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STATEMENT OF JOHN A. VOLPE, SECRETARY OF TRANSPORTATION,  
BEFORE THE SUBCOMMITTEE ON PUBLIC ROADS, SENATE PUBLIC  
WORKS COMMITTEE, REGARDING FEDERAL HIGHWAY LEGISLATION,  
THURSDAY, JULY 16, 1970.

Mr. Chairman and members of the Committee:

I appreciate this opportunity to appear before you to discuss our highway programs and the legislation for extending and strengthening them.

In announcing these hearings, the Chairman stated that the major goal would be "to reassert the concept of highways as a means by which other broader public objectives can be achieved". I fully subscribe to that concept of the highway program and, before getting into the details of the Administration's proposed bill, I would like to review briefly the ways in which the Department is giving real meaning to the concept.

To me, the key word is "balance". We strive for balance in two ways. First, in developing a national transportation system, we must achieve balance among the various modes of transportation. Second, we must balance our transportation needs with the other needs of our society.

The charge is frequently made that our transportation investments have not been in balance because of the tremendous sums invested in the Interstate highway system. I firmly believe, from the perspective

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of years of experience as a Public Works Commissioner, Federal Highway Administrator, Governor, and now Secretary of Transportation, that this Nation's highway program has been highly beneficial and a very good thing for the American people.

The Interstate System has linked together the widely separated regions of this vast continent -- making these truly the united states. It has brought tremendous economic growth to under-developed areas, and industry and millions of jobs to our people. Serving both as a connection for commerce and as a means of cultural exchange, it will continue to exert a strong cohesive force in the years ahead.

Without our improved highway system, traffic congestion would be incredibly worse than it is today. To cite but one example, I well recall conditions on the Newburyport Turnpike in Massachusetts in the 1930's and 1940's. It used to be a virtual parking lot ten to twenty miles long on holidays and weekends. Today it moves a heavy flow of traffic efficiently and rapidly, with a higher degree of safety.

Improved safety is a very important contribution of the Interstate System. It has been clearly demonstrated that, on the average, for every five miles of Interstate which is opened to traffic one fatality is avoided each year. This means that when the Interstate is completed it will account for saving as many as 8,000 lives per year.

On the question of whether our recent transportation investment in this country has been unbalanced, I conclude that the problem is not how much we have spent on highways, but how very little we have spent on public transportation! For the future, there should be a better balance of effort. Federal investment in subways, bus systems, rail passenger lines, have been almost entirely neglected. The American people have expressed their strong desire for reliable private transportation through the automobile or reliable, fast, long-distance transportation via the airplane. It is only recently, when these two modes have begun to show the strains of this heavy reliance, that much of the public has come to realize that very good transportation could exist in other modes if it were available and supported.

Both the Administration and the Congress have recognized the need to very substantially increase our investment in the other modes of ground transportation. The Administration has proposed a \$10 billion mass transportation improvement program to meet the deficiencies of the past and the challenges of the next decade. This measure was passed by the Senate by an overwhelming vote, and I am hopeful of early House action. The Senate has also passed, with strong Administration support, a bill designed to stop the decline and imminent disappearance of railroad passenger service. This bill would establish a National Railroad Passenger

Corporation which, with a substantial capital contribution from the Federal Government and the railroads, would assume responsibility for providing modern, fast, clean, and timely rail passenger service in every market where such service would have a fair chance of success. Here, too, I am hopeful that the House will act promptly and favorably.

Even with these new, imaginative, and well-financed programs designed to cope with the public transportation problem, we will not have removed the need to improve our urban highway systems. Most public transportation is now, and will continue to be, provided by buses running on rubber tires over city streets. Much can be done to improve that service by improving the streets, by new traffic control techniques, and numerous other design changes. The automobile is here to stay and we will have to continue to improve the present Federal-aid highway system quite apart from the Interstate program.

Let's look now at the other "balancing" problem -- the problem of balancing our transportation needs with the other needs of our society. Here, the issue is how do we build highways and other transportation facilities which get workers to their jobs, but do not destroy their homes; which provide access to scenic areas but do not scar the countryside;

which permit people to move freely within and between our cities but without polluting the air they breathe; and which permit people to communicate face-to-face but without requiring them to shout in order to be heard.

