State Role in Programming

Harry R. Hughes, Maryland Department of Transportation

Unfortunately, recent proposed federal programming regulations have tended to blur the role of the states and to diminish their importance in the planning and programming of highways and metropolitan transportation systems. The new federal guidelines in these areas will reduce the importance of the states by inserting the federal government into the allocation of state highway resources, elevating the metropolitan planning organization to the senior management position in transportation planning, and relegating the state to a secondary, cooperative role. Thus, in effect, the U.S. Department of Transportation has come forth with proposals that in one fell swoop undermine a big section of state sovereignty.

The federal proposals will undermine the productive relations that have arisen in recent years between state and local governments. Most of the regional planning agencies are neither fish nor fowl. They are not responsible for the successful completion of specific projects. They do no funding. They are not answerable directly to the voters and citizens affected by their actions and decisions. They are essentially advisory in nature. And yet, incredibly, we find the U.S. Department of Transportation proposing to raise them to the lead position in transportation programming, placing them above both the state and the local government involved.

Outside the metropolitan areas, we find the federal government seeking to control the decision regarding which projects should be funded with federal funds and, by implication, which projects should be funded entirely by state funds. This has historically been the state’s decision for the good reason that the state is in the best position to make it.

We believe these new proposals will reduce the state’s flexibility to use its transportation funds. We also feel that the proposals ignore the many real differences among states and install a standardized management procedure that replaces procedures that have evolved in response to different conditions and needs. The proposals will also increase red tape and result in further unnecessary delays. Finally, I believe the proposals range far beyond the views of Congress concerning the role of the states and the relations that should exist among the 3 levels of government in this country.

As chairman of the conference of state departments of transportation, I asked for the views of the 28 conference members on this issue. I received many strong statements in opposition to the new federal guidelines. On the question of the new program-
ming directive, Howard Ullrich, of California, said, "We believe the adoption of this proposal would serve no useful purpose and would seriously delay our state's already depleted construction program, disrupt our overall financing program, bring about additional unemployment, and cause excessive initial paperwork as well as uneven work flow in the future."

Billy Paxton, of Kentucky, responded, "We see no time savings or benefits afforded by the proposed procedure and feel that it would greatly restrict the management of the highway program by requiring added processes and severely curtail the built-in flexibility of the present programming procedures." Commenting on the new metropolitan programming guidelines, Alan Altshuler, of Massachusetts, said, "This effort runs in direct opposition to the traditions of our American federalism, whereby states and local governments may design their own governmental patterns within the broad limits explicitly established by the Constitution and the Congress."

Of course, Congress, being responsive to the "traditions of American federalism," has been extremely careful not to tread upon the sovereignty of the states in the transportation area. The statutory mandate is clear. Section 134 of title 23 states that the planning process must be carried out "cooperatively by the states and local communities." Section 105 limits the federal involvement in programming to the areas concerned with national defense, access to air and water transportation, safety, and certain primary interstate highways.

Unfortunately, the U.S. Department of Transportation seems to have missed these congressional mandates. The recent programming proposals would ultimately result in a larger role for the federal government and the localities and a smaller one for the states.

We believe these proposals will direct attention away from broad national goals and focus on the question of whether narrow technical procedures are followed precisely. We do not believe this is the way to ensure that the national interests are served.

Instead of specifying procedures and regulations, let us specify national goals. Instead of specifying metropolitan planning procedures, institutions, and agencies, let us specify evidence of a continuing, comprehensive, and cooperative process. Instead of specifying programming techniques, let us specify programming results. We already have a pattern for such procedures in the action plans and in the transportation assistance programs of several states.

As a matter of fact, it ought to be perceived as a question of simple common sense that transportation guidelines should be directed primarily toward the establishment of broad, overall performance goals rather than the specification of narrow technical procedures. The essence of programming is the matching of limited resources to achieve a planned improvement. Programming thus deals with the basic problems related to determining the timing, the cost, and the funding methods of each transportation improvement. In a democratic society like ours, this inevitably becomes a political process. At every level, elected officials seek to achieve the goals and priorities they believe most suit the needs of the electorate. This is true regardless of the level. It affects Congress when it determines the national interest in a vast highway system, it enters into the deliberations of a state legislature that is trying to encourage public transit, and it affects a county council that wants to widen a local highway.

In addition, of course, we must recognize that sociological, demographic, economic, and political conditions vary from state to state. These variances, of course, are reflected in the way states perform their functions. For example, some states control every major road in the state. Others leave major roads to the counties and municipalities.

Moreover, it seems to me that we must recognize that the states are changing not only in organization but also in the emphasis they place on the different forms of transportation. Highways are no longer the principle and only concern. In many areas, public transit is receiving considerably more attention.

The transportation needs of metropolitan areas are being determined more accurately and plans are under way to fulfill them. There is wide recognition of the need to consider environmental questions and to achieve increased community participation in the transportation planning process. Many states are setting up more capable and efficient
state transportation agencies and administrations. Many now have truly unified planning and funding programs.

It should be clear that the states have the lead in transportation. Some states, for example, provided operating support to transit systems long before the federal government got into the act. Some states own and operate transit systems, aviation and port facilities, and railroads. Some states have even been courageous enough to substitute transit projects for major highway projects.

It is time to take a new look at what exists in the states. It is time to redefine the federal-state relation and to emphasize a more effective federal role.

We in the states would like to see a recognition of the differences existing among states. We believe that such a recognition would lead to the establishment of planning and programming procedures that are truly multimodal and of one set of requirements for highways, aviation, and transit. We believe that federal guidelines should allow states to tailor their planning and programming processes to fit their own unique institutions, needs, and resources.

This is an exciting and challenging time to be in the transportation field. Surely, when the nation is faced with its most severe economic crisis since the depression, we should have the highest degree of cooperation and understanding. I am sure that people of good will at all levels of government can work together to resolve the differences I have described today.