensure that truck safety inspection facilities are included, where practicable.

RECOMMENDATIONS

First, to measure progress by Mexican commercial truck carriers in meeting U.S. safety regulations, we recommend that the Secretary encourage the border states to develop and implement measurable results-oriented goals for the inspection of commercial trucks entering the United States from Mexico and assist them in doing so. We also recommend that the Secretary work actively with GSA, as part of GSA's existing planning process, to ensure that truck safety inspection facilities are included, where practicable, when border installations are planned, constructed, or refurbished.

AGENCY COMMENTS AND OUR EVALUATION

We provided DOT with a draft of this report for its review and comment. To receive comments on the draft report, we met with a number of officials, including a senior analyst in the Office of the Secretary and the special assistant to the associate administrator in DOT's Office of Motor Carriers. They said that, overall, they were pleased with the report's contents and that the report accurately characterized DOT's activities and other activities at the border. They offered a number of technical and clarifying comments on the draft report, which we incorporated where appropriate. The officials did not comment on the draft report's recommendations.

SCOPE AND METHODOLOGY

To achieve our three objectives, we reviewed inspection reports and truck traffic data and visited 13 border crossings, where about 92 percent of the trucks from Mexico enter the United States. At these locations, we observed trucking facilities and Federal and state truck inspection activity. We discussed our work with and received documents from DOT officials; state truck enforcement officials in Arizona, California, New Mexico, and Texas; Customs Service officials; GSA officials; and representatives of private and university groups. We also met with or had telephone discussions with several local development groups, including Mexican trucking officials. We also talked with drivers of Mexican trucks. Finally, we participated in conferences held by CVSA, the American Trucking Associations, and the International Association of Chiefs of Police, where we discussed truck safety enforcement with high-level Mexican and Canadian officials.

In certain instances, we compared truck safety inspection data from fiscal year 1995 with data from calendar year 1996, relying (for both data sets) on the most recent information DOT could provide. While we recognize that comparing same-year data would present a clearer picture, the lack of such data precluded us from doing so. Finally, this report deals primarily with truck safety enforcement at border locations and does not assess the progress on other issues surrounding NAFTA, such as efforts to develop compatible truck safety rules between signatory countries.

We performed our work from March 1996 to February 1997 in accordance with generally accepted government auditing standards.

This report is being sent to you because of your legislative responsibilities for commercial trucking. We are also sending copies of this report to the Secretaries of Transportation and the Treasury; the Administrator, FHWA; the Administrator, General Services Administration; the Director, Office of Management and Budget; and the Commissioner, U.S. Customs Service. We will make copies available to others on request.

If you or your staff have any questions about this report, please contact me at (202) 512–3650. Major contributors to this report were Marion Chastain, Paul Lacey, Daniel Ranta, James Ratzenberger, and Deena Richart.

PHYLLIS F. SCHEINBERG, *Associate Director, Transportation Issues.*

REAUTHORIZATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

FRIDAY, JUNE 6, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

WOODROW WILSON MEMORIAL BRIDGE

The subcommittee met, pursuant to notice, at 9:30 a.m. in room 406, Senate Dirksen Building, Hon. John Warner (chairman of the subcommittee) presiding.

Present: Senator Warner.

Also present: Senators Sarbanes, Mikulski, and Robb, and Representatives Davis, Wolf, Hoyer, Moran, and Wynn.

OPENING STATEMENT OF HON. JOHN W. WARNER, U.S. SENATOR FROM THE COMMONWEALTH OF VIRGINIA

Senator WARNER. The subcommittee hearing will come to order.

I will be joined periodically today by other Members of Congress. I have extended an invitation to all colleagues in the Senate who have an interest in this and also colleagues in the House. This is not a political issue; this is a very serious issue in which we must bring to bear the best wisdom and judgment that we have here in the Congress to work with the Administration and the States and the District of Columbia to resolve this very, very complex problem.

Many people thought we had heard enough testimony. Well, that may be correct. But it was my judgment, as a consequence of extensive travels throughout my State and talking to my colleagues, that perhaps we should put out one further call that this is an opportunity we're not likely to have again here in the Congress to properly address it. Therefore, I have tried to invite everyone that could possibly bring to bear some factual and professional and some philosophical facts that would be helpful to the Congress in fulfilling its role.

First, let me talk a little bit about the role of the Congress. We, the Congress, are not in a position to design this bridge. Let me make that imminently clear. We're not bridge designers. Now, I happen to have gone through a basic engineering course—I don't want to say how many years ago, but it's darn near half a century—and, indeed, I did have some work on bridge construction. But I'm not bringing to bear that fragmented, rusty knowledge.

Therefore, what is the role of the Congress? No. 1, to assess the need in sense of timing that this bridge has to be replaced. Second, to determine what is the level of funding that we can as a body, Senate and House, reach an agreement on. And that level of funding cannot just simply be drawn out of the air. It has to be related directly to the other priorities before the Congress today in terms of our surface transportation needs and, most particularly, bridge construction needs. The other 48 States have situations which in some respects parallel the seriousness of the deterioration faced by the Woodrow Wilson Bridge. We as colleagues must take into account the needs of the other States.

Several incidents here in the Congress clearly indicated to me that we had to have a session like this so that my colleagues could express to you their views—and I'm pleased to see the senior Senator from Maryland joining because he's been a very active participant in every step of the congressional role in this bridge issue. I said just before you came in, Senator, that we're not in the business of designing a bridge, but we are in the business and have the responsibility of deciding priorities and funding levels.

I'll come right to the point of the funding level. In the House, Congressman Shuster made a bold endeavor in the course of the budget process to get additional funds. It failed by a vote or two. I made a similar effort in the Senate with Senator Baucus, the distinguished ranking member of this committee and ranking member of my subcommittee, to likewise gain some additional funding. That failed by a vote. Those were funds, while we had no intention of earmarking them to any specific project, it was a recognition by me and 49 other United States Senators that we needed more dollars in the general allocation going to highways and bridges. But we did not succeed.

Therefore, I undertook to write a letter to all parties, most particularly the Secretary of Transportation and the Governors of Maryland and Virginia together with the Mayor of the District of Columbia, and essentially said the following. While I am strongly committed to every effort in the Congress to get adequate funding to replace this bridge, it was my judgment that the level of funding that was attached to the initial cost projections given by the Department of Transportation was a level that would not likely get through the Congress. I asked that they go back, and as we use the word here in the Congress, scrub these figures to determine if there were lesser amounts that could do the essential job at hand; namely, repair this bridge and provide such other essential modernization to the ingress or egress to this bridge from both Maryland and Virginia necessary to utilize fully the potential of a modern bridge.

That letter produced remarkable results, if I may say. The Secretary of Transportation, through the very able assistant Jane Garvey, who will be a witness today, came back within the last 48 hours and provided me and this committee with revised figures which I'm going to share with you this morning.

For the bridge itself, starting at the respective shorelines, the construction figure of $585 million. For the interchange on the Virginia side, for those improvements that are necessary to provide for traffic going to and from the opposite shore, not necessarily for

traffic that's coming through this intersection and going elsewhere, $101 million. For this particular interchange which is integral to the transportation system, $199 million. On the Maryland side for comparable improvements to this interchange, again to facilitate traffic utilizing the bridge, $144 million. And for this interchange $161 million. Reaching a total project cost of $830 million. So I decided I would bring it out, put it on the table this morning, share it with my colleagues, and entertain from the several witnesses that will come before us today their views.

So at this time, I would like to invite my colleagues to make such opening statements as they desire. We will start with our senior Senator from Maryland, Mr. Sarbanes.

STATEMENT OF HON. PAUL SARBANES,
U.S. SENATOR FROM THE STATE OF MARYLAND

Senator SARBANES. Thank you very much, Mr. Chairman. Let me just ask one question of clarification here. Of the $830 million figure, it doesn't include this figure out here and that figure out there; is that correct?

Senator WARNER. That's correct.

Senator SARBANES. So the total cost if those figures were included would be $1.2 billion then?

Senator WARNER. Ann, why don't you speak up since you have the figures.

Ms. LOOMIS. What's not included on here are estimated right-of-way costs. The total cost of the entire corridor with the bridge improvements in 1997 dollars is $1.587 billion.

Senator SARBANES. So we're looking at $1.6 billion. OK.

Mr. Chairman, I want to thank you for scheduling this hearing on the Woodrow Wilson Bridge and also for your continued leadership in this effort to provide a replacement for the bridge.

Everyone who commutes to work in the Washington metropolitan area or who travels on Interstate 95 knows what a serious traffic and safety problem we have with respect to the Woodrow Wilson Bridge. It is actually one of the worst, if not the worst, bottlenecks on the entire Interstate System. It carries traffic volumes far in excess of its designed capacity, well over double its designed capacity at this point, and it is rapidly approaching the end of its service life. The substandard condition of the bridge and the resulting congestion means accidents and significant delays for commuters, commerce, truckers, other commercial traffic, tourist businesses, and employers alike. The projections are that the traffic volumes in the area will double over the next 20 years.

Obviously, we've come together again to consider the size and cost of the facility, how the new bridge might be paid for. There are several points I want to make on this score.

First, in my view, the project is a Federal responsibility. The bridge is owned by the Federal Government; in fact, it is the only federally owned bridge on the Interstate System. Funding provided for it should be commensurate with this ownership responsibility. The Administration's budget submission is clearly not up to this standard. I don't believe that there should be a major effort to shift this burden onto the States who, in any event, are in no position to assume it since their moneys for highway expenditures come es-

sentially from the Federal allocations and the Federal allocations are skimpy nowadays. I joined with the Chairman, as did my colleague, in the effort to increase the amount of funding available for transportation which fell short in the Senate on a 51–49 vote, as I recall.

Second, I think, as a governing principle, the replacement bridge should be built in accordance with the same standards as applied to bridges owned by State jurisdictions. That means a bridge ought to be able to accommodate projected future traffic growth as well as current growth, and that related interchanges and approaches to the bridge should match the new bridge. I don't want to see the Federal Government in effect applying a double standard here where if it were a State doing it they would require them to cover a whole range of things in terms of access to the bridge, interchanges, and so forth and so on, the whole traffic flow that moves toward the bridge, but when the Federal Government undertakes to do the bridge they try to devolve those responsibilities onto the State level.

It is very important that we don't have a quick fix that will require us to come back and revisit this issue in the near future. We need to have a good long-term solution that will carry us well into the next century.

Finally, just to underscore the urgency, obviously, if we don't deal with this replacement issue in the near future, we're going to confront very serious problems. Restrictions may well be placed on the use of the existing bridge. That prospect is too horrible to contemplate and it would have enormous economic and transportation-related consequences throughout the region.

Mr. Chairman, I'm pleased to be able to come today and join you. I appreciate your invitation. This is a timely hearing and I look forward to continuing to work closely with you, with my colleagues Senator Mikulski and Senator Robb, and with other members of this committee and the Senate to enact the necessary authorizing legislation for this project.

Senator WARNER. I thank you, Senator. I think all are aware of the fact that the congressional delegations in both the House and the Senate are a very close knit and, insofar as I know, unified unit as we approach our responsibilities.

Senator Mikulski?

STATEMENT OF HON. BARBARA MIKULSKI, U.S. SENATOR FROM THE STATE OF MARYLAND

Senator MIKULSKI. Thank you very much, Mr. Chairman, for your leadership in calling this hearing, and to make it both bicameral as well as bipartisan.

I'm here for one major reason, which is, how can we rebuild the Woodrow Wilson Bridge? And why do we need to do it? We need to do it for safety. The underlying, overwhelming, compelling issue of modernizing this bridge is safety. We now have 175,000 vehicles on the bridge that was built for one-third of that capacity. What we need now is action by the Federal Government for adequate safety, adequate capacity, and then the fight for adequate money.

I believe that we need a billion-plus dollars to be able to build this bridge and that the full funding should come from the Federal

Government. This is a fully owned Federal bridge and it is the key link between the North and South on I–95.

This morning I was at a breakfast get-together at which Steny Hoyer, Al Wynn, and Paul Sarbanes were there and we had the opportunity to press our case with Secretary Slater himself. In pressing the case, what we said is we want a billion-plus for the bridge, we want no tolls, and we need action in this fiscal year. It is a national compelling need. I support what Senator Sarbanes has said about having the standards for a 21st century bridge and also one that will have the capacity to meet not only 1997 capacity but the year 2000. The London Bridge might be falling down, but the Woodrow Wilson Bridge shouldn't. So I look forward to working with you.

Senator WARNER. Thank you very much, Senator.

I will call on our colleagues from the House in order of their appearance. Mr. Hoyer?

STATEMENT OF HON. STENY HOYER, U.S. REPRESENTATIVE FROM THE STATE OF MARYLAND

Mr. HOYER. Mr. Chairman, I thank you for this hearing. Those watching it on TV are going to think that the three Senators from Maryland and the three Senators from Virginia have got this well in hand.

[Laughter.]

Senator WARNER. The pay is the same on both sides.

Mr. HOYER. I suggest without further testimony that we vote, Mr. Chairman.

[Laughter.]

Mr. HOYER. I am very pleased to join you, Mr. Chairman, along with the members of the Departments of Transportation in both of our States, my own County Executive Curry is here, and my two colleagues in the House and my two colleagues from Maryland in the Senate. Mr. Chairman, we are indeed fortunate that you are in such a pivotal leadership position on this issue.

I have had the opportunity of testifying before the House Committee on Transportation and Infrastructure to express my support and the support of this region for this critically important project. There is no question that we must replace this vital link that was completed in 1963. Despite patchwork repairs, the estimated life span of the bridge is, as I understand it, five to 7 years. So we have not a minute to waste. It is a major bottleneck for regional commuters and for East Coast traffic passing through Washington on Interstate 95. My constituents, Mr. Chairman, as I'm sure yours do, tell horror stories about the efforts to cross this bridge during both rush hours and non-rush hours.

The Wilson Bridge is the only federally owned bridge on the National Highway System, a fact that all of us remind our colleagues of on a regular basis. As such, I believe that the Federal share of this project—and in our discussions, Mr. Chairman, I think there is agreement among all of us—from river edge to river edge ought to be 100 percent. This is a federally owned bridge. Obviously, the project from the river's edge in on both sides should be treated, as is every other project treated in America, on a 90–10 basis. We

hope that we can support your efforts and the efforts of our Senators and House Members to accomplish this objective.

Mr. Chairman, as we have noted, this is not a new start or a project that we can put on hold for future years. It is a pressing need, not just for the Washington region but for the Nation. I urge, and I know your leadership will be important, the earliest possible authorization of an appropriate figure to accomplish this objective as soon as possible.

I thank you, Mr. Chairman, for allowing me to participate.

Senator WARNER. Thank you, Mr. Hoyer.

To our colleagues from the House who have come in to join us, in my opening statement I indicated clearly that we want to get the maximum Federal contribution. I think Mr. Hoyer stated it very clearly—100 percent for the bridge itself, and then a formula of the 90–10 for the approaches.

There will be no toll. We've agreed as a delegation weeks ago when we met with the Secretary of Transportation that there would be no toll. But I pointed out that in response to a letter, copies of which you have, the Department of Transportation has come forward in the past few days to advise me, and Jane Garvey is here this morning, the Administrator, to expand on this, that if you look at the bridge from the perspective of the structure itself and the development of the approaches needed to facilitate a modern 21st century bridge, the cost is $830 million. The breakdown of the bridge and approaches are over here on the tags.

So having said that, we welcome your remarks. I think Mr. Davis came in 1 minute before Mr. Moran; is that correct?

Mr. DAVIS. About 30 seconds.

Senator WARNER. Right. Why don't you two gorillas decide who wants to go first.

[Laughter.]

Mr. MORAN. I deferred to him going through the door and that's why he got in here earlier.

[Laughter.]

STATEMENT OF HON. TOM DAVIS, U.S. REPRESENTATIVE FROM THE COMMONWEALTH OF VIRGINIA

Mr. DAVIS. Mr. Chairman, thanks for the opportunity to testify about the Woodrow Wilson Memorial Bridge crisis. It is a crisis that faces this region. And your leadership on this issue is greatly appreciated.

Despite the Nation's highest rate of carpooling and a national ranking of third in the number of commuters that use transit, this region has the second longest mean commuting time in the country. The dollar cost of congestion in the region based on wasted time and fuel is the highest in the country and getting worse. I know this hardly comes as a shock to Members of Congress that live and travel around the region, but these figures dramatize the desperate need for major transportation improvements.

No single element of the regional transportation system is more critical than the Woodrow Wilson Bridge which spans the Potomac River on Interstate 95. Opening the Woodrow Wilson Bridge for river traffic or an accident on the bridge can create gridlock throughout the entire region, and normal rush hour backups at the

bridge last two and one-half to 3 hours in both the morning and the evenings.

Built to carry 75,000 vehicles per day, the bridge now carries 152,000 vehicles per day and 17,000 heavy trucks each day. The heavy traffic load on the bridge has shortened the 35-year old bridge's useful lifespan to less than 10 years. If action isn't taken to replace this vital bridge, the region and every motorist and truck driver transiting the region will be adversely affected.

We could face unacceptable options, such as rerouting truck traffic or reducing the number of traffic lanes to extend the life of the bridge. The traffic and economic impact on the region of reducing the already congested traffic flow on the Woodrow Wilson Bridge would be devastating.

As the Chairman knows and others have stated today, this bridge is the only federally owned bridge. I want to repeat that. The vital regional bridge was built and is owned by the Federal Government. For that reason, the Federal Government has an unparalleled obligation to work with the States of Virginia and Maryland and the District of Columbia to come up with a workable, cost-effective solution that meets the transportation needs of the region. The Federal Highway Administration has proposed a bridge replacement project that includes a 12-lane bridge and addresses problems with intersections that feed the bridge.

I look forward to continuing to work with the Chairman, the regional delegation, the Federal Highway Administration to make this bridge proposal more affordable. I believe the Federal Government must commit the full share for the bridge and at least 90 percent of the cost for the areas on the Virginia and Maryland side. This would be the normal Federal-State obligation under any Interstate Highway project and it should certainly be the case here.

Finally, Mr. Chairman, the problems of the Woodrow Wilson Bridge have been identified and validated. The heavy traffic has shortened the life of the bridge to roughly 10 years, even less. We have to take action now to find a replacement for this federally owned bridge or we face a regional transportation catastrophe. Thank you.

Senator WARNER. Thank you, Mr. Davis.

Mr. Moran?

STATEMENT OF HON. JAMES MORAN, U.S. REPRESENTATIVE FROM THE COMMONWEALTH OF VIRGINIA

Mr. MORAN. I thank you, Mr. Chairman, and my colleagues and friends that join me here. Clearly, this region, as you say, has this issue well in hand. For the viewing audience, this is a national issue, and we're all national legislators, but I trust that our colleagues will defer to us. But I can't defer on every issue that seems to have been suggested as consensus.

It is clear that the existing Wilson Bridge needs to be taken down. It needs to be replaced with a wider bridge and that bridge needs to be adequate to meet the demand. Currently, we have eight lanes on the beltway. To have a six-lane bridge is inadequate. It never should have been required to take the traffic that it is taking now. The reason is bad planning back many years ago when 395 was supposed to go through the District of Columbia and was

blocked. That's the basic problem. That's why we have such demand on the Wilson Bridge. That's why the beltway becomes our main street, because all of that traffic is diverted from where it was supposed to be going.

In addition to meeting the current width of the beltway, I think there should be extra capacity because we've got a lot of automobiles that come off Route 1 and Telegraph Road on the Virginia side and 295 and 210 on the Maryland side. And so there ought to be extra width. That would bring you up to 10 lanes, wider than the beltway. Now, if the beltway was to be widened beyond where it is now to say a total of 10 lanes, 5 on each side, then we should have capacity for 12 lanes on the bridge. But to widen the beltway beyond where it is now would require $4 to $7 billion more in Federal funding. I can't imagine where that money comes from. And I'm not sure that we really need to be putting that kind of money into widening the beltway, because we would have to change all the exit ramp configuration and substantial infrastructure and it would cause tremendous delays along the whole length of the beltway.

Now, in addition to meeting demand, we need to meet the affordability criteria. How much can the Federal Government afford to spend? It is our responsibility; it's a Federal bridge, it ought to be paid for before we hand it over to the regional authority. If the Federal Government doesn't pay for it in full, and the States are not willing to contribute more than 10 percent of the cost of the infrastructure on either side, then the only other way to pay for it is through tolls. And we have all agreed, there is unanimous consensus here, that there should not be tolls. They would exacerbate the situation that we're trying to address.

The reason why I have suggested 10 lanes for the present is that it meets the demand. In fact, it meets virtually all of the rush hour demand. It meets 98 percent of the morning rush hour demand, 92 percent of the evening rush hour demand in the year 2020. If we go to a 12-lane configuration, it necessitates, primarily for safety purposes, dividing local traffic from through traffic, and this is what I want to emphasize because I think we can reach some agreement now.

Some 70 percent of the traffic on the Wilson Bridge gets on the beltway in that narrow little area between Telegraph Road and 295—70 percent of it—Route 1, Telegraph Road, 295 and 210. All they're doing is crossing the bridge. It is local traffic. If we have 12 lanes, we have to separate local traffic from through traffic. That means that instead of having five lanes to use, that local traffic only has three lanes to use. So we exacerbate the situation. There is going to be a worse backup if we divide local from through traffic. That's our major problem right now. That's why it seems counterintuitive. But to put 10 lanes down now actually provides more access, faster access across the bridge than dividing local from through traffic, as you have to do if you have 12 lanes.

I don't mind reserving some capacity for future demand. But right now, I think if you stripe it at 10 lanes, you're going to actually better address the need than you would if you divide it. Of course, when you divide the local traffic from through traffic you do far more than just put a median strip between the two lanes of

traffic. You add an enormous amount of infrastructure demand—84 feet of shoulders, ramps, and barriers—to the bridge's width. And you also require substantial infrastructure on both sides of the bridge which is a funding obstacle that I don't think we're going to find easy to overcome.

There is not that much disagreement between us. We agree that we need a bridge that meets the need. We agree that we need a bridge that is affordable from a Federal funding perspective. But I think we have to be very careful that we don't wed ourselves to things that may seem obvious on the surface but, in fact, ironically will exacerbate the problem when we look deeper into the existing situation.

So that's why I think we can come up with a bridge that can be funded by the Federal Government in its entirety, that will avoid the need for any tolls now or in the future, and that will make the best of a difficult situation for the dense residential area that will clearly be adversely impacted on the Alexandria side of the river.

I want to say one other thing. If we want to build more capacity than we do need currently and beyond the year 2020, it is not there at the northernmost end of Virginia where we should be building it. We need to be looking to a southern crossing that connects all that burgeoning residential development in St. Mary's, in Charles County with the jobs and growth that is occurring in Virginia. A lot of that traffic, and every year more of that traffic, is going to have to drive North for a long time, cross the Wilson Bridge, and then drive South again.

We ought to have a southern crossing, perhaps the Quantico area, that would meet with 210 and 301. That's the kind of thing we ought to kook to in the future. I asked for an environmental assessment of that, and I think that information will prove useful to us in future planning. Thank you, Mr. Chairman.

Senator WARNER. Thank you very much, Mr. Moran.

We are pleased to be joined by Representative Wynn. Do you have a brief opening statement?

STATEMENT OF HON. ALBERT WYNN,
U.S. REPRESENTATIVE FROM THE STATE OF MARYLAND

Mr. WYNN. Thank you, Mr. Chairman. I want to first take the opportunity to thank you for your leadership on this issue. I also thank my local Senators, Senator Mikulski, Senator Sarbanes, for the work that they have done. I see, listening to my colleague from Northern Virginia, we're into the thick of it.

I did just want to add my voice to the regional sentiment behind the need for full Federal funding for this bridge. It is a federally owned property, it is a 35-year old property, it is carrying more than double the capacity it was intended to carry, it is in bad shape, and we need to do something quickly because if we don't start pretty soon, the Government will have to invest in repairs and patchwork that certainly is not cost-efficient.

Let me just take exception briefly to some of the comments of my colleague with respect to the laneage. I would like to emphasize that these issues were thoroughly examined over a 2-year period by a joint coordinating committee from throughout the region. They looked at all the laneage questions and concluded that the 12-lane

drawbridge was the best compromise to address the concerns of all the parties involved. I agree with their conclusions that a 12-lane bridge makes the most sense, and that we ought to separate the lanes.

I don't accept some of the assumptions that my colleague has made about the limiting effect of lane separation. In fact, I think the opposite is true. I think lane separation would facilitate the flow of traffic. It does not have to be just a median strip or primarily a median strip division. It could well be electronic signage. The fact that a lot of the traffic would be local would mean they would be familiar with the traffic pattern and, therefore, able to easily adjust to the separated lanes for local versus through traffic.

So, without belaboring some of the obvious points about the need for the bridge, Mr. Chairman, I would just say, again, thank you for your leadership. We want the Federal Government to fully fund this bridge. I just left Rodney Slater and that point was made abundantly clear this morning. So thank you again.

Senator WARNER. Thank you, Mr. Wynn.

We will now have our first witness, the Honorable Jane Garvey, Acting Administrator of the Federal Highway Administration.

I would like to just make one further observation. My colleagues are well aware of this, and there are undoubtedly those in the audience, and particularly the witnesses, who understand, but some may not. I want to be absolutely honest with you. Judging from the opening statements, it is a battle between us, the Members of Congress representing our constituencies, and the Federal Government, ably represented this morning by Ms. Garvey. But there is a third very important partner in this equation. That is the delegations from the other 48 States, because they know that whatever cost is to be placed upon the Federal Government has to come out of the Federal Highway Trust Fund which fund is viewed as the property of all 50 States. The distributions from that fund are pursuant to a formula which, in my judgment, is desperately in need of revision to reflect greater equity among the 50 States. But that is a separate battle.

View this bridge cost as the cream on top of that Highway Trust Fund which we, the delegations from Maryland and Virginia, and to the extent we can get help from the District of Columbia, are going to have to put forward to our colleagues in a very convincing argument that those funds have to be taken out of that Highway Trust Fund, that it is a Federal responsibility, and that while it happens to connect Maryland and Virginia, it is a national project. My good friends, that is a very heavy uphill burden. I simply remind all of the two votes taken of recent where the majority of both the House and the Senate rejected efforts to get additional money to cover projects of this nature.

Ms. GARVEY.

STATEMENT OF HON. JANE GARVEY, ACTING ADMINISTRATOR, FEDERAL HIGHWAY ADMINISTRATION; ACCOMPANIED BY TOM PTAK, ASSOCIATE ADMINISTRATOR FOR PROGRAM DEVELOPMENT; DAVID GENDELL, REGIONAL ADMINISTRATOR, REGION 3, BALTIMORE, MARYLAND

Ms. GARVEY. Thank you very much, Mr. Chairman. It is a pleasure to be here this morning to appear before this committee and to appear before this delegation. I know that there are a number of local officials and State officials here today that are anxious and eager to testify, and I would like to ask that my longer testimony be entered into the record.

Senator WARNER. Without objection, your statement, together with other statements today, will be made a part of the record. We urge all witnesses to be mindful of the time constraints. We're hopefully going to conclude before sunset, but we're going to stay here until it is done.

Ms. GARVEY. Well, I will definitely conclude before sunset; I will say that.

[Laughter.]

I think that listening to all the testimony this morning one thing is very clear. I think we're all united in our recognition that the Woodrow Wilson Bridge is an essential part of the Nation's, an essential part of the region's transportation system, but one that simply must be replaced and must be replaced soon. I want to re-emphasize that. We are inspecting the bridge, we're rehabilitating the bridge, but clearly this bridge has reached the end of its life cycle, and I think, as so many of you suggested, must be replaced very soon.

Certainly, the congressional delegation from Maryland, from Virginia, from D.C., and local officials, many of whom are here today, have demonstrated a very strong commitment to working together to identify an appropriate replacement bridge and the financing package necessary to build it. I do want to acknowledge publicly the work that the members of the Woodrow Wilson Bridge Coordination Committee have done. They have really done an extraordinary job in reaching an agreement as to a preferred solution. They made some very tough decisions, they weighed options, they looked at many alternatives, and I think in many ways they acted regionally. Some have suggested, and I agree, that in many ways that Coordination Committee really implemented the spirit of ISTEA.

That progress continues. We are sorting through all of the comments, very thoughtful comments that we've received through the environmental process, a number of comments from citizens and from elected officials, and we're working toward a record of decision. We want very much to have that record of decision completed this summer. I know that our staff is meeting next week with some of the environmental groups to discuss some of the outstanding issues.

In addition, the staff of all of our agencies at the Federal and the State level are meeting daily to explore construction and project management strategies. So I do want to say for the record that progress has been made and progress continues to be made.

Certainly, the financing of the new bridge presents in many ways the most difficult challenge. But I'm convinced that all of us can and will be able to assemble the necessary funding for the new bridge within the financial constraints that are faced by each of the entities. What I would like to do is just to focus very, very briefly on the Administration's funding proposal for the bridge, and also place it, if I could, in the larger context of the national transportation needs.

In our reauthorization proposal and in the President's budget, we propose $400 million in Federal funding for constructing the new bridge. We looked at the language in the NHS Designation Act which says that, at a minimum, the Federal contribution is to include the cost of rehabilitating the existing structure, the cost of a replacement facility built to current engineering standards, which we interpret should be a six lane facility, and the cost for design for the recommended alternative. Now, that results, as I've said, in a $400 million Federal contribution. The additional costs associated with a larger structure and the roadway approaches to the bridge should, in our view, or could, in our view, be a shared responsibility with the States.

Our $400 million funding proposal takes into account three important considerations. First, that the existing six-lane bridge is federally owned while the adjoining roadways and the interchanges are owned by the States. Second, the current and the future traffic on the bridge serves both interstate and metropolitan needs, with 85 percent of the traffic either originating or ending in the Washington metropolitan area. Third, as you all have suggested, the bridge is the only part of the Interstate that is federally owned. Comparable facilities in other States are owned and are financed by States and local Government. I will say, however, that the transfer of the ownership of the bridge to the States has long been part of our discussions and was envisioned in the NHS Designation Act of 1995.

Finally, and I do want to stress this point, both Congress and the Administration are faced with many pressing transportation needs throughout this country. Every spending decision that we make must be made in the context of balancing the budget. Certainly, the breadth of transportation needs that we must grapple with, and certainly that you are grappling with in reauthorization, include border crossing, congestion in metropolitan areas, trade corridors, intermodal access to ports, safety, environmental protection, rehabilitation of Interstate highways, the need for new technology, rural transportation, mass transportation, roads on Federal lands, as well as the Woodrow Wilson Bridge. As you know, Mr. Chairman, other States and other regions are also making very strong cases for critically needed projects in their areas, projects like the Woodrow Wilson Bridge that are an important part of the Nation's transportation system.

As we put together our reauthorization proposal, one of our guiding principals was, and continues to be, partnerships. It is only by acting collectively that we'll produce the kinds of solutions that we need. Certainly no one entity, no one arm of Government can solve this Nation's problems, whether it is the Woodrow Wilson Bridge, NAFTA corridors, border crossings, or a host of other projects

across this country. The impetus to act collectively is only reinforced by the commitment of both Congress and the Administration to balance the budget.

Just in closing, Mr. Chairman and members of the committee, I do want to say once again on behalf of both Secretary Slater and Deputy Secretary Downey that we remain committed to working in partnership. I understand that was a very good discussion with the Secretary this morning. We certainly remain committed to working in partnership with you and with our colleagues at the State level in seeing this project through construction and finally to completion. Thank you very much, Mr. Chairman.

Senator WARNER. Thank you very much, Ms. Garvey.

We are now joined by two additional colleagues. In order of their appearance, Mr. Wolf, would you like to make an opening observation?

Mr. WOLF. Just briefly. Thank you, Senator, for holding the hearings. Jane, we welcome you. As everyone else has said, it is a Federal bridge, it is a Federal responsibility, there ought not be tolls.

I just hope, I know you've been designated to be the FAA Administrator and I think you'll probably do an outstanding job there, but I would hope though that somehow you could stay involved in this process because with your historical knowledge. I'm concerned that a new Administrator comes on, doesn't get confirmed for a while, there will not be the leadership over there. I know you're going to have a tough enough job running the FAA. But I hope on this issue you could stay involved, as I think you are sensitive and understand our concerns and have dealt with us over the years. I would hope that even though you do go to FAA you would maintain your interest in bringing this to a successful conclusion.

Again, Senator, thanks for having the hearings.

Senator WARNER. Thank you very much, Mr. Wolf. I would say in the course of any confirmation process that Administrator Garvey might have for her next post that this Senator will put that footnote in.

Ms. GARVEY. Thank you. I will say intermodalism I guess does include both bridges and whatever else is in the system.

Senator WARNER. Correct. You've got to fly over the bridge, remember?

[Laughter.]

Senator WARNER. Senator Robb?

STATEMENT OF HON. CHARLES S. ROBB, U.S. SENATOR FROM THE COMMONWEALTH OF VIRGINIA

Senator ROBB. Thank you, Mr. Chairman. Subtlety has never been our strong suit here. I apologize, as you know, both you and I were at a meeting with the Secretary of Defense earlier this morning and I remained through the conclusion. I know you had to leave early to come here to Chair this meeting, and I thank you for holding it.

I would simply say that a bridge that was constructed in 1957, just a very few miles from where I lived at the time, was designed to accommodate 75,000 vehicles. It now accommodates about 176,000 vehicles a day. We recognize the magnitude of the problem. It is, as you have suggested, a completely federally owned bridge

and project. I think that this delegation that has met several times to discuss the concerns that have been raised agree on at least two points: that tolls would exacerbate the problem in a very significant way environmentally, and that any attempt to deal with HOV lanes on the bridge would be extremely difficult as well. Beyond that, there are some matters that are still under discussion.

Senator Mikulski and I have cosponsored a bill, S. 483, that would acknowledge the Federal responsibility in funding at least an appropriate replacement for that bridge, and I still fully support that particular proposal. With that, Mr. Chairman, I thank you.

Senator WARNER. Thank you very much, Senator.

Now, Ms. Garvey, I want first to turn to a technical question. Since 1989, the Federal Highway Administration has been working to comply with the requirements of NEPA in its EIS process. We are weeks away from completing that process; is that correct?

Ms. GARVEY. That is correct, Mr. Chairman.

Senator WARNER. Congress, in my judgment, and that's why I made the opening statement, which I repeat for my colleagues who have just joined, Congress is not in the business of designing a bridge. But were we to somehow through the legislative process redirect this bridge in some significant technical changes, namely, I defer to my distinguished colleague Mr. Moran, change from 12 to 10 lanes, would that necessitate reopening the NEPA process and that reopening result in prolonged delay to get started?

Ms. GARVEY. I know the issue of reopening the NEPA process is one that has been of great concern to a number of people. I know the States are working very hard to look at ways that they can perhaps make some modifications and some changes. But I will say they are doing it within the confines of not triggering a reopening of the NEPA process. That is a concern that I think a number of people do share.

Senator WARNER. Well, I certainly share it because that could impose a year or two delay.

Ms. GARVEY. If we reopen the NEPA process, yes, it would. If there were significant changes, there would be some concern about it.

Senator WARNER. Is there a solid consensus from a technological engineering standpoint that this bridge has to be replaced within time limits that range from, say, five to 8 years?

Ms. GARVEY. There is. In fact, I want to re-emphasize that our engineers are out inspecting the bridge, we're monitoring it very carefully. But it is definitely at the end of its life cycle and replacing the bridge is a priority for us.

Senator WARNER. I don't think there is any dispute in that area which would justify, as it has been recommended to me, that we just drop this whole thing now and spend another two to 3 years trying to sort out what we should do.

Ms. GARVEY. I think that would not be wise, Mr. Chairman.

Senator WARNER. You state, I have the figures before me, the Administration's budget requested $400 million with a statement that the balance, whatever that balance may be, would come from participation by the States, local Government, and the like. Now, that was your first submission. Of course, you cannot alter that but it is within the province of the Congress to alter the President's

budget. And it would be my judgment that my subcommittee will come up with a revised figure. And in order to get the best estimates for that revised figure, I came to you by letter, a copy of which I have mentioned this morning, and you have now come back with the figure of $830 million, twice the $400 originally, as the best estimates of the Federal Highway Administration as to what it would cost for the Federal participation, 100 percent, hopefully, in the bridge and certain percentage of the approaches. Is that correct?

Ms. GARVEY. Yes, that's right, Mr. Chairman. We came back, based on questions that your staff asked, breaking it down piece-by-piece, and those are the numbers that you went through earlier this morning.

Senator WARNER. And so that is your judgment today, speaking for the Department of Transportation, that the outside figure of the Federal participation is $830 million?

Ms. GARVEY. Well, with all due respect, Mr. Chairman, of course I will still stand with the President's budget.

Senator WARNER. Of $400 million. I understand that. But you've given us an advisory opinion——

Ms. GARVEY. Of what the basic elements would be, that is correct, Mr. Chairman.

Senator WARNER. Now the balance between $830 and estimates of about $1.5 billion for the total cost of the project, that differential essentially is the battleground in which the States and the Federal Government and the various municipalities have to fight it out to determine whether or not Uncle Sam will come in with a greater amount over $830 million. Isn't that a definition of where the battleground is?

