

THE FREEDOM OF THE ROAD

A PAPER PRESENTED BY THOMAS H. MACDONALD,
CHIEF OF THE BUREAU OF PUBLIC ROADS,
BEFORE THE
FOURTEENTH ANNUAL MEETING OF THE AMERICAN ASSOCIATION
OF STATE HIGHWAY OFFICIALS, HELD AT CHICAGO, ILL.,
FROM
NOVEMBER 12 TO 15, 1928

SOME YEARS AGO IN PITTSBURGH I PASSED A BLIND BEGGAR SITTING AGAINST THE RAILING OF A BRIDGE ON ONE OF THE HEAVILY TRAVELED STREETS. HIS PITIFUL POSTURE SUGGESTED AN ACCIDENT WHICH HAD TAKEN ONE LEG AND LEFT HIM OTHERWISE BADLY CRIPPLED. HIS CLOTHES OFFERED LITTLE PROTECTION FROM A COLD, PENETRATING WIND. TO THE MANY PASSING, HE TENDERED SHOESTRINGS OR PERHAPS PENCILS, NO DOUBT LEGALLY COVERING HIS REAL OBJECT - THE SOLICITING OF ALMS. I DID NOT ADD TO THE COINS ALREADY CONTRIBUTED. I PASSED BY. A FEW STEPS AND THE PICTURE OF HIS MISERY AND POVERTY SO TOUCHED ME THAT I RETURNED TO DROP A COIN INTO HIS CUP WHERE MANY OTHERS HAD PRECEDED MINE. IT WAS GROWING EVENING AND COLDER. I WALKED AWAY, BUT RELUCTANTLY. THE IMPRESSION OF HUMAN SUFFERING WAS TOO VIVID; I WISHED TO DO MORE, - TO EXTEND SOME MORE SUBSTANTIAL HELP. SOME LITTLE DISTANCE AWAY I AGAIN TURNED. IMAGINE MY CHAGRIN TO FIND THIS TIME THE POOR BEGGAR NOW STANDING UPON TWO GOOD LEGS. HIS DAY'S WORK WAS OVER. HE COUNTED HIS COINS WITH SATISFACTION, PUT ON A COMFORTABLE OVER-COAT, CROSSED THE STREET WITHOUT DANGER SINCE HE COULD SEE AS WELL AS I, AND DISAPPEARED.

THE PHASE OF THIS INCIDENT OF INTEREST HERE IS THE PALPABLE TRESPASS UPON THE FREEDOM OF THE ROAD, THE INFRINGEMENT OF THE RIGHT OF THE PUBLIC TO USE THE HIGHWAYS FOR TRANSIT AND TRANSPORT WITHOUT MOLESTATION, WITHOUT HARASSMENT OF SENSIBILITIES, AND WITHOUT LOSS OR UNNECESSARY FINANCIAL OUTLAY.

TO GUARD THE PUBLIC AGAINST HIM WHO SEEKS TO TAX THOSE WHO USE THE HIGHWAY FOR HIS PRIVATE GAIN IS A GREAT RESPONSIBILITY. THE IMPOSTOR SEEKING ALMS MAY BE BANISHED FROM THE HIGHWAYS OVER NIGHT. IT IS SAID THAT MUSSOLINI SO ORDERED, AND THE BEGGARS DISAPPEARED FROM SIGHT IN A CITY OVERRUN WITH THEM. IT IS NOT SO SIMPLE TO FREE THE PUBLIC FROM A HUNDRED INTERESTS COLLECTING FROM THOSE WHO USE THE HIGHWAYS, ONCE THEY GAIN LEGAL FOOTHOLD.

SINCE HIGHWAY TRANSPORTATION HAS GROWN TO SUCH DIMENSIONS THAT TO ENUMERATE THE FIGURES DOES NOT ENLIGHTEN BUT RATHER CONFUSES OUR CONCEPTION, THE POSSIBILITIES OF RICH FIELDS TO EXPLOIT HAVE BEEN GREATLY MULTIPLIED AND EXTENDED. COINCIDENT WITH THE CONSTANTLY NEW FOUND USES OR THE MORE COMPLETE ADAPTATION OF THIS FORM OF TRANSPORT, COME NEW PROPOSALS FOR FETTERING THE FREEDOM OF THE ROAD TO FILL A PRIVATE PURSE.

THERE IS NO RESPONSIBILITY WHICH DESERVES TO ENGAGE THE ATTENTION OF THIS GROUP OF HIGHWAY OFFICIALS MORE THAN THESE INVASIONS. THIS IS NO IDLE CRY OF "WOLF, WOLF". ALREADY THE FRANCHISES ISSUED TO PRIVATE INTERESTS FOR TOLL BRIDGES HAVE REACHED ALARMING NUMBERS, AND PROJECTS IN OTHER FIELDS ARE MATURING.

WHAT CAN BE DONE? WHAT OUGHT TO BE DONE?

NO ONE, I BELIEVE, HAS A BETTER OPPORTUNITY TO KNOW THE BURDENS OF PUBLIC BUSINESS MANFULLY SHOULDERED AND CONSCIENTIOUSLY CARRIED BY THIS GROUP, THAN I. TO ADD FURTHER TO YOUR RESPONSIBILITY, OR TO CALL UPON YOU FOR GREATER EFFORT, MUST BE JUSTIFIED BY A GREAT NEED. BUT THAT NEED EXISTS. IT EXISTS NOW. IT CALLS FOR UNITED EFFORT AND THE EXERTION OF THE STRENGTH THAT LIES IN COOPERATIVE ENDEAVOR.

GO BACK TO THE PERIOD PRECEDING 1916. IN JUST TWO YEARS THIS ASSOCIATION DEVELOPED, THROUGH DETERMINED COOPERATION, THE LEGISLATION WHICH BECAME THE FIRST FEDERAL-AID ACT AND ESTABLISHED THE POLICY OF FEDERAL PARTICIPATION. THE ASSOCIATION HAS YEAR BY YEAR EXERTED A MAJOR INFLUENCE IN THE FURTHER DEVELOPMENT OF THIS LEGISLATION. IT IS AN OUTSTANDING EXAMPLE OF PUBLIC LEADERSHIP EXERCISED THROUGH HARMONIOUS ACTION ON THE PART OF THOSE UPON WHOM RESTS RESPONSIBILITY FOR THE CONDUCT OF THE BUSINESS OF HIGHWAY IMPROVEMENT IN THE STATES.

THE EFFORTS SO FAR HAVE BEEN DEVOTED LARGELY TO THE PUBLIC POLICIES AND LEGISLATION AFFECTING THE CONSTRUCTION OF HIGHWAYS, AND THE WORK OF THE COMMITTEES HAS PROPERLY AND NECESSARILY BEEN DIRECTED TOWARD THE ENGINEERING AND ADMINISTRATIVE TECHNIQUE.

IN THESE FIELDS WE HAVE MADE MUCH PROGRESS AND IT MUST CONTINUE, BUT THE IMMEDIATE FUTURE PROMISES DEVELOPMENT IN MANY DIRECTIONS THAT INTIMATELY TOUCH HIGHWAY PLANNING, BUILDING AND UTILIZATION.

