

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

STATEMENT OF FRANK C. HERRINGER, ADMINISTRATOR, URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, BEFORE THE TRANSPORTATION SUBCOMMITTEE OF THE HOUSE COMMITTEE ON PUBLIC WORKS ON HIGHWAY RELATED LEGISLATION, THURSDAY, APRIL 11, 1974.

Mr. Chairman and Members of the Committee:

I appreciate this opportunity to appear before you today to discuss the Administration's proposed Unified Transportation Assistance Act of 1974, which we refer to as "UTAP", and to outline for you the legislation proposed by the Department respecting charter bus operations by recipients of Federal financial assistance, the highway beautification program, and size and weight restrictions applicable to motor vehicles using the Interstate System.

Proposed Unified Transportation Assistance Act of 1974

First, I would like to express again our appreciation for the efforts of the Committee in holding prompt and extensive hearings on UTAP. We are particularly appreciative of the hearings the Committee has held in the field and, in the cooperative spirit associated with the conduct of those hearings, we hope to continue working with the Committee on the UTAP legislation.

Since the Secretary testified at considerable length on UTAP in his appearance before you on March 19th, my testimony today does not dwell at great length upon that bill. However, I would like to take a few minutes to go over the highlights of the bill, both to explain its positive points and perhaps to clear up a few of the misunderstandings that we have heard expressed in some discussions of it.

UTAP has its origin in the important section of the Federal-Aid Highway Act of 1973 that permitted flexible uses of the Urban System Fund as between either highway capital projects or urban transit capital projects. This new section, coupled with the existing Urban Mass Transportation Administration's capital grant program, gave the Administration a two-pronged approach to helping our cities with their urgent transportation capital needs.

But as we worked to implement and coordinate these two programs, it became increasingly obvious from our studies of the cities and their transportation problems that a still broader approach is needed. This need has, of course, been intensified by the energy shortage and the continuing pressures on the major cities to meet Federal environmental standards.

UTAP is designed to deal fairly and properly with both urban and rural transportation problems, although its emphasis is clearly urban. UTAP provides for a \$19.3 billion program over the next six years, \$11.6 billion of which is new money. This is obviously a significant Federal commitment to a serious National issue. I should stress, however, that it does not, by any means, meet every city's desires for transportation money. We do not believe it is possible nor fair to the Nation's taxpayers to accept such an open-ended obligation. We have designed UTAP to assist in meeting high-priority needs. We believe that the states and local governments are capable of providing and, indeed, must help with the additional needed funding.

For the first three years UTAP's major thrust is to shift the present UMTA grant program to make it more nearly like the urban systems fund in the highway program. Additional obligations are proposed from the general fund -- at least \$500 million more per year -- so that part of UMTA's program can be allocated to the states each year and part reserved for special grants. Part of these allocated general fund dollars would be available, depending upon local choice, for use for either transit capital or operations. We think that this local "trade-off" option is the best way to approach the very serious problem that many cities -- especially the very large ones -- are encountering in trying to find the ways to both expand and operate their mass transit systems. Some cities need capital, while others need operating help. Our bill is aimed at encouraging prudent local choices.

I'd like to stress that under UTAP, none of the Highway Trust Fund dollars could be used for transit operating costs. In fact, with the exception of a change in the matching share to 80/20 and a one-year extension of contract authority, the Highway Trust Fund's role is virtually unchanged from the present law.

In the second three years (1978-80), which covers the period after the Highway Trust Fund is scheduled to expire (October 1977), we propose to combine the urban highway program with the UMTA program and fund them both from the general funds. We believe that the natural benefits of our proposal are sufficiently broad to warrant this use

of general fund dollars. We also believe it is vital to design now such a long-term urban program because of the need of our cities to know how many Federal dollars they can count on and for what time period. Responsible long-term transit planning is next to impossible if each city is forced to search anew each year for funds.

One final point on UTAP. We have proposed a six-year urban program and a three-year small urban and rural program, including a major expansion in the new rural transportation demonstration program first authorized by the 1973 Federal-Aid Highway Act. As the Secretary indicated in his testimony on March 19th, we are working on the formulation of a small urban and rural program which would cover the 1978 to 1980 period. Again, we look forward to working with you and your staff on this important aspect of the highway program.