While much remains to be done, I believe we have come a long way in the short three years of the Department's existence. The principle of environmental protection established in section 4(f) of the Department of Transportation Act, and reaffirmed in section 18 of the Federal-Aid Highway Act of 1968, has been firmly established in practice.

One of my first official acts was to establish the Office of Environment and Urban Systems to assure that the spirit as well as the words of these statutes was faithfully observed. We are now cooperating closely with the Council on Environmental Quality to assure that our transportation programs are fully consistent with the objectives of the National Environmental Policy Act of 1969. I think the record of the Department in cases involving the Everglades, the French Quarter in New Orleans, and the Franconia Notch, make clear the depth of our commitment to the concept of balancing the need for transportation with the need to preserve and enrich our environment.

I am not suggesting that more need not be done. Through the two-hearing process, we have attempted to broaden citizen participation in the highway decision-making process -- and I think we have been successful. However, we are certainly open-minded as to any suggestions for further improving the hearing process.

The transportation planning requirements of the highway program represented the Federal Government's first efforts to assure that transportation facilities were developed within the context of comprehensive plans for the development of urban areas. We are now engaged in a detailed review of that planning process in an effort to improve the quality of urban planning. In undertaking this review, we are working with other Federal agencies, local Councils of Government, the State Highway Departments, the National League of Cities, the National Service to Regional Councils, the National Association of Counties, the National Governors Conference, and others.

As you know, the 1972 Highway Needs Study is also now in process. It will become a basic element in a multi-modal national transportation plan for 1972 which will consider highways within the context of our total transportation requirements. I would not minimize the difficulty of this task but, if we are successful, it will represent a major step toward our objective of balancing our transportation programs. It will also encourage

the states to consider their total transportation needs within the context of their general development objectives.

I would like to turn now to the Administration's proposed bill and review for you its major provisions.

With respect to the Interstate authorizations, we are proposing an increase of slightly over \$9,000,000,000 through fiscal year 1976, consisting of a \$1,775,000,000 increase in the existing fiscal year 1974 authorization, \$3,750,000,000 in fiscal year 1975, and \$3,500,000,000 in fiscal year 1976. Based on the 1970 cost estimate, this will leave an unauthorized balance of \$2,835,000,000. Further authorizations looking toward completion of the Interstate can be submitted to Congress when the final cost figure will be known with more accuracy.

The Administration is firmly committed to finishing the Interstate System. I should add the qualification "virtually" because it may well be that some small segments of the presently designated 42,500 miles will not be completed. With the possible exception of such segments, we look to completion of the Interstate System within the next seven or eight years. The scaling down in the authorization levels recommended in fiscal years 1975 and 1976 will enable us to maintain more flexibility in dealing with our total transportation needs while maintaining the program at a sufficiently high level so as not to disrupt sound planning

by the states for completion of the system. The scaling down does reflect the realization that we have to establish priorities, both in the context of our total transportation needs and in the context of our total national budgetary requirements. The authorization levels proposed reflect the Administration's determination to maintain steady progress in meeting our transportation needs within the framework of a sound national budget.

The authorizations for the ABC system would be continued at their present level through fiscal years 1972 and 1973. We realize that there are many unfilled needs on the primary and secondary road system, including constructing new roads, up-grading existing roads, and repairing and replacing bridges. Many of the State Highway Departments feel that their non-Interstate needs are greater than the level we have proposed and have so testified. The Administration feels, however, that priority should be given to the Interstate and that to increase the present level of effort on primary and secondary roads without substantially paring back the Interstate System would not be sound from a fiscal standpoint nor from a national priority standpoint.

The authorizations for the TOPICS program and the rural primary and secondary road program would be continued at their present level through fiscal year 1973. The TOPICS program, which was initiated with



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the 1968 Act, was designed to make better and safer use of existing urban highway facilities through the application of traffic engineering techniques. As of March 1, 1970, approximately 300 urban jurisdictions were formally engaged in TOPICS activity. This has proved to be a very popular program and, in the long run, should show some real positive results. While no special program requirements have been developed for the expenditure of the rural primary and secondary funds, the money authorized has made possible much needed improvements in rural areas that otherwise could not have been financed.