THE PROPOSAL TO DEVELOP AN EXTENSIVE SYSTEM OF INLAND WATERWAYS NECESSARILY CARRIES WITH IT INTELLIGENT CORRELATION OF HIGHWAY AND WATERWAY FACILITIES.

THUS, FREEDOM OF THE ROAD TAKES ON THE VERY BROAD SIGNIFICANCE OF ROAD AVAILABILITY, THAT WE MAY USE EFFICIENTLY ALL OUR RESOURCES. SOCIAL AND ECONOMIC FREEDOM ARE NOT POSSIBLE WITHOUT ADEQUATE HIGHWAYS.

I AM NOW MORE THAN EVER CONVINCED OF THE PROGRESS POSSIBLE THROUGH CLOSE COOPERATION BETWEEN THE STATES AND THE NATION. THE FOUNDATION PRINCIPLE OF THE FEDERAL HIGHWAY LEGISLATION - THAT OF DEFINED DUTIES AND SHARED RESPONSIBILITY FOR THE ACCOMPLISHMENT OF A GREAT OBJECTIVE - HAS BEEN PROVED TO BE THE MOST SUCCESSFUL PLAN OF ORGANIZATION YET DEvised IN THIS COUNTRY FOR THE MOST EXTENSIVE UNDERTAKINGS. FOR OPERATIONS OF VERY LARGE DIMENSIONS AND IN A LARGE AREA, THE PLAN OF A RELATIVELY SMALL CENTRAL ORGANIZATION OR CLEARING HOUSE AND SELF-GOVERNING UNITS COOPERATING AMONG THEMSELVES AND WITH THE CENTRAL BODY, IS THE MOST SUCCESSFUL SCHEME OF ORGANIZATION YET FORMED. IT IS THE PLAN OF THE FEDERAL RESERVE BANKING SYSTEM, LIKEWISE OF SUCH CORPORATIONS AS THE AMERICAN TELEGRAPH AND TELEPHONE COMPANY, AND THE GENERAL MOTORS CORPORATION. THE ONLY HOPE FOR THE RELIEF OF SOME OF OUR ECONOMIC ILLS LIES IN THE PROPER APPLICATION OF THE SAME PRINCIPLE OF COOPERATION.

FOR ITS APPLICATION TO PROBLEMS OF THE HIGHWAYS, THE FORM OF ORGANIZATION EXISTS; ALREADY A SPLENDID RESULT HAS BEEN ACHIEVED; BUT THESE ALONE ARE NOT ENOUGH TO INSURE THE CONTINUANCE OF SUCCESSFUL COOPERATION. THE SPIRIT OF MUTUAL LOYALTY AND RESPECT IS ESSENTIAL, AND THERE MUST BE A COMMON RECOGNITION AND AGREEMENT UPON THE OBJECTIVES. WE HAVE A SOLID FOUNDATION FOR ENTIRELY SUCCESSFUL AND CONTINUING COOPERATION BETWEEN THE STATE AND FEDERAL HIGHWAY ORGANIZATIONS; THE OBJECTIVES ARE ALL IMPORTANT. WORKING TOGETHER IN THE SPIRIT OF MUTUAL RESPECT AND LOYALTY, FULL AGREEMENT AND CONCERTED ACTION WILL INEVITABLY FOLLOW FULL UNDERSTANDING OF THE PROBLEMS.

WHILE I PROFOUNDLY HOPE IT IS NOT NECESSARY TO SAY TO THE STATE MEMBERS OF THIS ASSOCIATION THAT THE BUREAU OF PUBLIC ROADS DOES NOT SEEK TO DOMINATE OR TO EXTEND ITS LEGAL FIELD OF AUTHORITY, IT MAY BE WELL WORTH WHILE TO ASSERT IN POSITIVE TERMS THAT THE BUREAU OF PUBLIC ROADS DESIRES ONLY TO WORK WITH THE STATES IN GOOD FAITH AND WITH MUTUAL HELPFULNESS. THE BUREAU RECOGNIZES AND ACCEPTS

THAT WE ARE BUILDING A NATIONAL SYSTEM OF ROADS BY DEVELOPING OUTWARD FROM EACH STATE NUCLEUS. IT RECOGNIZES THAT THE PERFECTING OF THE INTERSTATE OR TRANSCONTINENTAL ROADS MUST BE REASONABLY COMPARABLE WITH PROGRESS TOWARD ADEQUATE STATE AND LOCAL TRAFFIC SERVICE. THUS WITH DEMONSTRATED ABILITY TO SEE THESE MAJOR ADMINISTRATIVE PROBLEMS FROM THE SAME POINT OF VIEW, IT IS CERTAIN THAT ONCE THESE NEW PROBLEMS ARE ANALYZED AND THE POLICIES FOR DEALING WITH THEM DETERMINED, THE STRENGTH OF THIS WHOLE ORGANIZATION, COMBINING BOTH STATE AND FEDERAL OFFICIALS, CAN BE DEPENDED UPON TO ADVANCE THE INTERESTS OF THE PUBLIC.

PROGRESS IN THE IMPROVEMENT OF THE FEDERAL HIGHWAY SYSTEM IS ENCOURAGING. THE ANNUAL PROGRAM HAS NOW TAKEN ON THE ASPECT WE CAN EXPECT IT TO HOLD FOR A LONG PERIOD. THE MILEAGE OF FIRST STAGE CONSTRUCTION IS DECREASING AND THAT OF SECOND STAGE IMPROVEMENT IS ABOUT 20 PER CENT OF THE TOTAL ANNUAL PROGRAM. IN ADDITION THE MILEAGE ON THE FEDERAL-AID SYSTEM IMPROVED THROUGH STATE CONSTRUCTION IS VERY LARGE. NOTWITHSTANDING THIS ANNUAL PROGRESS IT MUST BE APPARENT THAT IT WILL TAKE A LONG TIME TO BUILD THE SYSTEM TO ADEQUATE STANDARDS. WE MAY NOT CLOSE OUR EYES TO THE RELATIVE QUALITY OF MUCH OF OUR CONSTRUCTION UP TO THE PRESENT TIME. THERE IS A VERY MODERATE PERCENTAGE OF OUR IMPROVED MILEAGE THAT APPROACHES A STANDARD THAT MAY BE CONSIDERED STABLE FOR A LONG PERIOD. THUS, WE ARE FACED WITH A CONTINUING TASK AND SHOULD SO REGARD IT. THERE WILL NOT BE A MORE AUSPICIOUS TIME TO INTEREST OURSELVES IN OTHER PROBLEMS OR A TIME SOON WHEN CONSTRUCTION DOES NOT DEMAND LARGE ATTENTION. THESE OTHER PROBLEMS MUST BE UNDERTAKEN ALONG WITH THE BUILDING PROGRAM AND DESERVE EQUAL ATTENTION AND DEFINITE ACTION, ELSE WE SHALL FIND THAT PRIVATE INTEREST HAS TAKEN POSSESSION WHILE WE HAVE BEEN ENGAGED WITH THE DAY'S WORK.

