

HEARING ON METROPOLITAN REGIONAL ORGANIZATIONS
STATEMENT OF
FEDERAL HIGHWAY ADMINISTRATOR R. A. BARNHART
BEFORE THE
INTERGOVERNMENTAL RELATIONS SUBCOMMITTEE
SENATE GOVERNMENTAL AFFAIRS COMMITTEE
FEBRUARY 6, 1984

THANK YOU FOR INVITING ME TO DISCUSS WITH YOU METROPOLITAN REGIONAL ORGANIZATIONS. AS A FORMER CITY COUNCIL MEMBER AND SUPPORTER OF THE HOUSTON-GALVESTON AREA COUNCIL, THE REGIONAL PLANNING AGENCY IN SOUTHEASTERN TEXAS, AND AS A FORMER MEMBER OF THE TEXAS HIGHWAY COMMISSION, I WELCOME AN OPPORTUNITY TO DISCUSS THE COOPERATIVE RELATIONSHIP BETWEEN STATE AND LOCAL GOVERNMENTS.

REGIONAL COOPERATION IS A KEY ELEMENT IN METROPOLITAN TRANSPORTATION DECISIONMAKING. IN A METROPOLITAN AREA, THERE ARE A MULTITUDE OF LOCAL GOVERNMENTS, WITH CONFLICTING VIEWS AND DIVERSE DEVELOPMENT OBJECTIVES WHICH NEED TO BE RESOLVED. A COOPERATIVE EFFORT AMONG THE LOCAL ELECTED OFFICIALS AND THE PROVIDERS OF TRANSPORTATION FACILITIES AND SERVICES IS VITAL TO THE ECONOMIC WELL BEING OF THE AREA. THIS IS EVEN MORE CRITICAL WHERE A METROPOLITAN AREA ENCOMPASSES PARTS OF SEVERAL STATES, SUCH AS IN THE WASHINGTON, D.C. METROPOLITAN AREA.

CONGRESS RECOGNIZED THE IMPORTANCE OF REGIONAL COOPERATION FOR FEDERAL HIGHWAY INVESTMENTS OVER 20 YEARS AGO. THE FEDERAL-AID HIGHWAY ACT OF 1962 REQUIRED THE ESTABLISHMENT OF A CONTINUING, COMPREHENSIVE, TRANSPORTATION PLANNING PROCESS TO BE CARRIED ON COOPERATIVELY BY STATE AND LOCAL COMMUNITIES IN URBANIZED AREAS OVER 50,000 POPULATION. THIS "3C" PLANNING PROCESS HAS BEEN THE BACKBONE OF TRANSPORTATION PLANNING IN URBAN AREAS EVER SINCE. MR. CHAIRMAN, IN YOUR LETTER YOU ASKED US TO DISCUSS WHAT ROLE CONGRESS ENVISIONED FOR REGIONAL PLANNING ORGANIZATIONS. I BELIEVE IT IS IMPORTANT TO KEEP IN MIND THAT CONGRESS DID NOT PRESCRIBE DETAILS ON HOW THE URBAN TRANSPORTATION PLANNING PROCESS WAS TO FUNCTION; IT ONLY REQUIRED THAT SUCH A PROCESS EXIST. THE SECRETARY OF TRANSPORTATION WAS GIVEN THE AUTHORITY TO ENSURE THAT TRANSPORTATION PROJECTS IN URBAN AREAS WITH POPULATIONS OF 50,000 OR MORE ARE BASED ON THIS 3C PROCESS.

THE URBAN TRANSPORTATION PLANNING PROCESS PROMOTES FEDERAL, STATE, AND LOCAL TRANSPORTATION OBJECTIVES BY ASSISTING STATE AND LOCAL DECISIONMAKERS IN IDENTIFYING AND ASSESSING THE BENEFITS AND COSTS OF ALTERNATIVE TRANSPORTATION OPTIONS FOR BOTH THE HIGHWAY AND TRANSIT SYSTEMS. THIS IS ACCOMPLISHED, IN PART, BY PROVIDING A FORUM WHERE STATE AND LOCAL OFFICIALS ARE PROVIDED WITH THE APPROPRIATE INFORMATION NECESSARY TO MAKE INFORMED DECISIONS REGARDING THE IMPLEMENTATION AND OPERATION OF URBAN TRANSPORTATION PROJECTS AND SERVICES. THIS DECISIONMAKING

