

Effect of the New Interstate System on Intergovernmental Relations in Kansas

CLARENCE J. HEIN, Assistant Director for Research, Governmental Research Center, University of Kansas

● AS MIGHT be expected, the advent of the new interstate highway system has resulted in some modification of the existing relationships between state highway officials and the officials of cities and counties in Kansas. The impact has been somewhat different in rural areas, in small and medium sized cities, and in metropolitan areas. The two features of the new program which seem to have had the most effect in changing state-local relationships are the use of controlled access to these highways and the 90-10 financing of the interstate system. Although this paper will be devoted primarily to state-local relations, brief comments will be made about federal-state relations where such comments are appropriate.

INTERGOVERNMENTAL RELATIONS

State-Local Relations in the Rural Areas

Before the interstate system, the chief contact between state and county officials was in matters concerning the Federal-aid secondary system. In Kansas a sizable proportion of this system consists of roads which are under the jurisdiction of county officials. The counties receive money from the state gasoline tax to be used for matching federal grants for secondary roads. There is a Secondary Roads Department of the State Highway Commission whose primary task is to coordinate the actions of county and state officials needed to keep the secondary system in operation. The interstate system has not changed this, and the chief focus of state-local relations in rural areas is still the secondary roads system.

On the Federal-aid primary system, state and local officials might come into contact over the construction or maintenance of the intersection of a state highway and a county or township road. This type of relationship will continue, and a similar relationship will exist for the interstate system. However, the use of controlled access and the elimination of intersections at grades on the interstate system will probably serve to increase the contact between state and local officials during the construction process.

This type of construction is not new to Kansas, of course, because limited access and the elimination of grade crossings are a feature of the Kansas Turnpike. In addition, Kansas statutes have permitted limited access on the state highway system since 1953.¹ However, the Turnpike Authority built 171 structures to carry county and township road traffic over the turnpike, and requested that only 13 township roads be closed.² Some of the roads for which structures were built probably had a lower traffic count than would be permissible for such structures to be built on the interstate system. If the State Highway Commission attempts to apply higher traffic requirements for those county and township roads which will be kept open, more local opposition may develop. This local opposition can be effective if it includes the rural members of the state legislature, because the highway commission is dependent upon the revenues provided by state law. As a matter of fact, they have requested that the next session of the legislature add one more cent to the motor vehicle fuel tax so that the commission can match the additional Federal aid now being granted and also continue with its own construction and maintenance program. The bulk of this program consists of hot-mix resurfacing and bituminous seals on Federal-aid highways, but these are activities for

¹ Laws of Kansas, 1953, Chapter 307.

² The official records of this action may be found in the Resolutions of the Kansas Turnpike Authority, May 18, 1955.

which Federal-aid funds may not be used. It is possible, but not probable, that an aroused legislature might decide to restrict the use of present highway commission funds to designated activities, with the construction of the interstate system being given a relatively low priority by the rural legislators. If really serious local opposition should develop, therefore, it could hold back the interstate system without affecting the primary or secondary systems.

The awarding of contracts on the interstate system in Kansas, and actual construction, has so far progressed more rapidly in areas adjacent to the three largest cities than it has in the strictly rural areas. Therefore, Kansas has not yet had enough experience to determine the ultimate effect of the interstate system on state-local relations in the rural areas. However, the only possible problem in these relationships seems to be the potential reaction of township and county officials if they should feel that too many roads are being closed by the interstate system. State highway officials are aware of the potential problem, and will probably attempt to keep open as many local roads as possible. If a problem develops, state highway officials will probably be caught between the demands of local officials and the standards required by the Bureau of Public Roads.

Relations of the State Highway Commission and Small or Medium-Sized Cities

Small and medium sized cities are all cities outside the metropolitan areas of Kansas City, Topeka, and Wichita, and hence will include cities of up to 40,000 population. Relationships between the state agency and these cities on the interstate system are concerned chiefly about the same things as on the primary system, namely, the location of the highway by-pass around the city and the potential effect of this upon local business establishments. So far there have been no major conflicts over the location of interstate highways such as that reported in Missouri where the city of Boonville has been attempting to force a change in the location of the new highway. Perhaps the experience of those cities by-passed by the Kansas Turnpike has been a helpful influence. In virtually every case, the reaction in these cities has been that having the Turnpike nearby has been an asset to the city.