THESE ATTACKS UPON THE FREEDOM OF THE ROAD, PRESENT AND POTENTIAL, APPEAR IN A VARIETY OF FORMS. AMONG THE MORE IMPORTANT ARE FRANCHISES TO BUILD TOLL BRIDGES GRANTED TO PRIVATE INTERESTS, PROPAGANDA PROMOTING TOLL ROAD FRANCHISES FOR PRIVATE INTERESTS, ILL ADVISED DEMANDS FOR FEDERAL HIGHWAY-TRANSPORT LAWS AND REGULATIONS, THE LACK OF DESIRABLE UNIFORMITY IN STATE REGULATORY LAWS, TRAFFIC CONGESTION, THE LACK OF WELL PLANNED PROGRAMS OF ROAD IMPROVEMENT ADJUSTED TO THE AVAILABLE FINANCES, AND THE ABUSE AND DESECRATION OF OUR ROADSIDES.

EACH ONE OF THESE CONSTITUTES A SERIOUS INVASION OF THE FREEDOM OF THE ROAD, BUT THERE IS A WIDE DIFFERENCE IN THEIR

INFLUENCE GEOGRAPHICALLY. IN THIS LIES SOME DANGER FROM LACK OF FORCED ATTENTION, WHAT IS BAD POLICY ANYWHERE MERITS THE ATTENTION OF THIS ASSOCIATION BEFORE IT BECOMES A UNIVERSAL BAD POLICY. IN THIS CONNECTION LET THERE BE NO MISTAKING WHAT IS MEANT BY FREEDOM OF THE ROAD. THERE IS NO IMPLICATION OF FREEDOM FROM PROPER RESTRAINT. RATHER IT EPITOMIZES THAT EQUALITY OF PRIVILEGE AND OPPORTUNITY WHICH IS BASIC IN OUR CONCEPTION OF THE PUBLIC HIGHWAY AND A HERITAGE TO BE JEALOUSLY GUARDED AND PRESERVED. IT MUST NOT BE SAID THAT THE HIGHWAY OFFICIALS OF THIS DAY PERMITTED SPECIAL OR UNEQUAL PRIVILEGE TO OBTAIN HOLDINGS INIMICAL TO REAL FREEDOM OF THE ROAD.

TOLL BRIDGE FRANCHISES GRANTED TO PRIVATE INTERESTS

THERE IS MUCH CONFUSION IN THE PUBLIC MIND ON THIS QUESTION. IN ALL SINCERITY MANY HAVE ENDORSED THE PRIVATE TOLL BRIDGE FRANCHISE ON THE THEORY THAT IT IS DESIRABLE TO HAVE BRIDGES, AND IF THE PUBLIC FUNDS ARE NOT SUFFICIENT OR AVAILABLE, RATHER THAN DO WITHOUT, IT IS BETTER TO GRANT A TOLL FRANCHISE TO PRIVATE INTERESTS. THIS IS NOT THE ISSUE. THE REAL ISSUE IS MUCH SIMPLER, TOO SIMPLE APPARENTLY, AND OF COURSE THERE IS WIDESPREAD PROPAGANDA DIRECTED TOWARD KEEPING THE WRONG IDEA IN THE PUBLIC MIND. THE REAL QUESTION IS THE VERY SIMPLE ONE OF WHETHER IT IS SOUND PUBLIC POLICY TO GRANT THE RIGHT TO COLLECT A PRIVATE PROFIT FROM THE USER OF THE HIGHWAY. THE ANSWER OUGHT TO BE A VIGOROUS AND AUTHORITATIVE "No." THERE IS NO PLACE ON THE PUBLIC HIGHWAY TODAY FOR THE PRIVATELY OWNED TOLL BRIDGE.

THE NEED FOR CAPITAL FOR HIGHWAY IMPROVEMENT IS SO LARGE THAT IT IS NOT ONLY NECESSARY, BUT IN MANY STATES DESIRABLE, TO PROVIDE LARGE BRIDGES THROUGH TOLL COLLECTIONS. WHERE THIS SITUATION EXISTS, HOWEVER, IT CAN AND SHOULD BE MET BY THE PUBLIC IN ITS OWN INTERESTS.

THE PUBLIC CAN FINANCE AND BUILD AT LOWER COSTS, AND THE LARGEST BRIDGE UNDERTAKINGS IN THE COUNTRY TODAY ARE BEING FINANCED ON THE BASIS OF THEIR EARNINGS. TWO METHODS ARE BEING USED: FIRST, MUNICIPAL BOND ISSUES TO BE RETIRED FROM EARNINGS; AND SECOND, REVENUE BONDS ISSUED AGAINST THE EARNINGS BUT NOT A MUNICIPAL OBLIGATION IN THE SENSE OF ADDING TO THE CONSTITUTIONAL INDEBTEDNESS.

THE PORT OF NEW YORK AUTHORITY IS ENGAGED IN BUILDING BRIDGES OF UNUSUAL SIZE AND COST. FOUR BRIDGES WILL COST, IT IS ESTIMATED, \$100,000,000, AND THE COST WILL BE MET WITH THE INCOME. IN THIS AREA A NUMBER OF THE MOST REMARKABLE AND MOST COSTLY PUBLIC WORKS IN THE WORLD ARE BEING PROVIDED WITHOUT ADDING TO THE TAXES ON THE PROPERTY OWNER AND WITH THE PROFITS DEVOTED TO FREEING THE PROJECTS FROM DEBT.

ONE OF THE PROJECTS FINANCED ON MOST FAVORABLE TERMS RECENTLY IS THE NEW OHIO RIVER BRIDGE AT LOUISVILLE, KENTUCKY. HERE IS A SPLENDID EXAMPLE OF PUBLIC FINANCING BY DIRECT DEALING WITH A STRONG FINANCIAL HOUSE ON THE BASIS OF A BANKING AND NOT A STOCK-PROMOTION PROJECT. THE TERMS ARE EMINENTLY FAIR TO THE PUBLIC. THE CITY WILL BUILD THE BRIDGE AND COMPLETELY CONTROL THE WHOLE PROJECT. REVENUE BONDS ARE ISSUED AGAINST THE EARNINGS OF THE BRIDGE AND THEY ARE NOT A DEBT LIABILITY AGAINST THE PROPERTY OF THE CITY. THE CONSTITUTIONALITY OF THE CONTRACT HAS BEEN PASSED UPON FAVORABLY BY THE SUPREME COURT OF THE STATE AND WITHIN A REASONABLE TIME THE CITY WILL OWN A MAGNIFICENT BRIDGE COSTING UPWARDS OF SIX MILLION DOLLARS WITHOUT COST TO THE TAXPAYERS.

THE STATES OF ALABAMA, TENNESSEE, KENTUCKY, LOUISIANA, ARKANSAS AND PERHAPS OTHERS, HAVE WITHIN RECENT MONTHS PROVIDED FOR THE BUILDING OF BRIDGES, THE COSTS OF WHICH ARE TO BE PAID FROM TOLLS, AND THEN MADE FREE.