Ms. GARVEY. That's certainly the military analogy. I was not in the military, however, so I'll call it discussion ground, Mr. Chairman.

Senator WARNER. That's good. All right. But I just want to make that clear, and that's an exercise and a function that the Congress has as a proper responsibility by and with the advice of the Governors and their representatives of the two States and the District of Columbia.

Ms. GARVEY. That's right.

Senator WARNER. So I think I have covered basically the outlines of the magnitude of the problem that's before us. But several other points here. In the event there is some degree of technical failure in the bridge between now and when a new bridge can be put in place, what plans do you have for assisting the adjoining communities in dealing with the impact on their traffic plans?

Ms. GARVEY. Let me say, first of all at the outset, thanks to Congress, we have been able to stay on top of the rehabilitation and do the kinds of repairs and the inspections that are necessary. So I am very confident that we are very much on top of that.

Senator WARNER. That means that this bridge can serve the current load until the ribbon-cutting on the new bridge?

Ms. GARVEY. That is correct. That is correct.

Senator WARNER. But in the event, there is a contingency?

Ms. GARVEY. Again, I would just say that we work very, very closely with the States, both the State of Maryland and the State

of Virginia, as well as with the District of Columbia. We have a design office, a Woodrow Wilson Bridge office that is located right in Alexandria. So we have daily contact with our State counterparts to really look at the issue and to manage together any kinds of changes to the traffic, any kinds of detours or whatever it might be. There is very close cooperation.

Senator WARNER. In the course of the construction of the new bridge, has the Department of Transportation, most specifically Federal Highway Administration, laid out the best possible plan to minimize the adverse impact on both Maryland and Virginia and to some degree the District of the inconvenience to travellers occasioned by the construction project?

Ms. GARVEY. We're working very closely with the States on a construction management plan. We are in the process of hiring a private firm that will act as our construction manager of the project, if you will. But States are very much involved in it. They know their communities well, they know the areas well. There is very, very close cooperation on that issue. And that's a part of any project like this, laying out well ahead of time what the construction plan is going to be, what the contingencies are going to be. We've got professionals with a lot of experience in that area.

Senator WARNER. Thank you very much. I've tried to limit my questions to several minutes and I would hope those members of the panel here who have joined me can do likewise.

Senator Sarbanes?

Senator SARBANES. Thank you very much, Mr. Chairman.

Ms. Garvey, is it unreasonable to expect that the definition of the project to be federally supported should correspond with the definition which the Federal Government would impose on a State Government if they were out to redo a bridge on the Interstate System? Let's leave aside for the moment the fact that this bridge is federally owned. But if some State were to come in and seek to redo a bridge, first of all, you wouldn't let them do a six-lane bridge, would you?

Ms. GARVEY. In this particular location, we probably would not, Senator. That's a fair assumption.

Senator SARBANES. No, I wouldn't think so. I'm sort of staggered that you would sit there at the table this morning and even begin with a starting position that envisions a six-lane bridge as a definition of your responsibility. You wouldn't let a State get away with that.

In working this thing through then, is that the standard that was used in this definition of cost that you submitted to the Chairman?

Ms. GARVEY. I apologize, I'm not quite sure of the question. Do you mean was it the $400 million for the crossing? No, we looked at the number of——

Senator SARBANES. No, no. You have excluded out a lot of costs here. But it is my impression that if a State were doing it—let's say States A and B somewhere are doing an Interstate bridge and you have to approve it, you would concern yourself about interchanges and traffic flow other than right at the point of the bridge, would you not?

Ms. GARVEY. We would, Senator. What we would do is, working again with them, we would look at the long-range plan and be sure that the bridge accommodated to the extent possible the long-range plan. Yes, that is correct.

Senator SARBANES. Now, if you're going to impose that kind of standard on a State in a comparable planning situation, you should be subjected to it yourself, should you not? It's not clear to me that these costs out here and out there can reasonably be excluded from the calculation of the Federal responsibility, particularly if, under your criteria, you were examining two States putting up a bridge on the Interstate, you in effect include those elements in. Do you understand my point?

Ms. GARVEY. I absolutely do, Senator. I will say that we would look at the long-range plan, there might be elements of the roadway that would not be included if this were a State-owned bridge, that even within that kind of a structure we might separate out some of those elements. I guess I would get back to the issue of partnerships, that we have thought of this as a joint partnership effort. But your point is well taken, Senator. I do understand your point.

Senator SARBANES. Are you committed to supporting anything that is not 100 percent Federal? We've just been discussing what should or shouldn't be 100 percent Federal, and that definition is obviously a very important part of trying to work out this puzzle. The balance of it, I take it, should be 90 percent Federal, whatever the balance may be; is that correct?

Ms. GARVEY. It could be 90 percent, yes, Senator.

Senator SARBANES. You would do anything on the Interstate elsewhere in the country at 90 percent, wouldn't you?

Ms. GARVEY. Do we do other things at 90 percent, 90–10? Yes.

Senator SARBANES. Would the Administration be committed to a separate standard——

Ms. GARVEY. Excuse me. I'm sorry, I think I'm getting corrected here. I may have misspoke.

Senator SARBANES. How about your assistant, rather than whispering and repeating, do you want to just tell us? Otherwise, we're whispering and passing notes.

Ms. GARVEY. Sorry. I apologize for that.

Senator WARNER. Would you identify this gentleman, please, Ms. Garvey?

Ms. GARVEY. Tom Ptak, who is with our engineering office, our program office, the Associate Administrator for Program Development.

Mr. PTAK. The distinction that needs to be made is between completion of the original Interstate System and rehabilitation of the Interstate System, which we're involved with right now. The initial Interstate System was completed with a Federal commitment to build the entire system. The rehabilitation of the Interstate System is based on formula money that we provide to the States and it is their decision which projects they will or will not fund. That's the distinction right now.

Senator SARBANES. Let me go back to Ms. Garvey. All of the costs that we're talking about here are connected in one way or another with addressing the problem posed for us by a federally

owned bridge that's inadequate for its location now in the Interstate System. Is that not correct?

Ms. GARVEY. That is correct, Senator.

Senator SARBANES. Thank you, Mr. Chairman.

Senator WARNER. Thank you very much.

Senator Mikulski?

Senator MIKULSKI. I thank you very much, Mr. Chairman. As you know, Senator Sarbanes and I work very closely together. Many of my questions are identical or parallel to his.

Let me though clarify this funding issue. If a bridge were owned by the States, what percentage would you be paying for? If the bridge were, for example, in either Maryland or in Virginia but was part of the Interstate System, what percentage would you be paying?

Ms. GARVEY. For the rehabilitation, in most cases it would be through the formula of 80–20.

Senator MIKULSKI. So it is 80–20. The Fort McHenry Tunnel which was built in Baltimore and which was also part of the I–95 connector was paid for at 90–10 in the late 1970's and early 1980's. That's a toll and I know that, but why is that 90–10 and we're talking about this bridge at 80–20?

Ms. GARVEY. It's a little bit before my time, and I will defer that question.

Mr. PTAK. If you will permit me to go back to my original response, on the completion of the original Interstate System. The Interstate System was built at a 90–10 basis and the rehabilitation is based on the formulas that are currently in place right now, and that is at a lesser matching ratio.

Senator MIKULSKI. But in the rehabilitation of the Interstate, are those primarily highways or does it involve any other bridge in the United States of America?

Mr. PTAK. Bridges and highways that make up a part of the Interstate System is what we're talking about.

Senator MIKULSKI. So if the bridge were in Virginia or in Maryland, you would still be talking about 80–20? So it is not its location, but who owns it?

Mr. PTAK. That's correct.

Senator MIKULSKI. The definition is over whether it was completion money or whether it is rehabilitation, and you hold fast to the 80–20 formula for rehabilitation. But $400 million is not 80–20, it's 75–25—75 to the States and 25 for the Federal Government. So if we went 80–20 out of the $1.6 billion, that's a bigger bucket of bucks. But 80 percent of $1.6 billion would be about $800 to $1 billion, wouldn't it, or more? $1.2 billion? We'll take it. Really, if we could go then to the same standard for rehabilitation and we went to an 80–20 formula, I think that would be a very important breakthrough. I'm joking when I say we would take it, but, as you understand, if really we're talking about $1.6 billion and you're talking about $400 million to us, that is 25 percent. Am I correct, Ms. Garvey?

Ms. GARVEY. It certainly sounds that way. I would have to do the math a little bit more carefully.

Senator MIKULSKI. Well, $400 million—even we Democrats can do that math. We're talking about $1.6 billion, and $400 million

brings us back to $1.2 billion. That means that each State would have to come up with over $600 million. So that the Virginia share will be more than the Federal share, the Maryland share would be more than the Federal share. That's just not fair. That is just not fair. We would recommend then that you treat the Woodrow Wilson Bridge by this same formula and by the same standards as you would do in the rest of the country. That would, Senator Warner, our argument that we would be taking to our colleagues.

So, if the bridge were in Maryland, you would be doing 80–20; is that right?

Ms. GARVEY. We would be doing 80–20. We might isolate out some of the roadwork, as I think I mentioned earlier, again, you would have to almost look at the bridge, but your principal of 80–20 is correct.

Senator MIKULSKI. And if the bridge were in Virginia, it would be 80–20; am I correct?

Ms. GARVEY. Yes.

Senator MIKULSKI. I've obviously sparked some debate.

I won't prolong this conversation, but you see the point that I'm arriving at?

Ms. GARVEY. Yes.

Senator MIKULSKI. I would really like the Federal Department of Transportation to deal with the Woodrow Wilson Bridge as they would with any other bridge in the United States of America. I personally would prefer full funding of the bridge because it is a federally owned bridge. But at the same time, if we're going to look at other fiscal realities, then we would be talking about two things: (1) the same fiscal formula of at least 80–20 for rehabilitation, which this is, and (2) the same design standards that you would be also recommending or insisting upon for any other bridge in the United States of America that was part of the Interstate System. I think then this would really advance the conversation between the delegations and yourself so we could advance it with our colleagues.

We must be in agreement between the Department of Transportation and the delegation because we're going to have a lot of work to do in the appropriations committees, as Congressman Wolf and Congressman Hoyer and I can attest to. Our colleagues are enormously supportive. But if we go to our colleagues and say we want to be treated like any other bridge in the United States of America and treat it as if it were located in a State, then I think we would be on sound grounds. This also then would go for the same standards, both of adequacy of capacity as well as adequacy of safety.

Do you think that is a reasonable expectation, Ms. Garvey?

Ms. GARVEY. I certainly understand your point, Senator. I do want to get back to one point, and I think Tom may have mentioned it. When we talk about the 80–20 it is the formula money that States do get, and then the division would be the 80–20 of the formula money.

Senator MIKULSKI. But I'm talking about the conceptual framework.

Ms. GARVEY. Right. I understand your point.

Senator MIKULSKI. And we're not following the conceptual framework in even your preliminary offer or what was in the President's

budget. I know you have to uphold that budget, but I think there has to be plenty of room for further conversation.

Ms. Garvey, I am going to echo the comment, your institutional memory and your professional competence are really very important to us in completing this project. I do look forward to working with you as the Administrator of the Federal Highway Administration. It needs a lot of help, a steady hand, and a preoccupation with safety. So, we look forward in another capacity.

Ms. GARVEY. Thank you very much.

Senator MIKULSKI. And we want the same thing here for the Woodrow Wilson Bridge. I've made my point, Mr. Chairman. Thank you.

Senator WARNER. Thank you very much.

Mr. Hoyer?

Mr. HOYER. Thank you very much, Mr. Chairman. I'll be brief.

Ms. Garvey, the perspective is different from our delegation standpoint. There are a number of items wholly owned by the Federal Government. Therefore, from our perspective, quite obviously, there is a 100 percent responsibility of the Federal Government to maintain and rehabilitate or replace this bridge which is unique. Correct?

Ms. GARVEY. That is correct.

Mr. HOYER. There is no other similar situation in the Federal Interstate System?

Ms. GARVEY. That is correct.

Mr. HOYER. And as a result, because we own it 100 percent, that is we, the Federal Government, at least in our discussions, and you were there with Secretary Slater——

Ms. GARVEY. Yes, I was.

Mr. HOYER. There seemed to be pretty much a consensus, with which I did not think the Secretary disagreed, that because of the status of the bridge from shore-to-shore, if you will, that portion of it would logically be a 100 percent responsibility, and to that extent not analogous to other such assets. Is that correct?

Ms. GARVEY. Well, that would not necessarily be consistent with the $400 million figure.

Mr. HOYER. I understand that. And you are constrained, obviously, by the President's budget. You work for the President; I think that's appropriate. But in terms of the discussions we had and the analysis we made, clearly, if that analysis were correct, then the figure of the $400 million would not reflect that.

Ms. GARVEY. That's true.

Mr. HOYER. I understand that.

Mr. Chairman, I have no other questions. I want to hear from the other witnesses, and I thank Ms. Garvey very much for her participation and share my colleagues' views that we hope you do, even with your new responsibilities, maintain a focus on this and participate with your successor.

Ms. GARVEY. Thank you very much.

Mr. HOYER. Thank you very much, Mr. Chairman.

Senator WARNER. Thank you, Mr. Hoyer.

Mr. Davis?

Mr. DAVIS. I'll just be very quick because we have other witnesses. I think the explanation for the $400 million at this point,

there isn't really an explanation except that that's the number. I hear flexibility, that you want to continue to work with us, and I've heard the same thing from the Secretary, and I think we will try to build on it from there. I think the reality is the Federal Government has a much higher level of responsibility than the $400 million. Hopefully, we will be able to work through that in the coming months, weeks, hopefully. Thank you.

Ms. GARVEY. Thank you, Mr. Davis.

Senator WARNER. Thank you, Mr. Davis.

Mr. Moran?

Mr. MORAN. Ms. Garvey, nice to see you.

Ms. GARVEY. Nice to see you, Congressman.

Mr. MORAN. Thank you for doing as fine a job as you have done and I know will continue to do in your new capacity. We've beaten this horse a bit, so let me take another tack here. I did want to ask you, have you budgeted within the Department of Transportation, the Federal Highway Administration for the $4 to $7 billion additional money that would be needed to widen the beltway? Is that on the State request that would receive the 80 percent Federal matching funds?

Ms. GARVEY. Let me say that probably Secretary Martinez and Secretary Winstead could better answer that. I will say my understanding is that they are in the midst, at least Virginia is, or nearing the completion of an MIS that would call for some widening of the beltway. That would be included I guess in their long-range plan that is next submitted to us. I know that they are still in the midst of it. I'm not sure where they are in terms of actually making it part of their plan. I would defer to both of the Secretaries for a more complete answer on that.

Mr. MORAN. Is it true that the Federal Highway Administration's estimates are that if you did expand the beltway by another two lanes so that you had a total of ten lanes on the beltway instead of the existing eight lanes, that a ten-lane Wilson Bridge that was the same width as the American Legion Bridge, which is currently ten lanes on the northern crossing, that it would carry 98 percent of the rush hour traffic in the morning, for example?

Ms. GARVEY. Let me defer to either Mr. Ptak or Mr. Gendell for that answer; they are closer to the project.

Mr. MORAN. Sure.

Ms. GARVEY. Mr. Gendell is the Regional Administrator located in Baltimore.

Mr. MORAN. Yes, we know him well. Hi, Dave.

Mr. GENDELL. The capacity of the 12-lane facility, assuming HOV and bus transit, is about 50 percent greater than the capacity of a 10-lane facility in terms of the number of people who can cross the river. In terms of the number of vehicles that are projected to use the facility in the year 2020, I think your estimates are probably in range. I believe it is in the range of 92 to 98 percent.

In our studies, the Transportation Planning Board has forecasted a 70-plus percent increase in travel in the metropolitan area. We estimated that unconstrained traffic demand on the beltway would require 16 to 18 lanes. So what the Coordination Committee did was, recognizing that demand was there and could not be met with single occupant auto-type facilities, it recommended that all alter-

natives include the ability to provide for future HOV or transit in order to provide for travel growth through 2020 and beyond. Every alternative analyzed did provide for that HOV transit capacity.

Mr. MORAN. We've had this discussion before, Mr. Gendell, as you know. And while I don't find fault with that analysis that that would be the ideal thing to do to transport the maximum number of people that wanted to get across, you are assuming that somehow Government at the State and Federal level, perhaps even local, would come up with the resources necessary to construct those HOV lanes, because if you don't have the HOV lanes on the beltway, you don't need them on the bridge. So you are telling us what you would like to do on the bridge but it is based upon several assumptions. I think we need to look at those assumptions.

The other thing is that to some extent you have a situation where "if you build it, they will come." I want to make sure that not only do we have an adequate transportation system, but that it be the most efficient system. And so that if they are coming, for example, from southern Maryland and having to drive north for 20 minutes to cross and then drive south again in Virginia, or vise versa, that's not necessarily the most efficient road system that we could provide. So I think that needs to be another consideration.

Rather than take up too much time here, we do have a lot of other witnesses, let me ask one other question that I think needs to be asked. When there was an EIS conducted, the last one I think was conducted in the summer and it took two to 3 months; isn't that right? Tell me if it is wrong, but if it is right, then that's in conflict with what we're being told that if there had to be another NEPA that we would be talking about another 12 month delay, which I certainly would be opposed to. But is that not right that it only took a couple of months to do the last one?

Mr. GENDELL. A lot of work had preceded the May decision meeting of the Coordination Committee. At that meeting, we decided to look at additional modified alternatives. It took about two to 3 months to analyze them, we then had public hearings, and we have still not completed the environmental process. So we are starting from the May period and still underway with that analysis.

Mr. MORAN. OK. Do you think that if you did 10 lanes with capacity for 12 lanes that it would necessarily necessitate going through that whole rigmarole again, that you wouldn't be able to use all the analysis that has already been conducted?

Mr. GENDELL. The proposal essentially is to build 10 lanes but to build it in such a way that it can be expanded in the future to accommodate the equivalent of 2 additional lanes. So that analysis has been done at this point and that really is the recommended alternative.

Mr. MORAN. Thank you. I appreciate your putting that on the record.

Excuse me, Ms. Garvey?

Ms. GARVEY. I was just going to say, yes, I thank you for clarifying that. I think that's an important point. It is for 10 lanes with a capacity for 12.

Mr. MORAN. Thank you. And you would agree with the analysis, this is the last point I'm going to ask you to make sure this is on the record and it is not just me throwing numbers out, would you

agree with the analysis that currently 70 percent of the bridge traffic is local orientation?

Ms. GARVEY. It's a little higher maybe.

Mr. GENDELL. It is 70 percent of the traffic using the bridge enters or exists within the study area consisting of the four interchanges, and 85 percent of it is local to the Washington metropolitan area.

Mr. MORAN. Thank you. So those numbers were accurate. That is a significant consideration in design of the bridge. Thank you very much.

Senator WARNER. Thank you, Mr. Moran.

Mr. Wynn?

Mr. WYNN. Thank you, Mr. Chairman. I, too, will be brief.

Thank you for your testimony. It has been very helpful this morning. I would just make this comment. It seems to me that when we started this process under the aegis of the Coordination Committee there was an implicit understanding that there would be regional cooperation utilizing the Coordination Committee which engaged in a 2-year process, and that the Federal Government was a full participating partner in that process. Did at any time the Federal Government suggest that there would be a deviation from the normal formula with respect to access ramps or anything like this?

Ms. GARVEY. Dave, you were part of the committee. I don't believe there was any suggestion of deviation. I think there was a real effort to try to work with the Coordination Committee to respect the process and respect the decisions that they made.

Mr. WYNN. So all along we were operating under the assumption that we would use the usual Federal design standards that I believe Senator Sarbanes alluded to when he said that we wouldn't build a State bridge without the necessary ramps?

Ms. GARVEY. I think it has always been the concern, obviously, to build something that can accommodate the future. When you go through the process you make some compromise and some changes, but that is part of the decisionmaking process. But fundamentally accomodating the future needs, that is correct, Representative.

Mr. WYNN. I guess now I have to take a page out of my colleague Mr. Moran's book and say, for the record, I just want to be clear that we always contemplated including in the project the necessary access ramps on both ends of the bridge.

Ms. GARVEY. Dave, are you comfortable with that? You were part of the committee, Dave.

Mr. GENDELL. Yes. The recommended alternative does include upgrading and essentially reconstructing the four interchanges. As to exactly when that might be done, it may be possible that not all of those ramps might be initially provided. It is subject to refinement during the design process. We have received a number of public comments suggesting that we look at the possibility of downscoping the interchanges. We've committed to looking at that during the design process and trying to find a way of reducing the scale of these interchanges without hurting the functionality of the project. We've committed to do that as a subsequent phase to the NEPA process.

Mr. WYNN. I understand that and I am cognizant of the need for cost-containment. But I don't want to feel that now one of the partners to the 2-year process is saying, no, we didn't contemplate these ramps, that's your problem. That is part and parcel of the whole project and not some nicety, keeping in mind cost considerations.

Finally, I just wanted to pursue the fact that implicit and explicit in this partnership was the assumption by the two States after completion of the bridge of certain maintenance and operating costs. In pressing for full funding, I just wanted to mention that I believe was one of the fair trade-offs with the Federal Government, that we're going to be assuming some long-range costs and that we believe the Federal Government ought at least to put the project in place in full before we assume those costs and take over what would otherwise be a Federal responsibility in toto, both construction and operating and maintenance.

Mr. Chairman, I have no further questions.

Senator WARNER. Thank you very much.

Mr. Wolf?

STATEMENT OF HON. FRANK WOLF, U.S. REPRESENTATIVE FROM THE COMMONWEALTH OF VIRGINIA

Mr. WOLF. Thank you, Senator. I appreciate your holding these hearings. Now I think we all have more information and we're all dealing with the same set.

I would say that I think there is a greater responsibility here—and you and I talked about the central artery project that was 90–10 initially that was a $10.4 billion eight mile project up in Boston—because this is a Federal bridge. And it is not your responsibility because I know you just came here a couple of years ago, but administration after administration has neglected to deal with the problem that they saw coming and, therefore, I think the responsibility is probably greater here than even if it was just a Federal bridge. It is a Federal bridge but also a Federal bridge that was neglected by the Federal Government for years and years when it could have been done at a much less cost. For letting it go so long the cost has increased, we all agree that it ought to be much, much higher.

The other two questions can be one word answers really. When would be your target date to begin the construction of the bridge, and when is your target date for finishing it?

Before you answer those two questions, I just want to again thank you. You really do have to stay involved in this because I worry when new administrators come in and they say, "Oh, I wasn't part of that," or "I didn't really know about that," or "I don't really understand." I would hope that you and the Secretary would be advocates for us, at OMB be advocates for the bridge to kind of resolve this thing for a higher, fairer, better figure. Hopefully, we can resolve this thing by the end of this year so that this issue is resolved, we know how big the bridge will be, we know how it is going to be paid for, and it will be over, and hopefully, to the agreement of everyone, in a way that there will be no tolls.

But when do you hope to start, and when will the new bridge be available for someone to drive across?

Ms. GARVEY. To actually drive across, Dave has been working on the time line. Could you give the most current time line, Dave?

Mr. GENDELL. The documentation in the engineering of the environmental process contemplated construction starting in 1999 and the bridge being open to traffic by 2004. However, that also contemplated beginning an early relocation housing program in 1997 as well as beginning design in early 1997 which has not happened.

Mr. WOLF. Because of that slippage, now what are you talking about?

Mr. GENDELL. We are in the process of selecting a general engineering consultant and plan to select design firms later this year, and hopefully have them on board by the end of this year. With incentives, we would hope that we could still maintain that schedule of having the facility completed by 2004. But we will have to look at that in more detail as we get into the engineering to see if that's still possible.

Mr. WOLF. OK.

Ms. GARVEY. I would say the sense of urgency about this bridge really does make it imperative upon us to put those kinds of incentives in place so that a contractor and a designer really does meet the time line. I know there is a lot of support from the Secretary's office for that as well.

Mr. WOLF. Thank you, and thank you, Mr. Chairman.

Senator WARNER. Thank you, Mr. Wolf.

Senator Robb?

Senator ROBB. Thank you, Mr. Chairman.

Ms. Garvey, we thank you for your participation this morning. My colleagues have very ably explored most of the territory that I was going to cover with you. I would sum up by saying it seems to me you have very forthrightly acknowledged the inadequacy of the funding level currently in the President's budget, the uniqueness of this particular property in the overall Federal inventory particularly as it relates to the Federal Highway System, and the fact that this is a unique and individual responsibility of the Federal Government. It seems to me that that's a pretty good place to conclude your testimony. We thank you very much for acknowledging the basic tenets that are important to this delegation as we proceed.

Thank you, Mr. Chairman.

Senator WARNER. Thank you very much.

Senator ROBB. I don't want to give you an opportunity to respond because you might qualify some of my conclusions.

[Laughter.]

Ms. GARVEY. I was just thinking what the better course of valor would be.

Senator WARNER. If there are no further questions, we thank you and we thank your associates.

Senator WARNER. We will now proceed to hear from the States. The lead-off witness is Mr. Robert Martinez, Secretary of Transportation, Commonwealth of Virginia, followed by Mr. David Winstead, Secretary of Transportation, State of Maryland, and Mr. Kenneth Laden, Administrator of the Office of Policy and Planning for the District of Columbia.

Secretary Martinez, we're pleased to welcome you. I've had the opportunity to work with you for some several years now. Speaking personally, I have the highest confidence in your professional ability and we very dearly need your professional competence to help engineer, politically and financially, this bridge through the Congress and through the States.

STATEMENT OF HON. ROBERT MARTINEZ, SECRETARY OF TRANSPORTATION, COMMONWEALTH OF VIRGINIA

Mr. MARTINEZ. Thank you very much. I am Robert Martinez. I am Secretary of Transportation for Virginia. I am not going to repeat some of the fundamental issues here. Woodrow Wilson Bridge, of course, is essential to the national transportation network and it is 100 percent owned by the Federal Government.

The bridge was designed to carry 75,000 vehicles per day. It is now on certain days as high as 181,000 vehicles per day, and by 2020 the traffic volumes will almost double to 300,000 vehicles per day. Inspection data indicates that the bridge will require major rehabilitation or truck restriction by the year 2004.

The accident rate on the bridge—at 154 per 100 million vehicle miles of travel—is more than double the Virginia average for similar facilities and, in fact, is almost double the average for other segments of the beltway. To address capacity and safety, the Coordination Committee has worked exhaustively under the guidance of FHWA to select the preferred alternative.

Let me turn to what I consider the two most important points for us to remember: (1) the Woodrow Wilson Bridge has a remaining useful life approximately to the year 2004. If everything goes perfectly, it will take 7 years to complete the design, acquire the needed right-of-way, and construct the replacement; and (2) the facility is owned 100 percent by the Federal Government, and that has significant ramifications.

Senator WARNER. Let me interrupt you at that point because we've got to isolate what "it" is. Is "it" the structure that goes from waterside to waterside, or is "it" a structure which extends further into the various States, or is "it" the combined series of bridge plus interchange?

Mr. MARTINEZ. Sir, as I believe yourself and other colleagues sitting with you have mentioned, if this were a State-owned facility, say if it were over the James River, we would be required to address not only the capacity requirement of the facility through the planning horizon year, which right now is the year 2020, but also the approaches. If you take away the approaches, for example, if we were to take away the separation of the traffic, and if we were to take away the Telegraph intersection and the Indian Head intersection, what you would be talking about is having an impact therefore on the number of lanes that would be required to move the traffic at capacity if the bridge alone were sustaining that issue. If you take away the separation of the traffic and those interchanges, you could be talking about a bridge as many as 16 lanes in width. So you cannot divide one from the other.

The Federal Government, for very logical reasons, when you have a Federal aid structure, say over the James River, they require

that we be exhaustive not only on the bridge itself when you replace it, but on all of the approaches.

Senator WARNER. In other words, you say "it" is the entire five miles. Is that right?

Mr. MARTINEZ. I'm saying, yes, sir, that it is the entire length that you have depicted up there. That's the debate, that's the issue before us. If you want to start knocking other issues out, you've got a problem on your hands. Let me add that the $830 million figure that was used earlier today does not, for example, include some of the environmental mitigation issues that are required to comply with the NEPA. For example, the environmental decks are not included in that price tag. That, again, you're going to jeopardize the NEPA approval for this facility. So we've got to be very careful on those numbers and how we slice them, sir.

If I could just continue briefly. Had the bridge been owned by a State or by the States, Virginia or Maryland, it would have been addressed in the early 1980's in the Interstate Completion program under the Final Interstate Cost Estimate. Federal funding in that program was set at 90 percent, and, most importantly—and this goes really to Senator Mikulski's comment before and to some of Representative Hoyer's comments—most important, under that program, all funds were provided above the normal Federal aid apportionments to each State. So such projects were funded in addition to the normal State apportionments.

Let me point out, Senator Mikulski, that the Fort McHenry Tunnel, it is not just an issue that that was 90–10, it was 90–10 under that program. So it was 90–10 above Maryland's normal State apportionments. So it is not just an issue of whether or not we get 90–10 here, but if it is going to be above our apportionment in Virginia and Maryland or otherwise.

Senator MIKULSKI. That's my viewpoint, too. I don't want to be misunderstood here.

Mr. MARTINEZ. Yes, ma'am, but I wanted to make that clarification. Furthermore, under the cost-to-complete character of that program, the Federal share grew commensurate with the actual cost of the project and was not just based on a one time project cost estimate.

The only reason that the bridge was not then addressed was because it was owned 100 percent by the Federal Government. We should not now be penalized as a result thereof.

I see the red light so I will conclude by——

Senator WARNER. Mr. Secretary, take a minute or two additional.

Mr. MARTINEZ. Thank you. On the issue about the approaches, I have already in response to you, Senator Warner, explained how we would be required under Federal regulations to do the approaches as well as the structure. It is our view that the Federal Government cannot absolve themselves from meeting exactly the same requirements that they impose on all the States because for once we're talking about a 100 percent federally owned facility.

Back in 1995, Senator Warner, with your dedicated leadership, the National Highway System bill included a provision blessing the establishment by the three jurisdictions of the creation of an authority able to assume ownership of the bridge once the new structure were in place. All three of us—Maryland, the District of Co-

lumbia, and Virginia—have enacted legislation creating such an authority. We three have shown good faith in moving forward to provide the legal framework that could allow for acceptance of the new bridge. We reiterate our commitment to provide the mechanism to assume title to the bridge and absolve the Federal Government from any future special obligation, but restate that we will only do so when the Federal funding commitment has been met.

In closing, let me just say that within the framework of meeting the functional transportation needs for the bridge and its approaches, and with complete adherence to all environmental regulations, Maryland and Virginia have been working on ways we might reduce the overall cost of the facility. I am confident we will be able to reach significant reductions, but the final cost will remain huge. We stand willing to continue our cost efforts, as long as capacity and environmental considerations are fully respected. I thank you.

Senator WARNER. Thank you.

We will now hear from Mr. Winstead.

Senator SARBANES. Mr. Chairman, could I simply say that the very kind words you expressed with respect to Mr. Martinez, his professionalism and his high competence, apply in every respect to Secretary Winstead. We're very pleased that he is here with us today.

Senator WARNER. I thank the Senator. I'm sure that's correct. My understanding from my State is there's been excellent cooperation between Maryland and Virginia as we approach the resolution of these issues.

STATEMENT OF HON. DAVID L. WINSTEAD, SECRETARY OF TRANSPORTATION, STATE OF MARYLAND

Mr. WINSTEAD. Thank you, Chairman Warner, Senator Sarbanes for those comments, Senator Mikulski, Congressman Hoyer, Congressman Wynn, members of the Virginia House. I am pleased to be here.

I think this project from the beginning with the leadership of FHWA has been a regional project. We have been committed to working with Virginia and D.C. on this and I think it has been reflected in the efforts of the Coordination Committee in the numerous meetings VDOT, Maryland DOT, FHA, and D.C. Public Works and Transportation have had. And this has been to the highest level. Rob and I last fall toured the underpinnings of the bridge, essentially the support structures, with then Federal Highway Administrator Rodney Slater, now Secretary of Transportation. We have had numerous meetings there since.

The need for this bridge has been demonstrated by both Rob and previous testimony. In terms of the validity of the design reached by the Coordination Committee, I would mention that I concur with Rob's assessment that we have a NEPA process that has been adhered to. It has chosen a design that meets design standards for the year 2020. Your question, Mr. Chairman, to Jane Garvey about the danger of touching and manipulating with structural and functional components is there. We have a very, very delicately balanced conclusion in terms of the recommendation for the bridge.

I would also just concur quickly that the legal precedent, the funding issues of 90–10 on Interstate construction, 80–20 on others, this is a Federal facility. There are 1,400 projects that have been submitted, many members from the Maryland delegation have submitted them, for ISTEA reauthorization. This is not one of them. This should not be considered as a demonstration project. In addition, the National Highway Designation Act of 1995, and with your support on that and others, has agreed with the States on funding by the Federal Government.

The cost is what it is because of Federal planning regulations set by the scope of the study, 2020. We feel that special Federal funding is the only conclusion.

I would like to stress a little different point than Rob mentioned, and that is that on the issue that you all are wrestling with, and we need to speak on behalf of Governor Glendenning and the Department, are there any alternatives to funding for this bridge? The answer to that is, no, there are not. First of all, it is Federal bridge. Second, tolls are impractical in terms of the congestion they would cause on really the East Coast linkage between Maryland and Virginia. There would be significant congestion and any kind of tolling would be out of the question in terms of its ability financially to be practical as well as politically practical.

The States cannot pay for this project. You all work weekly through now this ISTEA reauthorization to ensure that we are getting the highest level, and from the standpoint of Maryland that's ISTEA, and reauthorizing that where we get 1.72 percent of all Federal money. That is constrained, however. If you look on a practical level in Maryland, we only get $300 million a year for Federal highway money. The members from Maryland know this, but we've got $775 million of State needs, State-owned facility needs annually piling upon itself and we only have a capital program of about $2 billion, $1 billion a year in terms of capital to address that. So Maryland, Virginia, and D.C. are not in a position to afford this project, one, and, second, it is not a demonstration project.

I would mention that there are issues of cost reduction. Rob has looked at that, and I think that this can be addressed through the value engineering process. We are now out as of last Friday with a contractor to manage that process. I would say that the cost savings could not be substantial, but we would look to that. But I must mention that we are very concerned about dealing with functionalities; of abandoning interchanges, of ramps, things of that nature. That is a dangerous move, particularly with the recommendations of the Woodrow Wilson Bridge Coordination Committee.

Congressman Moran has left, but particularly on the issue of a 10-lane structure, I think that was addressed by Jane Garvey and Rob, a 10-lane structure would create queueings of two miles on the crossing of the Woodrow Wilson Bridge. It would increase congestion for 4 hours during the peak rush hour period. We have a major problem of congestion in both the metropolitan Washington area and the metropolitan Baltimore area. We are the second most costly region in the country in terms of loss of productivity because of congestion in metropolitan Washington, Baltimore is 13th. So any option that increases that is not a practical option.

Second, the $4 million budget figure is just inadequate. It is inadequate because it doesn't meet the purpose and needs in the NEPA process which was targeted 2020.

The last thing I would mention is on financing. I believe I know OMB's position and I know what is in the budget, and I know that you all are wrestling with ISTEA reauthorization at a time in which we're looking at overall funding levels that are not where they should be at $26 billion a year to really meet the needs in this country. The one thing we would be willing to do is looking at some Federal funding over a long period of time, creative funding perhaps on a longer period. But I would stress that any alternative that places any claim on a match in current allocated State funds or future allocated State funds is just unacceptable. The money is not there and it is all meeting other State transportation needs, not Federal.

In conclusion, I would just like to mention that we are very appreciative of your engagement and the leadership of everybody here and the Coordination Committee. We have had a successful outcome in terms of a recommended structure last fall. We are wrestling with a difficult issue of you all trying to balance the Federal budget. But bear in mind, this is a Federal facility. Everybody agrees that it needs to be rebuilt before we have serious problems and perhaps safety issues. The only way, based upon what I've said on the funding side, is for the Federal Government to recognize this, remove it from any discussion that this is a demonstration project, and get on with coming up with money needed to rebuild this bridge. Thank you.

Senator WARNER. Thank you very much, Mr. Secretary.

Mr. Laden, we welcome you.

STATEMENT OF KENNETH LADEN, ADMINISTRATOR, OFFICE OF POLICY AND PLANNING, DEPARTMENT OF PUBLIC WORKS, DISTRICT OF COLUMBIA

Mr. LADEN. Good morning, Chairman Warner and members of the Virginia and Maryland congressional delegations. My name is Ken Laden. I am the Acting Administrator for Policy and Planning within the D.C. Department of Public Works. I am here this morning on behalf of Cell Bernardino, who could not be with us today, to provide testimony regarding the replacement of the Woodrow Wilson Bridge as part of the reauthorization of the Intermodal Surface Transportation Efficiency Act.

The District strongly supports the positions expressed by Secretary Martinez and Secretary Winstead. We feel the Woodrow Wilson Bridge is a vital regional transportation facility which is in need of immediate replacement. The bridge is currently handling a much larger volume of traffic than was originally intended. The Washington metropolitan region cannot afford to take a "wait and see" position regarding replacement of the bridge. Congress needs to take immediate action to ensure that a new bridge is in place before a catastrophic failure of the existing bridge causes serious disruption to the region's economy and possible loss of life.