The usual relatively minor problems have arisen in cities where construction is under way. For example, one city requested that the plans for an overpass be modified to include pedestrian walkways for the use of children who had to cross the interstate system to get to their school, and this change was made. The state agency has announced that it will set the speed limit on those portions of the interstate system which are within the city boundaries, and so far this has not disturbed city officials. Although law enforcement on the portions of the system within city limits can be handled either by state or city patrolmen, so far the cities have preferred to leave this job to the state highway patrol.

Another minor problem is the question of who should pay for the relocation of city utility structures caused by highway construction. City officials feel that since the improvement is for the convenience of travelers on the interstate system, the costs should not be paid by the city. However, so far only relatively modest amounts have been involved in the smaller cities and city officials have not seriously opposed payment of these costs by the city.

In general, then, the interstate system has not changed the relationship between the State Highway Commission and the small and medium sized cities. Insofar as a change is noticeable, it is in the direction of improved relations. It should be noted, however, that the official organization of the cities, the League of Kansas Municipalities, has used the advent of the interstate system to re-emphasize its position that cities are not receiving their fair share of attention or funds from the state highway program. On July 15, 1957, this organization made a formal request for the creation of an urban department in the state agency, similar to the secondary roads department. It has also protested that cities are not receiving a fair share of the proposed one cent increase in the gasoline tax. It should be emphasized that the protests are aimed at the state highway program in general, and not at the interstate system.

State-Local Relations in the Metropolitan Areas

There are two major effects of the interstate system upon state-local relations in metropolitan areas in Kansas, one of them relatively short-term and the other a long-range effect. In the short run, the 90-10 financing provision of the interstate program has served to improve state-local relations. The second effect is the location of the interstate system in relation to the need of rapidly-growing metropolitan areas for an adequate traffic network in 1970 or 1975.

In all three of the Kansas metropolitan areas, city officials have less complaints about the construction and financing of the interstate system than they had about the primary system in a previous study made in 1953. On the primary system, the basic problem for the city was obtaining the necessary funds to pay for its share of the right-of-way costs. Under the old 50-50 financing system, these three cities were often required to pay all of the right-of-way costs. This made for problems because the city officials might be reluctant to approve a route through a high-cost area, and would usually be reluctant to sign an agreement for construction which required a substantial financial outlay by the city. Under the 90-10 financing of the interstate system, complaints about this problem of state-local relations have virtually disappeared. It should be noted that the cost to the city in dollars may be at least as great on the interstate system as it was on the Federal-aid primary system in past years, because of the greatly increased amount of construction being done in the cities. However, the city officials apparently feel that proportionately they are getting so much more for their money on the interstate system that the costs to the city are not as great a burden as they were on connecting links of the primary system.

The problem raised by the cost of relocating city utilities exists in the metropolitan areas as it does in the smaller cities. The full force of city officials is not brought to bear upon the state agency, however, because in the larger cities the city utilities are often controlled by separate boards and the mayor and council have no jurisdiction over them. As a result of this split in city governmental organization, the utility problem is less of a factor in state-local relations than it might otherwise be.

Other relatively minor problems also have arisen in the metropolitan areas, for example occasional disagreements between local and state officials about the number and location of interchanges or the location of the highway itself. Where agreement has not been reached, local officials understand the reasons why the state officials cannot make the requested changes and accept them as a valid basis for the state action.

There have been no examples in Kansas of protests by suburban communities against being cut in two by the proposed route of the interstate system such as have been reported by the newspapers in other states. This has happened to only one suburban city in Kansas, and in this case the route followed is alongside a railroad which already cuts the city in two. No great additional problems are caused for the city other than the normal problems of adequate interchanges and overpasses.

Metropolitan Area Planning and the Interstate System

State-local relations have varied with respect to the problem of integrating the interstate system into metropolitan planning in Kansas because there is considerable variation from one metropolitan area to another with respect to the amount and the effectiveness of the planning which has been done.

Wichita city planners for example, had worked out an integrated plan for metropolitan area growth prior to the inception of the interstate system. The local planning agency cooperated with the State Highway Commission in traffic surveys and traffic projections, and an over-all master plan for thoroughfares was adopted by the Wichita Planning Commission in 1955.

When the interstate system was announced, the city and the state commission and the Bureau agreed that two of the arterial routes in the master plan would be suitable for the interstate system routes through the Wichita metropolitan area. Although there was subsequent local dissension in Wichita over planning in general, this did not disrupt the integration of the interstate system into the master plan which was designed to provide adequate traffic facilities for the metropolitan area for 1975.