PRIVATE TOLL BRIDGE INTERESTS ARE BECOMING BOLDER AND OBSTRUCTING THE PUBLIC'S BUSINESS. THEY ARE ATTEMPTING TO DEFEAT LEGISLATION UNFAVORABLE TO THEMSELVES AND ARE OBSTRUCTING THE EFFORTS OF HIGHWAY DEPARTMENTS TO CARRY ON STATE PROJECTS. SEVENTY-FIVE FEDERAL AUTHORIZATIONS TO BUILD TOLL BRIDGES HAVE BEEN GRANTED TO PRIVATE INTERESTS BY THE PRESENT CONGRESS. THE TERMS OF THESE AUTHORIZATIONS ARE WHOLLY INADEQUATE TO PROTECT THE PUBLIC'S INTEREST AND BILLS NOW PENDING ON THIS SUBJECT ARE EVEN MORE FAVORABLE TO THE PRIVATE TOLL BRIDGE PROMOTER THAN EXISTING LEGISLATION. INCIDENTALLY, THE PROPOSAL IS CARRIED TO TURN OVER THE FIXING OF VALUES AND REGULATION OF TOLLS TO THE INTERSTATE COMMERCE COMMISSION FOR BRIDGES OVER NAVIGABLE WATERS AND OVER WHICH INTERSTATE COMMERCE IS CARRIED.

BASICALLY, ALL BRIDGES ON THE MAIN HIGHWAYS HAVE BECOME VALUABLE PROPERTY BECAUSE OF THE CONSTRUCTION OF HIGHWAYS. THE BRIDGES ARE ONLY A PART OF SUCH HIGHWAYS AND SHOULD BE LEGALLY

TREATED AS SUCH. THE BUREAU OF PUBLIC ROADS MADE A SURVEY OF THE SITUATION BUT WAS WITHOUT LEGAL AUTHORITY AND CONSEQUENTLY COULD NOT OBTAIN THE RECORDS OF COSTS, EARNINGS, INVESTMENTS AND OTHER ESSENTIAL FACTS FROM PRIVATE INTERESTS. A FULL INVESTIGATION OF THE TOLL-BRIDGE SITUATION IS NEEDED AS A BASIS FOR REMEDIAL LEGISLATION, TO SAFEGUARD THE PUBLIC IN THEIR USE OF THE ROADS AND TO PROTECT THE PUBLIC WHICH INVESTS IN SECURITIES. IT IS A FIELD FROM WHICH THE SHOESTRING PROMOTER SHOULD BE EXCLUDED AND HE WILL BE IF A THOROUGH INVESTIGATION IS MADE.

PROPAGANDA FOR FRANCHISES FOR PRIVATE TOLL ROADS

THE WIDELY ADVERTISED PROFITABLE NATURE OF PRIVATE TOLL-BRIDGE FRANCHISES AND THE RESULTS OF HIGHWAY TRANSPORT SURVEYS WHICH HAVE DEFINITELY SHOWN THE HEAVY FLOW OF TRAFFIC ON MAIN ARTERIAL ROADS, HAVE STIMULATED VISIONS OF ANOTHER TYPE OF GOLD MINE, THE PRIVATELY-OWNED TOLL ROAD. RECENTLY AN ARTICLE IN A FINANCIAL PAPER DESCRIBED IN EXTRAVAGANT TERMS THE GROWTH OF PRIVATE TOLL ROADS ABROAD. AS A MATTER OF FACT THE DEVELOPMENT OF SUCH ROADS TO DATE IS NEGLIGIBLE. THERE ARE TWO ROADS IN OPERATION IN ITALY, - ONE FROM MILAN TO THE LAKES, ABOUT 50 MILES; AND ONE FROM MILAN TO BERGAMO, ABOUT 30 MILES.

THERE ARE SOME OTHER PROJECTS UNDER WAY ALSO OF LIMITED MILEAGE. THE CONCEPTION OF THE ITALIAN "AUTOSTRADA" IS PRIMARILY A ROAD RESERVED FOR MOTOR VEHICLE TRAFFIC, AN OUTGROWTH OF THE PREVALENCE OF SLOW MOVING ANIMAL-DRAWN TRAFFIC AND PEDESTRIANS. FINANCING OF THE FIRST PROJECTS AT LEAST WAS MADE POSSIBLE THROUGH GOVERNMENT GUARANTIES. ALL THE CONDITIONS ARE SO DIFFERENT FROM OUR OWN, NO RELATIVITY EXISTS AND NO CONCLUSIONS MAY BE CONSISTENTLY DRAWN.

LIKewise IN ENGLAND THERE ARE A FEW TOLL ROADS, BUT THESE ARE OLD AND THERE IS NOTHING TO JUSTIFY BELIEF THAT ENGLAND WILL GRANT FRANCHISES FOR PRIVATE TOLL ROADS ON AN EXTENDED SCALE. THE PREDICTION IS MADE THAT SUCH PROPOSALS WILL BE OPPOSED BY THE RAILROADS. THIS VIEW IS MOST WORTHY OF CAREFUL CONSIDERATION.

THE MOTOR ROAD ON A CLOSED RIGHT OF WAY TAKES ON THE CHARACTERISTICS OF A RAILROAD. A HIGHWAY CANNOT BE SO TRANSFORMED AND CONTINUE TO SERVE IN A UNIVERSAL WAY.

THE ONLY AREAS IN WHICH TOLL ROADS OF VERY HIGH COST IN COMPETITION WITH HIGH-STANDARD FREE ROADS COULD POSSIBLY PAY IS IN THOSE SECTIONS OF DENSE POPULATION WHERE DISTANCES BETWEEN LARGE CENTERS ARE RELATIVELY SMALL. ROUGHLY THESE AREAS MAY BE INDICATED BY A STRIP VARYING IN WIDTH FROM WASHINGTON THROUGH NEW YORK CITY TO BOSTON, AND BY ANOTHER STRIP ALONG THE GREAT LAKES FROM MILWAUKEE THROUGH CHICAGO, CLEVELAND AND DETROIT TO BUFFALO.

IN ADDITION THERE ARE POTENTIALLY RELATIVELY SHORT SPURS OR CONNECTIONS TO SOME NEARBY OBJECTIVE EXTENDING FROM THE LARGEST CITIES IN THESE AREAS AND IN OTHER SECTIONS OF THE UNITED STATES.

THESE ARE NOT SET UP AS AREAS IN WHICH TOLL ROADS WOULD PAY. RATHER THEY INDICATE THE LIMIT OF POTENTIAL LOCATIONS WHERE, IN GENERAL, RELATIVELY SHORT SECTIONS OF TOLL ROADS MIGHT BE POSSIBLE IN COMPETITION WITH HIGHLY DEVELOPED FREE ROADS.

AS DIFFICULT ENGINEERING PROBLEMS AS ANY OF THESE POTENTIALITIES COULD POSSIBLY PRESENT, ARE BEING MET NOW BY THE PUBLIC IN A HIGHLY SATISFACTORY MANNER. AS AN EXTREME EXAMPLE, WE HAVE THE COMPLETED HOLLAND VEHICULAR TUNNEL BETWEEN NEW JERSEY AND NEW YORK, WHICH COST \$48,400,000. THE TOLLS CHARGED ARE COMPARABLE WITH THE AVERAGE FERRY CHARGES AND THE INCOME FOR THE FIRST TEN MONTHS OF OPERATION, NOVEMBER, 1927, TO AUGUST, 1928, WAS AT THE RATE OF APPROXIMATELY 10 PER CENT PER ANNUM, THOUGH THE APPROACH ROADS ARE NOT YET COMPLETED. A SECOND AND PERHAPS BETTER EXAMPLE IS FOUND IN THE TWENTY-MILE APPROACH ROAD TO THE VEHICULAR TUNNEL WHICH THE STATE OF NEW JERSEY, THROUGH THE STATE HIGHWAY DEPARTMENT, IS NOW BUILDING AS A FREE ROAD. IN PERFECTION OF DESIGN, INTELLIGENT CONCEPTION OF THE SERVICE REQUIRED, AND DIFFICULTIES TO BE OVERCOME, THIS HIGHWAY SURPASSES ANY SIMILAR UNDERTAKING NOW UNDER WAY. WITH ITS COMPLETION THE REVENUES OF THE VEHICULAR TUNNEL WILL UNDOUBTEDLY GREATLY INCREASE.

