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U. S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, D. C. 20590

STATEMENT OF GENERAL BENJAMIN O. DAVIS, ASSISTANT SECRETARY FOR ENVIRONMENT, SAFETY AND CONSUMER AFFAIRS, BEFORE THE HOUSE INTER-STATE AND FOREIGN COMMERCE COMMITTEE, WEDNESDAY, SEPTEMBER 19, 1973

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before you today to discuss the Clean Air Act and its relationship to transportation.

Let me begin by stating that the Department of Transportation strongly supports the purposes of the Clean Air Act. Environmental goals are included in the basic authorizing statute for the Department, and we have been extremely active in implementing the broad environmental policy and procedures set forth in the National Environmental Policy Act of 1969. With respect specifically to air quality, requirements relevant to air quality were specifically set forth in the Federal Aid Highway Act of 1970. Moreover, the activities of the Federal Aviation Administration and other elements of the Department also bear on the problem of maintaining and improving air quality.

I would first like to discuss this Department's efforts with respect to the State Implementation Plans, and then other Department activities required by the Clean Air Act. Under the provisions of the Clean Air Act, we have maintained liaison with EPA regarding the State Implementation Plans both in Washington and in the Field. We have written letters of comment on many of the plans as submitted by the States and on the plans proposed by EPA, particularly those with major transportation

implications. We will continue to work closely with EPA and with State and local agencies toward implementation of the final plans. I will discuss what DOT can do in this regard later in my testimony.

I should point out that the development of the State Implementation Plans by the States and by EPA has been a difficult undertaking. Transportation planning techniques have not previously been called upon to focus upon the attainment of such a finely tuned policy objective as meeting a quantified air quality standard. As a result, even with the utilization of the best transportation expertise, these plans may have a considerable margin of error. Moreover, because of the time requirements of the statute, and for other reasons, in many metropolitan areas the available transportation expertise was not always utilized to the fullest extent in the development of these plans.

Nevertheless, we believe the State Implementation Plans move in the right direction in the sense that they increase the incentive for mass transportation and decrease the impetus towards private automobile use. In this connection, I would like to highlight for you some of the transportation effects of these plans. It appears that 10 of the 38 metropolitan areas involved can reach the air quality standards by tougher controls on stationary sources of pollution, plus--in 3 cases in this first group--an automobile emission inspection and maintenance program. A second group of seven metropolitan areas will have to make some small reductions in traffic, primarily by establishing parking restrictions, in addition to an inspection and maintenance program. Chicago, Seattle, and Dallas fit into this category. A third group of approximately 21 metropolitan areas requires a range of control

measures, in many cases including steps to substantially reduce automobile transportation and to apply retrofit devices on automobiles now in use. This group includes many of our major cities, such as New York, Los Angeles, Baltimore, Houston, and Washington.

Let me mention the kinds of strategies which EPA is proposing in many of these urban areas in order to reduce automobile transportation to a level commensurate with attainment of the air quality goals. One of the major strategies is setting aside selected existing highway and street facilities for the exclusive use of buses and carpools, at least during the peak commuting hours. The purpose of this approach, of course, is to provide a speed advantage for vehicles carrying large numbers of people, compared to automobiles with only one or two persons in them, during those times when our transportation facilities are most congested.

A second strategy relates to parking. In some cases EPA has proposed limiting the future development of new off-street parking lots; decreasing the number of public off-street parking spaces already in existence; reducing on-street parking in the Central Business District; and imposing a surcharge on all-day parking. This approach is intended to provide some disincentive toward the use of the automobile, particularly for commuting purposes and in the congested Central Business District.

In other cities, traffic signal improvements and other measures to smooth traffic flow and increase speed are being proposed. The reason for this approach is that engine emissions are generally reduced as stop-and-go driving is eliminated and as speeds increase.

In many urban areas, EPA is proposing that gasoline sales be limited in future years to the level sold during the fiscal year ending June 30, 1973, to supplement other efforts to limit use of the automobile.