The Department of Public Works has been actively coordinating the planning of the replacement bridge with Maryland and Virginia and Federal transportation officials. The District is a signatory to

legislation which would create a regional authority to operate the replacement bridge.

Our major concerns regarding replacement of the Woodrow Wilson Bridge are outlined below:

1. The existing bridge was constructed with 100 percent Federal funds. The bridge is a Federal bridge, and we maintain that the replacement bridge should be paid for with 100 percent Federal funds.

2. The District will not make any capital contribution to the design and construction of a replacement bridge which connects Maryland and Virginia. Neither would we agree to have any portion of the District's allocation of Federal Highway funds diverted to pay a portion of the replacement for the Woodrow Wilson Bridge. We have many other critical transportation needs within the District of Columbia which must be addressed with our local and Federal transportation funds. This bridge is located outside the District of Columbia.

3. The District of Columbia does not favor the imposition of tolls to pay for a replacement bridge. We believe that a toll would divert traffic from this bridge through the District into the northern portions of I–295, the other Potomac River bridge crossings, and thereby increase traffic and congestion and air pollution in the District of Columbia.

We look forward to working with the Federal Highway Administration, State officials from Maryland and Virginia, as well as local governments and interest groups in the Washington metropolitan area to ensure that a replace bridge is built as soon as possible. We look to Congress to play a central role in financing this essential transportation facility.

I want to thank you for the opportunity to provide this testimony. Thank you.

Senator WARNER. Thank you very much.

Just briefly to the panel, as I understand the testimony given by each of you, there is unanimity that the present design as formulated over a number of years by the Coordination Committee is agreeable to all three jurisdictions?

Mr. MARTINEZ. Yes, sir, that is correct.

Senator WARNER. And that is 10 lanes operating with construction to facilitate 2 additional lanes at some point in the future, and a facility, call it a path or something, to accommodate bike and pedestrian travellers. Is that correct?

Mr. MARTINEZ. Yes, sir, that's correct. In fact, in Virginia the Commonwealth Transportation Board, which, as you know, has the statutory authority if this were a Virginia only project, approved that Coordination Committee outcome.

Senator WARNER. And further, the Federal Government says they believe that the federally owned property stops here at the shoreline plus such support. Your concept is that it is a total project, therefore Federal responsibility for the entire five miles rather than the physical construction of the bridge itself?

Mr. MARTINEZ. If the Federal regulations were to hold here as they hold everywhere else in the United States, then the answer is yes.

Senator WARNER. That's the point. That's a very important point.

Mr. WINSTEAD. That's correct, Senator, from the Maryland standpoint.

Senator WARNER. We understand that, and that is the consensus I think on the delegation. But I am just trying rather dramatically point out the wide divergence between the testimony now given this morning by the Federal Government and the respective testimony given by the several States and the District of Columbia. That just poses the magnitude before this delegation as we take this issue to the floor.

I certainly agree with you, Mr. Winstead, and I'm sure Rob Martinez has said it certainly to me many times, this is not to be viewed as another pork barrel demonstration project fostered by the delegations of the two States together with the District of Columbia. Rather, it is a Federal responsibility serving the Nation as a whole. And as such, the Federal Government must go back and review the financing accordingly. Thank you very much.

Senator Sarbanes?

Senator SARBANES. Thank you, Mr. Chairman. First of all, I want to thank this panel for I think some very effective and articulate testimony. We appreciate it. I also join with you in underscoring the fact that it is certainly reasonable that the concept that the Federal Government in terms of its responsibilities ought to assume would be the same concept it would impose upon the States if, as Mr. Martinez says, this was a bridge across the James River.

I just want to touch on one other point, because I don't think enough attention is being paid to it. As I understand it, assuming we can find appropriate Federal funding for this bridge, once it is completed, you are prepared to assume the responsibility for the bridge. Is that correct?

Mr. WINSTEAD. Yes, sir. We, the jurisdictions, would work together to find the appropriate mechanism and assume title to this facility.

Senator SARBANES. So you're taking off of the Federal Government and assuming yourselves the burden into the future of the repair, the rehabilitation, et cetera with respect to this bridge ad infinitum. Is that correct?

Mr. WINSTEAD. Yes, sir.

Mr. MARTINEZ. That's correct, sir.

Senator SARBANES. Now that's worth substantial consideration. I wouldn't try to cost it out right here at the table, although we might seek some information from you, but it would seem to me that that represents a considerable benefit to the Federal Government in this matter. In other words, we're pushing them hard now to really come up with their share to replace the bridge and everyone is focused on that. We haven't had much attention paid to the fact that, once this is done, the bridge then becomes no longer a responsibility of the Federal Government. And I would think that would be worth, as you project it out into the future, a considerable amount of money. Now, am I wrong in that perception?

Mr. WINSTEAD. Senator, you're exactly right. Not only are we going to work out the details, but we have actually put in place legislation that would allow for the establishment of an authority to do just this; take away the title, take on operation, take on maintenance and any future rehabilitation or expansion of capacity on the

bridge. So that is substantial consideration for the position that you all are taking and the States are taking with FHWA on this point. Second, they should realize it gets them out of the bridge business, which would be another consideration in addition to the cost.

Senator SARBANES. Thank you, Mr. Chairman.

Senator WARNER. Thank you very much, Senator. That's an important point. The carrying cost will be borne by taxpayers in the several States and an allocation for the District of Columbia.

Senator Mikulski?

Senator MIKULSKI. Mr. Chairman, actually, I have no questions of the panel. I think that their testimony was comprehensive and showed a kind of collegial regional cooperation that is much needed not only in transportation, but in other affairs.

I want to really acknowledge the fact that I think we're very mindful of Governor Glendenning's position, which I think parallels Governor Allen's as well as Mayor Barry's. I also want to be very clear, Mr. Martinez, as you indicated, that when they talk about these formulas, the construction was over and above what States got for highways/byways. I want you to know when I engaged Ms. Garvey in her testimony that was also very much in my mind. So when I said that sounded good, I know that it would have meant that Maryland would take three to 5 years to do that, certainly the District is enormously hard pressed now and I think those in the region are sympathetic to that, and also to Governor Allen's position.

Mr. MARTINEZ. I was supporting you wholeheartedly, not contradicting you, Senator.

Senator MIKULSKI. No, no, no. I thank you for raising the issue because I do think that the initial Federal position was skimpy, spartan, and would jeopardize the project. I think Senator Sarbanes' comments about who is going to keep on paying the bills was important.

So I want to thank you for the testimony, and look forward to working with all of you. Thank you. Thank you very much, Mr. Chairman.

Senator WARNER. Thank you very much, Senator.

Congressman Hoyer?

Mr. HOYER. I have no questions. I think we all agree.

Senator WARNER. Mr. Wynn?

Mr. WYNN. I have no questions. I want to thank these gentlemen. I've had the opportunity to work with them on this project and their leadership has been tremendous. And I would like to single out our own Secretary of Transportation David Winstead because he's been really diligent working the project and we appreciate your efforts.

Mr. WINSTEAD. Thank you.

Senator WARNER. Congressman Wolf?

Mr. WOLF. I have no questions. I want to thank the panel. I think your point is well-taken. This is not a highway demonstration project as other projects around the country. As somebody mentioned, there are 400-some requests. This is a Federal responsibility and completely, absolutely, totally different than the nor-

mal projects that come up here. Thank you very much for your testimony.

Senator SARBANES. Frank, would you yield for just a moment. I want to underscore the point that Congressman Wolf made earlier because I think it is another important dimension to this, and that is that the neglect of addressing this problem on a timely basis on the part of the Federal Government has, in fact, resulted in escalating the cost of trying now to remedy this situation. So as we come at the Federal Government sort of saying you need to really step up here and take on your responsibilities, I think that's another added dimension for making that argument, as well as the one I just outlined that thereafter the States are going to assume this burden.

Senator WARNER. Senator Robb?

Senator ROBB. Mr. Chairman, there is not much disagreement here. I thank the panel for not only their excellent presentations, but for their regional cooperation; and we will soon hear from the localities as well as the business community and others. That is indeed commendable. We thank you and we appreciate the fact that we have established on this project the kind of Federal-State relationship that makes things move forward rather than end up in gridlock. And I salute you for your leadership in that area. Thank you.

Senator WARNER. Thank you, Senator.

I just have one further observation. This hearing this morning, and my distinguished colleague Senator Mikulski just mentioned it to me, has I think very clearly once again framed the divergence at the present time between the approach of the Federal Government and the several States. Each of you have stressed the fact that this is not to be viewed as just a State project for the two States and the District. Which brings me to my last observation, and it is one which I ask you to reflect on and then communicate back to me and your respective Members of Congress.

Through the 18 years that I've been privileged to be here and working with issues such as this one, I have found that your national organization of the Secretaries of Transportation of the 50 States is a very key, very vocal, very respected voice in the Congress. A burden then devolves on you to work with that organization to explain the reasoning that we've heard today that this is not to be viewed as a project comparable to others being requested by your Members of Congress. Hopefully, we can get the support of that organization. If we can get the support of that organization, then I think those of us here in the Congress that have to go to the floor and arduously and strenuously get the maximum Federal participation, which again comes from that Highway Trust Fund, we'll have our strongest ally.

Mr. WINSTEAD. Senator, I appreciate that. Both Rob and I are very active in AASHTO.

Senator WARNER. I know.

Mr. WINSTEAD. I'm vice president this year and will be president next September, so I will certainly take that message back.

Senator WARNER. I thank you very much, Mr. Winstead. You recognize the importance of having AASHTO. I think your colleagues

can understand very clearly and put aside political considerations and see the importance of this as a Nation's project.

Thank you very, very much, each of you.

Senator WARNER. We will now hear from our next panel. The Honorable Kerry J. Donley, mayor of the city of Alexandria; Ms. Katherine K. Hanley, chairman, Fairfax Board of Supervisors; Mr. John Collins, senior vice president of the American Trucking Association; Mr. Wayne Curry, county executive, Prince Georges County; Ms. Susan Williams, chairman, the Greater Washington Board of Trade.

Mayor Donley, why don't you start off?

STATEMENT OF HON. KERRY J. DONLEY, MAYOR, CITY OF ALEXANDRIA

Mayor Donley. Good morning, Mr. Chairman. I am Kerry Donley, the mayor of the city of Alexandria. I want to thank you for providing the City this opportunity to present its views on a topic of great interest to our residents and, in fact, all residents of the Washington, D.C. metropolitan area.

Senator WARNER. I make note for the record so there is no perception conflict, I am privileged to be a resident in your jurisdiction. You are my mayor.

Mayor Donley. And we are privileged to have you, Senator.

Senator WARNER. But I nevertheless have the higher responsibility of looking at this project with total objectivity, and I'll do just that.

Mayor Donley. I'm sure you will. You always have and you will in the future.

Senator WARNER. From the Virginia point of view, yes.

[Laughter.]

I fear, Mr. Chairman, that the much-needed replacement for the deteriorating Woodrow Wilson Bridge is slipping into a morass of budget bickering, intergovernmental posturing, and potential environmental litigation. This comes as a result of a seriously flawed $1.6 billion replacement proposal put forth by the Woodrow Wilson Bridge Coordination Committee under the auspices of the U.S. Department of Transportation. The risk grows by the day that there will be an unacceptable delay in the construction of an expanded facility. This delay is not acceptable to anyone participating in this hearing or to the citizens of the metropolitan region.

You, Mr. Chairman, have wisely called upon the Department of Transportation and others to propose lower cost design alternatives to the Coordination Committee's proposal. It is now time for all involved to come together in a realistic, cost-effective, and transportation-efficient alternative.

Alexandria agrees that the Woodrow Wilson Bridge needs to be replaced, and needs to be replaced quickly. But that, of course, is not the sole issue. The critical issue is the nature of the replacement facility, more particularly, a facility (a) that will meet the future traffic demands of the region, (b) that is affordable without the imposition of tolls, and (c) that can be accomplished without unreasonable delay.

The Coordination Committee's 12-lane replacement proposal, at a cost of $1.6 billion in present dollars and over $1.8 billion in fu-

ture dollars, has flunked the criterion of affordability. Mr. Chairman, I believe that a scaled down 10-lane bridge, similar to the 10-lane American Legion Bridge at the north end of the Capital Beltway, best meets these criteria. And let me explain why.

Senator WARNER. One technical point. It was brought out this morning that this bridge is to be built with 10 lanes with just the expansion capability to go to 12.

Mayor Donley. I understand that distinction. That is a distinction that Alexandria fought for.

Senator WARNER. So what would be your view? That we not have the added expansion capability and simply have just the 10 lanes, is that it?

Mayor Donley. Our position would be that we have 10 lanes, 4 in each direction plus 2 merge lanes to accommodate the traffic that merges onto the Woodrow Wilson Bridge each afternoon and morning.

Senator WARNER. That point of view was advocated presumably to the Woodrow Wilson Bridge Coordination Committee over the years; am I not correct?

Mayor Donley. That is correct. It was an alternative that was put forth by Congressman Moran during the public hearings in the environmental process.

Senator WARNER. So it has been, in your judgment, certainly put before that committee?

Mayor Donley. Yes. And as I continue with my testimony, I think you will see that it has been evaluated as well.

The 10-lane bridge removes all of the existing bottlenecks. Morning and afternoon peak period traffic backups at the Wilson Bridge are caused by two features of the present bridge design. First, four lanes of the outer and inner loops of the Capital Beltway feed into three lanes on the bridge and three lanes that approach the bridge. Second, traffic entering the bride corridor from U.S. Route 1 and Interstate 295 is forced to merge into lanes that are already clogged with traffic.

These two backup-producing features are completely eliminated by a 10-lane replacement bridge. Four lanes are provided for the outer and inner loops of the bridge, these match the four inner and outer loops of the beltway. The remaining two bridge lanes are dedicated to traffic that is entering and exiting the bridge at Route 1 and Interstate 295. These simple improvements are all that are necessary to remove the bottlenecks now responsible for peak period backups at the bridge.

A 10-lane bridge also avoids tolls. If the Federal funding does not increase beyond $400 million currently proposed by the Administration, the 12-lane Coordination Committee bridge would require Virginia and Maryland commuters to pay nearly $1,000 a year in tolls to fill the funding gap. That would be $4 a day, $2 each way. In addition, toll plazas would increase traffic backups during peak periods, and will adversely affect air quality. Tolls must be avoided on the replacement bridge, and a 10-lane facility with substantially lower costs can do this.

A 10-lane facility with HOV lanes will handle future traffic as well as the proposed 12-lane bridge and, without HOV lanes, actually I believe will outperform it. The FHWA's own transportation

report on the bridge projects that traffic across the bridge in the year 2020 will be almost double today's traffic. The same report compares the ability of a 10-lane replacement facility to handle this future traffic with the ability of the Coordination Committee's 12-lane facility. This report shows that during the morning and evening peak hours in 2020, a 10-lane bridge, with 2 HOV lanes, will carry across the river between 92 percent, on the outer loop in the evening, and 98 percent, on the outer loop in the morning, of the vehicles that the 12-lane bridge would carry, also with HOV lanes.

Even more important, our analysis reveals in 2020 a 10-lane bridge without HOV lanes will carry more traffic across the river during the morning and evening peak hours in all directions than the proposed 12-lane facility. I doubt that any reasonable taxpayer would conclude that improving the bridge traffic problems and performance in the year 2020 by only 2 or even 8 percent during the most heavily travelled periods of the day, and not at all if HOV lanes are excluded from the 10-lane facility, warrants the expenditure of hundreds of millions of additional taxpayer dollars that the 12-lane facility requires.

The dedication of two lanes for HOV purposes is just not justified. The Coordination Committee's 12-lane facility requires its 11th and 12th lanes to be used exclusively for HOV purposes. The construction of these two HOV lanes, along with the ramps and other interchange features at Route 1, Interstate 295, and Maryland Route 210 which provide access to and from the HOV lanes, require additional expenditures of hundreds of millions of dollars. Are these two dedicated HOV lanes and their related facilities worth the cost? I think not.

The FHWA transportation report shows that HOV lanes will be significantly under-utilized in the year 2020. Indeed, during the morning peak hour in 2020, the inner loop HOV lanes of a 12-lane facility is projected to operate at 15 percent of the lane's per hour capacity, and the outer loop HOV lane at only 40 percent of capacity. During the evening peak hour, the outer loop HOV lane is projected to be at 15 percent of capacity, and the inner loop at 36 percent of capacity. Obviously, the usage of these lanes during non-peak hour periods would be much lower.

These rates of HOV utilization projected by FHWA for the most heavily travelled portions of the day in 2020 do not in any sense justify spending hundreds of millions to expand a 10-lane to a 12-lane facility with 2 lanes dedicated exclusively for HOV. These is especially so since, as I've noted, a 10-lane bridge without HOV will actually out-perform a 12-lane facility with HOV lanes in carrying traffic across the Potomac during the peak hours in the year 2020.

This is also especially so since HOV lanes on the bridge are obviously useless unless there are HOV lanes on the beltway. Widening of the beltway for this purpose is highly doubtful.

A 10-lane bridge is not based on a faulty assumption that drives the 12-lane facility. The predominant justification for the 12-lane bridge lies in an assumption that the Capital Beltway in both Virginia and Maryland will be widened from 8 lanes to 10, 2 of which will be dedicated to HOV usage. This expanded roadway is estimated to cost in today's dollars in excess of $5 billion.

The FHWA's transportation report concludes that if the beltway is not expanded, a 10-lane Woodrow Wilson Bridge replacement is perfectly sufficient, both now and in the future. I believe it is unrealistic to believe, in light of today's fiscal realities, that Congress, or Virginia or Maryland for that matter, will be prepared to fund the $5 billion-plus beltway widening program that is needed to justify the 12-lane replacement bridge. Without the widening of the beltway, a 10-lane bridge without HOV is all that's needed.

I understand there exists a concern that a decision to approve a replacement project other than the 12-lane facility recommended by the Coordination Committee may require additional environmental analysis and my produce a substantial delay in the start of this process. This should not be the case.

Initially, I note some delay is likely to occur even with the Committee's 12-lane proposal. This is because the air quality conformity analysis on the Woodrow Wilson Bridge improvements, required by the Clean Air Act and performed in 1996 by the region's Transportation Planning Board, was for a 10-lane replacement facility, and assumed no changes in the existing interchanges. In a recent letter to the TPB, the Environmental Protection Agency has indicated that this conformity analysis is flawed since it addresses a 10-lane, rather than the Coordination Committee's 12-lane, bridge, and because it failed to address the air quality impacts associated with the interchange revisions called for by the Coordination Committee. Thus, a new air quality conformity analysis would be needed to be undertaken even if the Committee's recommendation were adopted.

Whether additional environmental analysis and possibly supplemental environmental impact statements would be required for a 10-lane facility is a decision that actually is to be made by FHWA. This decision will turn on the magnitude of the change in the project and the extent to which significant environmental impacts have not already been addressed by the environmental studies and statements prepared to date.

Even if additional work is needed, however, it will not be significant. The 10-lane replacement bridge has already been addressed, to a large extent, in the environmental documents. Moreover, a 10-lane facility obviously has fewer environmental impacts than a 12-lane facility. In 1996, FHWA prepared a supplemental environmental impact statement that addressed both a variety of bridge/tunnel alternatives and a double span. This was done in less than 3 months. I know this was a concern of the Chairman.

Any supplemental statement on a 10-lane facility, in light of the analysis already done on this alternative, should not take any longer, and thus no longer delay than we would already experience due to the air quality conformity analysis.

Again, on behalf of the citizens of Alexandria, I want to thank you for your leadership, Mr. Chairman, and for the opportunity to present the City's views.

In closing, I would like to state that today's Federal budget limitations and the necessity to reduce substantially the cost of the Woodrow Wilson Bridge dictate that we look at a scaled back facility. The process to date has been long and complex. The decision is now in the Federal arena, and I believe it is time for a commonsense approach and a sensible bridge for today, a sensible bridge

for tomorrow, and not a monument to a highway traffic engineer's best dream.

Finally, Mr. Chairman, Alexandria's position is not one of "Not In My Back Yard." We've lived with the Woodrow Wilson Bridge for decades and we'll continue to do so. In fact, we advocate a 60 percent increase in lane capacity, a position we believe is both responsible and sensible. Thank you very much.

Senator WARNER. I thank you, Mr. Mayor.

Panel, we have learned that Mr. Curry has an obligation, and I wonder if you would accommodate him by allowing him to go next.

Mr. Curry, we will put your entire statement in the record. Why don't you just give us a good strong summary, as you are fully capable of doing.

STATEMENT OF WAYNE CURRY, COUNTY EXECUTIVE, PRINCE GEORGES COUNTY, MARYLAND

Mr. CURRY. Yes, sir. Thank you, Mr. Chairman and members here present. I appreciate the opportunity to summarize. I wish I were in a position to thank Mayor Donley for reminding us of all the issues that we debated for more than a couple of years before a decision was made.

In this instance, however, my job is somewhat easier. All of the cogent arguments have been made. And mindful that no one's head can absorb any more than their behind can endure, I'm going to make a few emphasizing remarks.

One is that these issues have been fully debated at the insistence or initiative of the Federal Government in a comprehensive regional committee in which all of these arguments were made, and there resulted a regional agreement about what should be done at the bridge. In much the same way that you can't squeeze a balloon in the middle without creating impacts at its ends, we can't change all of the considerations that resulted in a coherent traffic pattern around this bridge.

You all have made the proper arguments about the ownership, about the future, about the capacity, about the safety, about the durability of this bridge. And we all know that it won't endure, that sooner or later it is going to wind up being a splash in the Potomac River, and so we must act, and act now.

Those of us who have been working together regionally recognize that. We have a conclusion and a recommendation I think that works for everyone. Frankly, I think you've pointed out the hypocrisy and the inadequacy of the current funding position taken by the Federal Government.

From a local standpoint, however, I want to humanize it just a little bit. We invited thousands of people to participate in this process, and they did. We sent them thousands of notifications, and they digested it. Having done all of that, and recognizing the impact on commuting patterns and business, I see no reason for us to controvert the work of that Committee, but rather to work together to try to achieve the resources we need to get the job done.

I appreciate your leadership and your continued commitment, and particularly that of our local delegation in Maryland. I am very grateful for it. Thank you, Mr. Chairman.

Senator WARNER. Thank you, Mr. Curry. And your constituents are very proud of the fact that you came forward today and gave us your statement. Thank you very much.

Now, Ms. Hanley. I have I must say a great admiration for our next witness. We campaigned together, inadvertently.

[Laughter.]

Senator WARNER. Whenever I was in your area, I tried as best I could to stand right behind her while the television cameras were on.

Ms. HANLEY. With great success, I might add, Senator.

Senator WARNER. That's correct. With some modest success, yes. And I thank you, Ms. Hanley.

STATEMENT OF KATHERINE K. HANLEY, CHAIRMAN, FAIRFAX BOARD OF SUPERVISORS, VIRGINIA

Ms. HANLEY. Thank you, Mr. Chairman, for providing this opportunity to appear before you and the subcommittee to present comments on behalf of Fairfax County regarding the Woodrow Wilson Bridge.

Fairfax County has a major interest in ensuring that this project is advanced at the earliest possible date so that this major river crossing is replaced with a facility that is designed and constructed to accommodate future demand, in terms of the citizens who live in this region as well as for those who use this bridge as part of travel on the I–95 corridor on the eastern seaboard. Fairfax County has been involved in the study and development of the project recommendations related to this project.

On September 9, 1996, the Fairfax County Board of Supervisors unanimously endorsed the 12-lane replacement as the preferred and technically warranted option to improve regional mobility and economic stability in the I–95 corridor. The County supports a 12-lane bridge and has taken no specific position regarding the overall width of the structure. This recommendation has also been endorsed by the Regional Transportation Planning Board in January 1997. As you may note, this has been on a lot of agendas.

On September 26, 1996, following more than 3 years of detailed study and analysis, the Woodrow Wilson Bridge Coordination Committee, a body made up of major regional stakeholders, whom you're hearing from today, including Federal, State, and local leaders, selected the 12-lane, side-by-side drawbridge concept as the preferred alternative for the replacement of the aging Potomac River span. This alternative was selected, as Mr. Curry has said, following exhaustive input and analysis by citizens and transportation professionals.

Studies conducted by the Virginia Department of Transportation and the Metropolitan Washington Council of Governments have indicated a need for 16 to 18 lanes on the beltway to allow for regional growth. However, through the Woodrow Wilson Bridge study, regional leadership has already agreed to a compromise from 18 lanes down to 12 lanes. Further compromises on the number of lanes will place even more constraints on the ability to balance interstate travel and commuter traffic needs in Fairfax County, from which 30 percent of Wilson Bridge traffic originates.

A 12-lane bridge, in local express configuration, will provide superior safety and merging operations. Such a facility will move traffic bottlenecks, improve carrying capacity, reduce travel times, improve safety, and provide the flexibility for future HOV or transit operations. The Woodrow Wilson Bridge Coordination Committee's own studies have shown that the 12-lane express/local configuration is needed to reduce congestion during peak periods and save travel time for commuters.

It is also essential that the interchanges encompassed in the study area be improved to enhance local and interstate access to businesses and residences in the corridor.

We must build for the future. The Council of Governments has projected a 43 percent increase in regional population and 1.1 million new jobs over the design year of the new bridge. Also projected is a region-wide 60 percent increase in total vehicle trips, but only a 20 percent increase in planned highway capacity. The Wilson Bridge, as part of the Capital Beltway, is the only major facility in this corridor with the ability to expand with reasonable environmental impacts.

I urge you to endorse and provide full Federal funding for the Wilson Bridge Coordination Committee's preferred alternative without reducing the number of lanes across the bridge or eliminating access improvements at interchanges. At the risk of repeating what everyone has said today, so I'll say it again, unlike any other bridge in the country, this bridge is owned by the Federal Government. Therefore, it is essential that the Federal funding made available for this project should not be counted against regular Federal funds that are allocated to Virginia, and therefore to Fairfax County, for other critical transportation projects.

Thank you for the opportunity to provide comments on behalf of Fairfax County on this critical project of regional significance.

Senator WARNER. Thank you very much, Ms. Hanley. A very good statement. We'll come back with questions momentarily.

Mr. Collins?

STATEMENT OF JOHN J. COLLINS, SENIOR VICE PRESIDENT, AMERICAN TRUCKING ASSOCIATION

Mr. COLLINS. Mr. Chairman, thank you very much for having the American Trucking Association here today. I would like to thank you for your leadership on this issue. You took a leadership role in 1995 with the NHS Designation legislation. We look forward to your continued leadership.

I'd like to join others in urging the timely replacement of the Woodrow Wilson Bridge and make four points. First, there should be full Federal funding of the project; second, there should be no tolls on the project; third, we urge the maximum amount of capacity to plan for the future, with a minimum footprint of the size of the bridge; and fourth, and something I would like to discuss with you, is an extended authorization period for funding and a phased construction process.

Mr. Chairman, ATA has appeared before this committee many times as the national representative of the trucking industry. We're certainly here today in that capacity. The I–95 corridor is absolutely essential to commerce up and down the east coast. But we're

also here as a Virginia constituent and a stakeholder in Alexandria. Our headquarters building is within the project area and our 400 employees are impacted daily by what goes on on the Wilson Bridge. We're at the first tag there, the tag on the left-hand side; that's our building. So whatever happens with the building of the Woodrow Wilson Bridge directly impacts us.

I would like to put a little bit of a human face on the impact of delay. We serve customers on both sides of the bridge. The bridge is really a conveyor belt between Maryland and Virginia. To give you some examples of that, Giant and Safeway have their food distribution centers in Landover, Maryland. Every day their trucks serving northern Virginia come back and forth across the Woodrow Wilson Bridge. Our big concern is that someday a civil engineer walks out underneath that bridge on the catwalk, as Congressman Wynn and I did a few months ago, and says, "We're not making a political decision here, but we're weight posting this bridge." At that point, no busses, no recreational vehicles, and no trucks go across the bridge. And those Giant and Safeway trucks have to do a major detour to get to the shelves in northern Virginia.

Senator WARNER. Why don't you describe that detour.

Mr. COLLINS. The detour could be up to 60 miles long and it would be over the bridges that we all know—it would be over the 14th Street Bridge, it could be, although you can imagine the additional mileage and congestion, going all the way around to the American Legion Bridge.

There is a concern on the Maryland side, most of the people in southern Maryland get their fuel oil delivered by truck that comes from the Newington, Virginia pipeline. It is sort of a spigot where the fuel oil comes out. Those trucks go back and forth across the Woodrow Wilson Bridge. If the bridge is posted, those trucks would have to go over local roads, would have to go through Alexandria on 395 or on other roads to get to other bridges. So it is a major concern. We're concerned about the added congestion, we're concerned about the exposure of those trucks to more accidents.

Fully fund the bridge—I think there has been a unanimous view on that, so I won't go further into that.

No tolls is important to us for two reasons. The first is, we're going through all of this to get rid of congestion around the bridge. It is I think fundamentally stupid to design a project to get rid of congestion and then put a toll barrier. It's called a barrier for good reason—because it's a barrier to people moving smoothly. The most dangerous speed on an interstate highway is zero. When you have people stopped in front of you, it is a greater opportunity for an accident, and perhaps a serious accident.

The other thing is, as an Alexandria stakeholder, the place the toll would be is right where our people have lunch. They sit outside in nice weather like today. Our property is immediately adjacent to I–95. So to us, congestion, pollution have a very real impact.

We're looking for maximum capacity with a minimum footprint. That's kind of technical jargon for saying let's have the 12-lane capacity there but let's send the engineers back and they should be able to knock 25 feet off the width pretty easily. Let's see if they can downscale some of the interchanges to reduce the impact there as well.

Finally, dealing with the problem that I know you have to deal with, how do you shoe-horn $1.6 billion into what you can work with. I would urge the committee to look at an extended authorization period for the Woodrow Wilson Bridge.

Senator WARNER. Very important point.

Mr. COLLINS. There is precedent for that. The Congress before has put in 5-year provisions for some programs in a 4-year bill. You did that in 1982. If you just use what you talked to Secretary Slater about, if you said that the Administration agreed to a program of $150 million a year for 6 years and then had a 12-year authorization, at that point you have enough money to fully fund the program out of Federal resources.

Senator WARNER. We've got that formula, and your idea is good. I think my colleagues all agree that we're devising such a formula. Very key point.

Mr. COLLINS. Excellent. And if you can give them the ability to give grant anticipation notes, it's like local jurisdictions issue revenue anticipation notes, you can handle a lot of the timing problems. And the other thing with phased construction, there is no real reason that the Telegraph Road interchange is done in the first 5 years. It could wait until the end of the period.

That concludes my statement, Mr. Chairman. We are interested in having the Federal Government fully fund, we do want no tolls, we want maximum capacity and minimum footprint, and finally, with an extended authorization, it really lets the committee think outside the box and so other jurisdictions don't confront the problem you described before of seeing every dollar that goes for this project being taken out of their pocket. Thank you.

Senator WARNER. Thank you.

Would my colleagues indulge me in a 1-minute short story of my first introduction to a bridge problem. I was Secretary of the Navy. It was 5 in the morning and somehow the Governor, I won't identify him of either Maryland or Virginia, got through the Pentagon switchboard, got my telephone number, and awakened me to tell me that during the night a storm had occurred and a naval barge had broken loose from its moorings and taken out the center section of a bridge. Well, it took me about 10 minutes to get a grasp on this situation and to calm him down. Then he said, this fuel oil story reminded me, he said, "I have some others who wish to speak to you." Whereupon he put the phone up and I heard the doggonedest racket I've ever heard in my life. I said, "Governor, I don't understand what the racket is." He said, "That's 10,000 chickens starving waiting for their breakfast."

[Laughter.]

Senator WARNER. So I have a full appreciation of the importance of bridges in getting the fuel oil and the chicken feed delivered.

Ms. Williams, how fortunate we are to have you here. You, in a very distinguished career, had a public service chapter as an assistant secretary of the Department of Transportation. You bring to the witness table, you bring to this lively debate a background of knowledge in this area and of wisdom which is badly needed. We welcome your testimony.

STATEMENT OF SUSAN WILLIAMS, CHAIRMAN, THE GREATER WASHINGTON BOARD OF TRADE

Ms. WILLIAMS. Thank you, Mr. Chairman. Mr. Chairman and distinguished members of our regional delegation, I am Susan Williams and I am here as chairman of the Greater Washington Board of Trade which, as you know, is a regional body, it's a regional chamber of commerce that includes suburban Maryland, northern Virginia, and the District of Columbia.

I have just done some rapid editing on my comments and I would hope that they could be included in the record. For time considerations, I will just summarize. I want to restate the principals of the Board of Trade to rebuild the bridge, and to recommend a target date for completion.

First, we insist on full Federal funding and no tolls. Can you imagine the beltway with tolls? This funding should cover the bridge itself plus the cost of modifications and improvements to approach lanes and interchanges where required by Federal regulations.

Second, examine project costs/project phasing. Given the challenges in funding this project, it would be useful to closely examine the project cost to determine if there is any latitude in streamlining these costs while maintaining the traffic capacity of the recommended alternative. We have been consistently concerned about bells and whistles. For instance, we understand the current design items include HOV lanes, an urban deck, and an island deck which cumulatively add well over $100 million to the total project. We continue to hear a wide range of back of the envelope "guesstimates" as to how much the project might cost. If there are real savings to be accomplished while maintaining the project's integrity, then we really want to know this.

We understand the urgency in moving ahead on this project. We suggest that an examination be made of phasing the construction of various components of the replacement structure. Are there essential segments of the construction that could proceed on a fast track basis while others are phased in later? As we've all said, the situation is critical and we hope we can all be flexible.

Third, the governing mechanism. The 1995 Highway Act gives consent for an Interstate Compact to be put in place as the governing mechanism to oversee the construction and ownership of the replacement bridge. Final action of the legislatures in Maryland, Virginia, and the District should be completed by April 1998. If the authority is not established at the State level, then Congress should put in place an entity to undertake this effort. By year end, Federal funds to build the bridge replacement should be transferred to a holding entity for later use.

Waiver of environmental impact statement. If any requirements or refinements of construction phasing is required, we would obviously want to avoid any major procedural delays. An enormous amount of time and effort has already been devoted to the environmental concerns surrounding options for this project. It is suggested, therefore, that to maintain a reasonable completion schedule, further EIS requirements related exclusively to the 12-lane recommended alternative of the Woodrow Wilson Bridge Coordination Committee be waived.

Ribbon-cutting July 4, 2004. As the existing bridge has no more than 8 years of useful life remaining, it is important for reasons of safety, mobility, and economic development to open the replacement bridge in no more than 8 years, or 6 years as we heard earlier. We must urgently commit ourselves to a completion date and ribbon-cutting of July 4, 2004, and hold the region accountable for this opening date. We can't wait any longer.

The Board of Trade will keep the Woodrow Wilson Bridge as its main transportation priority. We will walk the halls, we will help in any way we can to make sure this becomes a reality. And we are very grateful for the leadership that you have all shown on this important issue. Thank you for letting me appear before you today.

Senator WARNER. We thank you, Ms. Williams. We appreciate your expression. It has been a joint leadership of the congressional delegation as a whole.

My first question is to Ms. Hanley. The most repeated quote that has reverberated through this hearing room since 9:30 this morning—this bridge is owned by the Federal Government. What do you understand exactly to be owned by the Federal Government? What is not owned but yet should be regarded as owned by the Federal Government?

Ms. HANLEY. Well, as the only facility like this I gather in the entire country that is owned by the Federal Government, it would seem to us in Fairfax that the Federal Government, and, therefore, through the Federal budget, has the obligation to maintain and repair it.

Senator WARNER. I understand that. But I guess technically speaking, it is just the footings and the bridge itself is what is owned by the Federal Government. This is something we're going to wrestle with.

Ms. HANLEY. In listening to the earlier discussion, it would seem, however, you can't build a bridge without getting to it.

Senator WARNER. Correct.

Ms. HANLEY. The requirements imposed by the FHWA on the States for improvements should be the same for the Federal Government.

Senator WARNER. Maybe we ought to substitute responsibility for ownership, a Federal responsibility, and that would embrace——

Ms. HANLEY. Absolutely. I agree with you. I will now wander around saying that instead.

Senator SARBANES. Ms. Hanley, I don't have the impression of you that you wander around anywhere. I think you know exactly where you're going at all times.

Ms. HANLEY. While I'm standing in front of Senator Warner at least on those TV appearances, I'll say it's a Federal responsibility.

Senator WARNER. Now Ms. Williams, put your hat on as an assistant secretary of Transportation and you're working with the Congress on this concept that this bridge is one that's a Federal responsibility. How would you, if you were on our side, put forth a persuasive argument for the secretary of Transportation to embrace the totality of these costs?

Ms. WILLIAMS. I think everybody stated it earlier, and I am with you on this, I think it is a unique bridge and it is clearly the Federal Government's responsibility. Maybe phasing gives you the

flexibility that you need. But I think everybody has sort of gone over that ground this morning. As long as all the components are included, you could build the most important piece first and phase in the different sections as long as the whole picture was going to be completed.