PROCESS ASSISTS IN DEFINING AND SELECTING OPERATIONAL AND SYSTEM MANAGEMENT POLICIES AND CAPITAL PROJECTS. IT ALSO ASSISTS IN THE ALLOCATION AND PROGRAMMING OF SCARCE PUBLIC RESOURCES TO PROJECTS THAT REPRESENT A PRIORITY NEED AND PROVIDE EFFICIENT AND COST-EFFECTIVE TRANSPORTATION SERVICES IN AN URBAN AREA. AS AN EXAMPLE, WE AND UMTA ARE COOPERATING AND ENCOURAGING WHERE APPROPRIATE THE UTILIZATION OF HIGH OCCUPANCY VEHICLE AND BUS LANE PROJECTS IN METROPOLITAN AREAS.

IN 1973, CONGRESS FORMALIZED THE URBAN TRANSPORTATION PLANNING PROCESS SOMEWHAT BY REQUIRING THAT A "METROPOLITAN PLANNING ORGANIZATION" BE RESPONSIBLE FOR CARRYING OUT THE URBAN TRANSPORTATION PLANNING PROCESS. REGULATIONS IMPLEMENTING THAT LAW WERE PUT INTO EFFECT, BUT OVER THE YEARS PROBLEMS OCCURRED BECAUSE OF THE OVERLY PRESCRIPTIVE NATURE OF THESE REGULATIONS. AS AN EXAMPLE, PORTLAND, OREGON WAS CONCERNED OVER WHETHER THE MEMBERSHIP OF ITS METROPOLITAN PLANNING ORGANIZATION WOULD MEET FEDERAL REQUIREMENTS. WE BELIEVE THE BEST STRUCTURE OF THESE METROPOLITAN PLANNING ORGANIZATIONS ULTIMATELY IS THAT WHICH IS DECIDED BY THE STATE AND LOCAL GOVERNMENTS. IN THE FINAL REGULATION WE SAID, IN ESSENCE, THAT WE WOULD ACCEPT WHATEVER THE LOCAL AND STATE GOVERNMENTS AGREED TO REGARDING THE STRUCTURE OF THE METROPOLITAN PLANNING ORGANIZATION. THAT SETTLED THE PORTLAND ISSUE AND A NUMBER OF OTHERS. IT IS IMPORTANT TO NOTE THAT IN SEEKING SOLUTIONS TO MULTIJURISDICTIONAL PROBLEMS, WHAT

WORKS IN HOUSTON, TEXAS, MAY NOT WORK IN MINNEAPOLIS-ST. PAUL, AND VICE-VERSA. FEDERAL LAWS AND REGULATIONS HAVE TENDED TO FORCE STATE AND LOCAL GOVERNMENTS INTO A SINGLE "MOLD." ONLY IF SOLUTIONS ARE TAILORED TO THE PARTICULAR LOCAL-STATE SITUATION WILL THEY HAVE THE BEST CHANCE OF SUCCESS.

WHEN I BECAME FEDERAL HIGHWAY ADMINISTRATOR THREE YEARS AGO, I WAS CONCERNED THAT THE URBAN TRANSPORTATION PLANNING PROCESS WAS NOT OPERATING AS ORIGINALLY INTENDED. I ASKED MY STAFF TO UNDERTAKE A JOINT FHWA/UMTA REVIEW OF THIS PROCESS. WHILE THIS REVIEW WAS A FEDERAL INITIATIVE, PUBLIC PARTICIPATION WAS AN INTEGRAL PART. MAJOR NATIONAL ASSOCIATIONS INCLUDING THOSE REPRESENTED HERE TODAY WERE CONTACTED FOR THEIR SUGGESTIONS ON WHICH ISSUES WERE MOST IMPORTANT AND HOW THEY COULD BE ADDRESSED. THESE SUGGESTIONS WERE EXTREMELY HELPFUL IN PREPARING AN "ISSUES AND OPTIONS" PAPER. THIS PAPER SERVED AS THE VEHICLE FOR THE PUBLIC TO COMMENT.

WE WERE PLEASED THAT THERE WERE COMMENTS FROM 265 DIFFERENT AGENCIES, INDIVIDUALS, AND GOVERNMENTS. THIS INCLUDED COMMENTS FROM 100 METROPOLITAN PLANNING ORGANIZATIONS AND/OR REGIONAL PLANNING AGENCIES. THERE WAS REMARKABLE SIMILARITY IN THE COMMENTS AND WHILE NOT EVERYONE AGREED ON EVERY ISSUE, THE FOLLOWING POINTS REFLECT THE GENERAL CONSENSUS OF THE COMMENTERS REGARDING REGIONAL COOPERATION AND THE FEDERAL ROLE.

