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U. S. DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20590

STATEMENT OF JOHN A. VOLPE, SECRETARY OF TRANSPORTATION, BEFORE THE SUBCOMMITTEE ON ROADS, COMMITTEE ON PUBLIC WORKS, UNITED STATES SENATE, REGARDING S. 561, S. 1442, S. 2399 AND OTHER MATTERS RELATING TO HIGHWAY SAFETY AND HIGHWAY BEAUTIFICATION, TUESDAY, JUNE 24, 1969.

Mr. Chairman and members of the Committee:

I am delighted at this opportunity to appear before members of the Public Works Committee for the first time in my capacity as Secretary of Transportation. My contacts with this Committee while I was serving as the first Federal Highway Administrator were most pleasant and rewarding. As you may know, I am extremely proud of the Federal-aid highway program. In particular, I feel that the Interstate System represents a magnificent transportation achievement. Much of the credit for this is directly due to this Committee.

With me this morning is Mr. Frank Turner, the Federal Highway Administrator, Mr. Ralph Bartelsmeyer, Director of the Bureau of Public Roads, and Dr. Robert Brenner, Acting Director of the National Highway Safety Bureau. These gentlemen are well-known to you. We are here today to discuss the programs and plans of the Department in the areas of highway beautification and highway safety. Later, Mr. Turner will discuss some of the specifics of these subjects in greater detail and we all stand ready to respond to any questions you may have.

The main point I would like to make in these brief remarks is that the Department is deeply concerned about the effect of our highway transportation activities on people -- on the individual citizen. This concern is reflected in activities ranging from effective implementation of equal opportunity requirements to the development of the safest and most efficient highway network possible.

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We believe also that the American motorist should be able to enjoy the great natural beauty of this country when he uses its fine highway system.

The Department is concerned with human desires and needs in another very important respect -- averting the loss of life and personal injury resulting from motor vehicle accidents. I want to emphasize my personal dedication to the proposition that, in matters of safety, well enough should not be left alone. While a good foundation has been laid, we are not yet doing well enough and we will not be satisfied with simply doing better. Safety in all modes of transportation will be given fresh, top-level emphasis in the Department.

In 1966 -- at the urging of this Committee -- Congress enacted the Highway Safety Act to help combat one of the most serious problems facing our Nation: the multitude of persons killed and injured annually on our highways. We have now had more than two years of experience in administering that Act and its companion safety legislation, the National Traffic and Motor Vehicle Safety Act. Despite our efforts under this legislation, our preliminary tabulations indicate that the numbers killed on our highways increased to some 55,000 persons in 1968. But that figure should not be taken to mean that the legislation was poorly conceived or improperly carried out, either at the State or Federal level. The increase in the absolute number of highway deaths must be viewed against the background of a 4 percent annual increase in vehicle registrations and steadily increasing totals of passenger miles being driven at increasingly high speeds.

It is our firm belief that the death tolls would have been much higher and future projections much more unfavorable were it not for the gains which we were able to make with the authority provided us in the 1966 safety legislation.

We are now developing a program of priorities in the safety field which will enable us to concentrate our activities on critical areas. Mr. Turner will describe our process for establishing these priorities during his presentation.

One area in which we expect to place increased emphasis is that of alcohol and highway safety. This is a serious problem. As the Department's report to the Congress in 1968 indicated, the use of alcohol by drivers and pedestrians was directly involved in more than 25,000 deaths and at least 800,000 crashes in the United States last year. Property and income losses from crashes in which alcohol was a factor have been estimated to be an astounding \$75 billion each year. But, far more important than the monetary loss, is the dreadful citation by one medical examiner: ". . . that 44 percent of the innocent-not-at-fault dead drivers were killed by drinking drivers."

It is, of course, easy to be against drunken drivers. Doing something about the problem is more difficult. We plan to come up with a tough and workable program through which such drivers can be identified to responsible officials and the courts, and firm measures taken to preclude their use of the roadways for the safety of the rest of us.

The role of the Federal Government under the Highway Safety Act is one of leadership and guidance to the States, on whom devolve the responsibility for carrying out the highway safety standards prescribed by the Secretary. You will recall that thirteen standards were promulgated in 1967. These covered: periodic motor vehicle inspection, motor vehicle registration, motorcycle safety, driver education, driver licensing, vehicle codes and laws, traffic courts, alcohol in relation to highway safety, identification and surveillance of accident locations, traffic records, emergency medical services, highway design, construction and maintenance, and traffic control devices.

During 1968 additional standards were issued on pedestrian safety, police traffic services and the control and cleanup of hazardous debris. Work is going on to develop two more important standards: school bus safety and accident investigation.

A number of States already meet or exceed the performance levels prescribed in several of the standards. Other States are, as yet, unable to comply fully with any of the standards. While a remarkable beginning has been made by the States in implementing the Highway Safety Act of 1966, there is still a long way to go in achieving the Act's goal of substantially reducing the highway death toll.