HERE ARE TWO EXAMPLES OF WHAT CERTAINLY MAY BE TERMED SUPER-HIGHWAYS. THERE IS NO INDICATED ADDITIONAL SERVICE THAT MIGHT BE EXTENDED BY PLACING THEM ON A PRIVATE RIGHT OF WAY AND BOTH, REGARDLESS OF EXISTING TRANSPORTATION AGENCIES, WERE HIGHLY NECESSARY PUBLIC FACILITIES. WHEREVER SUCH NECESSITY EXISTS, SUCH ROADS ARE ESSENTIALLY PUBLIC UNDERTAKINGS AND SHOULD BE SO UNDERTAKEN WHETHER THE COST IS PAID FROM TOLLS OR NOT.

WE COME NOW TO THE CLASS OF SUPER-ROADS THAT CAN NOT BE CLASSED AS NECESSITIES BUT ARE ADDITIONAL OR DE-LUXE-SERVICE ROADS. THEY CAN NOT BE SUBSTITUTED FOR ADEQUATE FREE HIGHWAYS.

THERE IS NO SUBSTITUTE FOR THE FREE PUBLIC HIGHWAY, AND AS THE EXISTING ROADWAYS ARE PERFECTED BY WIDENING, GRADE SEPARATIONS, BY-PASSES AROUND CONGESTION, BETTER ALIGNMENT AND BETTER SURFACES, THEY WILL RENDER EVERY POSSIBLE DEGREE OF DESIRABLE SERVICE.

IF DE-LUXE-SERVICE ROADWAYS TO A LIMITED EXTENT ARE NEEDED ON PRIVATE RIGHT OF WAYS, THEIR DEVELOPMENT SHOULD BE UNDERTAKEN BY THE EXISTING RAILWAYS, NOT IN COMPETITION WITH THEM. MUCH HARM WITHOUT COMPENSATING BENEFITS WILL OTHERWISE RESULT. ONCE LET FRANCHISES BE GRANTED TO PRIVATE INTERESTS WITH THE NECESSARY POWER OF EMINENT DOMAIN, AND INCONCEIVABLE HARM WOULD RESULT TO THE FINANCIAL STRUCTURE OF THE RAILWAYS IN THAT AREA.

WE MAY WELL TAKE A PAGE FROM THE BOOK OF EXPERIENCE IN THE LONDON TRAFFIC AREA. A LIMITED AREA TO BE SURE, BUT THESE DE-LUXE TOLL-ROAD PROPOSALS MUST NECESSARILY BE LIMITED TO CONGESTED AREAS OF RELATIVELY LIMITED EXTENT IN WHICH SEVERAL FORMS OF TRANSPORT COME INTO THE KEENEST COMPETITION. BRIEFLY, A TRANSIT COMMISSION APPOINTED TO WORK OUT A SCHEME OF REORGANIZATION IN A SERIOUSLY COMPLICATED FINANCIAL AND TRAFFIC CONGESTION SITUATION, RECOMMENDED POOLING THE EARNINGS OF ALL THE TRANSPORTATION AGENCIES IN ORDER TO PAY A FAIR RATE OF RETURN ON THE INVESTED CAPITAL OF EACH. THESE PROPOSALS FOR TOLL SUPERHIGHWAYS ON PRIVATE RIGHT OF WAY ARE NOT SIMPLE OR INNOCUOUS UNDERTAKINGS. THEY EITHER LEAD TOWARD A POOLING OF INTERESTS OR A PROBABLE SEVERE SHRINKAGE IN CAPITAL VALUES INVESTED IN EXISTING RAILWAYS IN THE AREA.

THERE IS NOT AN INCONSISTENCY BETWEEN THIS POSITION AND THE ADVOCACY OF ADEQUATE PUBLIC HIGHWAYS AND THEIR USE FREE FROM ALL BUT PROVEN NECESSARY RESTRICTIONS. THERE IS NO REASONABLE SUBSTITUTE FOR SUCH PUBLIC HIGHWAYS, AND WHILE WE ARE IN THIS TRANSITIONAL STAGE OF HIGHWAY PERFECTING THE INFLUENCE OF THIS ASSOCIATION SHOULD BE EXERTED AGAINST PROMOTIONAL SCHEMES THAT CAN DO SERIOUS HARM.

ILL-ADVISED DEMANDS FOR FEDERAL HIGHWAY LAWS AND REGULATIONS

THERE ARE TWO ASPECTS TO THE DEMANDS FOR FEDERAL LAWS AND REGULATIONS GOVERNING THE UTILIZATION OF THE HIGHWAYS IN INTER-STATE MOTOR-VEHICLE OPERATION WHICH DESERVE SCRUTINY. THE FIRST IS THIS: THE PRINCIPAL DEMANDS FOR SUCH LAWS ARE EMANATING FROM THOSE IN CONTROL OF OTHER TYPES OF TRANSPORT. THE SECOND COMES FROM THE OPERATORS OF MOTOR TRANSPORT THEMSELVES. BUT THE OBJECT IN BOTH CASES IS TO LIMIT AND CONTROL COMPETITION.

THE ONLY INQUIRY INTO THE DEVELOPMENT AND OPERATION OF COMMERCE, PARTICULARLY INTERSTATE COMMERCE, OVER THE HIGHWAYS, WAS THE SERIES OF HEARINGS CONDUCTED BY A MEMBER OF THE INTERSTATE COMMERCE COMMISSION, TO WHICH THE RAILROADS WERE MADE RESPONDENTS, ON THE EVIDENCE THUS SECURED CERTAIN RECOMMENDATIONS AS TO FEDERAL COMMON CARRIER LEGISLATION WERE MADE. PRIOR TO THESE HEARINGS A BILL HAD BEEN INTRODUCED AND HEARINGS WERE HELD BY THE SENATE COMMITTEE ON INTERSTATE COMMERCE. THESE ORIGINAL PROPOSALS WERE NOT BASED ON ANY INQUIRY AND WERE PLAINLY PROPOSED TO LIMIT THE COMPETITION OF THE COMMERCIAL MOTOR VEHICLE WITH THE RAILROADS AND WITH EXISTING MOTOR TRANSPORT OPERATIONS.