Senator WARNER. Historically, within the Department there has got to be a concept, a record that this is a Federal responsibility, and this is simply a continuation of that responsibility. I think that's the thesis of the argument.

Mr. Mayor, just in a few words, put aside your text, you, together with others who will soon be testifying, a number of your residents have come together in various groups, and you know the witness list today, but this is something that is very fervently felt by the community. The community is facing this astonishing figure of I believe an estimated 43 percent growth in the region.

Alexandrians, quite properly want to preserve not only for themselves but for the whole of America the uniqueness of this historic community. A part of that is your desire to see that the physical size of this bridge is reduced. What is the critical difference between 10 and 12 lanes as it relates to the environmental and intangible considerations that are of such great importance to the residents of your community?

I get up every morning and listen to the highway report. Every one in the region starts with the Woodrow Wilson Bridge. This project is going to have perhaps one of the most significant economic and cultural and environmental impacts on this greater metropolitan area of anything in my lifetime, comparable to putting the Pentagon down. What is it that you think could be adversely affected in this community of historic recognition by the margin of 10 to 12 lanes?

Mayor Donley. Let me state for the record that, first of all, we believe that 10 actually works better than 12. Because actually what you've done is you've increased the carrying capacity for vehicles to five lanes across the Woodrow Wilson Bridge as opposed to trying to jam what is the vast majority of local traffic into three lanes. That's why a 10-lane facility actually works better than a 12-lane facility.

But let me also answer the question from a couple of different perspectives. We've been talking about number of lanes. What we haven't talked about is one of the elements in this particular proposal by the Coordination Committee, and that is the actual width of the span itself. The span we're talking about is designed, or at least projected by the Woodrow Wilson Bridge Coordination Committee, to be as wide as a football field is long. So your reasonable 12 lanes of traffic at 12 feet width would be 144 feet, and yet we're talking about something that's almost 300 feet wide. You build in some shoulders for safety considerations, 200 feet would seem reasonable. But we're still talking about something in a 300 foot range. That is the span that goes across the Potomac River.

When you get onto land at the interchanges which we're talking about, many of which are constructed to accommodate express/local configuration as well as HOV, the roadway is over 400 feet wide. Needless to say, I don't have to tell you the potential impacts that would have on what is recognized as a National Historic District,

that being Old Town Alexandria, not to mention a major recreation center at Jones Park, as well as a recreation center which is at the very northern tip of the Route 1 interchange.

You talked about the regional growth and regional perspective. But what we are ignoring in this whole debate about the Woodrow Wilson Bridge is the fact of where is that growth going to occur. That growth is going to occur largely to our south and to our west. Commuting is about making choices; it is about making choices of modes of transportation, it is about making choices on routes of transportation. What we ignore in this whole process is the fact that the growth will be south and west of Alexandria and we're not giving those residents any choices but the Woodrow Wilson Bridge. If you live in southern Prince Georges County and you work in Fairfax County, you have one option to get across the Potomac River and that is the Woodrow Wilson Bridge. We totally ignore the potential for a more efficient alternative that would be a southern crossing that would alleviate a lot of the demand at the Woodrow Wilson Bridge crossing.

Senator WARNER. We thank you, Mr. Mayor.

Yes, Mr. Collins?

Mr. COLLINS. Mr. Chairman, if I could just pick up on a point that you made earlier about not being a bridge engineer yourself, although getting some training for it. We come at this with sort of a simple-minded view that right now there are 12 lanes of Interstate highways leading up on the Maryland side, with 4 lanes of 295 and 8 lanes of the beltway. So there are already 12 lanes of traffic coming in. And on the Virginia side there are already 8 lanes of Interstate highway plus 8 more lanes of very high capacity, what an engineer would call arterials, with the Parkway and then Route 1. Congressman Moran said before, "If you build it, they will come." They are already there. And so you have 12 lanes on one side, 16 lanes on the other. We shouldn't put ourselves in the same position that people were back in the 1960's saying let's just build a 6-lane bridge.

Senator WARNER. Thank you.

Mr. Sarbanes?

Senator SARBANES. Thank you, Mr. Chairman.

Let me put this to you, Mr. Collins, because you are a transportation man. This notion of building another bridge somewhere, what is that going to cost? And then you have all the connecting roads that would have to feed into some other bridge like that. You're talking about another huge costly project, would you not be?

Mr. COLLINS. That's absolutely correct, Senator. Not only that, if you look at the experience around the Washington, D.C. area with the Three Sisters Bridge and other bridges that have been proposed, building a new bridge on a new location creates a whole new rachet up of environmental impacts. I think we have a consensus on this bridge. The city of Alexandria has taken a very responsible position knowing that the bridge is already there. We're able to do anything here because the bridge is already there. Talking about a bridge on a new location and new roads coming in and new growth around that area is, to us, a huge spider web of environmental problems.

Mayor Donley. Mr. Chairman, if I might add, because I think it is appropriate since we're talking about another bridge, that if we wait until the development to the south and development to the west occurs that I mentioned earlier, the only options that will be available when we finally do realize that a southern crossing is necessary would be those that are the most environmentally sensitive.

If we're going to potentially look at another crossing south of the Woodrow Wilson crossing, now is the time to do it while we can use some of the existing roadways that are currently in existence 10 to 15 miles south of the Woodrow Wilson crossing and not wait until the environmental impacts are too great.

Senator SARBANES. All right. I take it Alexandria is agreeable to a 10-lane bridge, is that correct?

Mayor Donley. Alexandria is agreeable to a 10-lane bridge. Essentially, what Alexandria would be agreeable to would be the recommended alternative without the HOV. That's what's driving I think an inefficient facility.

Senator SARBANES. Did you participate in the Coordination Committee?

Mayor Donley. Yes, I did.

Senator SARBANES. Weren't these issues discussed at great length in the Coordination Committee?

Mayor Donley. Yes, they were. Again, I think if you take a look at the Coordination Committee's traffic projections that are found in the environmental document itself, you will see that the efficiencies of the HOV do not warrant the additional expenditures. I might add that it was Alexandria's position throughout the Coordination Committee's consideration that a 10-lane facility would be sufficient.

Senator SARBANES. We understand the problem you're confronting. I'm sort of sympathetic in trying to work it out within the framework of the Coordination Committee's recommendation. In other words, Mr. Collins has talked about maintaining the capacity with the least footprint, and that seems to me sort of a positive and constructive way to think about this problem. But we established a process and we went through agony to work through that process. To simply sort of reopen it all again it seems to me is just going to create another lengthy delay which others have testified very strongly against.

I don't really want to argue the point. But I understand the concerns and pressures that are operating upon you, and I'm sure we're going to hear from the next panel about that. So we're not oblivious to these sensitivities. But this is obviously a very difficult problem to work out.

Mayor Donley. I agree with the difficulty and complexity, and I might add, there was never any reluctance on behalf of the Coordination Committee at one of its meetings to reopen an alternative that had been rejected earlier, that being a high span 12-lane bridge which then required further delay and more study and a supplemental EIS. In addition, some of the flaws that exist already, as I mentioned in my testimony, the air quality conformity analysis is flawed and will have to be performed again. There is ample time

to examine both the 10-lane facility and do so without substantial delay.

Senator SARBANES. Ms. Hanley, you wanted to comment?

Ms. HANLEY. One of the things I would like us to not forget this morning as we're talking about this is that both Maryland and Virginia are studying HOV capacity on the beltway. As we talk about concentrating development in areas where there are already facilities, and as the beltway becomes our main street in the suburbs, we have to remember that we may well need HOV capacity on the beltway in order to be able to run bus on the beltway. And as we talk about improving our transit mobility in the existing capacities, HOV is important. HOV is very controversial in many ways, but we can't forget that we're trying to move people not vehicles.

I think Kerry would agree that to redo the conformity analysis for air quality, HOV is not one of those things that violates air quality in the same way that additional SOV lanes do. As a matter of fact, as someone said earlier this morning, we have the premier HOV experiments in the country in Virginia. I am sure that the corridors in Maryland have the same kind of HOV access. So it would be difficult for us to eliminate the option as we think about people trying to get, from my perspective, to Tyson's Corner, which is a major employment center for all over the region, without some way to have it accessible by transit, and bus is transit.

Senator SARBANES. Thank you.

Senator WARNER. Congressman Hoyer?

Mr. HOYER. Thank you, Senator. I'm not going to ask any questions. I just want to make a couple of comments. One, I think the testimony has been excellent; well prepared, well thought out. Obviously, Mr. Mayor, we understand the particular perspective that you correctly have and we hear what you're saying. For Ms. Williams, I want to congratulate the Board of Trade, who has worked with my office and every one of our offices for many, many years, for having shown great vision on the transportation problems confronting us, not just immediately in the 5-year or 10 year cycle, but well into the next century. They do excellent work and are of great assistance to my office.

Ms. WILLIAMS. Thank you very much.

Senator WARNER. Congressman Wynn?

Mr. WYNN. Thank you very much. I too won't make any extensive comments or address questions. I do want to thank all the people who participated in the process, the local officials particularly who were the backbone of the Coordination Committee effort. I want to thank the Board of Trade for their leadership. They came by my office first to discuss this issue with me and begin talking about a reasonable transportation authority that could take over ownership of the bridge, if we resolve this first question. I appreciate the leadership they have shown throughout. The American Trucking Association has played an integral role in talking about how commercial transit is affected by this.

I also want to indicate to Mr. Donley that I'm sensitive to your concerns and respect your position. I do think this has been a lengthy process and compromises were made by all. You mentioned the fact that people wanted to reopen the issue over the size of the bridge span, but we didn't. People who did not want drawbridges

were not able to prevail. So in that spirit, I believe it has been a good effort. I would like to move forward and emphasize getting the money. Thank you.

Senator WARNER. Thank you, Congressman Wynn.

Senator Robb?

Senator ROBB. Not a bad way to end, just "Show me the money." Mr. Chairman, I want to join all of you in thanking our witnesses this morning. It has been very helpful testimony. You have been at this for a long time. We do have one more panel, so I will permit them to come forward a moment or two earlier by not asking any more questions. I thank you.

Senator WARNER. Thank you very much, Senator.

Colleagues, we will now have our next panel. We thank this panel very much.

Senator WARNER. Our final panel is Mr. Jonas Neihardt, president, Old Town Civic Association, Mr. Robert Montague, Alexandria Historical Restoration and Preservation Committee, Mr. Randal Kell, Vice Chairman of Government Affairs, Alexandria Chamber of Commerce, and Mr. Mike Lewis, Chairman of Legislative Affairs, Fairfax County Chamber of Commerce.

Mr. Neihardt, are you ready to lead off?

Mr. NEIHARDT. I am, Mr. Chairman.

Senator WARNER. Thank you.

STATEMENT OF JONAS NEIHARDT, PRESIDENT, OLD TOWN CIVIC ASSOCIATION, ALEXANDRIA, VIRGINIA

Mr. NEIHARDT. Mr. Chairman, I am Jonas Neihardt, president of the Old Town Civic Association in Alexandria, Virginia. I want to thank you for calling this hearing, as I think it is fair to say that this process has gone off course. Our President doesn't support the design that was recommended by the Coordination Committee and it doesn't appear that is fundable. I'll explain how we got into this situation, and I will conclude with a way out which I think is appropriate.

The Old Town Civic Association has worked since 1951 to preserve and nurture the Historic District in Alexandria as a living museum for future generations to learn from and enjoy. Unfortunately, Mr. Chairman, this living museum is threatened by the prospect of the bridge that we have discussed all morning that is 244-feet wide, and I'm here to say that plan is fiscally, environmentally, and historically irresponsible.

Old Town is not a theme park with a maintenance crew that is commanded by our mayor. All the work that is necessary to preserve the Historic District is done by us residents. Therefore, for Alexandria to continue as a national treasure that is visited by folks from all over the Nation and world it must be suitable to live in, and, again, I am here to say that the 244-foot wide bridge will make a majority——

Senator WARNER. May I interrupt. I am going to have that very important graphic design placed up here so that our cameras can capture it for the audience and people elsewhere in the Senate that are looking at it.

Mr. NEIHARDT. Thank you, Mr. Chairman.

Senator WARNER. That's a fairly awesome representation.

Mr. NEIHARDT. Thank you, sir. I included that as an attachment to my testimony so it is part of my written statement. I would only embellish by saying that it is one thing to look at the bridge sort of from outer space, which is as you had it depicted before you previously, and quite something else to view it from the ground or near the ground, which is what you see before you right now.

Senator WARNER. Is this done by a computer extrapolating from the current design? You might explain how this was put together. And if you don't know for certain, you can supplement it for the record because it is very important that we understand exactly how this was made.

Mr. NEIHARDT. This, to my understanding, is an accurate representation of the spaghetti which will come out of the 244-foot wide bridge at the first major intersection which is Route 1.

This graphic is a blow-up of a photograph of a FHWA model of the proposed Wilson Bridge replacement. The model resides in the Woodrow Wilson Design and Study Center, and the photograph was taken in June 1996. The configuration of the Interchange depicted in the model was determined by FHWA based on lane capacity of a 12-lane, 244-foot wide Woodrow Wilson Bridge replacement and interchange requirements of the Route 1 interchange.

Senator WARNER. Exactly how it was put together.

Mr. NEIHARDT. Yes, sir. I think if you were to put the other graphic back up, you would see as many loops and lines. Again, this is just looking at it from the ground.

I would only add that it is a lot of work to maintain a 200-year old home in the Historic District. It takes a lot of time and energy and money. Neither we, the current residents, nor anyone else is going to wish to stay there and do that if we have to live next to that. We've tolerated the current bridge, 96-feet wide, for about 30 years, and this bridge, which is almost three times as wide, would really push us over the edge and we would leave and there's no guarantee that the people who come in after us will take as good care of the place as we have.

Senator WARNER. You might give the distance between this old home and this projected interchange.

Mr. NEIHARDT. I think the nearest homes, which aren't necessarily the oldest homes, are right in the shadow. I think Bob can tell us how far it is from the first National Register property to the bridge. A few blocks maybe?

Mr. MONTAGUE. Yes. Maybe four.

Mr. NEIHARDT. Four blocks. And they're short blocks in Old Town because, again, they were laid out by our first President George Washington. They are smaller than blocks that we have in newer cities.

Senator WARNER. Mr. Montague, do you wish to be recorded there?

Mr. MONTAGUE. It's perfectly all right.

Senator WARNER. Fine. Thank you.

Mr. NEIHARDT. I would only say, Mr. Chairman and Senators, look to other large urban bridges and where they make landfall in our cities around the country and I think you will see that those are blighted areas. Those are not areas where people want to live. That is what we fear will happen to the Old and Historic District.

It is not enjoyable or sustainable to live in a community that's bisected by 244-feet of concrete. If you've ever left New York City and driven down the New Jersey Turnpike through Newark, it is 12 lanes right there with all the separations that are contemplated by the Design Center study. It is probably the ugliest place in America, in my opinion. We have no Senators here from New Jersey, so I'll say that. But I don't think that's what we want to do to Alexandria.

It is kind of ironic because we would argue that the 244-foot wide bridge isn't needed. We only have eight lanes on the beltway. We definitely need eight through lanes and, as Mayor Donley said, an additional two merge lanes. That was the proposal that was laid out by Congressman Moran. It is 150-feet wide and it is 10 lanes. The debate has unfortunately been between 10 and 12 lanes. That sounds like not much of a difference and maybe we can compromise on 11. But what we're really talking about here, what's really important is 150-feet of impact versus 244-feet of impact.

Senator WARNER. Do you know to the extent safety considerations drove the engineers from whatever figures you used up to the 244?

Mr. NEIHARDT. I'm sure that safety considerations were a part of that. All I can say is that one of the problems of this study was that the Design Center was supposed to go out and design the thing without regard to cost. These guys dutifully went out and designed a huge bridge that is designed to carry double the capacity of the current bridge. It has all the bells and whistles and it is as wide as it is because there were no cost constraints.

Senator WARNER. I think you're correct on that observation. But bear in mind, those of us who were around when 66 was planned, the day the ribbon was cut it was outdated. We've been playing catch-up all these years at a much higher expense than if the original design had been to accommodate such growth.

Mr. NEIHARDT. I recognize that, Mr. Chairman. What I would say as an appropriate reaction to that is that the second major flaw in this study is that the study was limited to the corridor immediately adjacent to the Wilson Bridge. Whether the FHA determined that they were so limited or if they were directed to just look at that area, it's not really clear to me, but they didn't look to the south at a possible second crossing. Unfortunately, there isn't another crossing across the Potomac for 45 miles. That's not a sustainable situation. And as a result, because the designers had no cost limitations and because they didn't feel they were allowed to look to the south at a potential second crossing, they designed this bridge to handle all the traffic in the metropolitan area and that's why it is as big as it is.

I really have two recommendations. No. 1, I would support a downsizing of the project to 10 real lanes and about 150 feet, with some flexibility, being roughly 150 feet.

Senator WARNER. I'm sure taking into consideration safety features. That's paramount.

Mr. NEIHARDT. Yes, sir. And an authorization from you all for these folks to go down and look a second bridge to the south. Again, looking at the I–66 experience, you can't build your way out of congestion. If you expand a road, it will fill up. I think what you

have to do in a situation like Washington, D.C. is disperse traffic, give people other ways to get across the river, and then you're not going to have the kind of bottlenecks we have today.

I am going to conclude. This is a very complex issue. We've been here all morning. When I'm confronted with complex issues, and I think you do, too, as senators, you look to some of our basic precepts as a country, you look to the Founding Fathers and their values, and I think about George Washington. George Washington lived in Mount Vernon, loved this part of the country, ran his business out of Alexandria, and he thought that this stretch of the Potomac from Mount Vernon up to the mouth of the Anacostia was really the most beautiful place in America, and that's why he lived there, ran his business there, chose Alexandria as his home town, and chose Washington, DC as our Nation's capital. I am very confident that he is looking over our decisionmaking in this process, and I think it would be a real tragedy to defile his river and his town with a bridge that is much too large and doesn't respect the place that he held very dear. I will close with that statement.

Senator WARNER. Thank you, Mr. Neihardt.

Mr. Montague?

STATEMENT OF ROBERT MONTAGUE, ALEXANDRIA HISTORICAL RESTORATION AND PRESERVATION COMMITTEE

Mr. MONTAGUE. That's a very difficult statement to follow because it was so good. My name is Robert L. Montague. I am chairman of the city of Alexandria Historical Restoration and Preservation Commission. We are a local government agency that is constituted to own real estate as much as anything else, and to be an advocate for preservation issues when the need arises. We own the Lloyd House on North Washington Street in fee simple and have an easement program over a number of other properties in the Old and Historic District. That is our principal function.

We have been drawn into this discussion of the Woodrow Wilson Bridge because it has such a devastating potential impact on the historic resources that we are charged with overseeing and trying to protect, and that is why I've been involved in this for a while. I'm not as emersed in it as some of the other speakers are because I'm purely a volunteer in this matter.

We are very much concerned with the width of this bridge. We could advocate an 8-lane bridge and be satisfied with that to relieve the bottleneck of the beltway, and we can tolerate a 10-lane bridge if that were to be the solution that was compromised upon. But we are really adamantly opposed to a 244-foot wide structure. It will have a vastly greater impact on the interchange areas than it really does over the river itself. Those interchange areas are somewhat loaded with historic resources. We have archeological sites that have not yet been fully discovered underneath gas stations, we have houses and buildings and roadways that are of historic landmark character that collectively comprise the National Register Historic District of Alexandria that will be fully impacted by this project. The impact will not be limited to the proposed area of potential effect that has been discussed most recently by the highway analysis.

We are very concerned by the flaws in the analysis that has been going on thus far and have submitted comments as to the errors and omissions and oversights in that process which seriously need to be corrected before we have a sound basis on which to plan the future of this project. We really need to look very hard at Congressman Moran's 10-lane proposal. It has not received the kind of consideration that it really is entitled to in arriving at a proper solution to this very real problem.

I am a user of this bridge myself, and I certainly am not here to say don't put it in my backyard. We all do need it. But I think our friends in Maryland may be a little more insensitive to the historic preservation issue than they should be. They have places like Fort McHenry and Annapolis and surely they should be as sensitive as we are in Alexandria to the fact that we have a priceless national resource to protect that is very fragile and can be, as Mr. Neihardt has pointed out, seriously undermined if the citizens who maintain it on a house-by-house basis lose heart. And I am encountering that kind of feeling in Alexandria.

I have been a part of this community all my life. My aunt wrote the book "Seaport in Virginia: George Washington's Alexandria," and helped to start the commission that I'm chairman of. We have been involved in fighting preservation issues ever since I've been old enough to know what an issue was. This is probably the most compelling problem we may ever have to face in regard to how to go about protecting the Historic District of Alexandria.

We cannot go on loading endless additional amounts of traffic into this very fragile corridor. We need to spread the load somehow. And we need to include other modes of transportation besides just the automobile and the truck in our thinking for that matter. I really wouldn't mind a bridge that had a sidewalk and a bike path going across it just as much as cars and trucks. But I think we probably have made a mistake not looking at a tunnel harder if we're going to spend the kind of money that we're talking about spending on a 12-lane bridge.

I think the bottom line issue is fiscal responsibility as much as historic preservation in this whole issue. I think you can serve both causes by going back to the drawing board long enough to look at Congressman Moran's 10-lane proposal. It is a lot less expensive because the interchanges that it is required to have to support it are much less expensive, much less land-consuming, much less destructive to the historic resource, and will save the Government a lot of money. I think in the rest of the country you're going to be competing with other States for these funds and it is not going to be that easy to get the amount of money we're talking about to do this bridge over. It may be that you'll wind up having to settle for just redecking the existing bridge before you're through.

I hope that all this 12-lane bridge really amounts to is a bargaining tactic and that we will wind up with something that is more protective of the Historic District while being more fiscally responsible and solving a transportation problem.

Senator WARNER. Thank you, Mr. Montague, very much. I think we're fortunate to have the benefit of community leaders like yourself who come forward and give perspectives other than the State and——

Mr. MONTAGUE. I'm the fellow who showed up in the Washington Post walking his dog under the bridge the other day, in case any of you saw that.

Senator WARNER. Oh, yes. I frequently walk along there and sort of in my own way look at that bridge and hope I can get some divine province to figure this thing out.

Now, Mr. Kell.

STATEMENT OF RANDAL KELL, VICE CHAIRMAN OF GOVERNMENT AFFAIRS, ALEXANDRIA CHAMBER OF COMMERCE

Mr. KELL. Good afternoon, Senator Warner, Senator Sarbanes.

Senator WARNER. Good afternoon. I guess it is afternoon, isn't it?

Mr. KELL. Yes.

Senator WARNER. I've been so absorbed I lost track of time.

Mr. KELL. I'm Randy Kell. I'm the chief executive officer of the Mark Winkler Company. I am appearing today as a volunteer representative of the Alexandria Chamber of Commerce. I serve on the Chamber's board and as its vice chair for governmental affairs.

Before proceeding, I would just like to take a minute to thank you personally, Senator Warner, for the leadership that you've shown on the bridge issue. I know that it is difficult enough to satisfy your constituents on matters of great public policy importance. I think it is probably even more difficult to satisfy your friends and neighbors on issues regarding the bridge which you can see and hear from your front porch as you discuss these issues with your neighbors. We appreciate your continuing leadership.

Senator WARNER. Thank you.

Mr. KELL. The Alexandria Chamber of Commerce is the largest business organization in Alexandria. We have 1,000 business members representing over 40,000 employees. We have been very active in the discussions leading to these decisions regarding the bridge, and we'll continue to do so.

We do think that Alexandria deserves special consideration; that the neighborhoods, the Historic District, and the adjacent property owners deserve special consideration. We think that it was a good result to avoid a high bridge. We think that's a positive result for Alexandria. We think that other special consideration will be given to the city and the impact on the city as the design proceeds. For example, I think the rendering of the interchange is of an interchange that won't be the final interchange. I think that the design committee intends to refine that interchange, and it is contemplated by all that it will be refined, so that it won't have that kind of impact.

From a business perspective, our interest is we want the replacement bridge to be the best affordable solution which will resolve the traffic problems that we've been encountering for years for the longest period and most flexibly. We have avoided getting into the discussion of 10 versus 12 lanes. I think that as the design proceeds, we will be getting into those issues a little bit more, and later on in my comments I would like to address that.

Our main emphasis though is on the necessity for speed. We've talked about the potential disaster that looms ahead of us here if we don't move forward. We in the business community have found through hard practical lessons that it is often better to implement

quickly practical solutions rather than delay to find a perfect solution to the problem, especially when the delay in implementations would risk the kind of disaster that we're facing today.

We've talked a little bit about full Federal funding, a whole lot about it, so I don't think I need to say more about that.

We support a further refinement of both the bridge and interchange. We anticipate that this kind of refinement will result in some downsizing of the footprint of the bridge and of the footprint of those interchanges. If it came to a reduction in lanes, we think it is absolutely necessary to have the express local separation. We would oppose any solution which would do away with that separation because we think that's the most efficient traffic planning approach. If we had to, we could live with the abandonment of a dedicated 24-hour HOV system on the bridge. We think that HOV could be accommodated in a smaller bridge efficiently if it had to be, and if we had to give up something, we would give up the 24-hour HOV.

Again, the interchanges I think are going to be refined and downsized. We would oppose any idea that you would drop off from this project the outer two most interchanges, the Telegraph Road interchange on the Virginia side or the 210 interchange on the Maryland side. We would also oppose delaying work on those interchanges. We think they are an integral part of this project, they are an integral part of the transportation system that the bridge if the focus of.

From an Alexandria business perspective, we would rather suffer our pain and get this project over with. We think that includes having all the construction on all these things done in the same timeframe. Thank you, Mr. Chairman.

Senator WARNER. Thank you, Mr. Kell, very much.

Mr. Lewis?

STATEMENT OF MICHAEL J. LEWIS, CHIEF OF STAFF, AMERICAN INSTITUTE OF AERONAUTICS AND ASTRONAUTICS (AIAA), AND CHAIRMAN OF LEGISLATIVE AFFAIRS, FAIRFAX COUNTY CHAMBER OF COMMERCE

Mr. LEWIS. Good afternoon, Mr. Chairman, Senator Sarbanes, Senator Robb. My name is Mike Lewis. I am with the American Institute of Aeronautics and Astronautics as chief of staff, and I've had the pleasure of speaking with several of you before in that capacity. But today I am appearing on behalf of the Fairfax County Chamber of Commerce as a representative representing thousands of companies and businesses that call Northern Virginia, and particularly Fairfax County, home. We are the largest Chamber of Commerce in the area.

The AIAA, my organization, is headquartered in Reston, Virginia, and, like every local business from that area, our employees really have a very strong interest in economic development and in improving our transportation system, making sure that system is the best it possibly can be.

Mr. Chairman, I would like to just summarize the rest of my statement. In particular, we feel the replacement of the Woodrow Wilson Bridge is the most important transportation issue the region will face. Mr. Chairman, as you know, we have a number of

problems and concerns over Northern Virginia—the extension of rail to Dulles, the fifth lane on the Capital Beltway, fixing the so-called "Mixing Bowl" at Springfield—but this project is clearly the most important project in Northern Virginia. It is a pending threat to our economy, our quality of life, and, quite frankly, since the Federal Government owns 100 percent of that bridge, it is like no other transportation project in Northern Virginia.

Therefore, I would like to join with our other business counterparts as they spoke this morning and early afternoon. We support full Federal funding of the replacement of the bridge, with sufficient capacity to meet the transportation needs for the 21st century and beyond. Within that statement, there are a few points that I would like to mention.

What are the effects if a new bridge is not built? Well, we've heard from the studies of the bridge that it has about 7 years of full capacity remaining and putting it at full use. The impending failure may also force some weight limits—truck bans. The Chamber of Commerce feels that is an unacceptable measure that we would have to be confronted with. We can imagine for a moment the effects it may have on morning and evening rush hour. We all drive through that rush hour every day. It is very difficult now. Just imagine if we have to detour heavy trucks into other areas of the region, or even a scenario of an Alexandria firm doing business in Prince Georges County and having to be detoured around the other end of the beltway or even looking at navigating a route through the District of Columbia simply to deliver a package just across the bridge. We look at that as an unacceptable compromise.

The aforementioned scenarios also have an environmental impact, and it clearly increases the cost of doing business, which is paramount to many of our members, and would put tremendous strain on the resources of those businesses. The longer term implication, we may see businesses choosing not to stay in our area any longer. Of course, that is going to take away very valuable jobs and, more importantly, tax revenues to retire some of our other concerns.

Our second issue is why the Federal Government should provide full funding. Quite simply, from our point of view, the Federal Government owns the existing bridge. It is just that simple. The Fairfax County Chamber of Commerce recognizes that there are some realities to the recent budget agreement which place limitations on Federal spending. We express some disappointment that the Chairman's call for increased funding was rejected as part of the agreement. It is our view that the budget agreement does not relieve the Federal Government of its responsibility to replace the structure which it solely owns. Business owners, of course, face these kinds of decisions every day. We have to make reinvestments in our infrastructure during very difficult and tight financial times. Why should the Federal Government be any different?

Third, the Fairfax County Chamber of Commerce strongly suggests that we not skimp on a decision of bridge capacity. The Chamber has been on the record before—we have no formal position on a specific design, but I think it is important that we say this, and say this very clearly—we should not replace one bottleneck for another bottleneck. Quite frankly, we feel that we would

like for the committee to maintain support for a bridge design that meets future demands. We should make sure that we do not incur any type of decision that would be a disservice to the investment of the taxpayer dollars that will be paying for this bridge.

In closing, Mr. Chairman, the Fairfax County Chamber of Commerce feels that the economy of the entire Washington metropolitan area is at stake in the pending decision. Traffic patterns are no longer vertical in and out of downtown Washington; we are a suburban-to-suburban transporting community. The Woodrow Wilson Bridge is a critical link. It is important to our economy, our businesses, our citizens, and even very important to the people who visit the National Capital area.

Mr. Chairman, the Fairfax County Chamber of Commerce appreciates the opportunity to appear today. We appreciate your leadership and we would like to offer any support that we can to help you facilitate this matter.

Thank you.

Senator WARNER. Thank you very much, Mr. Lewis. You are quite correct in your assessment of the impact on the economy of this region. This Nation of ours is struggling in a one world economy today and transportation is a very integral part of our ability to compete in that one world market.

I want to come back to Mr. Neihardt and Mr. Montague. I leave here with a worrisome concern about that 200-year old house, I don't know why. I walk the streets quietly and it's a joy. I look upon Alexandria as likened to Williamsburg, as observing a part of the heritage so that future generations can see how the founders of our Nation lived in those times. And I worry how this enlarged bridge would impact, negatively, presumably, on the lifestyle, if not the very structural existence, of that house or other associated structures within the historic part of Old Town Alexandria. Can you just sort of put the transcripts and statements aside and describe that concern? There was some inference that maybe people who now struggle largely at their own expense, not totally, to preserve these homes for the benefit of others will simply just board up the windows and say goodbye and go elsewhere.

Mr. NEIHARDT. Thank you, Mr. Chairman. Also, I want to thank Senator Sarbanes for staying here with us. There aren't very many senators who would sit for an hour and listen to four people from another State talk about their problems. But you have. If I were a Marylander, I would vote for you, sir.

[Laughter.]

Senator SARBANES. Thank you.

Mr. NEIHARDT. I'll tell all my Maryland friends.

Senator WARNER. He's a regional man.

Senator SARBANES. Thank you.

Mr. NEIHARDT. Thank you, Mr. Chairman. It really is sort of like multiplication. Things in Old Town are bad now with respect to the bridge. And as you know from walking around, you hear the rattling of the trucks and you feel it. Actually, the vibrations go right through you as the trucks pass over the expansion joints. There is just this sort of constant roar that we've all gotten use to.

Senator WARNER. Well, it would be my hope, and I'm going to look into this, that this thing can be engineered to bring down a

level of emanating sound to where it is lower than what is projected today.

Mr. NEIHARDT. I understand that can be done, Senator. The current structure is a steel structure and it creaks and shakes and rattles, and I understand that any new structure would be cast out of concrete which is a much quieter material. However, a lot of the noise, if not most of the noise—and if there's an engineer in the room, they can shout up and correct me—is actually generated by the tires on the road, that kind of whirring noise. It is simple multiplication. If you nearly triple the size of the bridge, you're going to have a lot more noise, a lot more unhealthy pollution.

Last, and very significantly, is the visual intrusion of this huge and wide structure passing through the Historic District. The Historic District is mostly homes that are two-stories plus maybe a dormer on the roof line. They are small houses. The whole community is of that scale. You will be able to see this bridge from almost anywhere that you are as you are close to the river portion of the Historic District. We're just going to be overwhelmed, I think is the best way to put it. And as I alluded to earlier, areas that are in the same boat around the country have become blighted areas. We want very much for that not to happen to Old Town. Thank you.

Senator WARNER. Just for the record, some of the structures in Old Town go all the way back to the late 1600's.

Mr. MONTAGUE. There is nothing in Alexandria of the 17th Century, but there are houses that go back to the 1750's.

Senator WARNER. The 1750's, that's the earliest?

Mr. MONTAGUE. Perhaps the 1740's. That's about as early as we get. There are 800 houses of the 18th and 19th century within about a square mile area of our Historic District and 100 of those are 18th century houses and the rest are 19th century. It is predominantly a Federal and victorian district, but there are a variety of architectural styles going back to georgian.

Senator WARNER. Would you care to expand on that very good statement by Mr. Neihardt?

Mr. MONTAGUE. I think everything he said is absolutely correct. We are actually going to lose a structure called the Virginia Shipbuilding Company Headquarters that was associated with the history of this country during World War I. We will lose the shipways, vestiges of which are still there, which are a very real part of the history of this country and of our community. So we are already faced with making a significant actual sacrifice of existing structures and remains. We will also feel the vibrations that Mr. Neihardt has talked of and hear the sounds and be disrupted by the construction process.

But the traffic impact is probably the thing that concerns me the most. The Route 1 corridor is already one of the most densely travelled and utilized arterials in the Northern Virginia area. Every rush hour in Old Town is almost a dangerous sort of thing to be out in for a pedestrian, especially at intersections like King Street and Route 1 where I go everyday to work. My office is at 1007 King Street and I walk from my home at 207 Prince Street to get to work. And so I encounter the traffic and the air pollution firsthand practically everyday already. This is just going to aggravate an already overworked situation. There is no way that I can believe that

enlarging the bridge is not going to create a much more difficult traffic problem in the Old Town streets.

Senator WARNER. Well, that's clear.

Mr. Sarbanes?

Senator SARBANES. I have no questions, Mr. Chairman. I did want to stay and hear this panel, and I think we've heard some very interesting and thought-provoking testimony.

I gather the association and the commission's entire focus thus far, and it would be understandable if that's the case, has been on trying to narrow down the bridge and not on various measures that might be taken to mitigate the impact of the bridge as proposed by the coordinating committee. Would that be correct?

Mr. MONTAGUE. That's quite largely correct. We haven't felt that any other mitigation proposed was anywhere near as important as getting the footprint reduced.

Mr. NEIHARDT. And let me say just to elaborate, we also haven't tried to slow down the process at all through any means. We're not NIMBYs. We will definitely handle our fair share of the region's traffic. But, again, the 244-foot wide bridge is just intolerable; it's just too much.

Mr. MONTAGUE. It could lead to litigation if it goes that route.

Senator SARBANES. Of course, we take our chances. I'm struck by some of the discrepancies in what is being presented. Some say we can do a 10-lane bridge, 150-feet wide, but to do a 12-lane bridge we have to go to 250-feet wide. Just on the face of it, that strikes me something is amiss either in the one projection or in the other projection. That's the kind of thing, it seems to me, that needs to be looked at. Maybe the 12-lane bridge need not be as broad as it is suggested, or maybe the figure that is used to contrast with it is an understatement. I was struck here today by what I thought was a real discrepancy between those two projections.

Mr. NEIHARDT. Well, an important part of politics is being able to frame the debate. Unfortunately, we, the residents, have lost that fight and the debate has been framed in terms of lanes. We wish it would have been framed in terms of feet, because when people say lanes you can't really relate it to anything. I didn't even know a lane was 12 feet wide until I got more educated on this. Again, we wish that everybody would think of it in terms of feet, because that's how we feel the impact is the width of the span.

To answer your question, I understand that FHWA regulations state that one may not design a bridge or a road that contains 6 lanes going in the same direction without a divider to separate some of the lanes. The addition of a divider between express and local traffic, with shoulders on either side of the barrier, adds about 50 feet to the total width of the 12-lane bridge. So, even though one additional lane is only 12 feet on each side of the bridge, the necessary barriers add 50 feet to that total. As a result, a 10-lane bridge is roughly 150 feet, and the addition of one lane adds 70 feet to that, for a total of about 220 feet. We understand that the additional 24 feet comes from other "extras" that FHWA wants for the replacement bridge, such as bike/pedestrian footpath. We feel that these extras add cost and width to the project unnecessarily and should be eliminated.

Senator SARBANES. Of course, there was a lot of pressure to build a bridge that was not a drawbridge and would be much higher. You were very resistant to that, as I understand it. That argument was heard by the Coordination Committee and, in the end, that has been significantly scaled back. So there has been some effort to show I think some sensitivity to the concerns you raise. I stayed, in part, because I wanted to hear those concerns.