Charter Bus Operations

Next, I would like to outline for you the Department's Charter Bus Bill (H.R. 12857). This bill amends section 164(a) of the Federal-Aid Highway Act of 1973 which forbids the Secretary to extend Federal financial assistance for the purchase of buses under either the Urban Mass Transportation Act of 1964 or the Federal-Aid Highway Act unless the applicant for the assistance agrees not to engage in charter service in competition with private bus operators outside of the area within which it provides regularly scheduled mass transportation service. The penalty for a violation of the agreement is debarment from the receipt of further Federal assistance.

Section 164(a) has engendered serious concern in the transit industry in that it has made it difficult to determine efficiently future bus requirements. The net effect has been to make bus purchases unattractive under both the urban mass transportation program and the Federal-aid highway program. Under the bill, the applicant for Federal funds for the purchase of buses would have to enter into one of two types of agreements with the Secretary. Under the first type, the applicant would simply agree not to engage in charter bus operations outside of any urban area within which it provides regularly scheduled mass transportation service. Failing that, it would be necessary for the Secretary and the applicant to agree to arrangements which would ensure that the financial assistance will not enable the applicant to operate charter service outside of any urban area where it provides regularly scheduled mass transportation service in a manner that forecloses private operators from performing charter service outside of such areas. Grantees could be prohibited from receiving further financial assistance for mass transportation facilities or equipment only where the Secretary finds there has been a continuing pattern of violations of the agreement.

Highway Beautification

The next Department proposal I would like to discuss is our highway beautification bill. The first phase of the highway beautification program has been completed. All of the states have enacted legislation prohibiting the creation of new signs in all areas except

commercial and industrial areas, and have entered into the required agreements with the Secretary regarding the size, lighting and spacing of signs in commercial and industrial areas. In addition, we are well into Phase II -- the removal of signs by the states under their own laws. As of the end of calendar year 1973, approximately 201,000 nonconforming, illegal, and abandoned signs have been removed. Thus far this year, the states have removed an additional 25,000 signs.

Now it is necessary that new authorizations be enacted if this level of progress is to be maintained. We do not wish to repeat the experience of fiscal years 1968, 1969, and 1970 when, because of a lack of authorizations, the states doubted the Federal Government's commitment to fully implement the program, and the program came to a standstill. Our bill proposes a combined funding level for the sign removal, junkyard removal, and scenic enhancement programs of \$50 million for fiscal 1975, \$55 million for fiscal year 1976, and \$60 million for fiscal year 1977.

Now I would like to discuss two other important provisions of our bill. Both of them were contained in the versions of the Federal-aid highway bills passed by both the House and the Senate in 1972 and 1973. However, they were not enacted because of the last minute failure of the 1972 highway legislation and the decision by the Conference Committee on the 1973 Act to postpone action on the highway beautification program in order to consider these proposals separately with other more controversial provisions.

The first provision would extend the control of signs from 660 feet to the limits of visibility outside of incorporated cities and villages. In many cases, these signs are more objectionable than those adjacent to the right-of-way, and extending the controlled area would end the current proliferation of "jumbo signs" erected beyond the 660-foot boundary.

The second provision would provide funding for the removal of all signs lawfully erected under state law. This would correct the inequities in the current law, which limits Federal financial participation to signs lawfully erected before October 22, 1965, yet requires the states to remove many signs erected since then. This hiatus period places an unnecessary burden on many states by requiring them to pay for the removal of signs established during this period without providing for a Federal share of the required compensation.

Our bill also amends the section 136 junkyard program by permitting flexibility in the use of junkyard control funds. In particular, we would add the collection of junked auto bodies and their transportation to recycling facilities as an eligible activity under this program. In addition, the bill contains amendments to the section 319 scenic enhancement program which would include the acquisition of scenic strips among projects eligible under subsection (a) of that section and would include information centers among the facilities which may be funded under subsection (b).

Vehicle Sizes and Weights

Finally, I would like to discuss the Department's proposed amendments respecting the maximum size and weight of vehicles using the Interstate System. One of the Federal responses to the energy shortage was the enactment of the Emergency Highway Energy Conservation Act, which established the 55 mph limit on the Nation's highways, including the Interstate System. In those states in which the general speed limit was higher, there has been a loss of productivity for the trucking industry. This loss of productivity translates into a reduction in the total trucking capacity available on the order of 8 percent over all highways. Segments of the trucking industry and the shipping community have voiced legitimate complaints about this situation.