BASED ON THE RECOMMENDATIONS OF THE COMMISSION AFTER THE INQUIRY, NEW LEGISLATION WAS INTRODUCED AT THE LAST SESSION OF CONGRESS AND IS NOW PENDING BEFORE THE HOUSE COMMITTEE ON INTER-STATE COMMERCE. THE NEW PROPOSALS ARE MATERIALLY DIFFERENT FROM THE ORIGINAL BILLS. IT IS REASONABLE TO BELIEVE THAT A FURTHER AND MUCH BROADER STUDY SHOULD BE MADE BEFORE RESTRICTIVE LEGISLATION IS MADE EFFECTIVE. BEFORE EXPERIMENTING WITH FEDERAL LEGISLATION IN THIS FIELD, SERIOUS THOUGHT SHOULD BE GIVEN TO THE ECONOMIC SOUNDNESS OF THE COURSE WE FOLLOW. IT CANNOT CORRECTLY BE ASSUMED THAT HIGHWAY AND RAILWAY REGULATIONS RUN PARALLEL.

THE CONSTRUCTION AND MAINTENANCE OF HIGHWAYS ARE MOST INTIMATELY CONNECTED WITH THE OPERATION OF MOTOR VEHICLES, AND THE HIGHWAYS ARE UNDER JURISDICTION OF THE STATES.

EXCEPT TO A VERY LIMITED EXTENT, INTERSTATE PASSENGER CARRIERS BY MOTOR VEHICLE MUST DO ALSO AN INTRASTATE BUSINESS TO BE PROFITABLE, BUT THE INTRASTATE BUSINESS IS UNDER JURISDICTION OF THE STATES.

IT IS INEVITABLE THAT THE RAILWAYS, BOTH STEAM AND ELECTRIC, WILL BECOME EXTENSIVE USERS OF THE MOTOR TRUCK AND MOTOR BUS.

THEY ARE NOW, AND THIS USE IS GROWING RAPIDLY, BUT THERE IS A VAST DIFFERENCE BETWEEN A RAILROAD AND A MOTOR VEHICLE. THIS POINT IS BASIC IN ALL CONSIDERATIONS OF LEGISLATION GOVERNING THE MOTOR VEHICLE, AND THE SAME PRINCIPLES CANNOT BE APPLIED TO BOTH AND YET PRESERVE THE SERVICE THAT THE MOTOR VEHICLE CAN RENDER. THE AVERAGE MAN CANNOT BUY A RAILROAD AND RUN IT TO SUIT HIMSELF, BUT HE CAN BUY A MOTOR VEHICLE AND RUN IT WHEN AND WHERE HE CHOOSES AND PRETTY MUCH AT THE COST HE IS WILLING TO PAY.

THUS TO DENY A CERTIFICATE OF NECESSITY TO THE BUS MAY AS LIKELY PUT INTO CONGESTED CENTERS MANY MORE PRIVATE CARS OR DRIVE THE WOULD-BE PATRON TO OTHER FORMS OF TRANSPORT.

OR IT MAY DENY TO THAT PORTION OF THE PUBLIC, UNABLE TO OWN A CAR, A MORE CONVENIENT METHOD OF TRANSPORTATION, - ANOTHER INVASION OF THE FREEDOM OF THE ROAD.

TRUE, THESE POINTS ONLY TOUCH IN A SKETCHY WAY THIS VERY INVOLVED SUBJECT, BUT DO THEY NOT JUSTIFY THESE QUERIES:

IS COMPETITION BETWEEN DIFFERENT FORMS OF TRANSPORTATION, FOR ONE OF WHICH THE PUBLIC IS FURNISHING THE ROADWAY FACILITIES, A PROPER CAUSE FOR RESTRICTION THROUGH LEGISLATION?

IS IT AN ACCEPTABLE PUBLIC POLICY TO GRANT THROUGH SUCH LEGISLATION FRANCHISES TO ALL THOSE NOW OPERATING, BUT RESERVE THE RIGHT TO GRANT FRANCHISES TO THOSE WHO SEEK TO ESTABLISH A NEW SERVICE?

AND, HAS THERE BEEN SUFFICIENT STUDY AND INVESTIGATION BY EXPERTS IN HIGHWAY TRANSPORT TO JUSTIFY PROJECTING THE FEDERAL GOVERNMENT INTO ESSENTIALLY LOCAL PROBLEMS?

THE PROPER REPLY TO SUCH QUESTIONS IS THAT THE WHOLE MATTER OF COORDINATION OF TRANSPORT FACILITIES IS VERY BROAD AND CONTINUING. IT INVOLVES NOT ONLY RAILWAYS AND HIGHWAYS BUT ALSO WATERWAYS AND AIRWAYS. THE SUBJECT SHOULD BE GIVEN THOROUGH STUDY ON THIS BROAD BASIS.

I CONFIDENTLY PREDICT THAT IF SUCH A STUDY IS MADE IN A THOROUGH MANNER AND THE FACTS ARE ANALYZED ON THE FUNDAMENTAL PRINCIPLE OF THE MOST EFFICIENT SERVICE TO THE PUBLIC, IT WILL BE HELPFUL TO ALL FORMS OF TRANSPORT. REGULATION OF ALL PUBLIC

TRANSPORTATION AGENCIES IN THE INTEREST OF THE PUBLIC IS NECESSARY AND SOUND. BUT WE HAVE BEEN THINKING AND ACTING IN TERMS OF RESTRICTIVE REGULATION TOO LONG. IT IS TIME TO THINK IN TERMS OF CONSTRUCTIVE REGULATION, AND TO DO THIS IT IS NECESSARY TO EVALUATE ALL THE FACTS. FROM THE PUBLIC STANDPOINT, IT WILL BE ACCEPTED THAT EACH TYPE OF SERVICE MUST BE PERMITTED TO DEVELOP IN THE FIELD IN WHICH IT CAN BEST FUNCTION. THUS IT IS FULLY AS PROBABLE THAT THE RAILROADS ARE OVER REGULATED IN A RESTRICTIVE SENSE AS IT IS THAT OTHER FORMS OF TRANSPORT ARE UNDER REGULATED. THE FACTS OUGHT TO BE DEVELOPED.

LACK OF UNIFORMITY IN STATE REGULATORY LAWS

THE SUPREME COURT OF THE UNITED STATES HAS VERY CLEARLY LAID DOWN THE PRINCIPLE THAT TO THE STATES IS RESERVED THE AUTHORITY TO FIX REGULATIONS GOVERNING MOTOR VEHICLE TRAFFIC UPON THE HIGHWAYS OF THE STATE. IN MORRIS VS. DUBY, AN APPEAL FROM THE U. S. DISTRICT COURT FOR OREGON, THE COURT SAID: "CONSERVING LIMITATION IS SOMETHING THAT MUST REST WITH THE STATE, NOT ONLY ON THE GENERAL CONSTITUTIONAL DISTINCTION BETWEEN NATIONAL AND STATE POWERS, BUT ALSO FOR THE ADDITIONAL REASON, HAVING REGARD TO THE ARGUMENT BASED ON A CONTRACT, THAT UNDER THE CONVENTION BETWEEN THE UNITED STATES AND THE STATE IN RESPECT TO THESE JOINTLY-AIDED ROADS, THE MAINTENANCE AFTER CONSTRUCTION IS PRIMARILY IMPOSED ON THE STATE. REGULATION AS TO THE METHOD OF USE THEREFORE NECESSARILY REMAINS WITH THE STATE AND CANNOT BE INTERFERED WITH UNLESS THE REGULATION IS SO ARBITRARY AND UNREASONABLE AS TO DEFEAT THE USEFUL PURPOSES FOR WHICH CONGRESS HAS MADE ITS LARGE CONTRIBUTION TO BETTERING THE HIGHWAY SYSTEMS OF THE UNION AND TO FACILITATE THE CARRYING OF MAILS OVER THEM."