The forest highways and public lands highways programs would also be continued through 1973 at their existing levels. These programs provide support for full utilization of our forests and public lands. Also, they increase the recreational opportunities for all Americans and facilitate the marketing of timber and other resources needed by our economy.

I would like to turn now to a discussion of the highway beautification program. During the past year, we have carefully reviewed this program and given a great deal of thought to its future direction. We feel strongly that the program has made, and will continue to make, a significant contribution toward enhancing the visual quality of the Nation's highways. The erection of new uncontrolled billboards has been stopped in the 35 states which have passed outdoor advertising control legislation; 10 percent

of the junkyards visible from Interstate and Federal-aid primary highways have been screened or removed; approximately 500 rest areas have been constructed or programmed; over 5,000 scenic easements have been purchased or programmed; and considerable work has been done on landscaping existing highway rights-of-way.

However, as you know, there have also been serious problems with the program. The 1965 Act purported to guarantee just compensation to property owners but too often it has had the opposite effect. The low levels of appropriations during the entire life of the statute, and the corresponding lack of commitment toward a full national program, have seriously affected those sign companies who relied upon the promise of just compensation. The burdens of this program have fallen most heavily on the small sign companies.

Nonetheless, in my view, the objective of the beautification program is sound and the Federal Government has gone too far down the road and made too many promises to turn back. I think we can, and should, take a positive approach to the billboard problem and get on with the job.

While numerous implementing problems arose in the first two years of the program, it is clear that inadequate funding has been the primary problem. Because of the severe budgetary constraints under which we must continue to operate, the Administration proposal includes measures

to reduce the total cost of the program and to reallocate some resources to the billboard control program so that adequate funding can be achieved without an unreasonable additional budgetary impact. And this will not be done by ignoring the property rights of sign owners. Just compensation will continue to be required.

Our basic approach would be to phase the program over a five- to six-year period. The total cost to the Federal Government of taking down all non-conforming signs would be about \$300 million. We would propose establishing a funding level of about \$50 million per year and maintaining that level until the job is done. The billboard program would be financed in part by shifting funds from the landscaping and scenic enhancement program. Given the state of the billboard program, I believe we have to give it higher priority than the landscaping program, at least for the immediate future. Moreover, landscaping and scenic enhancement work can still be accomplished as part of the normal costs of highway construction.

In each of the first two years of the program, we would use up to \$15 million of the amount authorized to try possible new approaches to billboard removal. In particular, we would explore the feasibility of acquiring non-conforming signs on a company-by-company basis rather than on a sign-by-sign basis.

We would also make two other significant changes in the beautification legislation. We would remove the present 660-foot limit on billboard and

junkyard control and extend the limit to include all signs or junkyards visible from the controlled highway. This is essential if we are to stop the erection of huge billboards 661 feet from the highway, which was one direct consequence of the existing 660-foot limit.

We would also change the present penalty provision for non-complying states. I do not believe it is reasonable to penalize states for failing to take down billboards when the Federal Government has failed to provide its matching share of the cost. However, I believe we should penalize states which take no action before the end of their next legislative session to prohibit the erection of new non-conforming signs. The penalty provision would be further modified to start at 1 percent of the state apportionment and increase by 1 percent for each year of non-compliance up to a total of 10 percent of the apportionment. The existing flat 10 percent penalty has proved to be too drastic in practice and I think we ought to recognize that fact.

There are many advantages to this new approach to highway beautification. First, it is a positive approach to environmental improvement. Second, through the phasing concept, we could lower total program costs to a fundable level. Third, demonstration programs, such as the company-by-company approach, may show the way to reducing some of the adverse effects of billboard control on the outdoor advertising

industry, particularly for the smaller companies. Finally, we would have a realistic program which would provide the states the assurance necessary to elicit their full cooperation. Where such cooperation was not forthcoming, we would have an enforceable penalty.