Senator WARNER. I thank you, Senator. I'm sure the Senator has had the opportunity to study this.

I will take it upon myself as Chairman of the committee to explicitly ask that this issue of the bridge width be revisited. I have to stress that safety is paramount. Particularly, I'm very anxious to protect the pedestrian, bikeway, and other environmental features and quality of life features that are a part of the present plan. But there may well be some diminution that can be achieved, and that would of course reflect some cost savings which would be very important.

Senator SARBANES. I've seen projects—I'm not suggesting it here because I haven't walked the ground and seen it—but I've seen projects in which the impact that was anticipated from the highway project was substantially mitigated by focusing on various ways to sort of address the concerns that a community had. It can't be done entirely because the project is there and so you have to deal with that part of it, but there may be lots of ways in which this could actually not pose some of the concerns you have and, in fact, contain features that would be compensating to you. But I know that's an issue for another day. I understand where you are right now, and I guess if I were you that's where I would be as well.

Mr. NEIHARDT. Senator, let me just answer you with a request, and that is that as the width issue is resolved, and as you grapple with the cost issues, please help us out by continuing to stress the need for mitigation because one of our biggest fears now is that in an effort to reduce costs the mitigation stuff will be the first stuff to fall by the wayside.

Senator WARNER. I assure you, speaking for myself, that we're going to keep a watchful eye on that, very much so.

Mr. NEIHARDT. Thank you, Mr. Chairman, Senator Sarbanes.

Senator WARNER. I would note however, and I did not bring it up today purposely, but there's been a considerable debate on whether or not to preserve the navigation aspects of this stretch of the river, and whether the added costs incorporated with the drawbridge should be viewed as an option to save money. My understanding is that the city of Alexandria and the environs are very strong on the need to incorporate a feature by which navigation can be accommodated by vessels of such size that could not go under a reasonable bridge height. You all are in support of that concept?

Mr. MONTAGUE. I would have to say that I support preservation of the seaport heritage of the city of Alexandria, and ocean-going ships are certainly a very big part of that.

Mr. KELL. And from the Chamber's perspective, I think the economic development figures will show that maintaining that open-

ing is well worth the money in terms of the economic development potential and reality for both the District and Alexandria.

Mr. NEIHARDT. Mr. Chairman, I'm going to depart from the positions of my other panel members and ask you to look at the costs of opening a drawbridge. When you look at the total cost of maintaining a drawbridge and opening and closing it as well as at the height that is necessary, it is staggering. I'm not certain that it is justified to have a bridge of the height that we're talking about with a drawbridge in terms of the economic development that it can maintain. I don't believe that is the case. That might be something to send your crack staff after to just check that out.

Senator WARNER. Thank you.

It has been an excellent hearing. I wish to conclude by saying the record will remain open for a reasonable period of time. We will consider incorporation in that record documents submitted but we do have to exercise some control over the amount of printing cost. So thanks everybody.

The subcommittee hearing is adjourned.

[Whereupon, at 1:03 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

[Additional statements submitted for the record follow:]

STATEMENT OF HON. HARRY REID, U.S. SENATOR FROM THE STATE OF NEVADA

Mr. Chairman, there can be no doubt that the Wilson Bridge is a huge problem, perhaps even a disaster waiting to happen. All of us who live and work in this area are familiar with the problems. Tremendous traffic back-ups, constant maintenance, and federal highway inspectors who feel compelled to cheek the safety of the span with absurd frequency.

I do not want to be drawn into the debate over the design or the ultimate location for the Wilson Bridge replacement. The local residents and the federal, state, and local officials here this morning are the best ones to work out these details. However, I want to be firm in stating that the federal government has an obligation to solve this problem. The Wilson Bridge is federal property located on federal land.

Although the Wilson Bridge is the only federally-owned bridge on the Interstate Highway System, there are other federal bridges located at strategic points on our nation's highways. Most notable among these is the Hoover Dam Bridge spanning the border between Arizona and Nevada. Like the Wilson Bridge, it is being asked to handle far more traffic that it was ever designed to carry. There are also severe security patterns present at this heavily-travelled between points in Arizona and Nevada. The tight canyon curves and a very narrow bridge span atop the Dam make it a tremendously hazardous crossing. Traffic is nearly constantly backed up for miles.

Matters are only going to get worse. The highway crossing at Hoover Dam is part of the NAFTA corridor, which is going to see more and more truck traffic in coming years. Given the close quarters on the bridge, it is just a matter of time until a truck crashes into the electricity yard at the Dam or Lake Mead.

In a year when this Committee is going to re-authorize our nation's transportation program and, in so doing, give an unprecedented amount of authority and discretion to states and localities, it is nothing short of a disgrace that the federal government has not been able to do a better job of taking care of its own bridges. The federal government has a responsibility to take care of and replace federal bridges, particularly those on federal property.

Senator Warner, I look forward to working with you to ensure that the legislation reauthorizing ISTEA contains language providing a funding category for all federal bridges on public lands. Thank you.

STATEMENT OF HON. BARBARA MIKULSKI, U.S. SENATOR FROM THE STATE OF MARYLAND

The facts are beyond dispute. Marylanders see the need for a new bridge everyday. Traffic has outgrown the bridge: it now carries more than five times the origi-

nal design volume. The Wilson Bridge was built for Studebakers and we are now in the age of the minivan.

I'm not here to argue about this exit ramp or that guard rail. We have experts and engineers to do that. And after years of study, we have a plan. Delay is not an option.

While I may not be a civil engineer, I can only stay civil on this issue for so long. What we need now is action by the Federal Government to replace its own bridge.

It's not Maryland's bridge; it's not Virginia's bridge. It's the Federal Government's bridge. This is the only one they got in the whole country. So you would think that they could pay a little extra special attention to their only bridge.

I will work with the Department of Transportation and my colleagues in Congress to see that the Wilson Bridge replacement starts on time and causes the least possible inconvenience to the traveling public.

But I also want everyone to know that while the Wilson Bridge may be falling down I will not fall down on my commitment to have it replaced as soon as possible.

STATEMENT OF HON. STENY H. HOYER, U.S. REPRESENTATIVE FROM THE STATE OF MARYLAND

Mr. Chairman and Members of the Committee, thank you for holding this hearing on a key link in our Federal transportation system.

I am here to join with other Members of the Maryland and Virginia Delegations, with Secretary David Winstead, and with others in expressing my support for authorizing $1.6 billion for reconstruction of the Woodrow Wilson Bridge and related improvements. I have testified before the House Committee on Transportation and Infrastructure to express my support and am grateful for the opportunity to appear before you today.

There is no question that we must replace this vital link that was completed in 1963. Despite patchwork repairs, the estimated lifespan of the bridge is 5 to 7 years. It is a major bottleneck for regional commuters and for east coast traffic passing through Washington on Interstate 95. My constituents in Southern Maryland share horror stories with me about efforts to cross the bridge during both rush and non-rush periods.

The Wilson Bridge is the only federally owned bridge on the National Highway System. As such, I believe that the Federal share of this project should be 100 percent and, under no circumstances, less than 90 percent.

After extensive consideration, the Wilson Bridge Improvement Study Coordination Committee recommended a new 12-lane draw bridge to be located 300 feet south of the existing bridge. While concerns have been raised about this selected alternative, I think it is important to note that it was the consensus choice that resulted from several years of discussion.

This is not a new-start or a project that we can put on hold for future years. It is a pressing need for the Washington region and for the national transportation system. I urge that the Subcommittee authorize $1.6 billion for right-of-way acquisition, construction of a new bridge, and related improvements.

STATEMENT OF HON. TOM DAVIS, U.S. REPRESENTATIVE FROM THE STATE OF VIRGINIA

I want to thank the Chairman for the opportunity to testify about the Woodrow Wilson Memorial Bridge crisis that faces this region. Your leadership on this critical issue is greatly appreciated.

Despite the nation's highest rate of carpooling and a national ranking of third in the number of commuters that use transit, the region has the second longest mean commuting time in the country. The dollar cost of congestion in the region, based on wasted time and fuel, is the highest in the country and getting worse. I know this hardly comes as a shock to Members of Congress that live and travel around the region, but these figures dramatize the desperate need for major transportation improvements.

No single element of the regional transportation system is more critical than the Woodrow Wilson Memorial Bridge which spans the Potomac river on Interstate 95. Opening the Woodrow Wilson Bridge for river traffic or an accident on the bridge can create gridlock throughout the entire Washington region, and normal rush hour backups at the bridge last two and one-half to 3 hours in both the morning and evening. Built to carry 75,000 vehicles per day, the bridge now carries 152,000 vehicles per day and 17,000 heavy trucks each day.

The heavy traffic load on the bridge has shortened the 35-year-old bridge's useful life span to roughly 10 years. If action is not taken to replace this vital bridge, the region and every motorist and truck driver transiting the region will be affected. We could face unacceptable options such as rerouting truck traffic or reducing the number of traffic lanes to extend the life of the bridge. The traffic and economic impact on the region of reducing the already congested traffic flow on the Woodrow Wilson Bridge would be devastating.

As the Chairman knows this bridge is the only federally owned bridge. I want to repeat that—this vital regional bridge was built and is owned by the Federal Government.

For that reason, the Federal Government has an unparalleled obligation to work with the states of Virginia and Maryland and the District of Columbia to come up with a workable, cost-effective solution that meets the transportation needs of the region. The Federal Highway Administration has proposed a bridge replacement project that includes a 12 lane draw bridge and addresses problems with intersections that feed the bridge. The estimated cost of this proposal is roughly 1.7 billion dollars.

I look forward to continuing work with the Chairman, the regional delegation, and FHWA to make this bridge proposal more affordable, but I believe the Federal Government must commit to contributing at least 90 percent of the cost of a replacement bridge. This would be the normal Federal—state obligation on an interstate bridge project; it should certainly be the case for a bridge owned by the Federal Government.

Finally Mr. Chairman, the problems of the Woodrow Wilson Bridge have been identified and validated—the heavy traffic has shortened the life of the bridge to roughly 10 years. We must take action now to fund a replacement for this federally owned bridge or face a regional transportation catastrophe.

STATEMENT OF HON. JAMES P. MORAN, U.S. REPRESENTATIVE FROM THE STATE OF VIRGINIA

Good morning and thank you Mr. Chairman for providing everyone with an opportunity to testify on a matter of vital importance to my constituents, the metropolitan Washington, D.C. region, and interstate commerce along the 1–95 mid-Atlantic corridor.

The metropolitan Washington, D.C. region suffers some of the worst traffic congestion in the nation. According to the Texas Transportation Institute, which issues a report entitled, "Estimates of Urban Roadway Congestion," under a Federal Highway Administration grant, the Washington, DC. area is performing poorly. In measuring the congestion level of freeway mileage, this region suffers from the second worst congestion levels in the nation. The report also ranks this region second worst in total vehicle hours of delay per one thousand persons. The report concludes that the annual cost of vehicle delays and wasted fuel for this region totals more than $2.37 billion annually, ranking the region first in the Nation in per-capita cost of wasted fuel and time.

In no place is this traffic problem more critical than at the Woodrow Wilson Memorial Bridge. Cramming eight lanes of capital beltway traffic and a fair percentage of Alexandria and Southern Fairfax traffic that needs to cross the Potomac River each day onto a six lane bridge makes it a bridge to no where fast. Given the bridge's rapidly deteriorating condition, the states could soon be forced to close the bridge to all truck traffic and severely restrict automobile traffic. The consequences of these restrictions on this region would be devastating. Alexandria would bear the brunt of these restrictions as local commuter and interstate truck traffic traveled through local streets in search of alternative routes across the Potomac.

As a fellow resident of Alexandria, I know you are painfully aware of the challenge that lies before this Committee and Congress to replace the Woodrow Wilson Memorial Bridge. I think there are really two questions that this Committee and its House counterpart need to address as it considers legislation to reauthorize Federal highway and mass transit programs:

- what should Congress do to replace the current bridge? and,
- how much, measured in Federal dollars, should the Federal Government contribute toward the replacement bridge? The short answer to the first question is to fully fund a replacement bridge and prohibit the imposition of any toll. The answer to the second question is as much money as possible, but given a realistic appraisal of what Congress is likely to provide, enough to pay for a replacement bridge and cover modest improvements on the approaches and adjacent interchanges. The $400 million recommended by the Federal Highway Administration won't do it.

If we were operating in a different, less budget conscious era, the answer to the two questions would be the same. Since this bridge is owned by the Federal Government, it should be the Federal Government's responsibility to pay 100 percent of the proposed project to replace the current bridge. I don't part company from this expressed goal. If the Federal Government owns the bridge, it is up to Congress to pay the entire cost of building the replacement bridge. But, when the scope of the project includes more than just the bridge, it includes the approaches and improvements to four interchanges, two on either side of the bridge, it does not appear to be a winning argument in Congress, as you have already recognized, particularly given the fact that the cost of the replacement bridge is slightly more than one-third ($667 million) of the total project cost of $1.8 billion.

It may be heresy among some of my colleagues around this table, but the reality is that this project competes against the needs in forty-eight other states and ninety-six other votes in the Senate. If we cannot secure the full $1.8 billion in Federal funds, and the states are not prepared to fill the gap, my strongest fear is that the balance of the remaining costs will be collected through tolls. Tolls would be tantamount to placing use restrictions on the current bridge. With more than 70 percent of the bridge users local commuters and trucks with a Washington, D.C. area destination, a high percentage of them will avoid the tolls and use the local Alexandria streets to find other, toll-free options to cross the Potomac River. I, therefore, urge this committee to prohibit the use of tolls on the replacement bridge. Both the Governors of the Commonwealth of Virginia and the State of Maryland agree with this position on tolls.

I believe that given the current budget climate in Congress, we are not going to succeed in securing more than $1 billion in Federal funds for this project. All is not lost, however. I think these funds will be adequate to build a replacement bridge. And, until someone steps forward with between $4 billion to $7 billion to construct an additional two lanes on the capital beltway, $1 billion will more than solve the present bottleneck at the bridge and improve flow on the two most adjacent interchanges, U.S. Route 1 in Virginia and Maryland 295. A ten lane bridge is perfectly adequate to meet the capacity demands of an eight lane beltway. Even if the two states find the money and build a fifth lane on the beltway in each direction, the Federal Highway Administration's own traffic studies project that during morning and evening peak hours in the year 2020, a ten lane bridge would carry across the river between, at worst, 92 percent (outer loop in the evening rush hours) and at best, 98 percent (outer loop in the morning rush hours) of the vehicles that the 12 lane bridge would carry. Stated another way, the proposed eleventh and twelfth lanes improve traffic capacity by only 8 percent and only during the rush hours.

Yet, those two lanes involve more than just two, 12 foot wide lanes of pavement. The two lanes drive the need to provide the separation of express/local traffic lanes and a dedicated HOV lane in each direction. This separation adds an addition eighty-four feet of shoulders, ramps and barriers to the bridge's width and drives the cost of interchange improvements that must now be designed and built to separate all this traffic into three separate crossing options all headed in the same direction. The current 12 lane replacement proposal would comprise two bridge spans totaling more than 244 feet. In contrast, the American Legion bridge, which spans the Potomac River on the northern loop of the capital beltway carries ten lanes of traffic on a 136 foot wide bridge. Until the states are prepared to subject the rest of the beltway toward this same HOV/express/local separation of traffic. I see no need to start with the bridge, or realistically expect the Federal Government to pay for it.

I do not think the citizens of Alexandria would object to revisiting this additional capacity when and if the two states are prepared to widen the beltway. But, is it appropriate to do it now, particularly if the local commuters are expected to make up for a shortfall in Federal funds at the tollbooth?

And, if we really want to discuss future capacity and traffic growth, both states need to look beyond the Woodrow Wilson Bridge crossing for the solutions. According to the Council of Government's (COGs) 2020 forecasts, southern Potomac River crossing ten and 15 miles south of Alexandria, that would connect with Route 301 on the Maryland side, would reduce future Woodrow Wilson Bridge traffic by an estimated 10 percent and 4 percent, respectively. Last year, I asked Federal highways to initiate a feasibility study on this crossing as well as an outer beltway. I hope to be able to share the findings of the study with you very soon.

Mr. Chairman, you have a difficult job ahead of you. I urge you to do what is necessary to fund a replacement bridge that can realistically be built and paid for without the use of tolls. A ten lane bridge fits this bill.

Thank you.

STATEMENT OF HON. ALBERT WYNN, U.S. REPRESENTATIVE FROM THE STATE OF MARYLAND

I would like to begin by thanking Chairman John Warner for allowing me to participate in this important hearing before the Senate Subcommittee on Transportation and Infrastructure on the critical issues involved in the reauthorization of ISTEA.

I am pleased to be here today to discuss a very unique project the rebuilding of the Woodrow Wilson Bridge. The Wilson Bridge was built more than 35 years ago and was designed to handle 75,000 vehicles a day, but is now used by more than 175,000 vehicles per day, including 17,000 heavy trucks. If you have traveled along 1–95 from Maryland to Virginia, or listened to the morning traffic reports in this area, you are undoubtedly familiar with the Wilson Bridge. Rush hour traffic backups surrounding the bridge are legendary on the East Coast. Federal Highway Administration engineers have determined that the remaining useful life of the bridge is less than 8 years. There is no longer any question about whether or not the bridge should be replaced: it must be replaced as a matter of public safety.

Last fall the Woodrow Wilson Bridge Improvement Study's Coordination Committee, composed of officials from Maryland, Virginia, the District of Columbia and the Federal Highway Administration, recommended a 12-lane drawbridge design with upgraded access ramps. This new bridge will cost approximately $1.6 billion. The design and construction of a new bridge will take at least six to 7 years to complete, so it is essential that the Wilson Bridge replacement be funded in the reauthorization of ISTEA. Any delay in this process will mean that within 7 years, the Federal Government will have to begin extensive structural maintenance on the bridge to keep it safe—at significant cost—and may eventually have to restrict truck traffic on the bridge as well.

It is important to remember that if this bridge were owned by a state or states, the Federal Government would require the states to construct a structure and approach roadways that meet the planning date required by Federal regulations, which is currently the year 2020. The design recommended by the Woodrow Wilson Bridge Coordination Committee meets these Federal requirements by accommodating increasing traffic flows in this area.

The Wilson Bridge is a major link for 1–95 north-south traffic on the East Coast, as well as a critical route for Washington commuters. It is essential that we build a bridge for the future, as traffic flows in the area are likely to increase substantially. Because the bridge is owned by the Federal Government, the replacement should be fully funded by the Federal Government. The committee should not view this as a demonstration project; it is federally owned property.

If the Wilson Bridge were a state-owned bridge, its replacement would have been addressed in the early 1980's in the Interstate Completion program under the Final Interstate Cost Estimate, where funding was provided for critical projects in addition to the normal Federal aid apportionment. Under this program, the Federal Government funded 90 percent of the cost of the project. Funding for the Wilson Bridge was not addressed at that time because the bridge is owned by the Federal Government.

It is my hope that the committee will support at least 90 percent Federal funding for the Wilson Bridge construction in the reauthorization of ISTEA. I believe this is a reasonable and equitable approach that could be supported by a regional bridge authority, which would assume both ownership of the bridge and ongoing operating and maintenance costs.

I look forward to working with the Transportation Committees in both the House and the Senate throughout the ISTEA process. Thank you for your time and attention to these important issues.

STATEMENT OF HON. FRANK WOLF, U.S. REPRESENTATIVE FROM THE STATE OF VIRGINIA

Good morning. I want to thank Senator Warner for convening this hearing on such an important matter. The replacement of the Woodrow Wilson Bridge is a pressing need of our regional transportation network and the leadership of Senator Warner on this issue is greatly appreciated by those who live and travel through the Washington metropolitan area.

The Woodrow Wilson Bridge is a unique component of our nation's transportation infrastructure. It is the only bridge on the interstate highway system owned by the Federal Government, and that is why I believe the Federal Government needs to pay for its replacement.

The Wilson Bridge was constructed in the early 1960's and was designed to carry 75,000 vehicles daily. Today, over 160,000 vehicles cross the Wilson Bridge each day. Structural deformities have been identified on the Wilson Bridge which, if not corrected soon, will make it a safety hazard.

Clearly, we cannot afford to wait much longer to solve this problem. I am pleased that Virginia, Maryland, and the District of Columbia have been working closely to find a solution and help to get construction of a replacement structure under way.

I want to share with you several thoughts I have on how the replacement of the Wilson Bridge should proceed. First, I believe the new span of the Wilson Bridge should be wide enough to accommodate the traffic we expect to have 10, 20, and 30 years from now.

Second, I do not believe it should be a toll bridge. The Washington metropolitan area ranks second, behind Los Angeles, as the most congested region in the country. One can only imagine how bad congestion would be if tolls were charged on the new Wilson Bridge. Monumental traffic jams and tie-ups would result, as local traffic and other travelers would be forced to wait in line to pay tolls to cross the bridge.

Finally, I believe the Federal Government has responsibility to pay for the replacement bridge as well as several interchanges leading to it. We know that the Wilson Bridge is unique as it is the only federally owned bridge on the interstate highway system and the Federal Government needs to honor this responsibility.

Again, I want to thank Senator Warner and the rest of the regional delegation for their work on this matter.

STATEMENT OF JANE F. GARVEY, ACTING ADMINISTRATOR, FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Mr. Chairman and Members of the Committee, I am pleased to be here today to discuss a critical link in our regional and national transportation systems-the Woodrow Wilson Memorial Bridge.

I. The Woodrow Wilson Bridge and Infrastructure Needs Nationwide

The problems of the bridge are ones we are experiencing across the Nation today; faced with limited public resources, we must find a solution to the structural and capacity problems of an aging but vital segment of our Nation's surface transportation infrastructure. Designed in the 1950's the Woodrow Wilson Bridge was planned as a bypass around Washington, DC, that would carry 75,000 vehicles per day. But today, the bridge serves as a daily commuter route, with 85 percent of the traffic either originating or ending their trips in the Washington metropolitan area. In addition, the bridge is a key link in the Interstate 95 corridor for thousands of truckers and travelers. In total, daily traffic volume on the bridge now exceeds 170,000 vehicles—more than twice the original design capacity—including 17,600 heavy trucks. Future traffic and travel projections for the region indicate that the bridge's current structural and operational deficiencies will only increase if not addressed. The region's employment destination pattern has shifted over the years, away from a concentrated business district in the central city to one where several suburban locations also serve as major employment centers. Population and employment growth estimates for the next 25 years predict an increase in travel demand of more than 70 percent on our regional highway system, while highway capacity is expected to expand by only 20 percent.

The Woodrow Wilson bridge is the only part of the Nation's Interstate System that is federally owned The transfer of ownership of the bridge to the State and local governments has long been a part of our discussions. An agreement providing for the transfer of ownership was executed in 1985, however; for a variety of reasons, the transfer of ownership has not taken place. In the National Highway System Designation Act of 1995 (NHS Act), Congress provided for the consensual transfer of ownership of the bridge from the Federal Government to a multi-state authority, upon agreement as to the Federal contribution to the cost of maintaining the current bridge and constructing the new crossing.

Virginia, Maryland, the District of Columbia, and the Federal Highway Administration (FHWA) agree that the structural and operating problems of the Woodrow Wilson bridge need to be addressed in the near term. Through the Coordinating Committee established to study the problem, agreement has been reached on a preferred alternative. However, we have not been able to reach agreement on how the bridge and the overall project should be funded.

The Administration has proposed a $400 million Federal contribution to the cost of the new crossing This is based on Congress' direction, in the NHS Act, that at a minimum the Federal contribution was include the cost of rehabilitating the exist-

ing structure, the cost of a replacement facility built to current engineering standards, and the cost of design for the recommended alternative. The FHWA reads this provision to mean a six-lane replacement structure, and believes that the cost of a larger structure and the roadway approaches to the bridge should be a State responsibility.

In determining the Federal contribution to the new crossing, Congress and the Administration are faced with the realization that similar critical transportation needs exist in many locations across the country. For example, increased trade with our two biggest trading partners, Canada and Mexico, has led to the need for improvements at our northern and southern border crossings. Increased trade with Asia and Europe has led to significantly higher traffic through ports, creating the need for capital improvements in port access Within the interior of the country the increased flow of international and interstate transportation has led to the formation of regional trade corridor coalitions, seeking Federal assistance in accommodating growing traffic. Metropolitan areas across the Nation are increasingly the economic engines of the U.S. economy; these areas, like the Washington metropolitan area, look to the Department and to Congress for Federal assistance in accommodating their growing passenger and freight mobility need. Rural States and areas also look to us for support, as they contribute to the national economy, especially through agricultural production, tourism, and manufacturing, which depend upon a good transportation system to allow these areas to participate fully in the economic vitality of the Nation. The breadth of Federal responsibilities that must be balanced in reauthorization also includes ensuring the safety of the traveling public, protecting our environment, exploring new transportation technologies to solve real world problems, and improving roadways on lands owned by the Federal Government.

These transportation spending needs must be considered in the larger context of the entire Federal budget and the bipartisan effort to balance-the budget by fiscal year 2002 It was against this backdrop of tight budgetary constraints and competing infrastructure needs nationwide that the Administration faced the same challenge Congress is grappling with. now in developing our reauthorization legislation.

We anticipate that implementation of the overall project would employ innovative techniques and rely on multiple revenue sources to minimize the budgetary impacts of the project on both the Federal Government and the States. Over the past 3 years, many major projects like the Alameda Corridor in California, State Highway 190 in Dallas, and E–470 in Denver, as well as smaller projects in Maine, Alaska, and Kansas, have turned to public-private partnerships, loans, credit enhancement, and dedicated revenue streams in order to assemble the financing necessary to advance these options may also be promising for the Woodrow Wilson Bridge. Another potential mechanism to manage the budgetary impacts would be to implement the overall improvement in phases over a longer period of time.

II. Joint Responsibility and Joint Efforts to Identify a Solution

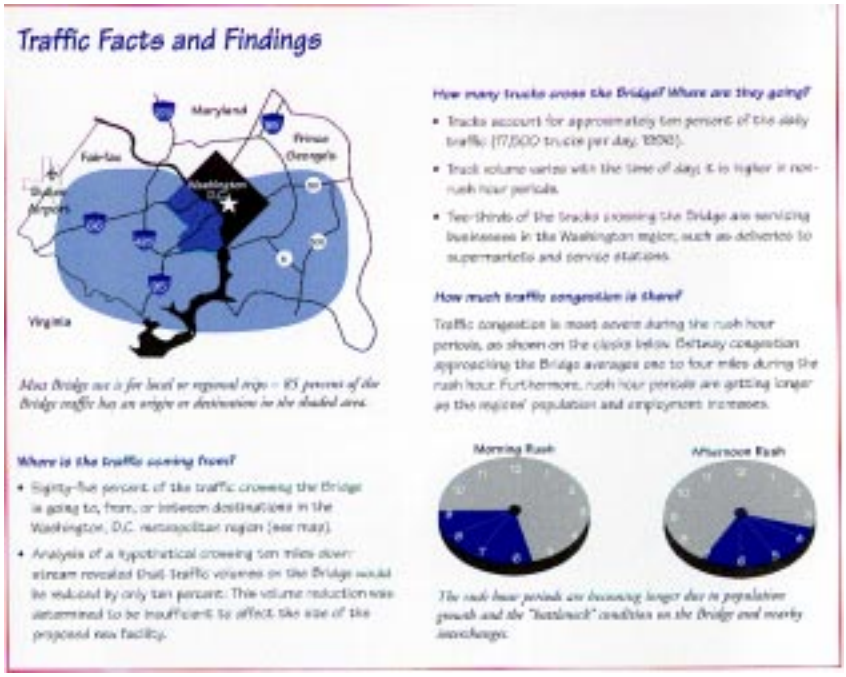
Since we initiated the Woodrow Wilson Bridge Improvement Study 8 years ago with the District, Maryland, and Virginia to explore capacity expansion options for the bridge, the FHWA has emphasized a broad-based, consensus-building approach. We have also involved the area's metropolitan planning organizations, local officials, and concerned citizens in this process. For instance, the Woodrow Wilson Bridge Coordination Committee, comprised of Federal, State, and local elected officials, was created in 1992 to further expand this partnership and to identify a solution that would enhance mobility while assuring that community and environmental concerns were addressed. The Coordination Committee met with citizen groups, hosted public workshops throughout affected communities, and conducted extensive environmental analysis before identifying a preferred alternative for a new crossing last fall: twin drawbridges spanning 70 feet above the navigational channel along the alignment of the current bridge, at an estimated cost of $1.575 billion.

This collaborative process used to identify the preferred alternative appropriately reflects the joint responsibility of the Federal, State, and local governments in crafting a solution to this transportation problem. We recognize that this collaboration has been essential and must continue, because no critical transportation issue can be resolved by a single entity.

III. Conclusion

While congestion mitigation activities, restrictions on truck travel, and renovation of the current bridge are all viable short-term solutions to the structural and operational needs of the Woodrow Wilson Bridge, consultants and government bridge experts do not recommend continuing to rehabilitate the bridge beyond the end of its useful service life in 2004. Quite simply, there is no long-term alternative to the replacement of the existing bridge. Through partnership and shared commitment, we

will continue working with Congress to fulfill our Federal responsibility for the bridge and with the District, States, local officials, and affected citizens to identify the necessary funding sources to construct an appropriate replacement crossing.



Traffic Facts and Findings

Most Bridge use is for local or regional trips – 85 percent of the Bridge traffic has an origin or destination in the shaded area.

Where is the traffic coming from?

- Eighty-five percent of the traffic crossing the Bridge is going to, from, or between destinations in the Washington, D.C. metropolitan region (see map).
- Analysis of a hypothetical crossing ten miles downstream revealed that traffic volumes on the Bridge would be reduced by only ten percent. This volume reduction was determined to be insufficient to affect the size of the proposed new facility.

How many trucks cross the Bridge? Where are they going?

- Trucks account for approximately ten percent of the daily traffic (17,000 trucks per day, 1996).
- Truck volume varies with the time of day; it is higher in non-rush hour periods.
- Two-thirds of the trucks crossing the Bridge are servicing businesses in the Washington region, such as deliveries to supermarkets and service stations.

How much traffic congestion is there?

Traffic congestion is most severe during the rush hour periods, as shown on the clocks below. Beltway congestion approaching the Bridge averages one to four miles during the rush hour. Furthermore, rush hour periods are getting longer as the regions' population and employment increases.

The rush hour periods are becoming longer due to population growth and the "bottleneck" condition on the Bridge and nearby interchanges.

Where is the Woodrow Wilson Bridge and Why Does it Need Improvement?

The Woodrow Wilson Memorial Bridge (the Bridge) is the only Potomac River crossing in the southern half of the Washington, D.C. region. Designated as both I-495 and I-95, this heavily traveled bridge is the only federally owned drawbridge on the interstate system. The Bridge's heavy traffic demands have produced three unequivocal deficiencies:

- Traffic Volumes – The Bridge carries 175,000 vehicles per day, more than twice its structural design capacity. By the year 2020, there will be a 67 percent increase in work trips, resulting from 43 percent population and employment growth in the greater metropolitan area. These increases will result in an estimated 300,000 daily trips across the Bridge in the year 2020. Within the next seven years, the existing and projected traffic demand may lead to a need for substantial repairs and possible vehicle weight restrictions.

Four lanes from the Beltway and three ramps must merge into only three lanes in each direction on the Bridge – creating the bottleneck.

- Capacity – Because the current Bridge has only six lanes and limited shoulders, it creates a "bottleneck" for the approaching eight-lane Capital Beltway traffic. This results in accident rates twice those of other segments of the Beltway and in stop-and-go traffic conditions that contribute to decreased air quality.
- Accessible Connections – Inadequate interchange operations at both ends of the Bridge result in congestion and accidents on local streets and ramps, and in the limited merge area.

Engineering and cost analyses concluded that it is not economically feasible to rehabilitate the Bridge to increase its capacity. A new facility will provide opportunities for safety shoulders and additional lanes, such as lanes for high occupancy vehicles (HOV), express buses, rail transit, and pedestrian and bicycle access.

Existing view of the Woodrow Wilson Bridge over Jones Point Park, looking towards Hunting Towers.

Study Process and Decision Making

Public workshops provided for open, yet focused discussion of issues.

What is the Coordination Committee and its purpose?

The Coordination Committee consists of 14 elected officials from state and local governments in the District of Columbia, Maryland and Virginia, as well as representatives of local, state and federal government agencies. A list of Committee members is provided on the back cover of this brochure.

The Committee was formed to identify a bridge improvement solution that would not only enhance mobility, but also ensure that community and environmental concerns were addressed. In this effort, the Committee initiated a thorough analysis of community and environmental concerns, and regional and local mobility issues and needs. In September 1996, they recommended a preferred alternative based on the analyses, the information gathered from the public involvement process, and four public hearings.

How did the Coordination Committee conduct the study?

The Coordination Committee followed the guidelines of the National Environmental Policy Act (NEPA), and associated federal, state, regional, and local requirements. The effects of the project were analyzed through the year 2020, a planning horizon established by the Metropolitan Washington Council of Governments. The NEPA process provided numerous opportunities for federal, state, regional, and local agency coordination and consultation during the analysis and preparation of the environmental impact statement. The Committee also implemented an extensive public involvement program, involving more than 1,500 active citizen participants, and created a community-based Study and Design Center.

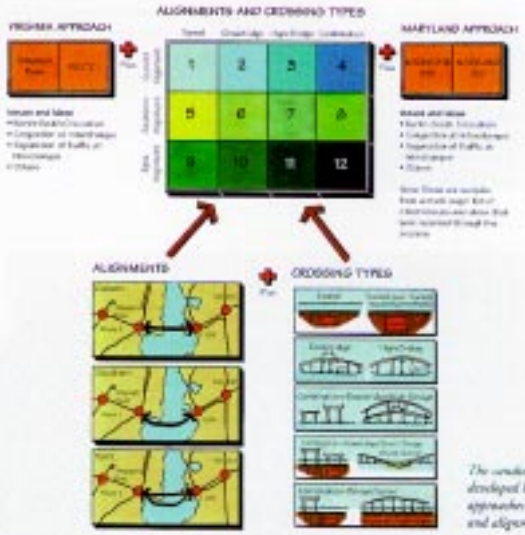
How was the community involved?

In 1992, the newly formed Coordination Committee decided to take a "fresh look" at the problem. With this goal in mind, the Committee carried out the following actions:

- Added urban designers to the study team to address community and environmental concerns, benefits and enhancements;
- Created an on-site, community-based working office at the Study and Design Center in Alexandria;
- Held various forums for the development of issues and solution ideas, including comment periods at more than 30 Coordination Committee meetings, 14 town hall meetings, 23 open houses, and four public hearings;
- Tasked eight work groups to analyze issue areas (traffic, environmental, transit, etc.) and present findings and recommendations to the Coordination Committee; and
- Maintained a newsletter and correspondence mailing list of more than 9,000 citizens, 250 civic and business associations, and 75 local, regional, state, and federal officials.

The study process was founded on balancing community, environmental and transportation concerns.

Major Questions Defining the Solution



The candidate alternatives were developed by matching landside approaches with river crossing types and alignment options.

What alternatives did the Committee consider?

The community provided the Committee with more than 50 critical issues and 350 solution ideas. In response, the Committee explored three crossing locations (i.e., split, southern, and current) and four crossing types (i.e., tunnel, drawbridge, high bridge, or combination). They also analyzed the diversion effects of a downriver crossing, an enhanced regional transit service for the Bridge, and other regional and local congestion management strategies.

Why is this project one of the most complex urban transportation improvement studies in the nation?

The project involves four jurisdictions (Federal Government, Maryland, Virginia, and the District of Columbia) and more than 60 agencies, each with different laws, regulations and procedures for improving the Bridge and its approaches. For example, a thorough multi-agency analysis was required of the potential effects to the communities and historic districts surrounding the existing Bridge. Public participation and outreach has also been an essential, but time-consuming, element of the decision-making process.

The Woodrow Wilson Bridge provides the only river crossing for the southern half of the Greater Washington Region. The nearest river crossing is four miles north at the 14th Street Bridge.

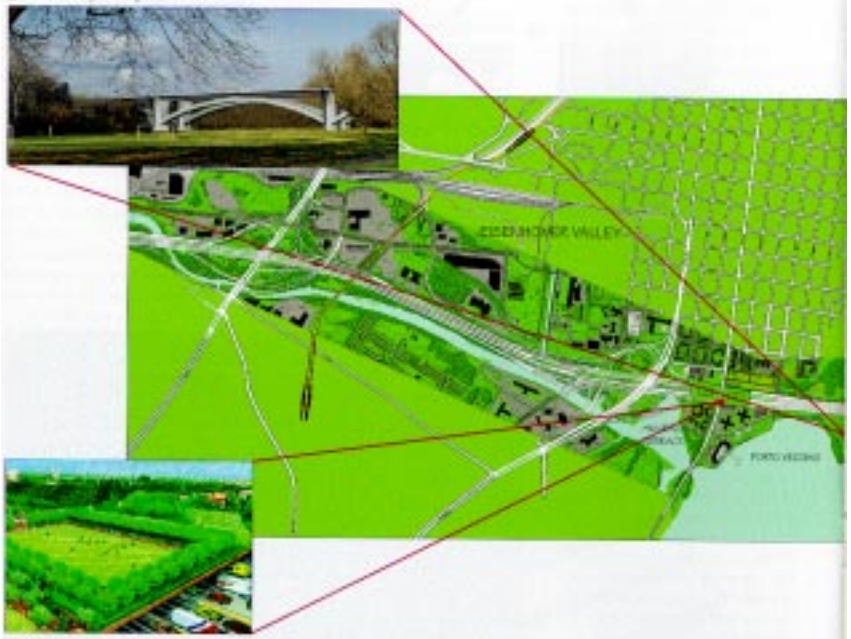
What has the Coordination Committee Recommended?