- 0 THERE IS A NEED FOR A LOCAL FORUM OF COOPERATIVE DECISIONMAKING.

- 0 THERE SHOULD BE A STRONGER ROLE FOR STATE AND LOCAL OFFICIALS IN DECIDING WHETHER FEDERAL LAWS AND REGULATIONS ARE BEING MET. THIS APPLIES NOT ONLY TO THE PLANNING PROCESS, BUT ALSO TO OTHER FEDERAL REQUIREMENTS ADDRESSED DURING THE PLANNING PROCESS SUCH AS AIR QUALITY.

- 0 THERE WAS SUBSTANTIAL SUPPORT FOR PERMITTING STATE AND LOCAL OFFICIALS FLEXIBILITY TO DESIGN THEIR PLANNING PROCESS TO MEET LOCAL NEEDS. IN THE FINAL REGULATIONS WE MADE SURE THAT STATE AND LOCAL GOVERNMENTS WERE PROVIDED MAXIMUM FLEXIBILITY WITHIN THE PARAMETERS OF THE LAW.

- 0 THERE IS A NEED FOR A FEDERAL ROLE IN URBAN TRANSPORTATION PLANNING. MANY COMMENTERS WANTED THE REGULATORY ASPECTS OF THE FEDERAL ROLE TO BE REDUCED, ESPECIALLY IN THE SMALLER AREAS. INSTEAD THEY WANTED THE FEDERAL INVOLVEMENT TO BE ONE OF ENCOURAGEMENT, GUIDANCE, TECHNICAL ASSISTANCE AND FISCAL SUPPORT.

AS A RESULT OF THIS COMPREHENSIVE REVIEW, WE MADE A NUMBER OF SIGNIFICANT CHANGES TO THE URBAN TRANSPORTATION PLANNING REGULATION. THE NEW REGULATION MAKES CLEAR THE DISTINCTION

BETWEEN STATUTORY REQUIREMENTS AND RECOMMENDED PLANNING PRACTICES." WE REMOVED, TO THE MAXIMUM EXTENT POSSIBLE, THOSE ADMINISTRATIVE AND REGULATORY REQUIREMENTS NOT MANDATED BY LAW; WE REMOVED PRESCRIPTIVE FEDERAL REQUIREMENTS IN AREAS WHICH WERE PREDOMINANTLY STATE/LOCAL ISSUES, THEREBY INCREASING STATE AND LOCAL FLEXIBILITY AND RESPONSIBILITY IN CARRYING OUT THIS PROCESS AS WE BELIEVE CONGRESS INTENDED. WE ARE AWARE THAT BY PROVIDING MAXIMUM FLEXIBILITY TO STATE AND LOCAL GOVERNMENTS IN THIS PROCESS, IT COULD CAUSE LESS ATTENTION TO BE PAID TO REGIONAL PLANNING. WE DON'T BELIEVE THIS WILL HAPPEN IF REGIONAL AGENCIES NOT ONLY CARRY OUT FEDERAL REQUIREMENTS, BUT ALSO DEMONSTRATE THEIR USEFULNESS TO LOCAL AND STATE GOVERNMENTS. WE BELIEVE THAT IT IS DESIRABLE FOR STATE AND LOCAL GOVERNMENTS PERIODICALLY TO ASSESS THE STRUCTURE AND RESPONSIBILITIES OF REGIONAL AGENCIES TO SEE IF THEY ARE STILL SERVING THEIR MOST IMPORTANT AND APPROPRIATE NEEDS.

THE FINAL REGULATION WAS PUBLISHED IN JUNE 1983 AFTER WE REVIEWED AN ADDITIONAL 147 COMMENTS THE PUBLIC MADE ON OUR PROPOSED CHANGES. WE BELIEVE THE PROCESS OF REVIEWING THE URBAN TRANSPORTATION PLANNING PROCESS WAS DONE IN A MANNER WHICH PROVIDED ALL INTERESTED PARTIES AN ADEQUATE OPPORTUNITY TO SEE THAT THEIR VIEWS WERE HEARD AND CONSIDERED.