Highway safety is another area in which the Department is attempting to develop some new initiatives. In 1969, more than 56 thousand people lost their lives on the highway, 2 million people suffered disabling injuries, and almost \$12 billion were lost in property damage. In the last ten years, over one-half million people have died on our highways and in the last 20 years, in excess of 900 thousand! We simply must stop this carnage. Through our motor vehicle safety standards, we are making the automobile safer. Through improved highway construction and design standards, we are making the highway itself safer.

Increasingly, the problem is one of saving the driver from himself and from other drivers. It is clear beyond any doubt that the drinking driver is the foremost contributor to the maiming and killing which takes place annually on our highway system. We must launch a full-scale attack on the problem drinker who drives. From experience in other countries, notably Great Britain and Sweden, it is clear that with a concerted effort we can reduce the alcohol related accidents.

The Department is undertaking a broad-scale demonstration program designed to develop and test means of coping with the problem drinker who drives. We are planning to conduct action programs in various cities throughout the United States. Contracts covering the first nine were announced just three weeks ago. These will be local action programs aimed at identifying the problem drinker, deciding on the extent of his drinking problem, and taking action to minimize the likelihood of his driving after drinking.

Concurrently with this attack on the alcohol problem, we plan to establish demonstration programs covering one or more highway safety standards, providing sufficient funding over a sufficient length of time to measure the results. The knowledge gained from these demonstrations will permit us to develop future state and community grant programs which concentrate the greatest amounts of money in the highest payoff areas.

To carry out the increased highway safety research program, we are recommending authorizations of \$70 million in fiscal year 1972 and \$115 million in fiscal year 1973.

Because of the large balance of unappropriated authorizations for the state and community grant program of about \$180 million, no new authorizations are proposed for that program in fiscal years 1972 and 1973. Each state has now submitted and received the Department's provisional approval



of a comprehensive state program to remedy deficiencies in the areas covered by the highway safety standards. We hope to see steady progress in implementing state and local programs, particularly as we learn from the demonstration programs being proposed. The existing authorizations will be adequate to carry out the state programs during the next two years.

In recognition of the importance we attach to the implementation of the highway safety programs, the Administration bill would establish a Federal Highway Safety Administration within the Department of Transportation. The Administration would be headed by an Administrator at Executive Level III who would be appointed by the President, with the advice and consent of the Senate. It is contemplated that the Secretary would delegate to the new Administrator the traffic safety functions vested in the Secretary by the National Traffic and Motor Vehicle Safety Act of 1966 and the Highway Safety Act of 1966. Some of the functions presently delegated to the Federal Highway Administrator under the latter Act would continue to be delegated to him. I believe the reorganization we are proposing is essential given the increased emphasis we intend to place on this program.

The Administration is also proposing that all highway and highway-related programs be funded from the highway trust fund. The bill which we have submitted would, therefore, provide that all funds for forest highways, public lands highways, state and community highway safety

grant programs, highway safety research, and highway beautification come from the highway trust fund. Each of these programs is for the direct benefit of the highway user and, therefore, properly fundable from the trust fund. In this connection, I would like to note that the Administration has submitted a bill to the Congress which would extend the highway trust fund through February 28, 1977, and authorize expenditures from the trust fund for the above-mentioned programs.

One final provision of the Administration bill which I would like to mention concerns the Darien Gap Highway. The Administration recommends that the United States cooperate with the Republic of Panama in completing approximately 250 miles of highway, in the area known as the Darien Gap, in order to connect the Inter-American Highway with the Pan American Highway System of South America. \$100 million would be authorized for this purpose.

In summary, the Administration's highway bill represents a careful attempt to improve the administration of certain existing programs and to maintain an adequate level of funding for all programs consistent with orderly planning and construction, total transportation needs, and national budgetary priorities. As I indicated earlier, we are now hard at work within the Department developing a statement of our transportation needs. Concurrently, we are developing a statement of national transportation

policy. Our needs will be determined within the framework of this policy statement. I believe that, with the approach we are taking, we can present to the Congress and this Committee in 1972 a comprehensive program for the development of a truly intermodal transportation program.

This concludes my prepared statement. I shall be happy to answer any questions the Committee may have.