At the September 26, 1996 public meeting, the Committee recommended its preferred alternative for the Bridge and corridor improvements: side-by-side drawbridges, with a 70-foot navigational clearance, to be built near the existing Bridge on the current alignment.

This alternative also includes improvements to the four nearby interchanges at Telegraph Road, U.S. Route 1, Interstate 495, and Maryland Route 210, and enhancements to adjacent parklands and affected communities. Once the new facility is in operation, the existing Bridge will be removed.

This decision culminates more than four years of progressive decision-making and analysis by the Coordination Committee.

The proposed arch design minimizes the number of piers and provides greater visibility in the park.



The urban deck in the Washington Street area of Alexandria will reconnect the residential neighborhoods once separated by the Beltway; lower vehicular noise levels in the surrounding residential neighborhoods; and provide added recreational amenities, such as pedestrian and bicycle trail connections, from the Bridge to the Mount Vernon Trail.

The deck-over in Queen Anne's Park will unite the northern and southern ends of the island, create an observation deck with panoramic views of the river from Maryland, and tie the pedestrian and bicycle facility from the Bridge to the planned Potomac Heritage Trail.

A possible concept for the new Bridge, as viewed from the Torpedo Factory in Alexandria. The Committee has promoted a visually open design to complement Washington's collection of landmark bridges. The final Bridge design will be determined in the next phase of the project.

Major Questions Defining the Preferred Alternative

Why are interchanges being rebuilt?

The existing four interchanges in the study corridor cannot safely handle the projected traffic volumes. Approximately 70 percent of the traffic traveling within the study corridor gets on or off at one of the four interchanges during rush hours. Furthermore, during the rush hour periods, nearly one-third of the traffic on the outer loop of the Beltway converges from Route 1, just as the Beltway is reduced from four to three lanes. This results in congestion on the Beltway, backups on local streets, and a high accident rate. Because the current interchanges cannot be economically adjusted to correct for their insufficient capacity and for unsafe operations, the Committee recommended a complete rebuild of the four interchanges.

What are the improvements in safety and reduced traffic congestion for Bridge users?

The accident rate should decrease, nearing average rates for other segments of the Beltway, such as on the Beltway approaches to the Bridge in Maryland and Virginia.

The provision for full shoulders will allow for effective enforcement and efficient accident and incident management.

When the Bridge opens in 2005, backups are not expected on the Bridge, on nearby interchanges, or on the approaching Beltway. The express lanes are expected to flow freely through the year 2020. Traffic congestion in the local lanes is not expected to exceed current levels.

The urban deck at Washington Street.

Will drawbridge openings back up traffic?

Because the new drawbridges will be 20 feet higher than the existing Bridge, the number of openings will be reduced to about 65 per year (or about one per week), down from the current 220 openings per year. Based on current marine traffic, this is a 70 percent reduction.

The drawspan schedule for the new Bridge will be consistent with current U.S. Coast Guard regulations, which restrict openings during rush hour.

Will our neighborhoods be disrupted during construction?

When developing alternatives, the Committee placed a high priority on minimizing disruption to local communities. The Virginia communities of Hunting Towers and Terrace, south of the Beltway, will be most affected during construction. However, a community-based program will be implemented to enable interested families to relocate within their neighborhood.

How many lanes will the new Bridge have?

The new Bridge will open with ten lanes:

- Eight general purpose lanes, which will match the number on the existing Beltway;
- Two merge/auxiliary lanes to allow safe acceleration and deceleration of vehicles traveling between the adjacent Maryland and Virginia interchanges;
- A pedestrian and bicycle facility, with appropriate safety barriers, which will connect to parks and trails on both sides of the river; and
- An express/local configuration to balance through and local traffic, and to provide safe operations and enforcement.

In an express/local configuration, longer trips (through the area or across three or more interchanges) would occur in the express lanes. Shorter trips would occur in the local lanes. The express/local configuration offers opportunities not only to separate traffic by destination, but to operate under a variety of lane management techniques (HOV, express bus, etc.).

The new Bridge will be wide enough to permit reconfiguration for future HOV/express bus/transit lanes based on future needs. This reconfiguration will occur when connecting systems are in place.

The Committee also recommended the interchanges be refined during preliminary design in order to minimize their footprint and cost without detrimental effects on safety, operations, or consistency with the preferred alternative.

When will the new Bridge open?

The new Bridge is expected to open for traffic in 2004 or 2005, based on construction beginning in 1999.

How much will the preferred alternative cost?

The total estimated cost for the new Bridge, interchanges, parkland improvements, and community enhancements is $1.6 billion (1997 dollars). The Bridge will cost approximately $590 million. The

Proposed Quiet Aerial Park promenade.

Maryland and Virginia approaches, interchanges and enhancements will cost approximately $440 million and $570 million, respectively.

How will the preferred alternative be paid for?

Because the Bridge is a federal facility, final funding arrangements will require coordination and agreement among Congress, the Administration and the affected jurisdictions. Congress is scheduled to discuss funding during its 1997 legislative session. The possibility of toll financing is a consideration, with current estimates for one-way automobile tolls ranging from $1.00 to $1.50.

What happens next?

The environmental study process is expected to conclude in the summer of 1997, with publication of the "Final Environmental Impact Statement" and the "Record of Decision" by the Federal Highway Administration. These documents will explain the selection of the preferred alternative and describe any associated commitments that emerged from the environmental study process.

As the improvement study moves into the preliminary design and engineering phase, continued public and agency coordination with local, regional, state, and federal organizations is expected.

With a minimum landside width of 244 feet, the express/local configuration provides for much needed safety improvements, incorporates HOV/express bus/transit opportunities, and minimizes congestion in the designated lanes.

Major Project Activities (1992-1997)

Existing Bridge as viewed from Jones Point Park waterfront

Spring 1992

- Coordination Committee formed with key jurisdictions and agencies

January-December 1993

- Coordination Committee agreed upon study structure, final membership and format for public outreach
- Study and Design Center opens in November to begin public outreach

January-June 1994

- Four town hall meetings held to identify key issues and concerns
- Committee establishes scope of the project: maximum number of lanes (12), transportation modes to be analyzed (HOV, transit, etc.), study area, 75-100 year life for new bridge, range of funding options, marine traffic accessibility, and state, regional and local plan coordination
- Committee and agencies confirm formal purpose and need for project

July-October 1994

- 350 ideas from town hall meetings distilled into 33 different options for crossing type and alignment
- Based on Engineering Bridge Rehabilitation Study, Committee recognizes rehabilitation is not a cost-effective option and agrees to replacement strategy
- Committee selects 17 crossing options for further analysis

November 1994-April 1995

- Analyses conducted on number of lanes, lane designations, truck traffic, corridor transit, urban design, and economics
- Diversion effects of downriver crossing analyzed and presented
- Analyses helped to guide the Committee in developing eight candidate alternatives, which include not only crossing types and locations, but also interchange improvements and community enhancements

May 1995

- Public alternatives development workshops held in Maryland and Virginia to review and comment on eight candidate alternatives

June 1995

- Coordination Committee selects seven river-crossing alternatives for further study
- Introduction of optional concepts for toll operations, toll financing, Eisenhower Valley and National Harbor (formerly PortAmerica) access – decisions on these optional concepts to be deferred pending additional analysis

July-December 1995

- Committee eliminates 8-lane alternatives; focuses on 10-lane and 12-lane river crossing alternatives with express/local configuration
- Redevelopment strategies for Washington Street area developed with City of Alexandria
- Various interchange configurations developed and analyzed
- Fixed versus moveable span analyzed
- Relocation of navigation channel explored and rejected
- National Highway System legislation enacted in December 1995, requesting a preferred alternative, implementation schedule, cost estimates, federal share, and draft bridge transfer agreement by October 1996

January 1996

- Supplemental Draft Environmental Impact Statement (SDEIS) released and public work sessions held in Maryland and Virginia

February 1996

- Public hearings held in Maryland and Virginia on the January 1996 SDEIS

March-April 1996

- Committee considers high bridge alternatives in response to public hearing comments

May 1996

- Bridge design work session offers range of bridge design concepts; arch concept appealed to many
- Committee eliminates all tunnel configurations on the basis of environmental and cost implications
- Committee endorses lane designation to match Beltway (eight lanes), merge/auxiliary lanes for safety (two lanes), and flexibility for regional HOV/express bus/transit (two lanes) with express/local designation for safety and improved operations
- Regional air quality conformity analysis initiated
- Maryland and Virginia governors sign legislation allowing the creation of a bridge/tunnel authority

June-August 1996

- Study focuses on refining the bridge/tunnel combination and side-by-side bridges with fixed (high bridge) or movable span (drawbridge) options
- Second SDEIS released for public comment and review (July 1996)

September 1996

- Public hearings held on July 1996 SDEIS
- Committee recommends side-by-side drawbridges as preferred alternative based on public and agency comments and analysis

October-December 1996

- Commonwealth Transportation Board endorses Committee's recommended alternative
- Enhancement and mitigation plans refined with local jurisdictions and federal cooperating agencies
- Access to be provided for National Harbor (formerly PortAmerica)

January 1997

- Regional Transportation Planning Board votes unanimously to include the preferred alternative in the financially Constrained Long-Range Plan and 6-year Transportation Improvement Program

February 1997 and beyond

- Determine federal funding share
- Complete Final Environmental Impact Statement and issue Record of Decision
- Conclude environmental study process
- Move project forward into preliminary engineering and design with available Federal Highway Administration funds

Disclaimer: This brochure is intended as a general description of the activities, analysis and outcomes of the Woodrow Wilson Bridge Improvement Study. It is not part of the formal project reporting and decision making process. The drawings shown are for determining cost estimates and environmental impacts and are subject to change during the final design phase. For formal documentation, the reader should consult the Draft and Final Environmental Impact Statements, related technical reports, and the Record of Decision. These materials are available at the Study and Design Center and many local public libraries. See the back cover for the address and phone number of the Center.

Computer-drawn illustration of the preferred alternative, as viewed from Jones Point – shown with one possible concept: pylon lift bridge design. The final bridge design will be developed in the next phase of the project.

The Woodrow Wilson Bridge Improvement Study Coordination Committee

(As of the September 1996 decision on the Preferred Alternative)

Mr. Wayne K. Curry, County Executive
Prince George's County

Mr. Stephen Del Giudice, Councilman
Prince George's County

Mr. Kerry Donley, Mayor
City of Alexandria

Mr. Jack Evans, Councilman
District of Columbia

Mr. David Gehr, Commissioner
Virginia Department of Transportation

Mr. David Gardell, Regional Administrator
Federal Highway Administration

Mr. Larry King, Director
D.C. Department of Public Works

Mr. Gerald Hyland, Supervisor
Mt. Vernon District
Fairfax County Board of Supervisors

State Senator Gloria Lawlah
Maryland General Assembly

Mr. Robert Stanton, Regional Director
National Capital Region - National Park Service

Mr. Harry Thomas, Chairman
Transportation Planning Board of the Metropolitan Washington Council of Governments

State Senator Patricia Ticer (ex-officio)
Virginia General Assembly

Mr. Parker Williams, Administrator
Maryland State Highway Administration

Delegate Marian Van Landingham
Virginia General Assembly

Participating Agencies

Lead Agency

Federal Highway Administration

Cooperating Agencies

U.S. Environmental Protection Agency
U.S. National Park Service
U.S. Army Corps of Engineers
U.S. Coast Guard

Primary Local Governments

Prince George's County, Maryland
Fairfax County, Virginia
City of Alexandria, Virginia

Primary State and Regional Agencies

Virginia Department of Transportation
Maryland State Highway Administration
District of Columbia Department of Public Works
Washington Metropolitan Area Transit Authority
Metropolitan Washington Council of Governments/
Transportation Planning Board

For Additional Information Contact:

The Woodrow Wilson Bridge Study and Design Center
211 North Union Street
Suite 111
Alexandria, Virginia 22314
703.519.9800
www.wilsonbridge.com

HONORABLE ROBERT E. MARTINEZ, SECRETARY OF TRANSPORTATION, COMMONWEALTH OF VIRGINIA

The Woodrow Wilson Bridge is an essential part of the national transportation network. This six-lane bridge spanning the Potomac River, part of the Capital Beltway, is the highest traffic volume roadway in the metropolitan Washington, D.C. area. The bridge is the only segment of the entire Interstate system in the United States owned 100 percent by the Federal Government, which really is why we're all here today.

Since I–95 on either side of the bridge is currently eight lanes, the six-lane Woodrow Wilson Bridge represents a geometric constraint on the highway system. U.S. Route 1 and I–295 are immediately adjacent to the bridge on either side of the river. The combination of a narrow bridge and large traffic volumes from Route 1 and I–295 results in traffic congestion throughout most of each day.

The Bridge was designed to carry 75,000 vehicles daily, a capacity design that was breached by the early 1970's. By 1979, structural deficiencies were identified in the deck surface, leading to deck replacement in 1983. As traffic volumes continued to increase, the entire Beltway was upgraded to provide an eight lane cross section, but the bridge remained at six lanes. In 1989, the Average Daily Traffic (ADT) was 160,000 with summer peaks as high as 181,000 per day.

Because of the stress applied by the magnitude of current traffic, including trucks, the bridge cannot last much beyond the next 8 years under current conditions. A 1994 inspection report indicates that the bridge will require major rehabilitation or truck restriction by 2004.

The Woodrow Wilson Bridge accident rate—at 153.5 per 100 million vehicle miles of travel—is double the Virginia state average rate of 75 for similar type facilities. The accident rate of the American Legion Bridge and the portion of the Beltway approaching the Woodrow Wilson Bridge is also substantially lower. Accidents occurring on the bridge are primarily rear-end and sideswipes, typical of accidents in highly congested areas.

To address capacity and safety issues, the Woodrow Wilson coordination committee selected parallel drawbridges with a 70 foot clearance over the navigable channel. The typical section of the selected alternative will be three local lanes, two express lanes, and one HOV lane in each direction.

By 2020 traffic volumes will almost double to 300,000.

Were we to go with a simple complete rehabilitation of the existing bridge only, the accident rate would increase substantially as congestion becomes common throughout the day. In 2005 queues would extend up to 8 miles upstream during the peak and each peak period would be 5 hours long. By 2020 queues would extend 12 to 14 miles upstream. The safety performance of the Beltway would also deteriorate substantially.

Both Virginia and Maryland are committed to adding HOV lanes to the Beltway and these plans are reflected in the region's Long Range Transportation Plan. In addition, HOV lanes currently exist on US 1 north of the Beltway. Fairfax County is currently studying the feasibility of adding HOV lanes to US 1 south of the Beltway. The District of Columbia plans to add HOV to I–295, and the Maryland State Highway Administration and Prince George's County are currently studying the feasibility of adding HOV to MD–210. Therefore, the Coordination Committee decided that the proposed build alternatives should include HOV lanes through the project corridor. In addition, the Committee indicated that preference should be given to HOV movements and the alternatives should be developed to facilitate access and increase usage.

Also in response to safety and operational issues, the possibilities of separating express or longer distance trips from shorter trips were examined. In an express/local lane configuration, the travel lanes in opposing directions are separated by a barrier. One set of lanes in each direction is designated as express lanes, which typically have limited weaving and merging as there are fewer entrance and exit ramps and priority is given to through trips. The other set is local lanes which provide egress and ingress from the local roadway system via interchanges. The express and local travel lanes in the same direction are also separated by a barrier.

The express/local system is particularly desirable for the Woodrow Wilson Bridge corridor because interstate travelers would be able to use the express lanes and avoid local traffic in the region, particularly during the morning and afternoon commuting periods. Express trips are those trips that travel through the entire project area, from west of VA–241 to east of MD–210. Express/local lane configuration concepts were developed and evaluated in conjunction with the development of the build alternatives.

The most important points for us to remember:

1.The Woodrow Wilson Bridge has a remaining useful life approximately to the year 2004. If everything went perfectly smoothly, it would take 7 years to complete the design, acquire needed right-of-way and construct the replacement structure.

2.As mentioned, the facility is owned 100 percent by the Federal Government. This has significant ramifications.

Had the bridge been owned by the states, Virginia or Maryland, or both, it would have been addressed in the early 1980's in the Interstate Completion program under the Final Interstate Cost Estimate. Federal funding in that program was set at 90 percent and, most importantly, all funds were provided above the normal Federal aid apportionments to each state. So such projects were funded in addition to the normal state apportionments. Furthermore, under the "cost-to-complete" character of this program, that Federal share grew commensurate with the actual cost of the project and was not just based on a one-time project estimate cost.

The only reason the Bridge was not then addressed was because it was owned 100 percent by the Federal Government. We should not now be penalized as a result thereof.

Some have called for a simple replacement of the bridge itself, paid for by the feds, with no consideration of the costs of the approaches, which include the interchanges. Some have even suggested the Federal obligation is simply to pay for a structure with the same six lanes on it.

Were this bridge a Virginia facility, say, it were over the James River, and a replacement were needed, the Federal regulations would require that we replace the structure and its approaches to the capacity needed for the planning horizon, which is through the year 2020. If we Virginians were to suggest a simple replacement in kind of a Virginia bridge, without addressing the approaches, and without meeting the 2020 planning horizon need, it would be rejected by FHWA. The feds cannot absolve themselves from meeting exactly the same requirements they impose on all the states because, for once, we're talking about a 100 percent federally owned facility.

Back in 1995, Senator Warner, with your dedicated assistance and leadership, the National Highway System included a provision blessing the establishment by the three affected jurisdictions of an Authority that would be able to assume ownership of the bridge once the new structure were in place.

Consistent with that NHS provision, all three jurisdictions—Maryland, the District, and Virginia—have, in fact, enacted legislation creating such an Authority. We three have shown good faith in moving forward to provide the legal framework that would allow for acceptance of the new bridge. We reiterate our commitment to move forward with the actual creation of the Authority as necessary, but restate that we will only do so when the Federal funding commitment has been met. At such time, we stand ready to provide the mechanism to assume title to the Woodrow Wilson Bridge, and absolve the Federal Government from any future special obligation. The Bridge would henceforth compete for future funds like any other bridge in America.

Within the functional transportation needs for the bridge and its approaches, and with complete adherence to all environmental regulations, Maryland and Virginia have been working on ways we might reduce the overall cost of the facility. I am confident we will be able to reach significant reductions in those costs, although the final cost undoubtedly will remain a very large number. We stand willing to continue our cost efforts, as long as capacity and environmental considerations are fully respected.

Thank you.

STATEMENT OF DAVID L. WINSTEAD, SECRETARY, MARYLAND DEPARTMENT OF TRANSPORTATION

Mr. Chairman, members of the Committee, my name is David Winstead. I am Secretary of Transportation for the State of Maryland. I thank you for the opportunity to speak to the Committee this afternoon in support of an essential regional transportation project—the federally owned Woodrow Wilson Bridge.

I would also like to take this time to express our appreciation for the efforts of Senator Warner, other members of the Committee, and the members of the Maryland and Virginia Congressional delegations for their efforts to secure funding for the Woodrow Wilson Bridge.

At the outset, I want to highlight how important it is that Congress provide the funds necessary—as soon as possible—to undertake this critical project. The Wilson Bridge is rapidly approaching the end of its useful life and is operating well in excess of its intended capacity. A nationally respected bridge inspection firm, under contract to the Federal Government, recently found that the remaining useful life

of the Bridge extends to only 2004—seven years from now—and it is going to take at least 7 years to complete design, acquire the needed right-of-way, and construct the replacement structure. If the replacement facility is not completed by 2004, frequent, costly repair work would have to be undertaken to the existing structure—causing major traffic disruption while wasting limited transportation resources. The Wilson Bridge was designed to carry only 75,000 vehicles per day. Today, it carries 175,000 vehicles daily. It is also the only segment of the National Capital Beltway that is limited to six lanes. Elsewhere, the Beltway is fully eight lanes, and both Virginia and Maryland are advancing their work to add lanes to the Beltway.

The State of Maryland urges Congress to include full funding for this critically needed and unique Federal project—replacement of the Woodrow Wilson Memorial Bridge carrying I–95/I–495 across the Potomac River between Maryland and Virginia. We hope that funding for this project can be authorized in conjunction with re-authorization of the Intermodal Surface Transportation Enhancement Act ("ISTEA"). It is also essential that the Federal funding for this project be provided apart from the normal Federal aid funding apportioned to Maryland, Virginia and the District of Columbia.

There are several compelling reasons why full Federal funding is justified for this project. First and foremost, the Wilson Bridge is 100 percent owned by the Federal Government. Indeed, the Woodrow Wilson Bridge is the only federally owned segment of the Interstate System. In this regard, the project is unlike all other projects funded through normal Federal aid highway programs. It should not be construed as a normal Federal aid project, nor as a demonstration project. In short, a special funding arrangement for the Wilson Bridge will not set any precedent for other future projects.

Second, from both practical and legal perspectives, full Federal funding is a condition to the transfer of the ownership of the bridge from the Federal Government to local control. Full Federal funding is also a prerequisite to the undertaking of the replacement project. The National Highway System Designation Act of 1995 authorized creation of an interstate authority by Virginia, Maryland and the District of Columbia to assume ownership of the Federal bridge. The three jurisdictions have each passed legislation that would effectuate the creation of an authority for this purpose. We have done so in good faith with the intent of relieving the Federal Government of future obligations for the Bridge through this action once the Federal financial obligation is committed. We are all in agreement, however, and legislation passed by our respective legislatures explicitly states, that any transfer of ownership from the Federal Government to local control can only take place once the Federal Government has met its financial obligation for replacement of the Wilson Bridge.

In regard to the Federal Government's financial responsibility for the bridge, it is important to note the following critical points:

Were this a state-owned bridge, the Federal Government would require the states to construct a structure and approaches that meet the planning horizon required by Federal regulations—currently the year 2020. The design supported by the Woodrow Wilson Bridge Coordination Committee does this, and any recommendation and construction of the bridge must meet these requirements. As the owner of the bridge—the Federal Government—should not absolve itself of the very requirements and regulations which it has imposed on States.

Had the Wilson Bridge been owned by a state, its replacement would have been addressed in the 1980's under the Interstate Completion program in which funding provided would have been in addition to the normal Federal aid apportionments. The only reason the Bridge was not addressed then was because it was owned by the Federal Government. Under the Interstate Cost Estimate mechanism in that program, the Federal share was 90 percent of the cost of the project. Further, the "cost-to-complete" nature of the Interstate Cost Estimate meant that the Federal share would grow commensurate with the actual cost of the project.

Third, there are no practical alternatives to special Federal funding for this project. The financial burden of the Bridge should not be borne by other non-Federal parties, such as the users of the bridge, through the imposition of tolls. Additionally, all of the non-Federal jurisdictions have gone on record expressing their opposition to tolls. There are serious and legitimate concerns regarding the imposition of tolls at this location. They could create significant congestion on an already congested interstate facility. Further, toll rates could be so high as make the implementation of the project financially and politically impractical. We also stress that Maryland, Virginia and the District of Columbia cannot afford to pay the Federal Government's cost for the project using our normal Federal aid apportionments or local funding.

Given the significant cost of the project and the difficulty in authorizing full Federal funding, some have understandably asked whether the project could be rede-

signed. It would be extremely shortsighted to change the agreed to design of the project in an attempt to decrease its cost. For example, there have been suggestions that the number of lanes be reduced from 12 to 10, or that the replacement can be done for $400 million. Neither would provide a structure that would stand the test of time. The reduction of lanes from 12 to 10 would result in estimated ques of two miles approaching the bridge and would cause severe congestion for approximately 4 hours during each peak period. An authorization of $400 million would merely replace the bridge with all its current capacity-related problems—it would not be adequate to accommodate existing traffic levels and certainly would not meet future traffic demands.

This is not to suggest that cost savings cannot be achieved. We are willing to examine potential cost reductions. For example, one might consider reducing the widths of the shoulders. Further, the project would go through a value engineering process during final design—this could result in some saving through various economies. Undoubtedly, these and other similar measures could result in significant savings. We want to emphasize, however, that we will not agree to any changes that sacrifice the integrity of the design and the functionality, especially the full access to and full movements across the bridge.

We understand that even with such reductions, the cost of the project will be sizable. If Congress finds it is necessary to stage Federal funding in order to complete the entire project, this scenario, as well as others, might be explored.

We are willing to work with Congress and the Federal Government to evaluate creative financing options. For example: the Federal Government might commit to pay debt issued by a local authority, thus covering the cost of the project over a period of years. Other alternatives might be worth exploring.

Whatever actions are taken—they must be consistent with the recommendations of the Interstate Study Commission which was established pursuant to Section 1099 of ISTEA to examine the transportation demands in the region. On September 26, 1996, after years of study and debate, the Woodrow Wilson Bridge Improvement Study Coordination Committee agreed to an alternative. Any significant deviation from the recommendations of the committee will jeopardize all of its work, and more importantly, the likelihood of a timely implementation of the project.

We ask for your support in a fair and equitable funding plan, commensurate with the Federal Government's ownership and interest in the project, and we ask for expeditious treatment given the condition of the Wilson Bridge. Your consideration of our request, as part of the discussions on the re-authorization of ISTEA, would be greatly appreciated.

STATEMENT OF KEN LADEN, DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS

Good morning Chairman Warner and members of the Committee, my name is Ken Laden. I am Acting Administrator of the D.C. Department of Public Works, Office of Policy and Planning. I am here on behalf of Cell Bernardino, Acting Director of the D.C. Department of Public Works who is unable to attend, to provide testimony regarding the replacement of the Woodrow Wilson Memorial Bridge as part of the reauthorization of the Intermodal Surface Transportation Efficiency Act.

The Woodrow Wilson Memorial Bridge is a vital regional transportation facility, which is in need of immediate replacement. The bridge is currently handling a much larger volume of traffic than was originally intended. The Washington Metropolitan Region cannot afford to take a "wait and see" position regarding replacement of the bridge. Congress needs to take immediate action to ensure that a new bridge is in place before a catastrophic failure of the existing bridge causes serious disruption to the region's economy and possible loss of life.

The D.C. Department of Public Works has been actively coordinating the planning of the replacement bridge with Maryland and Virginia and Federal transportation officials. The District is a signatory to legislation which would create a regional authority to operate the replacement bridge.

Our major concerns regarding the replacement of the Woodrow Wilson Memorial Bridge are outlined below.

1. The existing bridge was constructed with 100 percent Federal funds. The bridge is a Federal bridge. We maintain that the replacement bridge should be paid for with 100 percent Federal funds.

2. The District of Columbia will not make any capital contribution to the design or construction of a replacement bridge which connects Maryland and Virginia. Neither would we agree to have any portion of the District's allocation of Federal Highway funds diverted to pay for a portion of the replacement of the Woodrow Wilson Memorial Bridge. We have many other critical transportation needs within the Dis-

trict of Columbia which must be addressed with our local and Federal transportation funds.

3. The District of Columbia does not favor the imposition of tolls to pay for the replacement bridge. We believe that a toll would divert traffic through the District onto Route I–295 and local streets, thereby adding to traffic congestion and air pollution in the District of Columbia.

We will continue to work with State officials in Maryland and Virginia, and local governments and interest groups in the Washington Metropolitan Area to ensure that a replacement bridge is built as soon as possible. We look to Congress to play a central role in financing this essential transportation facility.

Thank you for the opportunity to provide this testimony.

STATEMENT OF KERRY J. DONLEY, MAYOR OF ALEXANDRIA, VA

Good morning. I am Kerry Donley, the mayor of the City of Alexandria. I thank you, Mr. Chairman, for providing the City with this opportunity to present its views on a topic of great interest to our residents and to all citizens of the Washington, D.C., metropolitan area.

I fear, Mr. Chairman, that much-needed replacement for the deteriorating Woodrow Wilson Bridge is slipping into a morass of budget bickering, intergovernmental posturing and potential environmental litigation. This comes as the result of the seriously flawed $1.6 billion replacement proposal put forth by the Woodrow Wilson Bridge Coordination Committee under the auspices of the U.S. Department of Transportation. The risk grows by the day that there will be an unacceptable delay in the construction of an expanded replacement facility, or that only a six-lane replacement bridge funded entirely by the Federal Government will be built.

Neither of these alternatives is acceptable to anyone participating in this hearing, or to the citizens of the metropolitan region. Mr. Chairman, you have wisely called upon the Department of Transportation and others to propose lower cost design alternatives to the Coordination Committee's proposal. It is now time for all involved to come together on a realistic, cost-effective and transportation-efficient alternative.

Alexandria agrees that the Woodrow Wilson Bridge needs to be replaced, and needs to be replaced quickly. But that, of course, is not the issue. The critical issue is the nature of the replacement facility—more particularly, a facility (a) that will meet the future traffic demands of the region, (b) that is affordable without the imposition of tolls, and (c) that can be accomplished without unreasonable delay.

The Coordination Committee's 12-lane replacement proposal, at a cost of $1.6 billion in present and over $1.8 billion in future dollars, has flunked the criterion of affordability. Mr. Chairman, I believe that a scaled down 10-lane bridge—similar to the 10-lane American Legion Bridge at the north end of the Capital Beltway—best meets these criteria.

Let me explain why.

1. A 10-lane bridge removes all existing bottlenecks. Morning and afternoon peak period traffic backups at the Wilson Bridge are caused by two features of the present bridge design: (a) the four-lane outer and the four-lane inner loop of the Capital Beltway each feeds into a three-lane bridge and a three-lane approach to the bridge; and (b) traffic entering the bridge corridor from U.S. Route 1 in Virginia and Interstate 295 in Maryland is forced to merge into lanes that are already clogged with traffic. These two backup-producing features are completely eliminated by a 10-lane replacement bridge. Four lanes are provided for both the outer and inner loops of the bridge, and these match the four inner and outer loop lanes on the Beltway. The remaining two bridge lanes—referred to as "merge" lanes—are dedicated to traffic that is entering and exiting the bridge at Route 1 and Interstate 295. These simple improvements are all that are needed to remove the bottlenecks now responsible for peak period backups at the bridge.

2. A 10-lane bridge avoids tolls. If Federal funding does not increase beyond the $400 million currently proposed by the administration, the 12-lane Coordination Committee bridge could require Virginia and Maryland commuters to pay nearly $1,000 a year in tolls to fill the funding gap (a $4-a-day toll, $2 each way). In addition, toll plazas will increase traffic backups during peak hour period, and will adversely affect air quality. Simply stated, a 10-lane bridge can be built for substantially fewer dollars, and without tolls.

3. A 10-lane bridge even with HOV lanes, will handle future traffic as well as the proposed 12-lane bridge and, without HOV lanes, will outperform it. The Federal Highway Administration's Transportation Technical Report projects that traffic across the bridge in the year 2020 will be almost double today's traffic. The same

report makes two particularly important findings regarding the future performance of a 10- versus the Coordination Committee's 12-lane replacement facility:

- The first, which addresses carrying capacity, is that, during morning and evening peak hours in 2020, a 10-lane bridge, with two HOV lanes, will carry across the Potomac between, at worst, 92 percent (outer loop in the evening) and, at best, 98 percent (outer loop in the morning) of the vehicles that the 12-lane bridge, also with two HOV lanes, will carry. (See No. 4 below)
- Even more pertinent, a 10-lane bridge without HOV lanes, and thus with four general purpose and two merge lanes, will outperform the Coordination Committee's 12-lane facility. During all peak hours in 2020, this 10-lane facility will carry across the river, at worst, 102 percent of the vehicles processed by the 12-lane facility.
- The second finding, which addresses travel delay, is that, during the morning and evening peak hours in 2020, (a) vehicles traveling within the Telegraph Road-to-Route–210 corridor (i.e., vehicles entering and/or exiting within the corridor) will experience one to two additional minutes of delay with a 10-lane facility, with HOV lanes, as compared with a 12-lane facility, and (b) vehicles traveling through the corridor during peak hours will experience seven to nine additional minutes of delay.
- A 10-lane bridge without HOV lanes will have additional general purpose travel capacity, will perform better and will produce less traveler delay.

I doubt that any taxpayer would conclude that improving the bridge's traffic-processing performance by two to 8 percent during the most heavily traveled times of the day—and not at all if HOV lanes are excluded from the 10-lane facility—warrants the expenditure of the hundreds of millions of additional dollars that the 12-lane facility requires.

4. The dedication of two lanes for HOV use is not justified. The 12-lane replacement facility recommended by the Coordination Committee requires its eleventh and twelfth lanes to be used "exclusively for HOV" purposes. It is these two HOV lanes, along with the ramps and other interchange features at Route 1, Interstate 295 and Maryland Route 210 which provide access to and from the HOV lanes, that chiefly distinguish the 12-lane replacement facility from a 10-lane facility consisting of eight general purpose lanes and two merge/auxiliary lanes. The construction of these HOV lanes and the related interchange features requires an expenditure of hundreds of millions of dollars.

Is it worth this cost? I think not.

The FHWA Transportation Technical Report states that, during the morning peak hour in 2020, the inner loop HOV lane of the 12-lane facility will carry 340 vehicles, or 15 percent of a per-hour lane capacity of 2,200 vehicles; the outer loop HOV lane will process 885 vehicles, or 40 percent of capacity. During the evening peak hour, the inner loop HOV lane will carry 790 vehicles, or 36 percent of capacity; the outer loop HOV lane will process 335 vehicles, or 15 percent of capacity.

These rates of utilization, projected by FHWA for the most heavily traveled portions of the day in 2020, do not in any sense justify spending the hundreds of millions of dollars needed to expand a 10-lane to a 12-lane facility with two lanes dedicated exclusively for HOV usage. This is especially so since, as noted above, a 10-lane bridge without HOV lanes will actually outperform a 12-lane facility with HOV lanes, during all peak hours in 2020, in carrying traffic across the Potomac.

5. A 10-lane bridge is not based upon the faulty assumption that drives the 12-lane facility. The predominant justification for the 12-lane bridge lies in an assumption—that the Capital Beltway, in both Virginia and Maryland, will be widened from eight lanes to ten, two of which will be dedicated to HOV usage. This expanded roadway, which includes the separation of traffic into express and local lanes, and the reconstruction of overpasses and interchanges, is estimated to cost, in today's dollars, in excess of $5 billion. The FHWA's Transportation Technical Report concludes that, if the Beltway is not expanded, a 10-lane Wilson replacement bridge is perfectly sufficient, both now and in the future. In light of today's fiscal realities, it is unrealistic to believe that Congress, or Virginia and Maryland, will be prepared to fund the $5 billion Beltway widening that is needed to justify the 12-lane replacement bridge. And without this widening of the Beltway, a 10-lane bridge without HOV lanes is all that is needed.

6. A 10-lane can be built without unreasonable delay. I understand there exists a concern that a decision to approve a replacement project other than the 12-lane facility recommended by the Coordination Committee may require additional environmental analyses, and may produce a substantial delay in the start of the project. This should not be the case.

Initially, I note, some delay is likely to occur even with the Committee's 12-lane proposal. This is because the air quality conformity analysis on the Wilson Bridge improvements, required by the Clean Air Act and performed in 1996 by the region's

Transportation Planning Board, was for a 10-lane replacement facility, and assumed no changes to existing interchanges. In a recent letter to the TPB, the Environmental Protection Agency has indicated that this conformity analysis is flawed since it addressed a 10-, rather than the Coordination Committee's 12-, lane bridge facility, and because it failed to address the air quality impacts associated with the interchange revisions called for by the Committee's project. Thus, a new air quality conformity analysis would need to be undertaken even if the Committee's recommendation were adopted.

Whether additional environmental analysis and possibly a supplemental environmental impact statement would be required on a 10-lane facility is a decision to be made by the FHWA. This decision will turn on the magnitude of the change in the project and the extent to which significant environmental impacts have not already been addressed by the environmental studies and statements prepared to date.

Even if additional work is needed, however, it will not be significant. The 10-lane replacement bridge has already been addressed, to some extent, in the environmental documents. Moreover, a 10-lane facility obviously has fewer environmental impacts than the 12-lane facility. In 1996, FHWA prepared a supplemental environmental impact statement that addressed both a variety of bridge/ tunnel alternatives and a double-span "high" bridge alternative. This was done in less than 3 months.

Any supplemental statement on a 10-lane facility, in light of the analysis already done on this alternative, should take no longer, and thus no longer than the likely time to perform the additional air quality conformity work on the 12-lane facility.

Again, Mr. Chairman, on behalf of the citizens of Alexandria, I thank you for your leadership on this important issue, and for the opportunity to present the City's views.