WITH THE AUTHORITY SO FINALLY REPOSED IN THE STATES TO FIX REGULATIONS, THE SUPREME COURT HAS AT THE SAME TIME PLACED THE RESPONSIBILITY UPON THE STATES TO PROVIDE REGULATION THAT WILL NOT DEFEAT THE USEFUL PURPOSES OF THE HIGHWAYS. IT IS ONLY ANOTHER WAY OF SAYING THAT THE FREEDOM OF THE ROAD SHALL NOT BE LIMITED BY UNREASONABLE OR ARBITRARY RESTRICTIONS. FROM THE STANDPOINT OF PROPER HIGHWAY ADMINISTRATION, USEFUL PURPOSES CANNOT BE SEPARATED FROM ECONOMIC TRANSPORTATION. NOW THAT OUR RESEARCH AND TESTS HAVE INDICATED THE WAY IN WHICH THE HEAVIER LOADS MAY BE CARRIED WITHOUT IMPOSING UNDUE WEIGHT CONCENTRATIONS UPON THE ROAD SURFACES, THE WAY IS CLEAR TO REACH BY AGREEMENT BETWEEN THE STATES, WEIGHT AND OTHER SPECIFICATIONS THAT WILL CURE THE EVILS OF NON-UNIFORMITY IN STATE REGULATIONS. ONCE THIS END IS ACHIEVED, IT

WILL DO MUCH TO STABILIZE BOTH HIGHWAY DESIGNS AND THE EQUIPMENT OPERATING ON THE HIGHWAYS. IT IS NECESSARY THAT A REAL COOPERATION EXIST BETWEEN HIGHWAY BUILDERS AND HIGHWAY USERS TO SECURE TRUE ECONOMY IN HIGHWAY MAINTENANCE AND HIGHWAY TRAFFIC. IT IS A SUBJECT FOR MAJOR CONSIDERATION BY THIS ASSOCIATION.

TRAFFIC CONGESTION

THERE IS NO ACCEPTED DEFINITION FOR TRAFFIC CONGESTION. TO THE INDIVIDUAL, THERE IS CONGESTION WHEN HE IS UNABLE TO PROCEED AT HIS DESIRED RATE OF TRAVEL. THIS, IT WILL BE ACCEPTED, VARIES BETWEEN WIDE LIMITS. IN THE CLEVELAND TRANSPORT SURVEY, THE CONDITION OF CONGESTION WAS DETECTED BY THE REDUCTION OF THE NORMAL FREE-OPERATING SPEED WHICH IT ENFORCED.

MOST COMMENDABLE PROGRESS IS BEING MADE IN THE STATES HAVING THE LARGEST HIGHWAY TRAFFIC IN PERFECTING THEIR ARTERIAL ROADS IN WAYS THAT WILL LARGELY DO AWAY WITH CONGESTION. WIDENING TO FOUR LANES, ELIMINATION OF GRADE INTERSECTIONS AND BY-PASSING CITY STREETS ARE THE MOST EFFECTIVE METHODS. IN THIS DIRECTION, MASSACHUSETTS, CONNECTICUT, NEW YORK AND NEW JERSEY HAVE ALL MADE NOTABLE PROGRESS. THE CAPACITY OF THE FOUR-LANE ROAD IS REMARKABLE. COMMISSIONER MACDONALD OF CONNECTICUT REPORTS 37,000 VEHICLES PER DAY CARRIED ON THE FOUR-LANE BOSTON POST ROAD NEAR HARTFORD, WITHOUT SERIOUS DIFFICULTY.

THE HIGHWAY CONGESTION PROBLEM CAN BE MET OUTSIDE THE METROPOLITAN DISTRICTS WITHIN A REASONABLE TIME. IT IS WITHIN THESE DISTRICTS THAT THE REAL PROBLEM EXISTS AND TO A CONSIDERABLE DEGREE ON ROADS NOT ON THE FEDERAL-AID OR STATE SYSTEMS. TO CARRY TRAFFIC SAFELY AND QUICKLY TO AND FROM THE BUSINESS DISTRICTS OF OUR LARGER CITIES IS A REAL PROBLEM AND THE EXPENSE INVOLVED IS TREMENDOUS. HERE AGAIN COOPERATIVE EFFORT IS THE ONLY MEANS READILY AVAILABLE FIRST TO PLAN, AND SECOND TO EXECUTE.

EFFECTIVE ADMINISTRATION THROUGH TRANSPORT SURVEYS, ANNUAL BUDGETS AND PROJECTED PROGRAMS OF IMPROVEMENT

MEASURED BY THE YARD STICK OF FINANCES OR BY THE NUMBER OF PEOPLE INTIMATELY AFFECTED, THE STATE HIGHWAY UNDERTAKING IS THE GREATEST STATE RESPONSIBILITY AND THE STATE HIGHWAY DEPARTMENT THE

MOST IMPORTANT STATE ADMINISTRATIVE AGENCY. IN FACT, THE ASSUMPTION OF RESPONSIBILITY FOR A ROAD SYSTEM IS THE FIRST NOTABLE STEP TAKEN BY MANY STATES TO ASSERT A CONSTRUCTIVE INDIVIDUALITY SEPARATE FROM THE COUNTY UNITS.

AS WITH ALL GREAT RESPONSIBILITIES THIS ONE HAS EXPANDED ACTUALLY FAR BEYOND THE ORIGINAL CONCEPTION, BUT THE YET FURTHER ENLARGEMENT OF THE SCOPE OF ACTIVITY OF ALL THE STATE HIGHWAY DEPARTMENTS IS IMMINENTLY CERTAIN. EXPERIENCE HAS DEVELOPED ABILITY TO RENDER PUBLIC SERVICE IN THIS SPECIALIZED FIELD AND THIS ABILITY MUST BE APPLIED TO AUXILIARY PROBLEMS NOW SERIOUSLY LAGGING.

ACCORDING TO CHARACTERISTICS THE HIGHWAY IMPROVEMENT FIELD MAY BE DIVIDED INTO THREE GROUPS:

FIRST, THE STATE HIGHWAY SYSTEM, INCLUDING THE FEDERAL-AID SYSTEM, UNDER DIRECT JURISDICTION OF THE HIGHWAY DEPARTMENT.

SECOND, THE METROPOLITAN AREAS UNDER JURISDICTION OF MULTIPLE MUNICIPAL GOVERNMENTS, AND

THIRD, THE RURAL DISTRICTS UNDER TOWN, TOWNSHIP, PARISH AND COUNTY GOVERNMENTS.

HERE ARE PROBLEMS OF COORDINATION AND COOPERATION UNDER INTELLIGENT LEADERSHIP WHICH MUST BE UNDERTAKEN. ONE OF THE ADMINISTRATIVE PRINCIPLES DEVELOPED THROUGH THE SERIES OF COOPERATIVE TRANSPORT SURVEYS IS SO DEFINITE THAT IT MAY BE STATED AS A FUNDAMENTAL REQUIREMENT THAT A THOROUGH, DETAILED AREA SURVEY OF TRAFFIC AND TRANSPORTATION NEEDS MUST PRECEDE A SOUND IMPROVEMENT PROGRAM.