Before I leave the subject of highway safety, I would like to discuss S. 2399, the Department's proposed formula for apportioning State and community Highway Safety Program funds. As you know, under subsection 5(10) of the Federal-Aid Highway Act of 1968, Congress must enact a new, non-discretionary formula before these funds may be apportioned to the States for fiscal years 1970 and 1971.

Earlier this year, former Secretary Boyd recommended to the Congress that these funds be apportioned among the States in the ratio of traffic accident deaths in each State over a three-year period to the nationwide total of such deaths in that period. No State, however, would receive less than one-quarter of one percent of the funds apportioned each year.

Such a fatalities-based approach has some precedents in other areas relating to public health and social welfare. We think it inappropriate here, however, because it would appear to reward a State with a poor safety record and work to the disadvantage of a State with a successful program.

To avoid this defect, we recommend apportionment of these funds on the basis of population. This is, of course, the method selected by Congress with respect to 75 percent of each year's apportionment for fiscal years 1967 through 1969. None of the alternative methods of apportionment which we examined bore a clearer relationship to the problem at hand than an apportionment based on population, which has the advantage of being easily understood, rests on reliable data, and can be implemented immediately.

We do, however, concur in the recommendation for a minimum apportionment to each State of one-quarter of one percent of the total monies apportioned for these programs annually. Regardless of population, there are certain minimum expenditures which every State must meet in administrative and overhead costs to insure a basically sound program.

The second major item for consideration this morning is the administration of the Highway Beautification Act of 1965. Earlier this year, I

transmitted to Congress our proposal for a \$30 million authorization to carry out that program for fiscal year 1971, plus \$1.5 million for administrative expenses.

The scenic overlooks and rest areas being provided under title III of the Act are being very favorably received and heavily used by the motoring public. And most of us agree that junkyards are unsightly and should be hidden from sight where possible. However, we recognize that title I of the Act, relating to billboard control, has been seriously criticized as inequitable and ineffective.

Certainly, title I has not worked out the way it was hoped it would. For example, the 660-foot limitation on either side of the right-of-way on the Interstate and primary systems from which billboards are excluded has resulted in the erection of huge signs outside that limit. These are esthetically less enhancing to the landscape -- and are visible even farther -- than the smaller signs close along the highways which the Act precludes. And in many instances, in addition to defeating the purposes of the Highway Beautification Act, small businesses cannot afford these huge signs and suffer hardships as a result. Of course, no one intended the Act to work this way, but we recognize that it has occurred.

On the other hand, we acknowledge the need for some means to protect scenic areas alongside our highways. We therefore recommend enactment of the authorizations which we have requested in order to continue the program at a minimal level out of fairness to those States which have

adopted our requirements and made expenditures in reliance on them, as well as to continue aspects of the program which have been successful. In the meanwhile, we are restudying the entire highway beautification program with an eye toward modifications.

Given the problems we face and the limited resources available, a number of possibilities present themselves. Let me just mention a few which have been suggested and which we are studying, with no firm conclusions at present:

- Billboard controls might be limited to the Interstate System and bar all signs outside urban and commercial areas except at rest areas, information sites or specially selected locations within the Interstate System right-of-way.
- Attractive sections of other Federal-aid systems might be designated as "scenic highways" and similarly controlled.
- Scenic easements might be purchased along these routes to insure that the natural beauty of the countryside remained undisturbed.
- All non-conforming billboards might be required to be removed in 7 years without compensation on the basis that their useful life will have been amortized in that time, and no new billboards would be erected in controlled areas.

Another suggestion for a new program is already before you in S. 1442. That bill would authorize \$5 million to carry out "pilot projects" to determine the best method of accomplishing the control of outdoor advertising.

We understand the approach contemplated under S. 1442 to be a program to buy out non-conforming signs on a company-by-company basis. We think adoption of this proposal would be premature before a restudy of the whole program is accomplished.

Another bill, S. 561, would amend title 23 to postpone the time upon which the Secretary might impose a penalty in cases where a State had not made provision for "effective control" of outdoor advertising along the Interstate and primary systems under the present law.

Supporters of the bill have urged its enactment to give the States more time to meet Federal standards. We believe this legislation is unnecessary since existing provisions of section 131 of title 23 already vest the Secretary with ample authority to suspend the application of the penalty provisions to a State for such periods as he deems necessary in the public interest.

Moreover, the proposal cannot be justified on the basis of inadequate Federal funds to carry out the program. Section 6(d) of the Federal-Aid Highway Act of 1968 already provides that no sign is required to be removed where the Federal share of the required compensation is not available. For these reasons we see no need for and do not favor enactment of S. 561.

This concludes my prepared statement. Following Mr. Turner's comments, we shall endeavor to answer any questions you may have.