I close by stating that, in light of:

(a) today's Federal budget limitations and the necessity to reduce substantially the costs of replacing the Wilson bridge,

(b) the desire of all involved in this issue to avoid tolls,

(c) the projected meager utilization of HOV lanes on the bridge crossing,

(d) the significant costs associated with constructing two additional lanes on the bridge for HOV usage, and the HOV-related interchange improvements,

(e) the very questionable assumption, which is the predominant justification for the Coordination Committee's 12-lane project, that the Capital Beltway will be expanded to ten or more lanes in the near future,

(f) the insignificant difference in the traffic-processing performance, projected for the year 2020, between a 12- and a 10-lane bridge,

(g) the substantially lower costs of a 10-lane replacement facility, and

(h) the potential delays in proceeding with a 12-lane facility,

I believe that a 10-lane Woodrow Wilson replacement bridge deserves to be the preferred alternative, not just for the sake of Alexandria and its impacted neighborhoods, but for the sake of sensible, cost-effective transportation throughout the Washington, DC, region.

STATEMENT OF WAYNE K. CURRY, COUNTY EXECUTIVE, PRINCE GEORGE'S COUNTY, MARYLAND

Mr. Chairman, Members of the Committee, I am Wayne K. Curry, County Executive for Prince George's County, Maryland. Thank you for the opportunity to present the views of a local government official on a regionally significant Interstate Highway System project—the replacement of the Woodrow Wilson Bridge.

I would also like to take this time to express our appreciation for the efforts of Senator Warner, other members of the Committee and the members of the Maryland and Virginia Congressional delegations for their efforts to secure funding for the Woodrow Wilson Bridge.

We have participated in a regional study process with Federal, State and local representation and the most extensive public outreach and involvement used in planning any transportation facility in this region. This process verified that the Woodrow Wilson Bridge is a tremendously important transportation link for the Metropolitan Washington D.C. region and of particular importance to Prince George's County.

The Need

The Washington D.C. Region needs at least a 12 lane Woodrow Wilson Bridge which includes High Occupancy Vehicle lanes to ensure the economic vitality of the region. This conclusion is based on regional growth forecasts of 43 percent in em-

ployment and population by the year 2020. This increase in employment and population will result in a travel demand on the bridge requiring 16 to 18 lanes.

Currently, 85 percent of the 175,000 daily trips crossing the Bridge are going to, from or between destinations in the Washington DC region. Only 10 percent of the total daily trips are made by trucks which averaged 17,500 per day in 1996. Two-thirds of these trucks or nearly 12,000 trucks are servicing businesses in the Washington region and cannot be diverted away from the Wilson Bridge.

The current 6 lane Woodrow Wilson Bridge is a bottleneck resulting in traffic delays; it experiences double the accident rate of the Beltway approaches in Maryland and Virginia and is a major contributor to the region's air quality problem. Compounding this problem are the four interchanges—two on each side of the Potomac River which have inadequate traffic operations components that result in additional congestion and accidents on the adjoining local roadways, ramps and limited merge areas. Given the current situation and the expectation that the pattern of traffic and percentage of trucks experienced today will be similar in the future, we need a 12 lane Woodrow Wilson Bridge now.

The Study Process

The need to replace this rapidly deteriorating federally owned bridge and provide adequate capacity to meet the future travel demand has been long recognized by Federal, State and local authorities. A truly regional study process using the Coordination Committee format was developed by the Federal Highway Administration to ensure Federal, State and local issues were discussed and appropriately addressed in the required planning studies.

As you know, the Coordination Committee was comprised of 14 individuals who were State and local elected officials as well as senior Federal and State agency representatives representing the District of Columbia, Virginia and Maryland. Since 1992, the Coordination Committee initiated a thorough analysis of community and environmental concerns as well as regional and local mobility needs and issues. This process included over 1,500 citizens who have been directly involved at more than 70 meetings and hearings expressing the needs and concerns of their communities. In addition, 9,000 citizens, 250 civic and business associations and 75 Federal, State, regional and local officials were kept informed of the study progress by newsletters and other correspondence. The Committee listened to the citizens and directed the urban design, engineering, traffic operations and environmental consultants to develop alternatives to balance the needs and address the concerns of all involved in a cost effective manner.

The study process was successfully concluded following several big compromises by the Coordination Committee. The compromises focused on the recognition of the potential land side impacts to the City of Alexandria by a wider Wilson Bridge and approaches as well as the traffic congestion that would result by 2020 in the City of Alexandria, Fairfax County and Prince George's County by not providing 16 to 18 lanes on the replacement Bridge.

The consensus alternative agreed upon is the 12 lane bridge with a local/express lane configuration including two high occupancy lanes. This configuration improves safety by separating through traffic from the local traffic weaving to access the two interchanges on each side of the Potomac River. In addition, the HOV lanes provide the most effective means of increasing the people carrying capacity of the Bridge without providing the needed 16 to 18 lanes to meet the forecasted travel demand. It should also be noted that the Committee's selected alternative of a 12 lane bridge with express/local roadways and HOV lanes was unanimously approved by a vote of 19 to 0 by the National Capital Region Transportation Planning Board. This is a significant regional endorsement by a board predominantly composed of State and Local elected officials.

Local Importance

While travel demand numbers are impersonal, our constituents are real and must be served to the best of our ability. Successful business people are real as well and need the support of government to meet our constituent's needs in a cost effective manner. Our citizens and the business community demand and deserve adequate transportation facilities that will permit the Washington D.C. region to expand its economic vitality and further improve the quality of life for-all.

For these reasons, a 12 lane Woodrow Wilson Bridge is needed. In addition, given that over 70 percent of the rush hour traffic crossing the Woodrow Wilson Bridge uses one of the four interchanges adjacent to the Bridge for commuting and business purposes, these interchanges also need to be included as part of the new bridge project. A 12 lane bridge and improved interchanges will help ensure our constituents can get to work, shop and meet their cultural and recreational needs while per-

mitting our businesses to provide the goods and services our constituent's need and demand and help the regions' economy prosper.

Any reduction in the number of lanes below 12 on the new Woodrow Wilson Bridge or the elimination of interchange improvements from the project would result in congestion greater than we experience today, more accidents than we experience today and a significantly deteriorated quality of life for all of those residing and working in this region. A Woodrow Wilson Bridge that does not include 12 lanes and improved interchanges will have a chain reaction that will cause the use of other regional and local transportation facilities to increase beyond their capacity and cause further regional transportation failures. The failure of our regional transportation system will result in lost business opportunities and reduce the value of the region as a place to live and work.

We have worked together with Federal, State and local representatives to identify the needs associated with replacement of the Woodrow Wilson Bridge and the four adjacent interchanges. We followed a fully open and extensive public involvement process led by the Coordination Committee to identify community needs, concerns and issues. The Coordination Committee considered over 350 citizen led solution ideas which were used to develop 35 alternatives. The use of urban designer traffic forecasters, engineers, environmentalists and financial analysts by the Committee enabled them to reduce the alternatives offered for the required public hearings. As a result of citizen input and Coordination Committee compromises, the Committee selected the 12 lane bridge alternative discussed today. Please provide the funding needed for the new bridge and interchanges the Washington region needs and deserves.

STATEMENT OF KATHERINE K. HANLEY, CHAIRMAN, FAIRFAX COUNTY (VIRGINIA) BOARD OF SUPERVISORS

Mr. Chairman, thank you for providing this opportunity to appear before you and the subcommittee to present comments on behalf of Fairfax County regarding the Woodrow Wilson Bridge. Fairfax County has a major interest in ensuring that this project is advanced at the earliest possible date so that this major river crossing is replaced with a facility that is designed and constructed to accommodate future demand in terms of the citizens who live in this region as well as for those who use this bridge as part of travel in the I–95 corridor on the eastern seaboard. Fairfax County has been involved in the study and development of the project recommendations related to this project.

On September 9, 1996, the Fairfax County Board of Supervisors unanimously endorsed this 12-lane replacement as the preferred and technically warranted option to improve regional mobility and economic stability in the I–95 corridor. The County supports a twelve-lane bridge and has taken no position regarding the overall width of the structure. This recommendation has also been endorsed by the regional Transportation Planning Board in January 1997.

On September 26, 1996, following more than 3 years of detailed study and analysis, the Woodrow Wilson Bridge Coordination Committee, a body made up of major regional stakeholders including Federal, state and local leaders, selected the 12-lane, side-by-side drawbridge concept as the preferred alternative for replacement of the aging Potomac River span. This alternative was selected following exhaustive input and analysis by citizens and transportation professionals.

Studies conducted by the Virginia Department of Transportation and the Metropolitan Washington Council of Governments have indicated a need for 16 to 18 lanes on the Beltway to allow for regional growth. However, through the Woodrow Wilson Bridge Study, regional leadership has already agreed to compromise from 18 lanes down to 12 lanes. Further compromises on the number of lanes will place even more constraints on the ability to balance interstate travel and commuter traffic needs in Fairfax County, from which 30 percent of Wilson Bridge traffic originates.

A 12 lane bridge, in a local/express configuration, will provide superior safety and merging operations. Such a facility will remove traffic bottlenecks, improve carrying capacity, reduce travel times, improve safety, and provide the flexibility for future HOV/transit operations. The Woodrow Wilson Bridge Coordination Committee's own studies have shown that the 12-lane express/local configuration is needed to reduce congestion during peak periods and save travel time for commuters. It is also essential that the interchanges encompassed in the study area be improved to enhance local and interstate access to businesses and residences in the corridor.

We must build for the future. The Council of Governments has projected a 43 percent increase in regional population and 1.1 million new jobs over the design year of the new bridge. Also projected is a region-wide 60 percent increase in total vehicle

trips, but only a 20 percent increase in planned highway capacity. The Wilson Bridge as part of the Capital Beltway is the only major facility in this corridor with the ability to expand with reasonable environmental impacts.

I urge you to endorse and provide full Federal funding for the Wilson Bridge Coordination Committee's Preferred Alternative without reducing the number of lanes across the bridge or eliminating access improvements at interchanges. Unlike any other bridge in the country, this bridge is owned by the Federal Government. Therefore, it is essential that the Federal funding made available for this project should not be counted against regular Federal funds that are allocated to Virginia or Fairfax County for other critical transportation projects.

Thank you for this opportunity to provide comments on behalf of Fairfax County on this critical project which is of regional as well as national significance.

STATEMENT OF JOHN J. COLLINS, SENIOR VICE PRESIDENT, GOVERNMENT AFFAIRS, AMERICAN TRUCKING ASSOCIATION

I. Overview

Chairman Warner, Senator Baucus, members of the Committee, thank you very much for the opportunity to offer the trucking industry's perspective on replacement of the Woodrow Wilson Bridge. Thanks in large part to Chairman Warner's leadership, the National Highway System Designation Act began the process of Federal funding for the bridge. As we move into the next phase, we hope that this Committee will reaffirm the vital national interest in timely replacement of the bridge and the importance of a strong Federal commitment to that effort.

The American Trucking Associations (ATA) is extremely concerned that a replacement for the Woodrow Wilson Bridge over the Potomac River is completed in a timely manner. We believe that four principles should guide this process:

First, given the critical role of Interstate 95 to commerce and the quality of life of a large proportion of our nation's population, and the fact that the Wilson Bridge is owned by the Federal Government, the Federal share for construction of a replacement structure should fully fund the costs.

Second, tolls should not be utilized as a funding mechanism for construction of the bridge. A toll barrier would reduce safety, increase traffic congestion, reduce air quality, and raise freight delivery costs for the East Coast.

Third, the bridge design should provide sufficient future capacity based on traffic projections, while minimizing the footprint and the impact on local communities to the greatest extent possible.

Fourth, extending authorizations over a number of years and phasing construction would ease the impact on limited transportation budgets.

II. ATA's Interest in the Woodrow Wilson Bridge Replacement

ATA is the national trade association of the trucking industry. We are a federation of over 36,000 member companies and represent an industry that employs over nine million people, providing one out of every ten civilian jobs. ATA's membership includes nearly 4,200 carriers, affiliated associations in every state, and 13 specialized national associations. Together, ATA represents every type and class of motor carrier in the country.

ATA has a dual interest in the Wilson Bridge project. As the national representative of the trucking industry, we are naturally concerned about our industry's ability to continue to serve its customers safely and efficiently. As a landowner, with our Alexandria, Virginia headquarters building adjacent to the Capital Beltway and within sight of the Wilson Bridge, we are also looking very closely at the impact of construction—or alternatively non-construction—of the bridge replacement on our property and the more than 400 people who work there.

III. The Impact of Delay

If recent trends continue, total miles travelled in the United States will increase 20 percent by the end of the century. Both the total number of miles driven by trucks, and the total volume of ton-miles will grow 29 percent by 2004. The Washington metropolitan area will see its share of traffic increases. Seventy-one percent of freight in the Washington metropolitan area is moved by truck and many locations are served exclusively by truck. Between 1990 and 2020 total average truck miles in the metropolitan area will increase from 6.3 million to 12 million per day, a growth of 92 percent.

Already the second most congested city in the nation, the consequences for Washington of not replacing the Wilson Bridge in the next very few years are very serious. It has been estimated that the current bridge could be posted for weight in as

little as 5 years, and could be closed to all traffic within 8 years. Load posting would result in buses, recreational vehicles, and trucks being rerouted. Diversion of these vehicles from the bridge would put tremendous added pressure on alternate routes that are already overburdened, including the western part of the Beltway, Route 301 in Maryland, other Potomac River crossings, and I–395. The potential impact on congestion and the environment of diverting over 17,000 trucks daily to roads that already exceed capacity part of each day is very serious.

Approximately 80 percent of Wilson Bridge truck traffic serves communities along the I–95 corridor between Richmond and Baltimore. About 65 percent of trucks crossing the Wilson Bridge serve customers in the immediate Washington metropolitan area. Two sectors of the economy especially important to the Washington metro region would see significant consequences. The area's two largest supermarket chains—Giant Food and Safeway—both have distribution centers in Landover, Maryland. Presently, their trucks use the Wilson Bridge to move groceries and other products from their distribution centers to all of their stores south of the Wilson Bridge. If trucks are diverted from the bridge, it would force these supermarket chains to drive their trucks up to 60 miles out of their way in order to supply their Virginia stores. Giant Food estimates that over 200 of their tractor-trailers cross the bridge every day to supply their stores. In addition, hundreds of Giant's suppliers use the bridge. Giant considers the Wilson Bridge to be their "corporate lifeline". The additional costs incurred from driving the extra miles would translate into higher prices for consumers at the checkout counter. For both companies, the added mileage would induce more congestion and air pollution effects.

A ban on using the bridge would be particularly troublesome with respect to trucks carrying home heating fuel or gasoline. Many trucks transporting petroleum products from the pipeline transfer facility in Newington, Virginia, now use I–95 and the Wilson Bridge to make deliveries to southern Maryland. If they could not use the Wilson Bridge, the trucks would have to be rerouted many miles out of their way, increasing their accident exposure. Diversion would also add to the cost of petroleum products to residents and businesses in southern Maryland who are served by the Newington facility.

While Washington area residents would certainly bear the brunt of truck traffic diversion, the effects would be felt along the Eastern seaboard and throughout the nation. As the most important freight artery on the East coast, I–95 is absolutely essential to the safe and efficient delivery of goods. The "Beltway Barricade" that would be created as a result of traffic diversion or bridge closure would increase the costs to shippers who rely on the Capital Beltway portion of I–95 for their deliveries. The potential costs are tremendous. Over $47 billion worth of freight moves between Virginia and East Coast states north of Washington, D.C. each year. Pennsylvania shipments to and from East Coast states south of Washington exceed $31 billion annually. Much of this traffic moves on I–95. East coast manufacturers would be put at a competitive disadvantage and consumer prices would rise if I–95 could no longer be counted on as an efficient delivery route.

IV. Fully Fund the Bridge

ATA recognizes that there are limited resources available for national highway priorities. However, we believe that the Wilson Bridge replacement is a unique situation that makes it a vital national concern deserving of full Federal funding.

The Wilson Bridge is the only Interstate System bridge owned by the Federal Government. As such, the Federal Government is responsible for the structural and functional integrity of the bridge. Furthermore, other federally owned roads that serve the nation's capital, such as the George Washington Memorial Parkway and the Baltimore-Washington Parkway, receive special funding out of the Federal Lands Program in recognition of their Federal ownership status.

Finally, it is unrealistic to expect Maryland and Virginia to bear the brunt of the project's cost out of regular apportionments. If they were they required to, the states would not be able to address their many other essential transportation concerns. Replacement of the bridge has national consequences, and a national commitment is thus needed to ensure that the safety and efficiency of the I–95 corridor is not jeopardized.

V. No Tolls

ATA is also very concerned about the effects of tolls, which would likely be necessary absent sufficient Federal funding. The Wilson Bridge segment of the Beltway is already the highway's most dangerous due to tremendous daily congestion. This is one of the reasons for the urgency behind construction of a replacement. It would be ironic to replace a bridge to reduce congestion and the associated accidents only to erect a toll barrier that would continue and perhaps aggravate these problems.

Some suggest that automated toll collection methods would cut down on congestion. However, even under the most ideal circumstances these methods have not fully addressed the problem. For example, the Dulles Toll Road in Northern Virginia has a high proportion of commuter traffic—motorists one would expect to take advantage of automated collection. Yet severe backups to the toll plazas are routine. The Wilson Bridge serves far fewer commuters; therefore, the number of people who take advantage of automated collection would be even more limited.

Forcing traffic to come to a stop on a free-flowing highway is inherently dangerous. Furthermore, inevitably some motorists will avoid the toll by taking alternative routes—including through residential neighborhoods—which would increase traffic and accident exposure on these roads.

On average, user taxes already comprise more than 20 percent of a truck's operating costs. A new toll would add to this burden, as would the reduced productivity associated with lost time due to increased congestion. The additional costs would be passed on to shippers, and ultimately, to consumers.

As an Alexandria stakeholder, we have a concern because one of the possible locations of the toll facility is adjacent to our property. It would take part of our property and significantly diminish our working environment. Construction delays would increase traffic on both local roads and the Beltway. This would affect the ability of our employees to safely commute to and from work, reduce our productivity, and diminish our overall quality of life.

VI. Maximum Capacity with Minimum Footprint

Like many other Alexandria residents, we are concerned about the impact of construction on our community. We hope that any design adopted will take into consideration both the practical aspects of moving traffic through and around Alexandria and the impacts of the project on the community. Therefore, we encourage the development of a bridge design which will minimize the project's footprint and consequences for residents' quality of life, and provide sufficient capacity to accommodate anticipated traffic increases.

The replacement bridge must be designed to accommodate the significant increases in traffic that is anticipated over the next two decades. Current travel demand forecasts indicate that by the year 2020 approximately 300,000 vehicles will cross the bridge each day, compared with the 160,000 that currently use the bridge. It would be unwise to build a bridge that saddles the next generation with the same difficulties experienced today. It would be equally unwise to design a bridge that unnecessarily spoils the unique charm and the community spirit of surrounding neighborhoods. We believe that a balance must and can be achieved.

The Wilson Bridge Coordinating Committee has recommended a general design that has 12 lanes and is about 250 feet wide. ATA believes that the structure can be narrowed without reducing capacity or compromising safety. This would lessen the impact on communities and lower the project costs. The Committee's recommended alternative also includes extensive, highly complex interchanges. These interchanges can be simplified without significant negative consequences.

VII. Extended Authorization Period and Phased Construction

We recognize that this project is expensive it would be difficult to squeeze both the project and the authorizations into a 5-year period. The entire project can be completed in up to 10 years. Authorizations could be made over the same time period.

While the most vital aspects of the project must be completed by 2002 to avoid closure or weight-posting, construction on other phases of the project, such as the HOV interchanges, could be delayed a number of years. Even those phases of immediate concern need not be paid for until after construction is completed, provided Congress and the Administration authorize grant anticipation notes.

VIII. Conclusions

Washington, D.C. is already the second most congested city in the nation, and the area's traffic woes affect the ability of trucking companies to safely and efficiently serve their customers nationwide. Replacing the existing Federal bridge before these problems are severely exacerbated ought to be a national imperative. As the owner of the Wilson Bridge, the Federal Government is responsible for avoiding the congestion, safety, and environmental calamity of load-posting or closing the bridge, or erecting a toll barrier. The most effective and fair means for achieving these objectives is to provide full funding for the project. For the Federal share of the financing, arrangements that do not include tolls are available to lessen the impact on other transportation needs.

STATEMENT OF SUSAN WILLIAMS, GREATER WASHINGTON BOARD OF TRADE

Chairman Warner and members of the subcommittee, my name is Susan Williams and I chair the Greater Washington Board of Trade. The Board of Trade is the regional chamber of commerce for greater Washington which includes Northern Virginia, suburban Maryland and the District of Columbia.

I would like to thank you for your very important efforts in working to improve our nation's transportation infrastructure.

The Woodrow Wilson Memorial Bridge has been a transportation priority of the Board of Trade for many years. The genesis of our involvement on the Federal level for this bridge has two benchmarks. First, the Interstate Study Commission for Transportation which was established under the Intermodal Surface Transportation Efficiency Act of 1991. This Commission, chaired by Jack Herrity and composed of leaders from throughout our region, led to additional Federal legislation included in the National Highway System Act of 1995 which gave Congressional consent to develop an interstate compact to own and operate a new Woodrow Wilson Bridge.

Second was the recently completed 3 year study by the federally led Woodrow Wilson Bridge Coordination Committee which, in September 1996, recommended building a $1.6 billion dollar, 12-lane, 70' high drawbridge. This 3-year effort was the latest in various studies of the bridge going back at least 10 years.

Obviously, there has been a great deal of time and effort devoted to solving the problems of the Wilson Bridge, and as we meet here today there are only a short 8 years of useful life remaining in this critically important structure.

The Wilson Bridge is overburdened with approximately 175,000 vehicles each day, carrying more than twice the bridge's design capacity. It is integral to the region's economic life in so many ways.

The Wilson Bridge is also a critical point in moving commercial and visitor traffic along I–95, the "main street" of the East Coast. In fact we recently received copies of correspondence from business organizations in Pennsylvania and New York recognizing the importance of rebuilding the Wilson Bridge in order to help alleviate the interstate transportation problems of companies in their areas.

In addition, a new study commissioned by the Board of Trade reveals that our region has insufficient bridge capacity and ranks next to last among similar major metropolitan areas as measured in lane miles of bridges to population. In addition, while other metropolitan areas studied built between two and five new river spans during each decade over the past 30 years, Washington has added no new major bridges.

Given the short lifespan remaining for the bridge, we must not allow the status quo to continue—we must quickly move forward to construction.

This morning I am here to restate the principles of our program to rebuild the bridge and to recommend a target date for completion.

1. Maintain Full Federal Funding/No Tolls

We restate our position that full Federal funding for replacement of the Woodrow Wilson Bridge be secured so that no tolls are required for its construction and operation. Senator, can you imagine the Capital Beltway with tolls? This funding should cover the bridge itself plus the cost of modifications and improvements to approach lanes and interchanges where required by Federal regulations.

2. Examine Project Costs/Project Phasing

Given the challenges in funding this project, it would be useful to closely examine project costs to determine if there is any latitude in streamlining these costs while maintaining the traffic capacity of the recommended alternative. We have consistently been concerned with "whistles and bells". For example, we understand that current design items include HOV lanes, an urban deck and an island deck which cumulatively add well over $100 million to the total project.

We continue to hear a wide range of "back of the envelope guesstimates" as to how much the project might cost. My point, Senator, is if there are real savings to be accomplished, while maintaining the project's integrity, then we need to know this.

Further, in order to move forward more quickly, we suggest that an examination be made of phasing the construction of various components of the replacement structure. Are there essential segments of construction that could proceed on a fast track basis while others are phased in later? The situation is critical, we must be flexible!

3. Governing Mechanism

The 1995 National Highway Act, as I mentioned, gives consent for an interstate compact to be put in place as the governing mechanism to oversee the construction and ownership of the replacement bridge. Final action of the legislatures in Mary-

land, Virginia and the District of Columbia is scheduled for completion by April, 1998. If an authority is not established at the state level then Congress should put in place an entity to undertake this effort. By year end, Federal funds to build the bridge replacement should be transferred to a holding entity for later use.

4. Waiver of Environmental Impact Statement

If any refinements or construction phasing is required, we would obviously want to avoid any major procedural delays. An enormous amount of time and effort has already been devoted to the environmental concerns surrounding options for this project. It is suggested, therefore, that to maintain a reasonable completion schedule, further EIS requirements related exclusively to the 12-lane recommended alternative of the Woodrow Wilson Bridge Coordination Committee be waived.

5. Ribbon Cutting July 4, 2006

As the existing bridge has no more that 8 years of useful life remaining, it is important for reasons of 'safety, mobility and economic development to open the replacement bridge in no more than 8 years. We must urgently commit ourselves to a completion date and ribbon cutting by July 4, 2006 and hold' the region accountable for this opening date. We cannot afford to wait longer!

The Board of Trade will maintain the Wood row Wilson Bridge as one of our key transportation priorities as it is essential to the safety of residents and economic prosperity of our region. We will continue to devote our resources and private sector leadership to this important effort. We appreciate your leadership as well.

Thank you for this opportunity to comment.

TESTIMONY OF JONAS NEIHARDT, PRESIDENT, OLD TOWN CIVIC ASSOCIATION, ALEXANDRIA, VIRGINIA

Mr. Chairman, I am Jonas Neihardt, President of the Old Town Civic Association in Alexandria, Virginia. I want to thank you for calling for this hearing, as the process to replace the Woodrow Wilson Bridge has veered wildly off course and now requires serious and sustained Congressional oversight to ensure that our highway dollars are not wasted on a bridge that is poorly conceived, too far too big, and disastrous for the community it bisects.

The Old Town Civic Association, as you know, has worked since 1951 to preserve and nurture the Old and Historic District in Alexandria as a living museum for future generations to learn from and enjoy. Unfortunately, Mr. Chairman, this living museum is threatened by the prospect of a replacement for the Woodrow Wilson Bridge that is 244 feet wide (the current bridge is 96 feet wide) served by massive new interchanges. This plan is fiscally, environmentally, and historically irresponsible.

As you know, Old Town is not a theme park with a paid maintenance crew—all of the work necessary to preserve the Historic District is done by us residents. Therefore, for Alexandria to continue as a living museum it must be suitable to live in, and I am here to testify that the 244-foot wide bridge that has been relentlessly pursued by the Federal Highway Administration (FHWA) and its contractors will make the majority of Alexandria's Old and Historic District unlivable.

While we residents have tolerated the 96-foot wide existing Woodrow Wilson Bridge for over three decades, a 244-foot wide replacement will create additional noise and air pollution and physically overwhelm the Historic District to such an extent that my neighbors and I, those of us who live in, and are dedicated to, carefully preserving the Historic District, will leave.

It is a lot of work to maintain a 200-year old house. It takes a lot of time and money. Neither we, or anyone else, will be willing to spend the time and money necessary to maintain our homes if the roar of traffic from a 244-foot wide bridge through the Historic District penetrates our homes and if our families are sickened by pollution in excess of the EPA's clean air standards. No one in their right mind would want to live near the bridge that the FHWA wants to build. And when we, the residents who are committed to historic preservation, sell our houses at a loss and leave, the commitment to historic preservation will leave with us, and the Historic District will decay and ultimately be lost.

I only ask you to look around the country at the blighted neighborhoods that stand at the feet of our large urban bridges. Nobody wants to live there.

It is simply not possible to maintain a habitable community that is bisected by a 244-foot wide swath of concrete and its attendant traffic.

The irony is that a 244-foot wide bridge is not needed. First of all, the beltway will remain at eight lanes for the foreseeable future. Therefore, eight through lanes and two acceleration/merge lanes are all that is needed on the Wilson Bridge re-

placement. Similarly, costs in the billions of dollars will prevent the addition of HOV lanes to the beltway for the foreseeable future, eliminating the need for HOV lanes on the new crossing.

Looking back, our problems began when the FHWA decided to limit the Woodrow Wilson Bridge study area to the immediate vicinity of the bridge, instead of including the area ten to 15 miles south of the bridge. As you know, it is the area to the south of the bridge on both the Virginia and Maryland sides that is currently experiencing rapid development, and that growth will be sustained for decades. Yet, to the south of the Woodrow Wilson Bridge there is not another bridge for 45 miles. Because the study area for the bridge replacement was so limited, FHWA came to the conclusion that all of the region's new traffic should be carried through the Wilson corridor.

The size of the replacement bridge as recommended by FHWA was driven by outdated growth and traffic projections. Those growth and traffic projections, based on data from the boom-time 1980's, are no longer realistic in an era of reducing the size of Washington, D.C., area based Federal headquarters staff.

The bridge recommended by the FHWA would consume huge amounts of limited national infrastructure dollars for a massive new facility on the Wilson corridor when we have pressing needs all around the country for infrastructure repair and improvement.

On the issue of cost, because an unwise decision was made to tell the design team to develop the best possible crossing without concern for cost, the team designed a bridge that is excessive in all dimensions.

As a result, the recommended solution is a 244-foot wide monster bridge that has the effect on concentrating traffic in one corridor. This is no solution. I only asked you to look to the expansion of 1–270. The old 1–270 was congested, so FHWA widened the road substantially. Well, it is filled up again. The same thing will happen at the Wilson Bridge if we simply widen the Wilson crossing and fail to build a second crossing to the south.

Tales of the Wilson Bridge's imminent demise are exaggerated. We have time to reduce the size of the Wilson Bridge replacement design while at the same time analyzing the potential for a second crossing to the south. I understand that heavy trucks inflict such damage to the current bridge that limiting the use of the bridge by the very heaviest trucks would extend the life of the bridge by decades. It is far wiser to place weight limits on the Wilson Bridge and take the time we need to design and build a cost-effective and environmentally responsible replacement than to spend $1.6 billion on a bridge that concentrates traffic in one corridor and is far bigger than necessary.

Earlier I said that the Wilson Bridge Design project has run amuck. You should know, Mr. Chairman, that it is not yet under control. For example, despite the fact that you wrote the heads of the Transportation Departments on May 13 and told them to begin to scale back their aspirations for this bridge because of budgetary limitations, on May 27, the Woodrow Wilson Bridge design center sent a "Summary" of the project to the whole world that continues to trumpet the need for and benefits of the 244-foot wide monster bridge. This report mentions the need for tolls also, and I recall that your letter specifically rules tolls out.

The staff of the Design Center have been ignoring us Alexandrians for years now, so I am used to it, but I am surprised, to say the least, that they feel sufficiently empowered to ignore the specific written direction of the Chairman of their Senate authorizing committee. I guess that they figure that even though you are the Chairman, you are also an Alexandrian so they can ignore you too.

The consultants to the FHWA have spent 3 years and at least $14 million in taxpayer dollars to gin up unrealistic traffic forecasts, then to scare the region into thinking that the Wilson Bridge is about to fall down, and then to execute a public relations campaign to promote the 244-foot wide bridge. All this public relations activity has obviously distracted the team from their substantive work, as their air quality study was recently deemed "inadequate" by the EPA, and the existence of the graves of nearly 2,000 freed slaves from the civil war era in an area to be impacted by the 244-foot wide bridge was not brought to the attention of decisionmakers until after the Coordination Committee took its final vote.

Needless to say, there does not exist a high level of trust between the design team and the residents of Alexandria. If the process is going to move forward with the current team, Mr. Chairman, they will need to understand clear and specific limitations as to what can be built at the Wilson corridor.

If the 244-foot wide monster bridge is built, the real tragedy is that long after we are gone from this earth, the legacy of those of us in this room right now will be a huge, horrible slab of concrete that will deface the river that George Washington loved and will cause his home town to fall to ruin after a prosperous existence

of 250 years. President Washington called the stretch of the Potomac from Mt. Vernon to the mouth of the Anacostia the most beautiful place in America, which is why is lived here and chose this place for our Nation's capital. We will have failed miserably in our responsibility as stewards of these places held dear by resident Washington if we build the 244 foot wide monster bridge.

I will conclude with three recommendations:

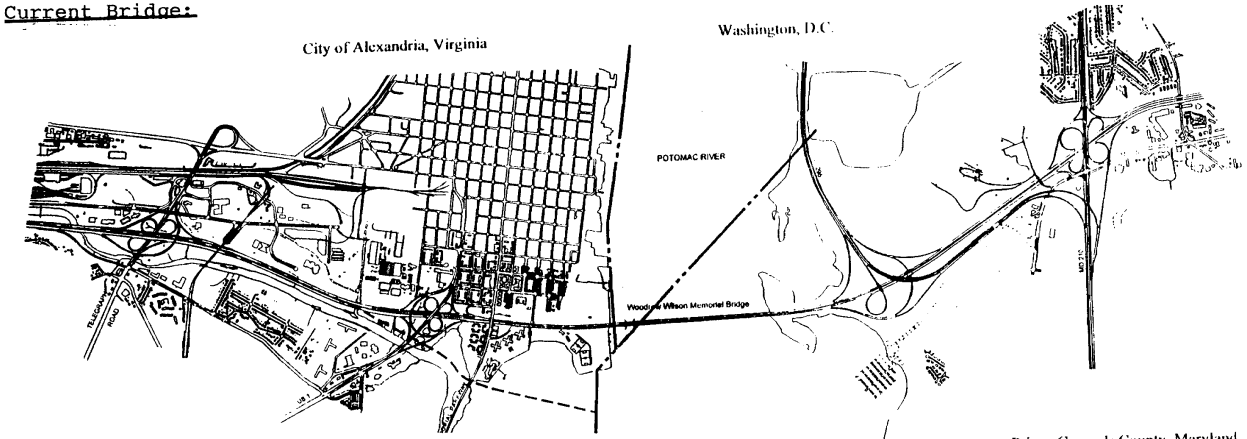
1. The current Woodrow Wilson Bridge should be removed and its replacement should carry no more than ten total lanes and a maximum total width of 150 feet which should connect to the existing interchanges.

2. Congress should direct the FHWA to commence with serious study of the potential for a new crossing ten to 15 miles to the south that will contribute to the resolution of current and future regional traffic problems.

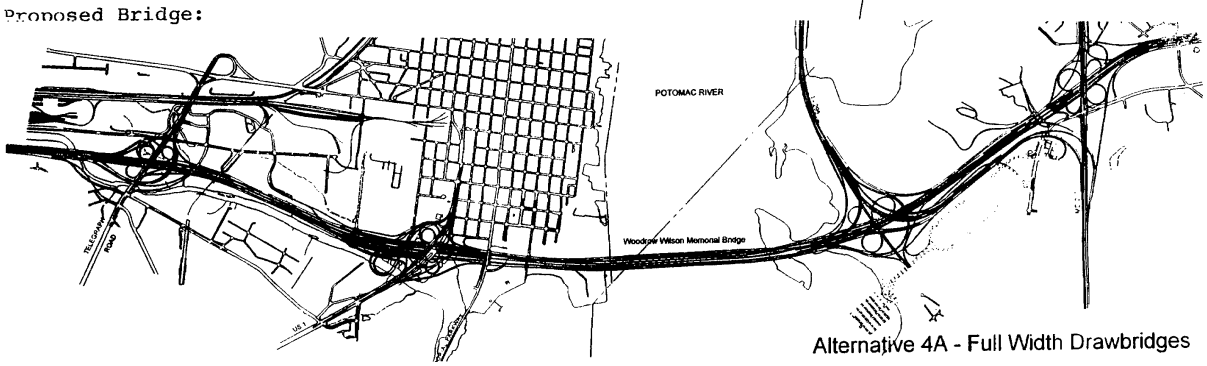
3. Congress should maintain sustained oversight of the work of the Transportation Department in its execution of the two above recommendations in order to protect taxpayers and nearby residents from thee expansive ambitions of the FHWA and their contractors.

Attachment #1

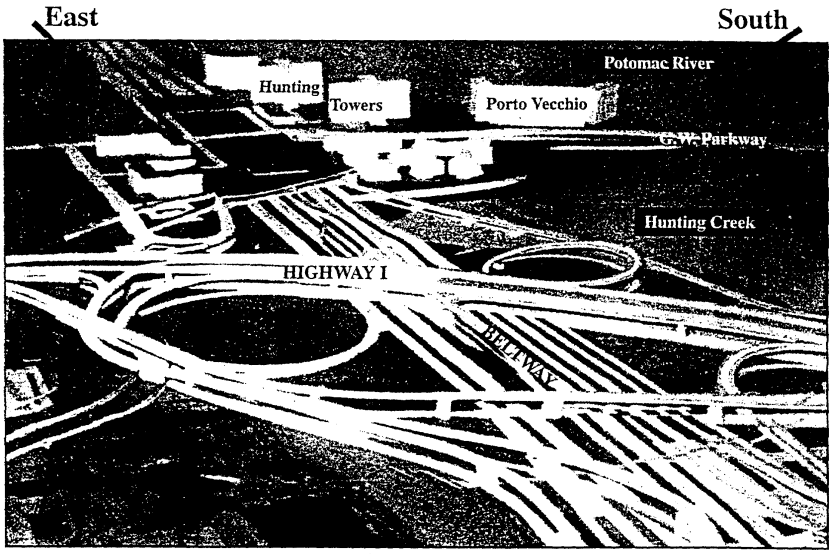
Current Bridge:



Proposed Bridge:



Alternative 4A - Full Width Drawbridges



The "Los Angelization" of Washington by a proposed new Wilson Bridge plan would create this maze of interchanges to manage a maelstrom of traffic from Highway I and Beltway approaches vastly expanded from their current configuration. All the whitened parts of the photographed model would be new construction, virtually paving over a major portion of Alexandria's south end adjacent to Old Town.