In addition to these approaches which are being proposed in many of the EPA plans, there is a variety of other approaches being used more selectively, including auto-free malls, controls on motorcycle use, taxi cruising controls, and controls on truck traffic during peak hours.

An important point to note in connection with these transportation strategies is that they may very well be an impetus to significant strengthening of public transportation in many of these urban areas. The kinds of regulatory actions and policies being proposed in these implementation plans are the very kinds of policies and actions that we have believed could help make public mass transportation a meaningful and more viable service

in metropolitan areas. They will begin to move away from Federal, State, and local policies which heretofore have favored the domination of urban transportation by the automobile mode. They will provide increased incentives for public transportation use and disincentives for automobile use. The results should be not only in improvement in air quality, but also a decrease in urban congestion, improved mobility for those groups dependent upon mass transit, and, hopefully, improved mobility for all over the long run.

However, although the approaches in the transportation control strategies do move in the right direction, under the statutory deadlines in many cases they are required to move too fast. In some of the urban areas, the required reduction in vehicle miles of travel, in order to attain air standards, will be relatively modest. In other cases, however--for example, Los Angeles--unless the statute is amended, the curtailment of automobile use by 1977 will be drastic and its overall effects on the urban area extreme. We support the view of the EPA Administrator that the statute should be amended to remove the requirement for such unreasonable results in those urban areas having the most severe transportation-related air quality problems, while maintaining the requirement

for progress toward later attainment of the air quality standards in those areas. We are assisting EPA in studying the various possible approaches to amending the statute to attain proper balance between progress toward attainment of air quality standards and reasonable shift in mobility patterns.

I would now like to turn briefly to the question of what the Department can do and is doing to assist local authorities in developing and carrying out transportation control strategies developed pursuant to the Clean Air Act.

To begin with, in our highway and mass transit planning grant programs, we can assist in developing detailed plans to implement some of these strategies. For example, the Urban Mass Transportation Administration has recently made a major planning grant to the Los Angeles region, a substantial portion of which is being utilized for the rapid delineation of implementing plans to improve air quality through transportation measures. Beyond planning, roadway features to provide exclusive use of transportation facilities for buses and carpools can be assisted by the Federal-aid highway program. So can traffic signal improvements and fringe parking lots. The urban mass transit capital grant program, of course, can serve an important role in assisting the provision of mass transit equipment and facilities. Such facilities will be necessary to provide for continued mobility as automobile use is decreased under the State plans. And improved mass transit can serve as a means of attracting people from their automobiles.

In order to achieve air quality goals within the short time frame available for implementation of the air quality plans, the main transit improvements will be related to bus transportation-- increasing service and providing more buses. The extent of additional buses required to assist in implementing the air quality plans is not yet clear, but could be substantial. We intend to give a high priority to grant applications directed toward implementation of air quality plans.

Before closing, I would like to mention three other areas in which the Department is involved with the Clean Air Act. Section 109(b) of the Federal Highway Act of 1970 requires the Department to develop "guidelines to assure that highways constructed pursuant to the (Highway Act) are consistent with any (State Implementation Plan) . . ." On September 5, 1973, the Federal Highway Administration published a Notice of Proposed Rule Making which proposed guidelines to implement this section of the Act and to achieve the required coordination.

Also, the Clean Air Act requires the Environmental Protection Agency to issue standards for air pollutants from aircraft emissions, and this Department is required to issue regulations to implement such standards. EPA has issued standards which will be effective in January of 1974, and the FAA is now working to implement these standards.

I would also like to call your attention to Section 165 of the Federal-Aid Highway Act of 1973, which requires the Secretary

to ensure that buses acquired pursuant to Section 142 of Title 23, meet the standards of the Clean Air Act.

In conclusion, let me reiterate our strong support for the purposes of the Clean Air Act and its basic approach. We intend to continue to work with EPA toward implementation of the Act, but agree with their view that modifications in the timetable for compliance in some urban areas are needed.

This concludes my statement. I would be glad to try to answer whatever questions you may have.