One possible course of action is to increase the existing weight limitations on the Interstate System. Under section 127 of title 23, United States Code, vehicles using the Interstate System are limited to a maximum single axle weight of 18,000 pounds, a maximum tandem axle weight of 32,000 pounds, and a maximum gross weight of 73,280 pounds. Widths are limited to 96 inches. However, under a grandfather clause in section 127 which permits states to retain higher 1956 limits, 22 states presently permit maximum single axle weights in excess of 18,000 pounds and 24 states permit tandem axle weights in excess of 32,000 pounds. Off the Interstate System, 11 states permit greater widths or weights.

Length is not now regulated by Federal law. As regulated by state law, it ranges from a low of 55 feet to a high of 75 feet. Virtually all existing straight trucks and semitrailers fall well within this range. Some states will not allow combinations other than the tractor-semitrailer. Most tractor-semitrailers and tractors towing twin 27-foot trailers would fall within the 65-, 70-, and 75-foot limitations now imposed by 23 of the states. Twin 40-foot trailers are in use on only a limited number of eastern toll roads, under highly controlled conditions. Their overall length is in the neighborhood of 96 to 105 feet. Thus, a Federally encouraged increase in some state length limitations offers the possibility of increasing productivity through increases in cubic capacity and in gross weight.

Our bill would provide relief to truckers and shippers on a temporary basis by increasing the existing Federal weight limits within the bounds imposed by manageable vehicle lengths. To encourage the states to act promptly, it would require, as a condition of approval of further Federal-aid projects within a state, that the state raise its limits to 20,000 pounds on a single axle and 34,000 pounds on a tandem axle, and that the state set maximum gross weights in accordance with the bridge formula. The bridge formula employs vehicle wheelbase and number of axles as the determinants of gross weight. Overall length would be set at 70 feet.

The bill also provides that states may not prohibit the various possible combinations of vehicles of the type mentioned above as long

as their overall length falls within the allowable 70-foot length limitation. However, the width limitation would remain unchanged at 96 inches, as would the section 127 grandfather clause which permits the continued use of higher weight and width limitations if they were in effect on July 1, 1956. The existing sanctions of section 127 against increases over these limits also would continue to apply.

The duration of this temporary measure is tied directly to the Emergency Highway Energy Conservation Act, P.L. 93-239, and would expire with it, at the latest, on June 30, 1975.

The net effect on this proposal is to require the states to allow, for the time that the 55 mph speed limit is in effect, the Interstate System operation of existing tractor-semitrailers loaded approximately 10 to 15 percent heavier, and the operation of twin 27-foot trailers, within the 70-foot length limitation. Operations in a few states under the grandfather clause, such as twin 40-foot trailers on certain toll roads, would remain undisturbed but would not be expanded to other segments of the Interstate.

Axle weight increases are held to 20,000 single and 34,000 tandem, including statutory enforcement tolerances, because this seems to be enough to give meaningful relief to truckers and shippers, while not increasing beyond manageable limits the highway maintenance and construction burden borne by the states.

The evidence available shows that axle load increases in this range will result in increased pavement maintenance or reconstruction

costs of about 20 percent on the affected routes. The increase will be less in those states which now permit relatively heavy axle loads under the existing section 127 grandfather clause. The increased pavement damage probably would not appear during the first year of increased axle loads. Thereafter, greater patching activity would be required, and there would be a shorter period of service before complete overlays become necessary. A rough annual estimate of these costs is in the range of \$50 to \$100 million.

Gross weight would be held to that determined by a formula which is derived from our experience with bridges. Given a maximum 70-foot limit on overall lengths, this formula would produce weight figures for all of the various configurations of trucks which would be safe on all existing Interstate bridges. Increasing the length of vehicles has an adverse effect on the life expectancy of highway bridges with span lengths of 100 to 300 feet.

We believe that the weight increases we propose will have a minimal effect upon highway safety. The lowering of the speed limit to 55 reduces braking distance materially, far more than any increases in braking distance with existing equipment which might be attributed to greater axle loads. To the extent that increased truck productivity leads to fewer trucks on the road, it means less exposure to accidents.

Greater productivity may also be accompanied by some overall fuel savings. Although an individual heavier truck or tandem trailer rig necessarily would use some additional fuel, we believe this effect

would be fully offset on a National basis. In other words, while truck-mile fuel costs would go up slightly, ton-mile costs would go down.

In summary, we believe that modest increases in weights for operations on the Interstate System will provide needed relief from the fuel pinch to the truckers, shippers, and the general public with minimal risk of lasting harm to the Nation's highway systems.

Mr. Chairman, that completes my prepared statement. Now I will be happy to attempt to answer any questions you may have.