EPA: SPAN AIR STUDY IS FLAWED.

(By Gordon Lubold)

The Environmental Protection Agency says the required air quality study for a new Woodrow Wilson Bridge is flawed because it fails to account for the size and scope of the 12-lane span that has been proposed.

The oversight leaves a door open for Alexandria, which has yet to decide if it wants to mount a legal challenge to mitigate the impacts a large bridge might have on historic Old Town.

The air quality "conformity assessment"—required by Federal highway officials for any large road project—assumed only 10 lanes of traffic when the bridge is built. A regional panel, however, decided last fall that a 12-lane bridge should replace the deteriorating span.

The panel said 10 lanes would be used for "general purpose" lanes, and the other two would be reserved far high-occupancy vehicle lanes or perhaps a mass transit bus lane, both of which remain large question marks as leaders in Congress hammer out funding for the project.

The study also assumed that the project would include one of two "toll scenarios, but many regional leaders have said the new bridge will not have tolls.

Sen. John W. Warner, R-Va., who chairs the subcommittee on transportation that will influence much of the funding for the project, has said: "Tolls are off the table."

The study will have to be done again if final plans for the bridge differ from those assumed in the original study.

Toll booths generally have a major impact on air quality because vehicles wait in line to pay tolls and discharge more emissions. And when motorists accelerate to pull away from a toll booth after paying, more emissions are generated.

Since the study's computer-assisted modeling assumed tolls but did not assume as many cars as would likely cross the bridge should all 12 lanes be used, the EPA says the assessment doesn't adequately reflect what kind of bridge will likely be built.

Thomas J. Maslany, director of the air, radiation and tonics division of EPA, wrote the Federal Highway Administration on May 12 to declare the EPA has "concerns" because "the analysis does not address the full scope of the project."

The letter goes on to say, "EPA is concerned that the absence of a firm commitment to an alternative transportation mode will not preclude the additional two lanes reverting to a conventional highway configuration in the future."

A spokesman from EPA said yesterday that the assessment was reasonable considering the information that the Federal Highway Administration gave the group that performed the study, the street the region's Transportation Planning Board.

But Paul Wentworth, an EPA spokesman, said that means the EPA wants assurances the bridge will be used accordingly. The EPA wants to make sure That the bridge is gain" to be used in a certain way,"

Wentworth said. We need to firm up the idea of what the description of the project entails."

Ron Kirby, director of transportation planning for the Transportation Planning Board, says the study assumed 10 lanes of traffic because no one knew how the other two bridge lanes would be used.

Since HOV lanes on the bridge are still in question, Federal highway officials gave Kirby the 10-lane specifications. Had his staffers assumed 12 lanes of traffic, he said, the resulting study would not have been accurate.

"The assumption that we made last September was the best one to make at the time" Kirby said yesterday, adding that a new study would be done when the specifics of the bridge become more clear.

Federal highway officials were not available for comment yesterday.

But the flawed study isn't sitting well with Alexandria officials, who have long complained that the air study was not taking into consideration the full size of the bridge.

This confirms the position that the city consistently presented to the Transportation Planning Board and that the Transportation Planning Board consistently rejected, City Attorney Philip Sunderland said, adding that the air quality study is not valid. He said the integrity of the process was jeopardized, and doing another study down the road long after the new bridge is built and when the added lanes are needed doesn't jibe with Federal regulations.

"The conformity regulations do not allow that kind of fiction," Sunderland said.

Alexandria City Council members passed a budget earlier this month that holds about $1 million in reserve to pay for a possible legal challenge to the environmental process by which the new Wilson Bridge would be built. The city has retained the Washington law firm of Beveridge & Diamond, and attorneys with the firm have been working on the bridge issue for the cite behind the scenes.

City leaders were reluctant to reveal their strategy, but Sundered said the flawed air quality study represents an opportunity for the City.

"The Transportation Planing Board action, which we always considered to be invalid, was one of a variety of issues which can be pursued in litigation," Sunderland said.

Kirby said that once the funding for the bridge is settled, and it becomes more clear whether tolls will be required, the much-anticipated "environmental impact statement" can include specific assurances about the bridge.

The statement, a large document that explains the impacts the project would have on the surrounding area, was first due earlier Willis year but has been tied up in Federal bureaucracy and should be released later this summer.

Kirby said he thinks the EPA will be satisfied as long as that document contains specific assurances that the bridge be built according to the specifications used for the air quality study.

The way I read the letter is that the final "environmental impact statement" has to state it very explicitly and that they felt that that was not stated explicitly," he said.

BRIDGE COMPARABLES

American Legion Bridge over Potomac-Va.-Maryland
Length = 1,443 feet
Curb to curb = 134 feet
Average Daily traffic = 158,025
Number of lanes = 8

Delaware Memorial Dual Bridges
Length = 10,765 feet
Max. Span = 2,150 feet
Curb to curb = 51' per bridge
Av. daily 38,090 per bridge

Number of Lanes = 4 lanes on each bridge

Interstate 95 Millard Tydings Bridge over Susquehanna River
Length= 5061
Max. Span= 490
Curb to curb = 82'
Avg. daily traffic = 56,026
Lanes = 6

Tappan Zee Bridge NY State over Hudson River
Length= 16,012'
Max. Span = 1202'
Curb to curb = 84'
Avg. daily traffic = 117,300
Lanes = 7

[From the Washington Post]

MORAN PROPOSES POTOMAC SPAN TO SOUTH

CROSSING WOULD SIPHON TRAFFIC FROM PRISON BRIDGE, HE SAYS

By Alice Reid

Rep. James P. Moran Jr. (D-Va.) is asking Federal highway officials to study a new Potomac River crossing 10 miles south of where the Wilson Bridge carries the Capital Beltway between Alexandria and Prince George's County. Such a crossing, Moran says, would siphon off 10 percent of the Wilson Bridge's traffic load of about 170,000 vehicles a day and handle traffic from expected growth in Southern Maryland and Fairfax County.

It was unclear yesterday how much a southern crossing would cost or how Fairfax County and Prince George's officials would feel about it. Moran did concede that his proposal could delay action on replacing the bridge by six to 9 months if the regional panel considering it decides to include his plan among those it is studying. Already the panel has spent nearly 3 years deliberating the bridge issue.

Moran's suggestion is part of his proposal to replace the Wilson Bridge with an eight-lane drawbridge, which he said would be simpler and more affordable than any other plan under consideration. His idea got good reviews this week during public hearings on plans to replace the crumbling, 35-year-old Wilson Bridge, a 50-foot-high draw span that carries the Beltway over the Potomac River.

Moran outlined his plan in Alexandria last night at a hearing held by local, state and Federal officials that drew more than 300 area residents, many of them Moran's constituents from Alexandria and Fairfax County. A eight earlier, dozens of residents supported it during a hearing in Prince George's.

The 14-member regional panel that has been studying a replacement for the Wilson Bridge has set an October deadline for making a determination and reporting to Congress.

At neither hearing was there much support for either of the options that emerged as the panel's favorites at a retreat on the Eastern Shore in May: a 16-story, 12-lane bridge or a combination bridge-tunnel crossing. Either would cost about $2 billion, analysts say, and require tolls of more than $1 a trip.

The panel has rejected the idea of building only a tunnel to replace the Wilson, a plan favored by many Alexandria residents who are worried that a tall bridge would tower over historic Old Town. But panel members say they could not obtain financing for a tunnel-only plan, estimated to cost about $3 billion.

Many of the 60 speakers last night criticized the expense and scale of both plans favored by the panel and said the new pen for a smaller, eight-lane bridge being pushed by Moran was more realistic. Moran says such a bridge would cost about $1 billion, a figure disputed by some engineers.

The regional panel has deliberated without knowing how much the Federal Government, which owns the bridge, will be willing to contribute to the cost of its replacement. Most estimates have been in the $400 million to $450 million range. The remainder will have to be financed by privately funded bonds, which would be paid off with tolls.

The committee needs to be more realistic about the overall scope and scale of the project," Moran said in a statement yesterday. Chute simply, it is time to stop the

endless debates and come around to a bridge that is realistic, achievable and consistent with the best interests of this region."

Moran said he was hopeful that the panel will study his proposal fully. He said after the meeting that panel chairman and Federal highway commissioner David Gendell "was receptive."

If the panel ignores his suggestion, Moran said, "It can present a recommendation for a more expensive solution, and then we [in Congress] kill it and move on."

Moran's pen calls for a 70-foot high drawbridge that he says would cost $450 million. Improving feeder interchanges on Route 1 in Alexandria and on Interstate 295 near the Prince George's shoreline would cost an additional $550 million, he says.
.

To accommodate future growth, Moran advocates building a bridge connecting Maryland's Routes.210 and 301 with the Fairfax County Parkway through Fort Belvoir, 10 miles downstream from the Wilson Bridge crossing.

Fairfax officials "have not studied the idea of a southern crossing, but most of them would prefer the whole crossing at the Wilson Bridge," he added.

"I just don't think that is realistic" because of the growth south of the bridge.

Maryland representatives oh the regional panel have expressed opposition to replacing the Wilson with another drawbridge, saying that the bridge openings exacerbate the tie-ups on the Beltway. But Moran's plan for a 70-foot-tall span—20 feet higher than the current bridge—would mean that the drawbridge would need to be opened only about 60 times a year, rather than the current 200.

The openings would be for Navy vessels and ships serving the Robinson Terminal Warehouse Corp on Alexandria's waterfront.

Robinson Terminal, which his owned by The Washington Post Co. supplies newsprint to The Post and other papers in the area.

Moran's plan is not popular with some business leaders who fears that an eight-lane bridge will not be able to accommodate traffic growth.,. . .

Whatever design is chosen, it must provide for at least 12 lanes and preferably more," Frederick A. Kober, vice chairman of the Tysons Corner-based business group called the Northern Virginia Transportation Alliance. "To build less is to build a facility that will be obsolete almost the day it opens."

STATEMENT OF ROBERT L. MONTAGUE, ALEXANDRIA HISTORICAL RESTORATION AND PRESERVATION COMMISSION

I am Robert L. Montague, III, Chairman of the Alexandria Historical Restoration and Preservation Commission. I appreciate very much the opportunity to present our views to the Committee this morning.

I would like to draw the attention of the committee to the range of destructive and irreversible impacts that the unnecessarily large proposed replacement of the current Wood row Wilson Bridge will have on the nationally significant historic area of Alexandria.

But our Commission does not take the "NIMBY" position that there should be no improvement or replacement of the current span. We accept that there is need for a replacement and recognize that any replacement proposal would have some adverse impact on Old Town. We just want to minimize the damage to our historic landmark to the greatest extent possible while being expected to shoulder the major share of the burdens that are created by accommodating the growth in vehicular traffic. A 10-lane bridge would serve the purposes adequately and not have the very substantial adverse impacts that would result from the currently proposed 12-lane bridge with all of its features.

Legal Basis and Objectives of the Commission

The Alexandria Historical Restoration and Preservation Commission was created by an Act of the General Assembly of Virginia in 1962. This act recognized that Alexandria "possesses historical values, cultural traditions and elements of unique beauty and charm, including important historic sites of state and national interest. . . ." The Assembly also found that is "desirable to restore. . . and to preserve and maintain" the important historic sites and "other important landmarks" in Alexandria "and to adapt the area surrounding these buildings to a similar plan, design and architecture in order to properly interpret and understand the history of the city and its relation to the Commonwealth of Virginia. . . ."

The Assembly has given the Commission powers to acquire, restore, lease or convey properties and to accept easements on such properties to achieve these objectives.

Probably most notable among the Commission's endeavors has been the acquisition and restoration of the Lloyd House. It currently is seeking easements on open space to preserve the traditional viewscapes and atmosphere of Alexandria's historic area. It also accepts easements on the exteriors of significant historic resources and recently launched a program to accept easements on the interiors of residential and other structures in order to preserve these very important historical and cultural resources.

Our Commission believes it is a critical component of the combined public and private effort that is the hallmark of Alexandria's approach to maintaining our unique national historic facilities and character. The citizens and government in Alexandria are engaged in a cooperative "stewardship" of the historic resources we have inherited and ardently wish to pass on to future generations.

Purpose of this Statement

We believe it is most important that very explicit and sufficient attention be given to the adverse impacts that the bridge replacement decision will have on the historic and cultural resources in Alexandria. Our Commission advocates that these impacts be minimized to the very extent possible. We also urge that additional approaches be developed and phased in later that provide adequate capacity for vehicular crossings of the Potomac in this general region as need arises and that also prevent degradation of the nationally and internationally recognized resource we have in Alexandria.

It must be emphasized as strongly as possible that this is not a matter alone of preventing the demolition or permanent modification of individual structures. The historical and cultural characteristics that the General Assembly sought to preserve are inextricably embedded in a community context providing viewscapes and settings that are as important as the structures themselves to presenting the Alexandria experience. Take the structures out of the general setting and you have wonderful museum pieces and examples of period architecture. It is only within the setting that these structures contribute to the experience enjoyed by both the residents and visitors to historic Alexandria.

This historic Alexandria is also a very fragile resource that could all too easily slip between our fingers. The threat is only to a small extent due to parties who are adverse to or have little or no regard for the architectural, historical and cultural values that Alexandria embodies. The much greater danger is from two other types of activities: first, those that are trying to achieve objectives that are deemed to be preeminent to preservation values; second, seemingly narrow changes that have relatively small or even imperceptible adverse impacts. However, the second of these activities have precedential and collateral effects which, taken cumulatively, are capable of eventually devastating historic Alexandria.

Issues and Impacts of Concern to the Commission

The Commission has a number of grave concerns. Some of these deal with the construction process, others with the intrusion that the structure would create even if the construction, itself, did not have an adverse impact and finally with the consequential adverse impacts that inevitably will result from the traffic generated.

The Bridge, Ancillary Structures and Interchanges

Examples of the historic and archaeological resources that are immediately at risk from the construction process include the archaeological sites such as those located on historic Jones Point and the Contraband Cemetery and structures such as the Jones Point Lighthouse and Park, the Virginia Shipbuilding Corporation office and slipways, the Old St. Mary's Catholic Church Site and Cemetery and the Contraband Cemetery. It is difficult to believe that there can be any equivocation on this score. Steps might well be possible to prevent actual physical damage to the Jones Point Lighthouse but its setting will be destroyed. Regardless of proposals to take mitigating steps such as construction of sound barriers, it is not credible that the visual and audible setting will not be radically changed, essentially "taking" them for the use of this regional and national transportation alternative.

Impact statements assert that the proposed bridge would have "No Effect" on Old St. Mary's Cemetery but that is hardly credible since the plans call for raising the South Washington Street bridge over the beltway and taking the existing Mobil gasoline station across South Washington Street from the cemetery. If by some extraordinary means the St. Mary's Cemetery can escape physical harm from the construction, its setting will be very seriously deteriorated by the proposed structures. That very important historic resource is already inordinately impacted by. the current bridge traffic which a short visit to that site clearly reveals.

Under the proposed replacement the Virginia Shipbuilding Corporation office and slipways would be demolished.

Since the bounds of the Contraband Cemetery, which is located west of South Washington Street at its overpass of the Beltway, are not even known to the bridge planners, they can have no idea of the extent to which the bridge and interchanges will adversely impact the graves contained in it. The drawings and other renderings of the new beltway interchange system at Route 1 and bridge approaches lead us to believe that the Contraband Cemetery is in serious jeopardy.

Intrusiveness

The visual and audible intrusiveness of the completed replacement will affect a much broader area. Our Commission takes into account individual properties, assessing the contribution of each property's open space on the setting and viewscapes of the broader historic area and thereby on its authenticity and integrity. Highway Authority impact assessments, however, virtually dismiss as unimportant the views and settings that we have worked hard to assemble through open space easements. Combining those held by the Commission and other accepting agencies, there are more than 25 open space easements held on properties in the historic area of Alexandria. The Commission does not feel that the impacts of the proposed replacement bridge on these settings have been considered adequately. And apparently no specific assessment has been made of the open space sites along lower South Lee Street or in the low numbered blocks of Jefferson and Franklin Streets. And while there are relatively new structures at points between some of the older areas of historic Alexandria and the proposed bridge, the Board of Architectural Review process assures that these are compatible with the old structures and contribute to the historic setting.

Much of the remainder of the historic area may well escape the immediate impacts of the construction and a good deal may not suffer a wrenching visual intrusion. We are not claiming that, in itself, the bridge structure proposed is ugly or unsightly. The problem is that for the historic area the large, 12-lane bridge is inappropriate. For a substantial part of the Old and Historic District or the Historic Landmark, this large bridge will be a dominant feature. For that part, which is within the area to which the Commission is committed to maintaining the historic character of Alexandria, the proposed alternative will cause a very serious deterioration of setting and experience.

Consequential Adverse Impacts

Compounding these problems are some that may be even greater but which are avoided in the impact assessments to date. These are the expansions of the interchanges serving Route 1 and South Washington Street and Telegraph Road and the projected increased traffic that these interchanges will direct onto the streets passing through the historic area. It is inevitable that increasing the capacity for traffic to move to those areas will generate an increase in traffic, especially the rate of flow during narrow rush hours. There is more than a homely saying in the statement from the movie The Field of Dreams: "Build it and they will come. . . ."

The impact assessments claim that the 12-lane bridge would not be the cause of such an increase in traffic because development in the area of the Pentagon and the Potomac Yards will result in the higher level of traffic volume, bridge or no bridge. We contend that is not the case. Projections of traffic flow generally make the assumption that sufficient road capacity will be made available to move such volumes on the selected corridors leading to the new developments. In this particular case, it is not at all clear that the planners have adequately taken into account the alternative corridors that can be taken to those areas, with even less stress than moving through Old Town and its traffic control signals at each intersection. For example, to get to these areas, traffic originating east of the bridge would be well advised to consider taking the 1–295 corridor and crossing the Fourteenth Street Bridge southbound to get to the Pentagon, Crystal City or even the Potomac Yards areas. Traffic to these areas that originates west of Telegraph Road could well be better off traveling the 1–395 corridor north to these areas. We are not convinced that it is at all necessary to funnel this projected increase in traffic, facilitated and supported by the proposed 12-lane bridge into the very fragile Historic District of Alexandria.

It is our very gravest concern that this currently projected greater traffic volume will spill over onto all of the north-south streets of Old Town and increase enormously the pressures to develop enlarged access ways and other commercial and office projects that can only degrade the historic character of Old Town. To state this is not to be snobbish or elitist; it is only recognizing that there is a limited capacity for accommodating guests and visitors to Old Town, as well as its residents, businesses, and, yes, the commuters who transit through it daily. A proposal to increase the capacity for moving people through Monticello by gutting the structure to build

"raceways" facilitating movement through it would surely meet with universal disapproval.

Subordination of the Historic and Cultural Values

Draft impact assessments claim there is a need for compromising "local short-term uses of the environment" in favor of providing for the "enhancement of long-term productivity." The clear implication of such a position is that increased mobility through the Wilson Bridge corridor is preeminent to the historical and cultural values embodied in the historic area of Alexandria. We object to characterizing the historic area of Alexandria as a "local short-term use"; it is instead a regional, state and national resource that warrants more than cavalier dismissal.

Less than a year and a half ago, the Wilson Bridge was characterized as a "critical link in the Maine to Florida interstate route." Emphasis today is on the local and regional accessibility that it provides. In the process the Wilson Bridge corridor has been made both the site of the problem and the site of the solution. This only adds unnecessarily to the succession of incremental highway decisions and actions that have had increasing impacts on Alexandria's historic area. One of these was the 1976 decision to make the eastern segment of the Beltway part of I–95. Since then the situation has been exacerbated by the incremental increases in the number of lanes on I–495. It is not difficult to understand how it was easy to conclude that the problem is the Wilson Bridge. However, it is time to break the cycle whereby highway planning and construction have served to funnel increasingly larger volumes of traffic onto the corridor that passes through the southern part of Alexandria. That is working to the detriment of the fragile historic Alexandria resource and is not a fair sharing of the burdens created by regional and interregional traffic.

The irony of the situation is that it is not inevitable or necessary. Planning is not a highly accurate science but the planning process must recognize, and therefore anticipate, that much of what it does becomes a self-fulfilling prophesy. Vehicles will move where the streets and highways are placed. The placement of transportation corridors shapes and conditions the location of much economic and residential activity. We believe more attention needs to be given to the potential for diverting portions of the projected growth in traffic volume away from the corridor.

Without greater attention to the full range of "prudent and feasible alternatives," we are forever condemned to taking the "easy way out": just pour more traffic onto the Wilson Bridge corridor by expanding its capacity. That is a different kind of traffic diversion, one of neglect and increasing damage to Historic Alexandria.

Conclusion

Unfortunately, time is getting short and positions are becoming more emotionally entrenched. Those of us trying to preserve the historic and cultural features of our National Historic Landmark in Alexandria have been characterized as obstructionists and naysayers. However, nothing could be further from the truth. We are not guilty of "nimbyism." The Commission is not advocating that there should be no Wilson Bridge or that it should not be improved. It objects to the huge 12-lane bridge with all of its "extras" that would be built under current plans and the damaging impact that it and the consequential increase in traffic volume will have on the historic area of Alexandria. It believes that if a truly regional and interregional approach were taken to transportation planning, the Wilson Bridge corridor is not the only "prudent and feasible" alternative that is reasonable.

The Commission further believes that if such an approach were taken in an appropriately time phased fashion, the proposed alternative 10-lane bridge with a footprint falling within the existing right-of-way would be adequate to handle the traffic needs of the corridor for the foreseeable future. It would also go far to help preserve the national values embodied in Historic Alexandria and distribute more equitably, the burdens created by accommodating the projected growth in regional and national vehicular traffic flows. In a day when fiscal responsibility is a top political priority, reducing the cost of the bridge and interchanges is also of paramount importance and consistent with historic preservation objectives.

TESTIMONY BY RANDAL KELL, VICE CHAIR OF GOVERNMENT AFFAIRS, ALEXANDRIA CHAMBER OF COMMERCE

Good morning, Mr. Chairman and members of the Subcommittee on Transportation and Infrastructure. I am Randal Kell, CEO of the Mark Winkler Company. I am here today as a volunteer representative of the Alexandria Chamber of Commerce. I serve on the Chamber's Board of Directors and as its Vice Chair of Government Affairs. I live and work in the City of Alexandria.

The Alexandria Chamber of Commerce is the largest business organization in the City of Alexandria with close to 1,000 member businesses. Those businesses employ over 40,000 people; some who cross the Wilson Bridge during their daily commute.

Throughout this process, the Chamber has spoken at public forums held by the Wilson Bridge Coordination Committee and our local Alexandria City Council. Although we understand the concerns of some Alexandria residents who have properties adjacent to the bridge, the Alexandria Chamber has been a strong advocate for the need for immediate action and focusing on the effect the Wilson Bridge project will have on both the business and residential communities.

In my testimony today, I will discuss the three major points we have consistently advocated throughout this process:

First, because the bridge has less than 8 years of safe life remaining, we strongly advocate moving the replacement project forward and avoiding any delays. Second, we support full Federal funding. Third, we support examining less costly design options without compromising future traffic flow demands.

In discussing the first point, it is evident that we are in a state of emergency regarding the replacement of the Woodrow Wilson Bridge. The bridge has less than 8 years of useful safe life remaining. Simply put, we are running out of time. Including the project in the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA) at an appropriate level will assure funding in a timely manner.

If we do not have the resources to begin construction on schedule, weight restrictions will have to be posted on the bridge in a few years. Placing a ban on trucks and other commercial vehicles would divert additional traffic into the already heavily congested streets of Alexandria and the District of Columbia. The diversion of commercial vehicles would also have a negative impact on our local economy. The increase in delivery costs would be significant to our grocery stores, retail shops, restaurants, hotels, and hospitals because they are heavily dependent upon these daily truck deliveries.

The second point I will briefly emphasize is that it is important to enact a bill that would provide for full funding for the replacement of the Wilson Bridge. The bridge should be federally funded at the maximum level. The current funding level of $400 million is not appropriate to provide a functional replacement. The bridge is owned by the Federal Government, and its commitment should be at least consistent with other highway projects in our National Highway System which are funded at 80, 90 or 100 percent of their costs.

Finally, the Alexandria Chamber supports examining less costly design options without compromising future traffic flow demands. In a vote of 13 to O, the Wilson Bridge Coordination Committee recommended that the interchanges be refined in order to minimize their footprint and cost without detrimental effects on safety, operation, or consistency with the preferred alternative. There are opportunities for cost reduction by eliminating such features as the pedestrian/bicycle facility, HOV and reducing the enormous size of the interchanges.

In summary, it is imperative that we continue to move forward. . . with a sense of urgency. . . to protect the regional economic interest and transportation concerns associated with the bridge and interchange improvements. We urge you to enact a bill that would provide the maximum level of Federal funding.

Thank you very much for the opportunity to speak to you this morning. I would be happy to answer any questions you may have regarding the Alexandria Chamber's position.

TESTIMONY BY MICHAEL J. LEWIS, CHIEF OF STAFF, AMERICAN INSTITUTE OF AERONAUTICS AND ASTRONAUTICS (AIAA), ON BEHALF OF FAIRFAX COUNTY CHAMBER OF COMMERCE

Good morning, Mr. Chairman and members of the subcommittee. My name is Mike Lewis. As many of you know, I serve as Chief of Staff for the American Institute of Aeronautics and Astronautics—better know as AIAA—the nation's largest organization for aerospace professionals and corporations. In that role, I maintain oversight responsibility for AIAA's government relations and public affairs activities, and it is in that capacity that I may have interacted with some of you.

Today, however, I appear before you as a representative of the Fairfax County Chamber of Commerce and the thousands of companies and businesses that call Northern Virginia, and particularly Fairfax County, home. The AIAA is headquartered in Reston, Virginia, and, like every other local business, our 110 employees in this area have a strong interest in improving the transportation system and maintaining the positive quality of life in the area.

Achieving those goals, however, must begin with the replacement of the failing Woodrow Wilson Bridge. Simply stated, there is no bigger transportation issue for our region than the one you are discussing today. Extension of rail to and past Dulles Airport is important to us. A fifth lane on the Capital Beltway is important to us. Fixing the Springfield "mixing bowl" is important to us. But none of these projects are a disaster waiting to happen like the Woodrow Wilson Bridge.

And none of those projects are, or will be, owned 100 percent by the Federal Government, like the Woodrow Wilson Bridge.

Like our business counterparts here, we have one simple message for you here today: we support full Federal funding of a replacement bridge, with sufficient capacity to meet the transportation needs of the 21st Century and beyond.

Within that message, though, there are other issues we ask you to consider as part of your discussions on this topic. The first is: What are the effects if a new bridge is not built?

The most recent studies of the structural integrity of the existing Woodrow Wilson Bridge show it has about 7 years of useful life left. If nothing is done to address this impending failure, we may soon see weight limits and truck bans on the bridge as a form of life support. The consequences of such a restriction on the rest of the region's transportation network would be severe.

The Capital Beltway in Virginia between 1–95 and the American Legion Bridge is already gridlocked for 8 hours each day during the morning and evening rush hours. The added burden of diverted truck traffic will only exacerbate the challenges we face. Bridge weight limits also will add to the costs of local and regional businesses looking to get their products to market. Can you imagine the wasted time, money and other resources if an Alexandria firm has to drive all the way around the Beltway, or through the District of Columbia, to make a delivery just across the bridge in Maryland? How about the added environmental impacts of this same trip? Such a scenario may become a reality unless the Woodrow Wilson Bridge is replaced in the near future. That same company may choose to relocate its offices outside this region as a result, taking with it jobs and tax revenues.

The second issue is why the Federal Government should provide full funding. The answer is simple: the Federal Government owns the existing bridge.

Other state-owned infrastructure projects have enjoyed substantial Federal support, and this project should be no different. This is especially true given the number of motorists along the East Coast potentially impacted by the bridge's impending collapse. The Federal Government, as sole owner of the existing bridge, has to take the lead in providing the necessary funding for its replacement.

I–95 and the Woodrow Wilson Bridge are a major thoroughfare for motorists and businesses from Maine to Florida. Millions of citizens along the corridor depend upon the bridge as a vital transportation link, whether trying to get their products to their customers or to see their grandchildren. Allowing this bridge to slowly crumble will impact travelers outside the Metropolitan Washington area just as much as, if not more than, those who live and work here.

Obviously, we recognize that fiscal realities and the recent budget deal have set parameters for Federal spending for the next several years; and we were disappointed that the Chairman's call for increased transportation funding as part of the budget agreement was rejected. However, the budget agreement does not relieve the Federal Government of its responsibility to replace a structure that it alone owns. Just as business owners must make reinvestments in their infrastructure, even when times are tight, so must the Federal Government. We ask that you support Senator Robb's legislation, 5.483, and include full funding for the bridge as part of ISTEA (Intermodal Surface Transportation Efficiency Act) reauthorization.

The third issue is whether, in the interest of economy, we should skimp on bridge capacity and design. For the record, the Fairfax County Chamber of Commerce has never taken a formal position on any of the design alternatives considered by the citizens group that made the ultimate recommendation. However, we have always insisted that whatever solution is chosen does not replace one bottleneck with another. We believe the design recommendation of the coordinating committee largely achieves that goal.

Backing away from their recommendations for capacity may shortchange the benefits a new bridge will bring. The issue is not what capacity is needed to relieve today's congestion. We must construct a bridge that will have sufficient capacity to handle the traffic flows often, twenty, even fifty years from now. It is safe to say that we will get one shot at a new bridge and one shot only. Constructing a bridge with insufficient future capacity, at best, amounts to a lost opportunity, and, at worst, a waste of taxpayer dollars.

The Fairfax County Chamber of Commerce urges you to maintain support for a bridge design that meets future demand. If you have to look for opportunities to

trim short term costs, we suggest that interchanges leading up to the bridge be the first place considered. The interchanges can always be constructed as new money becomes available. A sixth lane on the bridge cannot, at least not cost-effectively.

The economy of Northern Virginia and the entire metropolitan area is dependent upon a solid transportation network that effectively moves people and goods across jurisdictional boundaries. No longer are transportation patterns centered around movement into and away from the District of Columbia. Travel in this region increasingly is suburb-to-suburb, with the Woodrow Wilson Bridge providing a critical link in that system.

Additionally, one of the realities of our local economy is that the technology firms we enjoy do not have be located here to be successful. They can just as easily do their business from Austin, Texas or Indianapolis. Thus, to remain competitive, we have to provide an effective transportation network that makes us an attractive place to live and do business. A collapsing Woodrow Wilson Bridge tarnishes that reputation. Construction of a new bridge is of vital importance to Fairfax County, its economy, and its businesses and citizens.

Mr. Chairman, the Fairfax County Chamber of Commerce appreciates the opportunity to appear before you today. We also appreciate your leadership and that of the rest of the region's congressional delegation. We would be pleased to answer any questions you may have.

5904 MOUNT EAGLE DRIVE, SUITE 1517,
Alexandria, VA 22303–2541, May 27, 1997.

HON. JOHN WARNER,
U.S. Senate,
Russell Senate Office Building,
Washington, DC 20510–4601.

DEAR SENATOR WARNER: As a constituent I have supported you over the years because I generally concurred in positions you have taken. I particularly respected your refusal to support Ollie North's candidacy. I offer a friendly, personal perspective on the Woodrow Wilson Bridge replacement because of media reports that suggest you are leaning toward a narrower bridge. There may be ways to reduce the width; it should not be at the expense of the 12 lane proposal of the Woodrow Wilson Bridge Coordinating Committee.

Let me explain first that I was personally involved in the study effort over a 2-year period. I am a retired planning director of Fairfax County. I live in the shadow of the bridge just south of the beltway. My views reflect those of many area residents and may offer some aspects for you to consider further before making your decision.

- Traffic volumes are largely local. The study revealed that most trips either start or end within the metropolitan area. Therefore, another bridge to the south, while welcome, would not resolve congestion on the bridge now or in the future.
- Travel demand requires 12 lanes. The study projected traffic volumes would exceed capacity of a 12 lane facility in the period 2015–2020, 11 to 16 years after planned completion. Consultants who prepared that projection 3 years ago now report traffic is growing faster than the rates used in the study. Would a ten lane bridge be at capacity when it was completed? Is that a reasonable solution?

Reflect on the fact that a four lane Dulles Toll Road was projected to provide capacity for 5 years. The capacity was exhausted in about 14 months. The road has since been widened to six lanes and is under construction to add two more lanes in order to provide HOV lanes during the peak demand periods.

- The difference between the ten and 12 lane proposals are two lanes reserved for transit or HOV. Every transportation planner acknowledges that continuing growth in traffic volumes cannot be accommodated merely by expanding our highway system. The costs in land acquisition, adverse community impacts, and environmental protection are prohibitive. Therefore, we must plan now for increased use of transit and/or HOV.

Increased use of technology can help to reduce traffic congestion and air pollution. Examples are the Intelligent Transportation Systems (ITS) that offer interim mechanisms for expanding highway capacity; telecommuting and teleconferencing; and over the longer term, elevated, futuristic transit systems that employ the space over our highways. Other cities in the U. S. and abroad are employing these systems which are increasingly cost competitive with highways. For now, we need to ensure that we do not preclude such systems with today's designs. None of these technologies justify reducing bridge lanes.

Travel volumes are not likely to warrant a Metro rail connection. When bus capacity in a transit lane is exhausted several decades from now, one of the more futuristic elevated rail systems may provide a solution. The bridge should be designed to provide future space for such a system. The cost now is relatively minor in a project of this magnitude. The cost of retrofit later will likely be significant.

Some Alexandrians advocate a ten lane bridge. As a long time commuter to D.C. from the Mount Vernon area, I am aware some commuters must decide daily whether to travel through Alexandria or cross the Woodrow Wilson bridge. When the bridge is congested, the choice is Alexandria. Unfortunately, Alexandria leadership does not advise it citizenry that reducing the size of the bridge will lead to increased congestion in Alexandria.

• An argument is made to reduce the bridge to save costs. It may be possible to reduce the width of the bridge minimally without reducing lanes. A better way to save costs is to adopt the high fixed bridge alternative. In addition to saving the operational inconvenience and the capital costs of installing two draw bridges, there would be considerable life cycle savings in operations (personnel) and maintenance of a fixed bridge vs. the twin draw bridge version. In my opinion, a weakness of the study was the failure to consider the life cycle cost differential for a fixed bridge planned to endure for 75 to 100 years vs. the draw bridges; the study was limited to the 2020 timeframe.

The Coordinating Committee picked the best two solutions. The Committee defeated the fixed span concept by one vote and approved the twin draw bridges by one vote. Reverting now to the fixed span bridge offers a reasonable way to reduce costs.

The primary drawback to the fixed span bridge was cited as slowing of traffic due to reduced speed of trucks on the up slope of the east bound lanes. This could be alleviated by shifting the center of the span to the east or extending the western approach to the bridge. Extending the approach would require a higher Route 1 span over the approach. Either solution or a combination of the two would not be unreasonable.

It is difficult to follow the logic of my Congressman, Jim Moran, on this issue. He says we cannot afford the cost of the 12 lane bridge. In the same breath he suggests we build another bridge a few miles to the south. Is that just tax and spend logic? He is cited in the papers as recognizing that the vast majority of his constituents favor the 12 lane bridge, still he advocates ten lanes. Unbelievable.

• The decision on the Woodrow Wilson Bridge greatly impacts other transportation facilities. The Route I Corridor study is an analysis of the transportation system needed in 2020 to meet travel demand in the Route 1 Corridor from the Fairfax County boundary with Alexandria on the north to the southern boundary of Prince William County 23 miles to the south. Travel demand at the Route 1 interchange with the beltway is projected to increase from its current 81,000 trips per day to around 100,000 trips per day. Today's unacceptable levels of congestion can be expected to worsen considerably if the bridge and its approaches are not adequate to handle the increase in traffic.

In a Major Investment Study (MIS), the Virginia Department of Transportation (VDOT) is studying alternatives for meeting travel demand on the beltway. This includes transit or HOV lanes. How do we accommodate HOV across the bridge if the bridge is designed without that capacity?

Maryland also has an MIS in progress on its half the beltway. It is considering rail transit across both the Woodrow Wilson Bridge and the Veteran's Memorial Bridge. How do we accommodate transit across the Woodrow Wilson Bridge if the bridge is designed without that capacity?

Should a Woodrow Wilson Bridge design be approved now that will negate these two alternatives when it is generally acknowledged that travel demand cannot be accommodated entirely by automobile travel?

• A toll facility is not a rational option. Along with most local pundits on the bridge, I cannot support tolls as a reasonable option, though tolls would be preferable to building an inadequate facility that would only exacerbate travel in the area. This is a federally owned facility and should be entirely or at least largely funded by the U. S. government.

In summary, I appeal to you and to the remainder of our Congressional delegation not to take an expedient position regarding the bridge, but to take a long range view that considers impacts on and benefits to the region and sound economics in decisionmaking.

Sincerely,

SIDNEY R. STEELE, AICP

○