IT SHOULD BE NOTED THAT THROUGHOUT THIS REVIEW, THE ORGANIZATIONS REPRESENTED ON THIS PANEL WORKED TOGETHER TO RESOLVE DIFFERENT VIEWPOINTS. WE BELIEVE THE FINAL RULE OUTLINES A PLANNING PROCESS WHICH REFLECTS A FAIR COMPROMISE AMONG ALL PARTICIPANTS-- LOCAL, REGIONAL, STATE, AND FEDERAL. ONCE THE FINAL REGULATIONS WERE PUBLISHED, THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) AND THE NATIONAL ASSOCIATION OF REGIONAL COUNCILS (NARC) JOINTLY SPONSORED A SERIES OF WORKSHOPS IN MINNEAPOLIS, NEW YORK, NEW ORLEANS, AND SAN DIEGO, TO BRING TOGETHER TRANSPORTATION PROFESSIONALS TO DISCUSS OPENLY THEIR CONCERNS, IDEAS, AND EXPERIENCES REGARDING THE URBAN TRANSPORTATION PLANNING PROCESS AND THE REVISED REGULATION. THE PARTICIPANTS IN THE MEETINGS WERE REPRESENTATIVES OF METROPOLITAN PLANNING ORGANIZATIONS, STATE HIGHWAY DEPARTMENTS, TRANSIT OPERATORS, AND THE URBAN MASS TRANSPORTATION ADMINISTRATION AND THE FEDERAL HIGHWAY ADMINISTRATION. ALL PARTICIPANTS WERE, I BELIEVE, GENERALLY SATISFIED WITH THE FINAL RULE AND APPRECIATED ITS INCREASED STATE/LOCAL FLEXIBILITY AND THE ROLES SPELLED OUT FOR EACH PARTICIPANT--STATE, LOCAL, METROPOLITAN PLANNING ORGANIZATION, TRANSIT OPERATOR, ETC.

MR. CHAIRMAN, YOU ALSO ASKED IN YOUR LETTER WHETHER I THOUGHT THAT THE ROLE OF METROPOLITAN PLANNING ORGANIZATIONS AS ENVISIONED BY CONGRESS HAS BEEN REALIZED. WITH REGARD TO TRANSPORTATION, I BELIEVE IT HAS. I FURTHER BELIEVE THE URBAN

TRANSPORTATION PLANNING PROCESS, WITH THE METROPOLITAN PLANNING ORGANIZATION SERVING AS THE FORUM FOR COOPERATIVE TRANSPORTATION DECISIONMAKING, IS EFFECTIVE. IT PROVIDES A FORUM FOR COORDINATING AND ASSISTING IN RESOLVING CONFLICTS ARISING FROM DIVERSE INTERESTS ON THE USE OF FEDERAL PLANNING AND CAPITAL ASSISTANCE FUNDS FOR REGIONAL TRANSPORTATION IMPROVEMENTS. THE METROPOLITAN PLANNING ORGANIZATION HAS PROVIDED THE FORUM FOR LOCAL ELECTED OFFICIALS TO REPRESENT THE VIEWS OF THEIR CONSTITUENCY AND HAS FACILITATED THE STATE-LOCAL DECISIONMAKING PROCESS IN A COMPLEX SYSTEM OF LOCAL GOVERNMENTS AND SPECIAL AUTHORITIES. THIS HAS RESULTED IN A PARTNERSHIP OF STATE AND LOCAL COMMUNITIES IN A TRULY CONTINUING, COOPERATIVE, AND COMPREHENSIVE TRANSPORTATION PLANNING PROCESS.

THE 3C PLANNING PROCESS HAS PROVED SUCCESSFUL IN ANALYZING REGIONAL TRANSPORTATION NEEDS AND IMPROVEMENTS. IT HAS ENABLED LOCAL AND STATE OFFICIALS TO MAKE MORE INFORMED DECISIONS ON WHICH PROJECTS TO PURSUE.

I BELIEVE THE KEY TO THIS SUCCESS HAS BEEN, AND CONTINUES TO BE, THE RECOGNITION BY STATE AND LOCAL OFFICIALS THAT TRANSPORTATION CAN BE A REGIONAL ISSUE. ALSO, THIS ISSUE SHOULD BE ADDRESSED BY LOCAL AND STATE OFFICIALS WORKING TOGETHER IN A COOPERATIVE SPIRIT, SO THAT THE RESOLUTIONS SERVE THE BEST INTEREST OF THE REGION AS A WHOLE.

IF YOU HAVE ANY QUESTIONS, I'LL BE PLEASED TO ANSWER THEM.