Where there was adequate local planning for future traffic needs, therefore, the interstate system could be fitted into them to the satisfaction of local, state, and national officials. There may still be some relatively minor adjustments to be made, but in general all levels of government are satisfied.

The Kansas City metropolitan area is considerably larger than Wichita, with about a million people sprawled over six counties in two states around the central city of Kansas City, Missouri. On the Kansas side are two counties, the sub-center of Kansas City, Kansas, and a rapidly growing suburban area in Johnson County in which over 100,000 people are scattered through some fifteen small cities and an adjacent urban township. There is no effective over-all planning agency for the whole metropolitan area, nor is there such an agency for the suburban area in Johnson County, Kansas. Over all zoning and subdivision control is difficult where so many small municipalities are involved, and this hampers any effective over-all planning. As a result the need for adequate facilities for intra-metropolitan traffic does not as yet receive the kind of attention it deserves. The fact that having an adequate and enforceable plan for future traffic facilities could save considerable money by preventing the building up of areas through which expensive right-of-way will have to be purchased later does not receive much recognition. In this rapidly growing area the need for schools and sewers is a present need, and there is little attention paid to future trafficway needs.

As a result, the State Highway Commission officials do not have the same opportunity that they had in Wichita to fit the interstate system into a master plan for the local area. Although state officials have made every effort to fit the interstate system into the needs of the local area, this is not their primary job. Therefore, it would not be surprising if twenty years from now there are additional problems for the local officials caused by the fact that the interstate system has created bottlenecks for unanticipated traffic needs. There may be other problems of a more general nature, also. For example, experience in Eastern states has been that industries have grown up around the interchanges of freeways and turnpikes. If this happens around interchanges of the interstate system in the Kansas City suburban area, industrial areas may grow up in the middle of high-priced suburban residential areas in a manner not conducive to orderly growth of the suburban area. This is, of course, a problem that is found in other states as well as in Kansas.³

Inter-State Relations in the Kansas City Metropolitan Area

The central cities of Kansas City, Missouri, and Kansas City, Kansas, have had relatively well-developed plans for major trafficways for some time. In addition, both the Missouri and Kansas highway departments had previously participated with the two cities in developing plans for major interstate highways in the area.

As a result, when the new interstate system was started, it could rather easily be fitted into the existing plans for trafficways in the two cities. There has been relatively little conflict between Missouri and Kansas state officials or city officials of the two Kansas Cities over the location or construction of the interstate system. When relatively minor disagreements appeared they were worked out at joint meetings of the officials from all four interested governmental units. Because of this cooperation, the proposals submitted to the Bureau by the two states were reasonably well-coordinated. Plans which could not be put into effect earlier because of a lack of funds were revised and put into effect quickly when funds for the new interstate system were made available.

³ For a more extensive account of the general problem see Wilfred Owen, "What Do We Want The Highway System to Do?", pp. 3-11, in Wilfred Owen and others, *Financing Highways* (Princeton, N.J.: The Tax Institute, 1957). For a generally more critical appraisal see the papers presented at the Symposium on the metropolitan problems sponsored by the Connecticut General Life Insurance Company on September 9-11, 1957 and published by that organization.

CONCLUSION

In general, it may be said that the advent of the interstate system has improved state-local relations in Kansas, at least in the short run. The principal factor in this appears to be the 90-10 financing feature, which has relieved the cities of a considerable financial burden in the acquisition of right-of-way even though their expenditure in dollars may not have decreased. The existence of the Kansas Turnpike has also been a factor in conditioning local officials to accept the controlled access features of the interstate system.

A potential problem exists in the rural areas if standards are kept so high that a sizable number of local roads will be closed off. This is an especially potent problem in Kansas because it has the second largest total rural road mileage in the nation. It will, however, be some years before the full effect of this on state-local highway relations can be assessed because present scheduling calls for the rural portions of the system to be built last.

The other potential long-range problem, which Kansas shares with other states, is the problem of integrating the interstate system into the long-range need for planned expansion of the metropolitan areas. Where adequate local planning does not exist, it may be that more attention will have to be given to such planning by the State Highway Commission. It seems unlikely, however, that state or local funds will be forthcoming to enable the state agency to take on this job.