NEXT, A SURVEY OF THE TYPE AND CONDITION OF HIGHWAY FACILITIES, AND FINALLY, ON THE BASIS OF THESE TWO, A PROGRAM AND PLAN OF IMPROVEMENT EXTENDING OVER A REASONABLE PERIOD AND ADJUSTED TO THE PRESENT OR POSSIBLE BUDGET.

THIS MAY SOUND INVOLVED, BUT IT IS WORKING OUT SUCCESSFULLY. IT MAY SOUND IMPRACTICAL TO BRING SO MANY AGENCIES INTO EFFECTIVE COOPERATION, BUT IT IS BEING DONE. HOW CAN THE HIGHWAY DEPARTMENTS STAY OUT OF THESE SUPPLEMENTARY FIELDS? THE FARMER IS DETERMINED TO GET OUT OF THE MUD AND THE CITY MAN IS EQUALLY DETERMINED TO GET OUT OF THE CITY ON WEEK-ENDS. THE FREEDOM OF THE ROAD IS

SERIOUSLY RESTRICTED UNTIL THESE ENDS ARE MET. THE PROBLEMS OF THE METROPOLITAN DISTRICTS INVOLVE VERY LARGE AND EXPENSIVE UNDERTAKINGS BUT HERE AT LEAST ARE WEALTH CONCENTRATIONS TO MEET THE EXPENSE.

THE SECONDARY ROAD PROBLEM IS LOOMING LARGER, AND HERE THE EXPENSE WILL BE A SERIOUS HANDICAP. ONLY BY THE APPLICATION OF SKILLED ORGANIZATION, THE USE OF MECHANICAL POWER AND EQUIPMENT, THE DEVELOPMENT OF LOW-COST CONSTRUCTION AND THE COMBINING OF SMALLER UNITS INTO LARGER DISTRICTS CAN THIS SITUATION BE MET REASONABLY.

MISUSE OF THE ROADSIDES

THERE IS LITTLE OF FAIRNESS TO THE PUBLIC IN THE FACT THAT THE INDUSTRIES WHICH DEPEND UPON THE HIGHWAYS FOR THEIR WHOLE BUSINESS SHOULD BE THE WORST OFFENDERS IN ERECTING AND MAINTAINING THOUSANDS OF GLARING, DISFIGURING SIGNS ALONG OUR STREETS AND ROADWAYS.

THE MOST BLATANTLY OFFENSIVE OF THESE SHRIEK AT THE TRAVELER, IN HOPEFUL SEARCH OF THE BEAUTY OF THE COUNTRYSIDE AND A RESTFUL, UPLIFTING, CHANGE FROM CITY STREETS, TO BUY GAS AND OIL, AUTOMOBILES, GREASE AND TIRES. THE TOURIST IS LURIDLY ENTICED TO STOP MOST FREQUENTLY AT SECOND-RATE HOTELS.

IT IS TO THE CREDIT OF MANY OF THE PRODUCERS OF THE BEST PRODUCTS THAT THEIR WARES ARE NOT ADVERTISED IN THIS WAY. ALSO NOTE SHOULD BE MADE OF CERTAIN OIL COMPANIES AND OTHERS WHO HAVE WITHDRAWN FROM THIS PRACTICE.

THE BILL-BEARD ADVERTISERS ARE NOT THE ONLY OFFENDERS AGAINST THE HIGHWAYS. NINE OUT OF EVERY TEN OF THE ROADSIDE FILLING STATIONS AND LUNCH STANDS MERIT THE CONDEMNATION RATHER THAN THE PATRONAGE OF THE PASSER-BY.

THESE CONDITIONS WILL NOT BE CURED BY SCOLDING. THE LARGER COMPANIES WILL ABANDON THESE INVASIONS OF THE RIGHTS OF THE PUBLIC, SOME THROUGH AN AWAKENED CONSCIENCE, OTHERS THROUGH NECESSITY BECAUSE THIS FIGHT FOR CLEAN ROADSIDES IS JUST STARTING.

A NUMBER OF THE STATE HIGHWAY DEPARTMENTS HAVE MADE SPLENDID PROGRESS, AND SOME NOTABLE LEGISLATION HAS BEEN MADE EFFECTIVE. ONE OF THE BEST OF SUCH LAWS IS THAT OF CONNECTICUT WHICH LICENSES ALL ROADSIDE FILLING STATIONS, REQUIRES THE LOCATION AND ARRANGEMENT TO BE APPROVED AND KEEPS THIS BUSINESS OFF THE RIGHT-OF-WAY.

THE AMENDMENT TO THE FEDERAL HIGHWAY LEGISLATION PROVIDING FOR PARTICIPATION IN PLANTING ALONG THE ROADSIDE IS A FORWARD STEP AND ONE WHICH WILL RECEIVE THE FULL AND EARNEST SUPPORT OF THE BUREAU. ITS PRESENT WEAKNESS LIES IN THE LIMITATION OF THE MAXIMUM COST PER MILE THAT MAY BE PAID FROM FEDERAL FUNDS FOR ALL PURPOSES. THIS LIMITATION IS A FRUITFUL SOURCE OF EMBARRASSMENT. BUT THE BUREAU PROPOSES TO ASSIST WITH COMPETENT AND EXPERT ADVICE ALL UNDERTAKINGS TO IMPROVE AND BEAUTIFY OUR ROADSIDES. OTHER BUREAUS OF THE DEPARTMENT OF AGRICULTURE, PARTICULARLY THE FOREST SERVICE AND THE BUREAU OF PLANT INDUSTRY, ALSO MAY BE RELIED UPON TO GIVE VERY VALUABLE ASSISTANCE. AFTER A SOMEWHAT EXTENSIVE INSPECTION OF THE HIGHWAYS OF OTHER COUNTRIES, I AM CONVINCED THAT A VERY LARGE PART OF THE FAVORABLE COMMENT THEY AROUSE, AND THE PLEASURE OF DRIVING OVER THEM, COME FROM THE PLANTING AND CARE OF THE ROADSIDES. WE CANNOT LONGER FAIL TO MAKE ROADSIDE PROTECTION AND BEAUTY A TRULY NATIONAL PROJECT.

THROUGHOUT THIS WHOLE DISCUSSION I HAVE HAD IN MIND NOT ATTEMPTING TO PRESENT THE FINAL OR CONCLUSIVE WORD ON ANY OF THESE BROAD QUESTIONS OF PUBLIC POLICY, BUT RATHER TO BRING BEFORE YOU THESE MATTERS IN THE VERY EARNEST HOPE THAT THE WHOLE FORCE AND AUTHORITY OF THIS ASSOCIATION AND ITS INDIVIDUAL MEMBERS WILL BE EXERTED CONTINUOUSLY FOR THEIR PROPER SOLUTION. WE HAVE THE DUTY TO PRESERVE THE FREEDOM OF THE PUBLIC HIGHWAY AS AN ACHIEVEMENT OF SELF-GOVERNMENT.

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